



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission
FROM: Brian Foote, AICP, Associate Planner
DATE: February 17, 2011
SUBJECT: Planning & Zoning Permit Nos. 10-300-3 (Tentative Subdivision Map) and 10-500-7 (Special Use Permit) for the Rancho Victoria Plaza office/retail center.

- 1) **Recommendation:** That the Planning Commission:
 - a) Approve Planning & Zoning Permit No. 10-500-7 for a special use permit, subject to certain findings and conditions.
 - b) Adopt a resolution recommending that the City Council approve Planning & Zoning Permit No. 09-300-3 for a tentative subdivision map, subject to certain findings and conditions.

- 2) **Project Description and Applicant:** A request for approval of a tentative map to subdivide a vacant 6-acre property into 14 commercial parcels plus one parcel for common areas, and a special use permit to construct 14 commercial structures for a total of 53,016 square-feet of office/retail space with 239 parking spaces. The project site is located at 3600 and 3700 West Fifth Street (APN's 185-0-170-085,-095). Filed by owner/applicant Richard Ridgeway, Investec Real Estate, 200 E. Carrillo Street, Suite 200, Santa Barbara CA 93101.

- 3) **Existing & Surrounding Land Uses:** The subject property is largely vacant and unimproved, except for Southampton Place that bisects the property. A portion of the property westerly of Southampton was previously developed with a parking lot and building pads.

Project Site	Commercial General (C-2-PD)	Commercial General (CG)	Vacant
North	C-2-PD; Limited Mfg (M-1-PD)	Airport Compatible (AC)	Retail Commercial Center; York Business Records Storage
South	C-2-PD	CG	Single-Family Residential
East	Business Research Park (BRP)	BRP	Vacant
West	C-2-PD	Commercial General (CG)	El Pollo Loco, ARCO station, Jack in the Box

4) Background Information: The project area is part of the Rancho Victoria Plaza retail project (Use Permit #1488) approved in 1993 as a shopping center with two anchor stores and a total of 210,000 square-feet of retail space and 950 parking spaces. Buildout of the plan struggled, resulting in a major modification in 1999. On September 2, 1999, the Planning Commission adopted Resolution No. 99-39 approving Major Modification No. 99-7-02 for 137,050 square-feet of commercial retail uses, architectural design guidelines, master sign program, and adopted MND No. 99-18. The Planning Commission also adopted Resolution No. 99-40 that recommended approval of PZ No. 99-5-77 for a tentative subdivision map. The City Council subsequently adopted resolutions approving the tentative map and upholding approval by the Planning Commission. The major modification resulted in construction of the El Pollo Loco, ARCO station, Jack in the Box, and multi-tenant building located at 600 S. Victoria Ave.

After completing construction of the major modification, the remainder of the site to the east was vacant. On October 6, 2005, the Planning Commission adopted Resolution No. 2005-71 approving Major Modification No. 05-550-02 for 49,000 square-feet of commercial retail uses plus 105 residential units, and adopted MND No. 05-09. The Planning Commission also adopted Resolutions 2005-69 and 2005-70 that recommended approval of PZ Nos. 04-620-9 (General Plan Amendment) and 04-300-19 (Tentative Subdivision Map). The City Council subsequently adopted resolutions approving the General Plan Amendment and tentative subdivision map, and upholding the approval by the Planning Commission. The 105 residential units were constructed (i.e. southerly of Jolly Roger Way), but the commercial portion adjacent to Fifth Street was never developed, resulting in the vacant 6-acre site we see today.

Investec Rancho Victoria LLC then acquired the commercial property, and applied for a minor modification in 2007. The Planning Manager approved Minor Modification No. 07-140-35 on April 15, 2008, for 48,886 square-feet among nine buildings for commercial office uses. The current project is substantially the same concept that was approved with the minor modification, except a tentative map is now proposed for the commercial condominiums.

Environmental Determination: The proposed project is subject to the California Environmental Quality Act (CEQA), and staff prepared an Initial Study for this project. The subject property was included in the environmental review conducted for Major Modification No. 05-550-02, for which the Planning Commission adopted MND No. 05-09. Staff reviewed the current proposal for consistency with MND No. 05-09, and the current project will not generate any new or more severe environmental effects. The current proposal does not have any potentially significant environmental effects that meet any of the three tests identified in CEQA §15162(a), and therefore, an addendum to MND No. 05-09 may be adopted pursuant to CEQA §15164. All mitigation measures identified in MND No. 05-09 are included herein by reference, and no additional or new mitigations are necessary. An addendum does not need to be re-circulated for public review and comment, but must be considered by the decision-making body prior to making a decision on the project.

5) Analysis:

a) General Discussion: The current project is virtually identical to the plans approved with Minor Modification No. 07-140-35 (in terms of site layout and architecture), now includes a tentative map for condominium subdivision. The subject property is within the Traffic Pattern Zone and Height Restriction Zone of the Oxnard Airport, and therefore, is subject to review by the Ventura County Airport Land Use Commission (ALUC). In 2005, the ALUC determined that the project was consistent with the Airport Comprehensive Land Use Plan, and recommended a number of conditions of approval.

The current developer initially contemplated a large daycare/childcare center that would be located within Building #4, but withdrew that proposal after the ALUC expressed opposition. Therefore, the developer contemplates primarily office uses, and possibly some retail uses (a list of future tenants is not available at this time) consistent with the previous approval. The developer does not propose any restaurants, drive-thru, fast-food, or other high intensity uses. Such uses may be considered in the future, pending subsequent permits or approvals.

b) General Plan Consistency: The General Plan designation is Commercial General, allows retail centers and office uses, and the proposed land use is consistent.

<p>Land Use Element Section (E)(2)(a) (page V-56) states, "General commercial land uses include... one-story retail centers and free-standing commercial uses along thoroughfares and may also include... office uses."</p>	<p>The proposed office and retail uses would be consistent with this policy.</p>
<p>Land Use Element Section (E)(5)(b) (page V-61) states, "Airport compatible uses include low intensity commercial and industrial uses which are compatible with airport operations and activities in that they do not... subject large numbers of people to hazards from aircraft."</p>	<p>The proposed low-intensity office and retail uses would be consistent. The applicant revised the project description to exclude a large daycare/childcare center. Therefore, the project would be consistent with this policy.</p>
<p>Circulation Policy #7 (page VI-25) states, "Streets shall be constructed to their ultimate width and network gaps shall be closed whenever possible."</p>	<p>Southampton Place was previously constructed, and Fifth Street widened to ultimate width. The proposed project would be consistent with this policy.</p>
<p>Circulation Policy #17 (page VI-26) states, "Proposed developments shall be required to include transit facilities, such as bus benches, shelters, pads, or turnouts, where appropriate, in their improvement plans."</p>	<p>The developer will install a bus shelter at the northwest corner of Southampton Place & Fifth Street. The City has previous plans to construct a concrete slab for a bus stop at that location.</p>

c) Conformance with Zoning Development Standards: The proposed development is located in the Commercial General (C-2-PD) zone district, and will be consistent with the applicable development standards as shown in the following table. Office and retail uses are listed as principally permitted uses, and a shopping center is permitted subject to approval of a special use permit.

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES
Max. building height §16-137	2 stories or 35 feet.	27'10" max.	Yes
Front yard setback §16-139	10 feet from property line; 30 feet from designated thoroughfares (per GP).	30'0" (landscape) 49'0" (buildings)	Yes
Side yard setback §16-140	5 feet minimum. 0 feet when abuts a C-2 zoned lot.	Bldg 1: 124'3" Bldg 4: 70'0" Bldg 5: 72'0" Bldg 14: 180'3"	Yes
Rear yard setback §16-141	15 feet if >16 feet in height.	15'0" to walls	Yes
Off-street Parking §16-622(F) Handicap: Motorcycle (§16-264) Bicycle (§16-623, §16-637) Loading (§16-644)	Offices/Shopping Ctr: 1 per 250 SF. <i>Minimum: 212</i> 201-300 spaces: 7 handicap spaces. <i>Minimum: 7</i> 3 spaces per 100 vehicle spaces. <i>Minimum: 6</i> 1 space per 33 parking spaces. <i>Minimum: 7</i> Minimum of 3 loading spaces. <i>Minimum: 3</i>	221 8 10 0 3	Yes Yes Yes Yes, with conditions Yes
Parking space sizes: • Standard §16-636 & §16-638 • Loading §16-644	• 9'W x 19'L • 12'W x 40'L x 14'H	17' to 19' L 40'L x 12'W	Yes Yes
• Trip Reduction Measures §16-631	Bicycle racks per §16-623 & 16-637. Provide for transit stop improvements, where applicable.	To be provided	Yes, with conditions

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES ?
Parking Lot Landscaping §16-641 <ul style="list-style-type: none"> • Along streets • Along interior P/L • Parking area (§16-641) • Landscape fingers (§16-641) • Trees • If located adjacent to residential zone see §16-641(E) 	<ul style="list-style-type: none"> • Min. 10' wide strip. • Min. 5' wide in parking areas. • Minimum 5% of area, exclusive of any other required landscaped area abutting a street or alley. • 9'W x 20'L - every 10 spaces • Min. 40' on-center • Masonry wall at least 6 ft. high on P/L abutting residential parcels • Min. 5 ft. wide planter along walls abutting residentially zoned parcels 	<ul style="list-style-type: none"> - 10 ft. min. - 5' min. - 20% - 1 per 9 spaces. - 1 per 40' min. - Existing 6'-7' CMU wall 	Yes Yes Yes Yes Yes Yes
Trash enclosures & transformers	To be screened at installation.		
Rooftop equipment	May not protrude above height of parapet.	None visible	Yes
Lighting (§16-320)	<ul style="list-style-type: none"> • Poles max. 26 feet high • Min. 1 foot-candle & max. 7 foot-candles 	Photometric report to be required at time of Plan Check	Yes, with conditions

d) **Site Design:** The proposed site plan establishes the overall size and placement of the structures, as well as the on-site access and circulation pattern. Southampton Place bisects the site (providing access between Jolly Roger Way and Fifth Street) and will not be altered. There are no floor plans for the structures as the developer's intent is to sell the commercial condominiums to individual tenants, who will construct interior tenant improvements at later dates with separate building permits. The special use permit and sign program will establish the exterior architectural theme so that the development will be consistent throughout.

e) **Circulation and Parking:** Primary access will be provided from Fifth Street and Southampton Place. Secondary access points include one proposed driveway on Fifth Street, plus the existing driveways in the retail development to the west. Interior circulation will be provided throughout the site, plus provide access to the existing development to the west.

The existing 6'0" to 7'0" block wall along the south property line separates the project site from the adjacent residential neighborhood, and the existing street will provide the only vehicular and pedestrian access. Existing residents will continue to utilize Southampton Place to bypass the project site, and will not need to enter/exit the commercial development in order to access Fifth Street.

A total of 239 parking spaces are proposed, and the following types of uses would require 212 spaces (one space per 250 sq.ft.): general offices, bank, and neighborhood shopping center. Stand-alone retail uses require one space per 300 square-feet (less stringent than one per 250 sq.ft.), and therefore, retail uses may be included. The parking spaces in excess of 212 may be utilized for uses that have higher parking requirements, in this case most likely to be medical/dental offices (one per 200 sq.ft.). For example, if half of the floor area was used for medical/dental offices (e.g. 27,440 sq.ft.) and half was to be general offices (e.g. 25,576 sq.ft.), then the parking requirement would be a total of 239 spaces. Condition No. 11 in the attached resolution limits medical/dental offices to a maximum of 52% of the floor area, assuming adequate on-site parking is provided.

Some uses, such as fast food restaurants, may be a cause for concern due to their higher parking requirements. For example, fast-food restaurants (one per 50 sq.ft.), non-fast-food restaurants (one per 75 sq.ft.), and churches and other places of public assembly (one per 35 sq.ft.) at this location could exceed the 239 spaces on-site.

- f) **Building Design:** The proposed structures will be one story and approximately 20'0" high at the roofline, a smooth plaster exterior finish and stone veneer accents, towers varying in height between 26'10" and 32'6" with stone veneer exterior, trim features consisting of metal awnings and window mullion, and terracotta clay tile roofs. The proposed height and design would be consistent with surrounding retail developments and residences.
- g) **Landscaping and Open Space:** The proposal exceeds the requirements for landscaping in the site interior and parking lots. A minimum of 5% is required within parking lots, and 20% is proposed. The size and placement of landscape has been designed to provide a visual screen between different land uses, such as placing 36" box trees along the south property line to screen the proposed project from the adjacent residences. Decorative concrete and permeable pavers have also been incorporated into the pedestrian and landscape areas.
- h) **Signs:** A master sign program is proposed to establish a consistent appearance, and ensure that each tenant receives an equitable amount of sign space based on building frontage. The proposal specifies the precise size and placement for each wall sign. A total of three ground signs are proposed (one large pole sign and two small monument signs). The proposal meets or exceeds the requirements contained in Article IX – Advertising Signs, and signs will not be permitted to face any residential properties.

The existing 6'0" to 7'0" block wall along the south property line separates the project site from the adjacent residential neighborhood, and the existing street will provide the only vehicular and pedestrian access. Existing residents will continue to utilize Southampton Place to bypass the project site, and will not need to enter/exit the commercial development in order to access Fifth Street.

A minimum of 212 parking spaces (one space per 250 sq.ft.) are required, and a total of 239 are proposed. Types of permitted uses would include general offices, bank, and neighborhood shopping center. Stand-alone retail uses require one space per 300 square-feet (less stringent than one per 250 sq.ft.), and therefore, retail uses may be included. The parking spaces in excess of 212 may be utilized for uses that have higher parking requirements, in this case most likely to be medical/dental offices (one per 200 sq.ft.). For example, if half of the floor area was used for medical/dental offices (e.g. 27,440 sq.ft.) and half was to be general offices (e.g. 25,576 sq.ft.), then the parking requirement would be a total of 239 spaces.

Some uses, such as fast-food restaurants, may be a cause for concern due to their higher parking requirements. For example, the parking required for a fast-food restaurant in one of the structures (combined with the parking requirements of the other uses) would exceed the 239 spaces provided on-site. If a fast-food restaurant were proposed in the future, then a special use permit would be required at that time, and reviewed by the Planning Commission as a separate project.

- f) **Building Design:** The proposed structures will be one story and approximately 20'0" high at the roofline, a smooth plaster exterior finish and stone veneer accents, towers varying in height between 26'10" and 32'6" with stone veneer exterior, trim features consisting of metal awnings and window mullion, and terracotta clay tile roofs. The proposed height and design would be consistent with surrounding retail developments and residences.
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- 6) Conformance with Subdivision Standards:** Tentative Map No. 5877 is designed to comply, or has conditions to comply, with all applicable provisions of Chapter 15 of the City Code as well as the State Subdivision Map Act. The properties surrounding the site are developed, and all off-site improvements were previously constructed. All utilities and improvements associated with the current project will connect to existing surrounding infrastructure.
- 7) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on July 28 and November 24, 2010. Recommendations of the DAC are included in the attached resolutions.
- 8) Community Workshop:** On December 3, 2010, the applicant mailed notices of the Community Workshop meeting to all property owners within the Via Marina neighborhood. A sign was posted on the project site 10 days prior to the meeting. A total of three residents and the community association manager attended the meeting on December 20, 2010. The architect and property owner responded to concerns about the potential for noise, traffic, and pedestrian/vehicle access to the residential neighborhood to the south of the project site.
- 9) Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

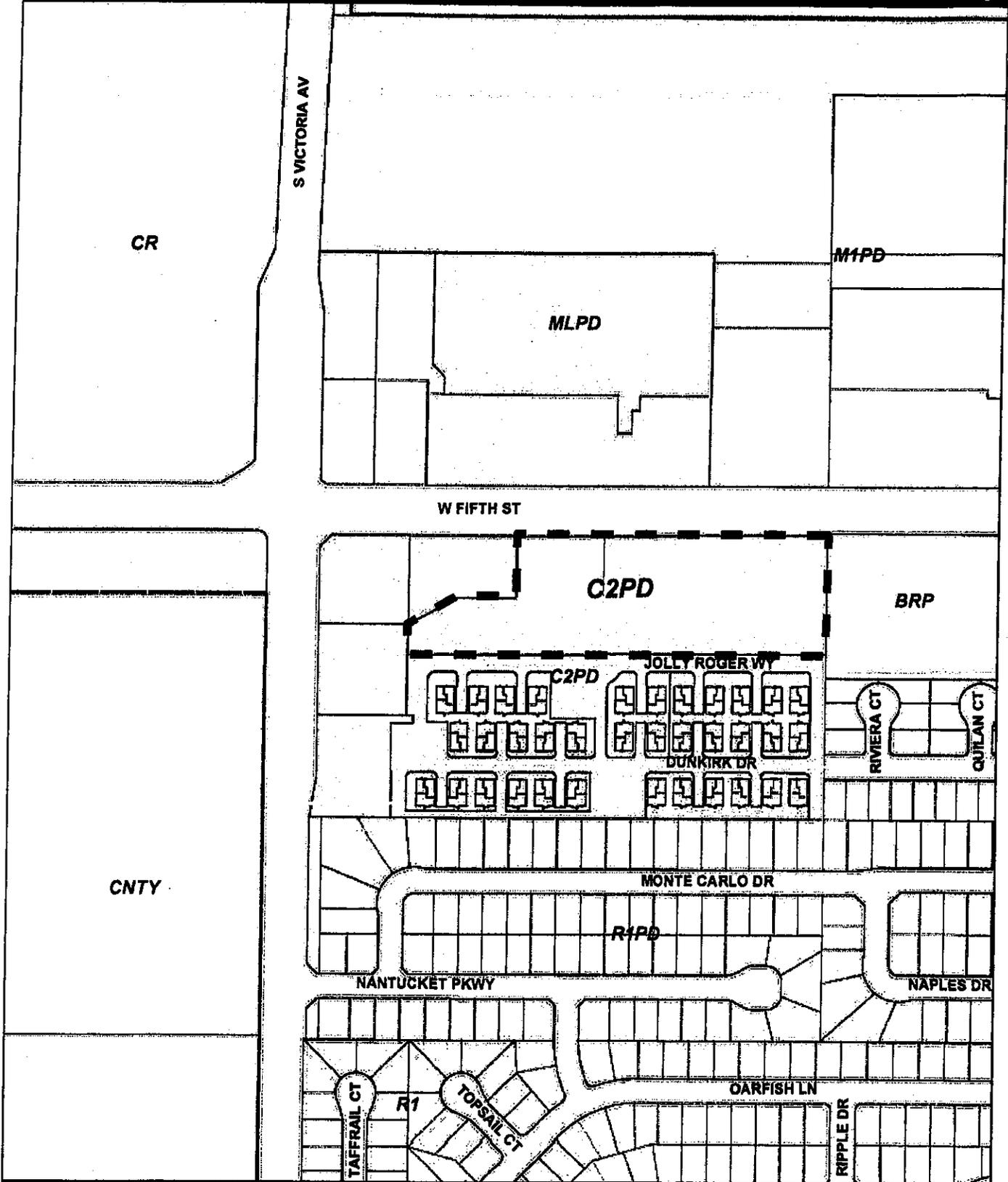
Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Sign Program
- D. Addendum to MND No. 05-09
- E. Mitigated Negative Declaration No. 05-09
- F. Resolutions

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

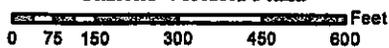
ATTACHMENT A

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Oxnard Planning
November 29, 2010

PZ 10-300-03, 10-500-07
Location: 3600-3700 W Fifth St
APN: 18501708, 18501709
Rancho Victoria Plaza

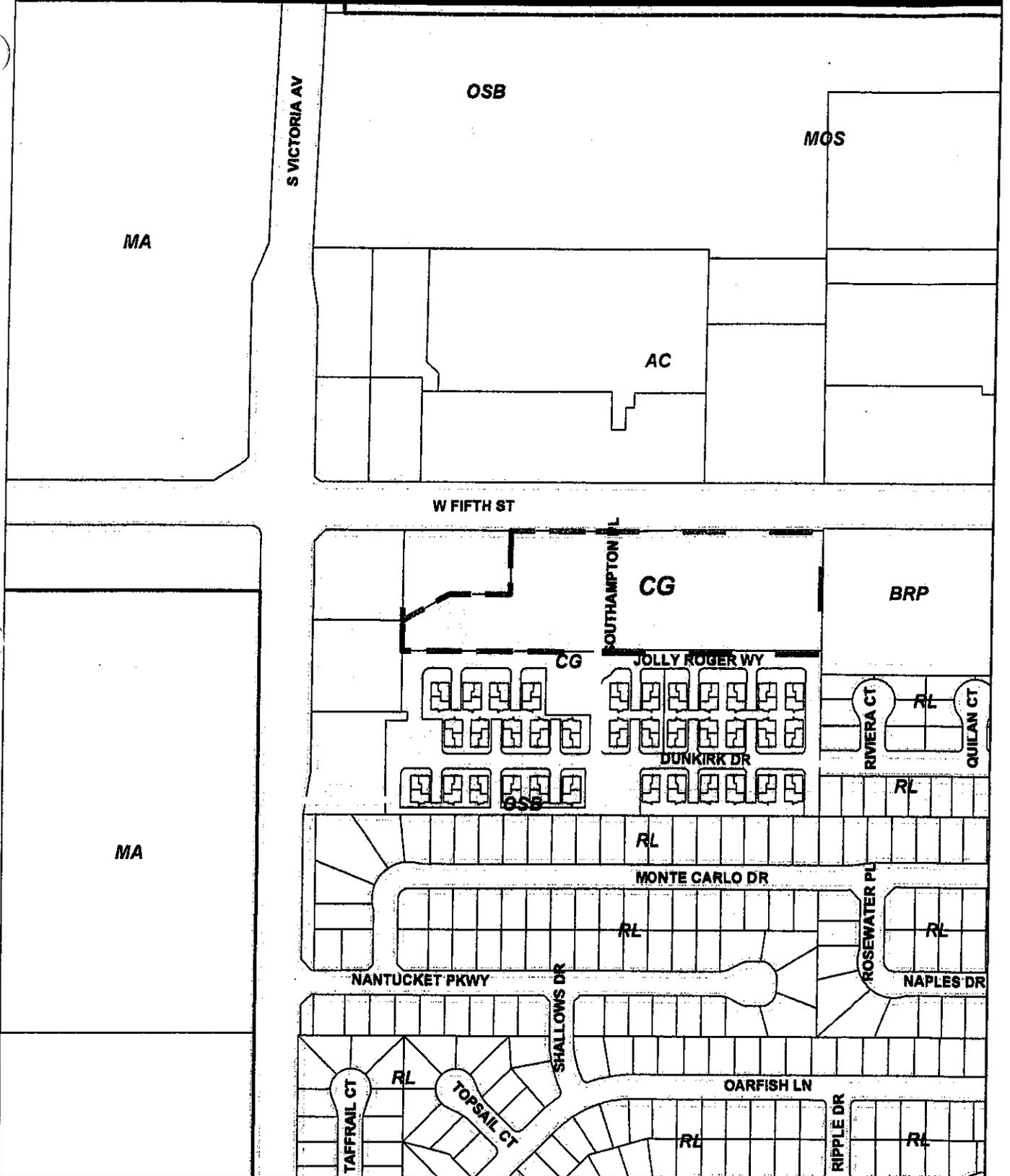


Zone Map



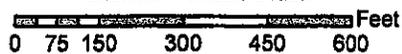
7 ?

General Plan Map



Oxnard Planning
November 29, 2010

PZ 10-300-03, 10-500-07
Location: 3600-3700 W Fifth St
APN: 18501708, 18501709
Rancho Victoria Plaza



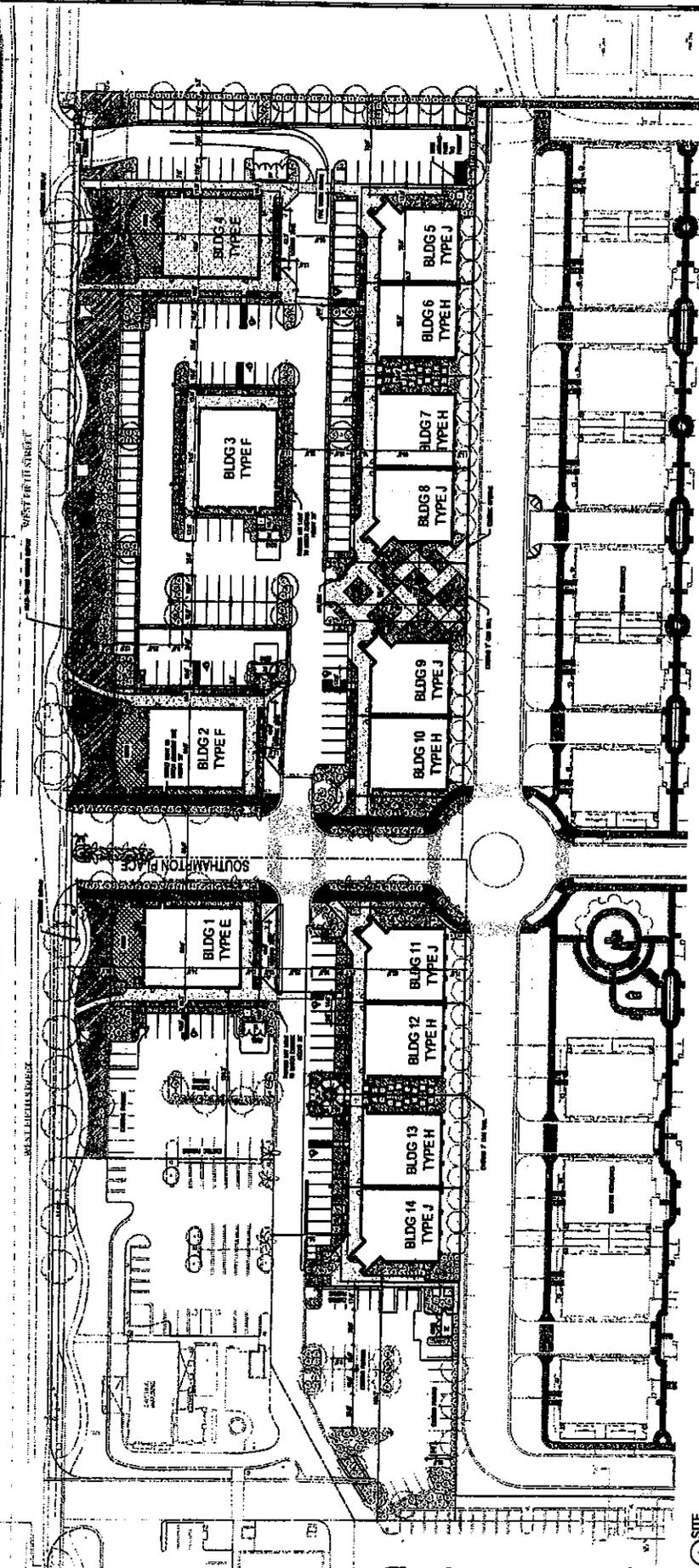
General Plan Map



ATTACHMENT B

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SUP 10-500-7 TSM 10-300-3 Rancho Victoria

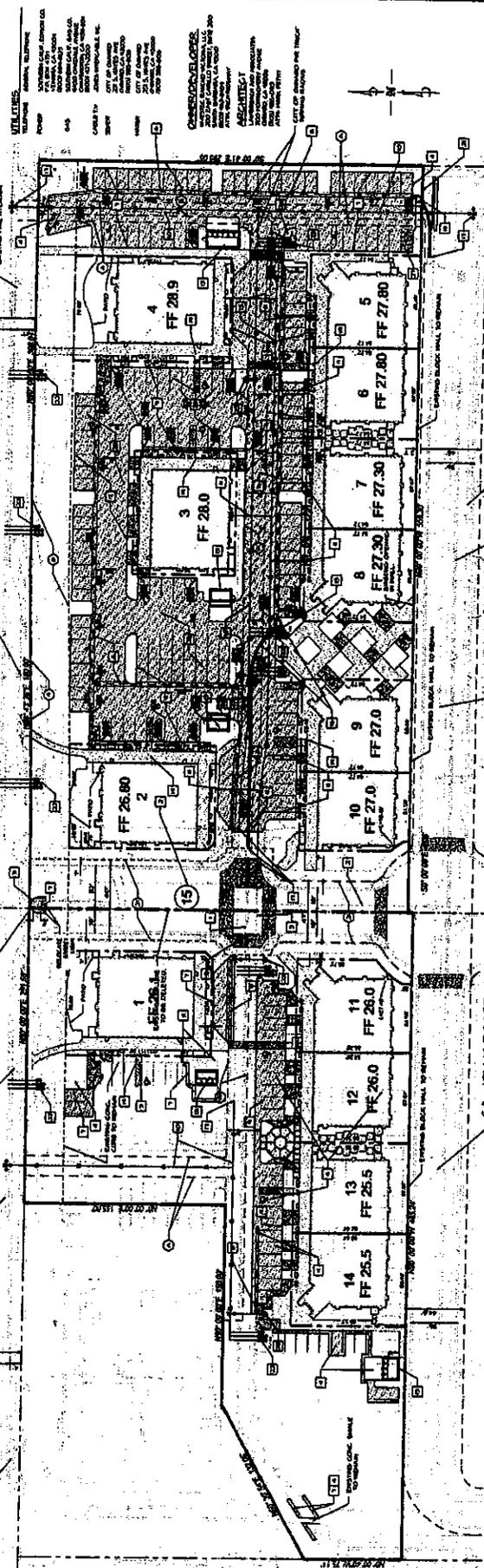
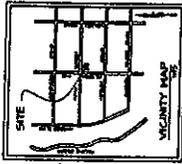


① SITE

PROJECT ANALYSIS	BUILDING AREA ANALYSIS
PROJECT NO. 10-500-7 DATE: 10/10/00 SCALE: AS SHOWN DRAWN BY: [Name] CHECKED BY: [Name]	TOTAL BLDG AREA: 1,234,567 sq. ft. TOTAL FLOOR AREA: 2,345,678 sq. ft. TOTAL GARAGE AREA: 345,678 sq. ft. TOTAL PARKING: 1,234 spaces TOTAL LOT AREA: 5,678,901 sq. ft.
SITE AREA ANALYSIS	SCOPE
TOTAL SITE AREA: 10,000,000 sq. ft. TOTAL IMPROVEMENTS: 1,000,000 sq. ft. TOTAL OPEN SPACE: 9,000,000 sq. ft.	PREPARE SITE PLAN PREPARE CONCEPT PLAN PREPARE TRAFFIC STUDY PREPARE ENVIRONMENTAL STUDY PREPARE UTILITIES STUDY
PARKING ANALYSIS	SHEET INDEX
TOTAL PARKING: 1,234 spaces TOTAL GARAGE: 345 spaces TOTAL DRIVEWAYS: 123 ft.	SHEET NO. 1 OF 1 SHEET NO. 2 OF 1 SHEET NO. 3 OF 1



RECEIVED
DEC 6 0 07 00
PLANNING DIVISION
CITY OF OAKLAND



CONSTRUCTION NOTES

1. All construction shall be in accordance with the City of Orange Unified Municipal Code, Ordinance 100,000, as amended.
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14. All construction shall be in accordance with the City of Orange Unified Municipal Code, Ordinance 100,000, as amended.
15. All construction shall be in accordance with the City of Orange Unified Municipal Code, Ordinance 100,000, as amended.

LAND USE SUMMARY

Lot No.	Area (sq. ft.)	Use
1	26,800	Residential
2	26,800	Residential
3	28,000	Residential
4	28,190	Residential
5	27,800	Residential
6	27,800	Residential
7	27,300	Residential
8	27,300	Residential
9	27,000	Residential
10	27,000	Residential
11	28,000	Residential
12	26,000	Residential
13	25,500	Residential
14	25,500	Residential
15	28,000	Residential

LEGEND

- 1. Proposed Building Footprint
- 2. Proposed Building Footprint
- 3. Proposed Building Footprint
- 4. Proposed Building Footprint
- 5. Proposed Building Footprint
- 6. Proposed Building Footprint
- 7. Proposed Building Footprint
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- 9. Proposed Building Footprint
- 10. Proposed Building Footprint
- 11. Proposed Building Footprint
- 12. Proposed Building Footprint
- 13. Proposed Building Footprint
- 14. Proposed Building Footprint
- 15. Proposed Building Footprint

CONTRACTOR'S CERTIFICATE

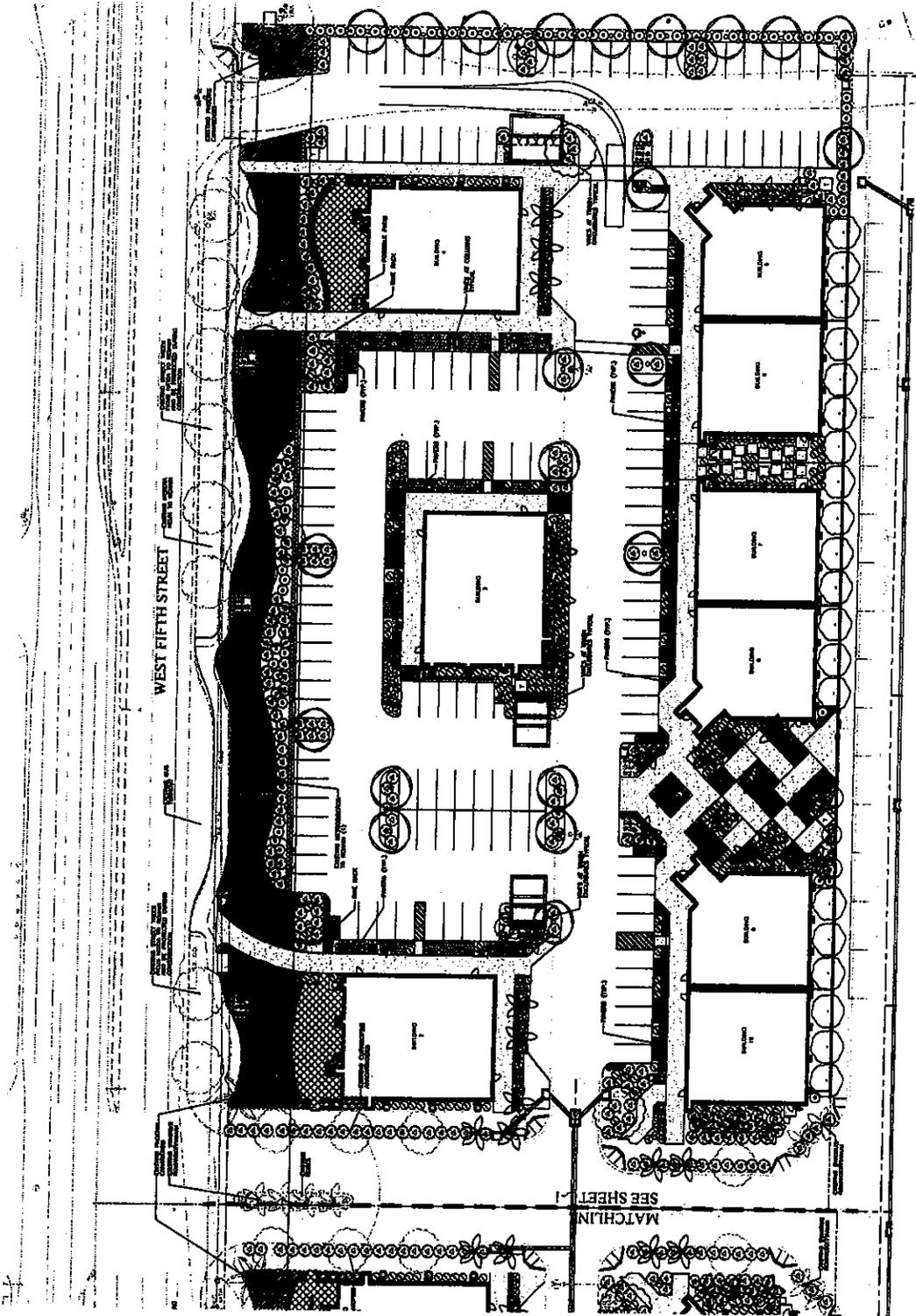
I, the undersigned, being duly licensed as a Professional Engineer in the State of California, do hereby certify that the above is a true and correct copy of the original plans as shown to me by the applicant, and that the same conform to the requirements of the City of Orange Unified Municipal Code, Ordinance 100,000, as amended.

ENGINEERING FEE

Professional Fee: \$10,000.00
 Copy Fee: \$500.00
 Total Fee: \$10,500.00

DATE: 10/15/2010

SCALE: 1" = 30' ±



Project: Rancho Victoria Office Park
 5000 S 27th Street, Suite 200
 Phoenix, AZ 85041
 Owner: Rancho Victoria Office Park
 Phoenix, AZ
 Architect: Jim Blough
 1000 McDowell
 Suite 200, Phoenix, AZ 85004
 Phone: 602-428-4778
 LANEY / SHAW ARCHITECTS INC.
 17241 W. PICO BLVD.
 LOS ANGELES, CA 90084
 Phone: 310-428-4778

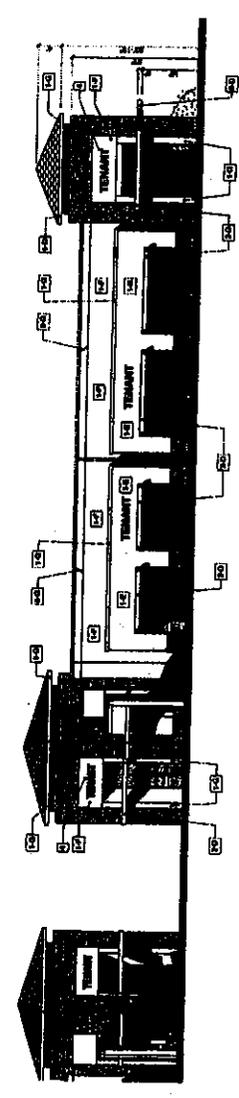


Exterior Material Key List	
1. Vertical Groove Siding	10. Dark Gray
2. Horizontal Groove Siding	11. Light Gray
3. Smooth Siding	12. White
4. Stucco	13. Dark Gray
5. Brick	14. Light Gray
6. Concrete	15. Dark Gray
7. Glass	16. White
8. Metal	17. Dark Gray
9. Stone	18. Light Gray

Material Legend	
1. Vertical Groove Siding	10. Dark Gray
2. Horizontal Groove Siding	11. Light Gray
3. Smooth Siding	12. White
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9. Stone	18. Light Gray

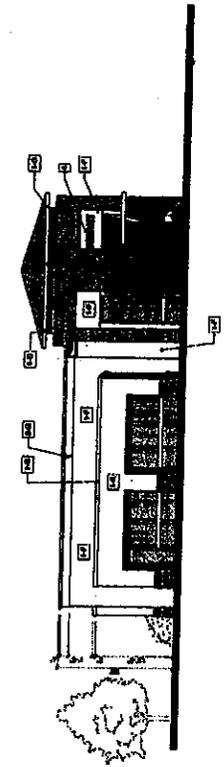
Color Key List	
1. Dark Gray	10. Light Gray
2. Light Gray	11. White
3. White	12. Dark Gray
4. Dark Gray	13. Light Gray
5. Light Gray	14. White
6. White	15. Dark Gray
7. Dark Gray	16. Light Gray
8. Light Gray	17. White
9. White	18. Dark Gray

Buildings H & J - North Elevation



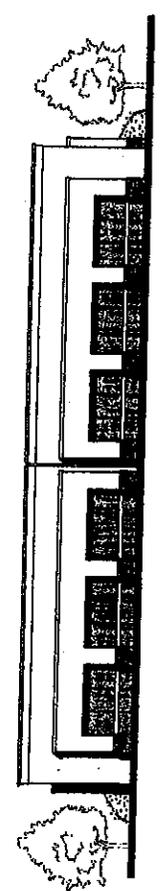
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Building J - East Elevation



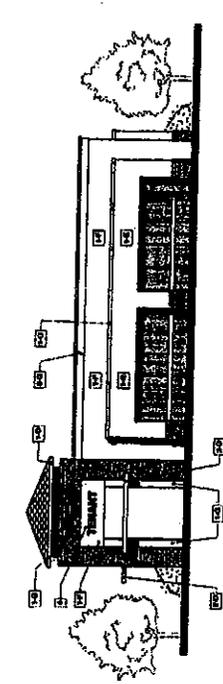
Scale: 1/8" = 1'-0"

Buildings H & J - South Elevation



Scale: 1/8" = 1'-0"

Building H - West Elevation



Scale: 1/8" = 1'-0"

ATTACHMENT C

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SUP 10-500-7
TSM 10-300-3

Rancho Victoria

RANCHO VICTORIA PLAZA

SIGN PROGRAM

Quard, California

ATTACHMENT 7
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DEC 30 2010

PLANNING DIVISION



RANCHO VICTORIA PLAZA SIGN PROGRAM

OCTOBER 22, 2010 AT / JC

PAGE 1

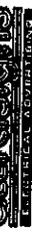
PROJECT DIRECTORY



TABLE OF CONTENTS

LANDLORD:	INVESTEC REAL ESTATE 200 E. CARRILLO STREET SANTA BARBARA, CA TEL: (805) 962-8989	1
ARCHITECT:	LANET / SHAW ARCHITECTS, INC. 11741 WEST PICO BLVD. LOS ANGELES, CA TEL: (310) 479-4775	2
CONSULTANT:	ULTRASIGNS ELECTRICAL ADVERTISING 9025 BALBOA AVENUE, STE 150 SAN DIEGO, CA 92123-1520 TEL (858) 569-1400 x4106 FAX (858) 569-1453 ATTN: REID COOPER	3
	CONSTRUCTION REQUIREMENTS	4
	SIGNAGE SPECIFICATIONS	5
	PROHIBITED SIGNS	6
	CROSS SECTIONS	7
	SIGN AREA TABLE	8
	SITE PLAN	9

<input type="checkbox"/>	<u>WALL SIGNS</u>	10-18
	PAD TENANTS	19-21
	SHOP TENANTS	
<input type="checkbox"/>	<u>GROUND SIGNS</u>	
	PYLON SIGN "A"	22
	MONUMENT SIGN "B"	23
<input type="checkbox"/>	<u>MISCELLANEOUS</u>	
	COLOR BOARD	24



A INTRODUCTION

The intent of this sign criteria is to provide the guidelines necessary to achieve a visually coordinated, balanced and appealing sign environment, harmonious with the architecture of the project, while maintaining provisions for individual graphic expression.

Performance of this sign criteria shall be rigorously enforced and any nonconforming sign shall be removed by the tenant or his sign contractor at their expense, upon demand by the Landlord.

Exceptions to these standards shall not be permitted without approval from the Landlord and will require approval of a modification to the sign program application by the City.

Accordingly, the Landlord will retain full rights of approval for any sign used in the center.

No sign shall be installed without the written Landlord approval and the required City permits.

Landlord approval should be obtained prior to city permit. Check with the City for permit application requirements and fees.

B LANDLORD/TENANT REQUIREMENTS

1. Each Tenant shall submit to Landlord for written approval, three (3) copies of the detailed shop drawings of this proposed sign, indicating conformance with the sign criteria herein outlined.
2. The Landlord shall determine and approve the availability and position of a Tenant name on any ground sign(s).
3. The Tenant shall pay for all signs, related materials and installation fees (including final inspection costs).
4. The Tenant shall obtain all necessary permits.
5. The Tenant shall be responsible for fulfillment of all requirements of this sign criteria.
6. It is the responsibility of the Tenant's sign company to verify all conduit and transformer locations and service access prior to fabrication.
7. Should a sign be removed, it is the Tenant's responsibility to patch all holes, paint surface to match the existing color, and restore surface to original condition.

ATTACHMENT

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RANCHO VICTORIA PLAZA SIGN PROGRAM

OCTOBER 22, 2010 AT / JC



GENERAL SIGN CONSTRUCTION REQUIREMENTS:

1. All signs and their installation shall comply with all local building and electrical codes.
2. All electrical signs will be fabricated by a U.I.L. approved sign company, according to U.I.L. specifications and bear U.I.L. Label.
3. Sign company to be fully licensed with the City and State and shall have full Workman's Compensation and general liability insurance.
4. All penetrations of building exterior surfaces are to be sealed waterproof in color and finish to match existing exterior.
5. Internal illumination to be 30 milliamp neon, installed and labeled in accordance with the "National Board of Fire Underwriters Specifications".
6. Painted surfaces to have a satin finish. Only paint containing acrylic polyurethane products may be used.
7. Logo and letter heights shall be as specified and shall be determined by measuring the normal capital letter of a type font exclusive of swashes, ascenders, and descenders.
8. All sign fabrication work shall be of excellent quality. All logo images and type-styles shall be accurately reproduced. Lettering that approximates type-styles will not be acceptable. The Landlord reserves the right to reject any fabrication work deemed to be below standard.
9. All lighting must match the exact specification of the approved working drawings. No exposed conduits or raceways will be allowed.
10. Signs must be made of durable rust-inhibiting materials that are appropriate and complimentary to the building.
11. Color coatings shall exactly match the colors specified on the approved plans.
12. Joining of materials (e.g., seams) shall be finished in way as to be unnoticeable. Visible welds shall be continuous and ground smooth. Rivets, screws, and other fasteners that extend to visible surfaces shall be flush, filled, and finished so as to be unnoticeable.
13. Finished surfaces of metal shall be free from oil canning and warping. All sign finishes shall be free from dust, orange peel, drips, and runs and shall have a uniform surface conforming to the highest standards of the industry.
14. In no case shall any manufacturer's label be visible from the street from normal viewing angles.
15. Exposed raceways are not permitted unless they are incorporated into the overall sign design.
16. Exposed junction boxes, lamps, tubing or neon crossovers of any type are not permitted.
17. Placement and/or location of tenants on the pylon sign or monument signs is at the discretion of the landlord. Tenants may have placement on a monument sign or the pylon sign, but not both.

ATTACHMENT 7
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SHOP TENANT SIGNAGE SPECIFICATIONS:

The intent of this criteria is to insure a standardized uniform style throughout the center while encouraging the creativity of typographical and iconic elements to develop interest and style. Signs must be architecturally compatible with the entire center.

STOREFRONT SIGNAGE

The following types of construction will be allowed:

- Acrylic face channels letters, logos or icons with through face illumination. Maximum depth 5"
- Acrylic face channels letters, logos or icons with through face and halo illumination. Maximum depth 3.5"

In order to allow creativity and artistic designs, ascending and descending shapes will be allowed to extend beyond the envelope limits provided that the overall allocated square footage is not exceeded. In other words, these areas shall be calculated individually and added to the "boxed" area for the main sign body. (See diagram below)



Descending letter element

Descender: (The part of the lowercase letters, such as g, p, and y, which extends below the other lowercase letters)

Irregular shaped icons & logos should be considered in sign design for increased visual impact.



ATTACHMENT 7

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E PROHIBITED SIGNS:

1. Signs constituting a Traffic Hazard:

No person shall install or maintain, or cause to be installed or maintained, any sign which simulates or imitates in size, color, lettering or design any traffic sign or signal, or which makes use of the words "STOP", "LOOK", "DANGER" or any words, phrases, symbols, or characters in such a manner as to interfere with, mislead or confuse traffic.

2. Signs in Proximity to Utility Lines:

Signs which have less horizontal or vertical clearance from authorized communication or energized electrical power lines that are prescribed by the laws of the State of California are prohibited.

3. Signs painted directly on a building surface will not be permitted.

4. Wall signs may not project above the top of a parapet, the roof line at the wall, or roof line.

5. There shall be no signs that are flashing, moving, audible portable or movable.

6. No sign shall project above or below the sign-able area. The sign-able area is defined in the attached exhibit for tenants.

7. Vehicle Signs:

Signs on or affixed to trucks, automobiles, trailers, or other vehicles which are used for advertising, identity, or provide direction to a specific use or activity not related to its lawful activity are prohibited. (I.e. Delivery trucks with tenant signage is OK!)

8. Light Bulb Strings:

External displays, other than temporary decorative holiday lighting which consists of unshielded light bulbs are prohibited. An exception may be granted by the Landlord when the display is an integral part of the design character of the activity to which it relates.

9. Window signs placed within a building shall not cover more than 10% of any window of the ground floor. Landlord approval is required for the size and type of construction of any window sign prior to installation. No window signs allowed above the ground floor.

10. Banners, Pennants & Balloons Used for Advertising Purposes:

Temporary flags, banners, or pennants, or a combination of same constituting an architectural feature which is an integral part of the design character of a project may be permitted subject to Municipal Code requirements, Landlord's, and City approval.

11. Billboard Signs are not permitted.

12. The use of permanent "sale" signs are prohibited.

13. Temporary signs are limited to a thirty-day period and are restricted to banners and signs affixed to the interior of windows which do not occupy more than 20% of the window area. Each business is permitted a total of not more than ninety (90) days of temporary window sale signs or banners per calendar year, three three-day events at least ninety days apart.

14. No standard plex faced cabinet construction allowed.

15. No illuminated signs within one hundred (100) feet and/or facing residential property.

F ABANDONMENT OF SIGNS:

Any tenant sign left after thirty (30) days from vacating premises shall become the property of Landlord.

G INSPECTION:

Landlord reserves the right to hire an independent electrical engineer at the Tenant's sole expense to inspect the installation of all Tenant's signs and to require the Tenant to have any discrepancies and/or code violations corrected at the Tenant's expense.

H MAINTENANCE:

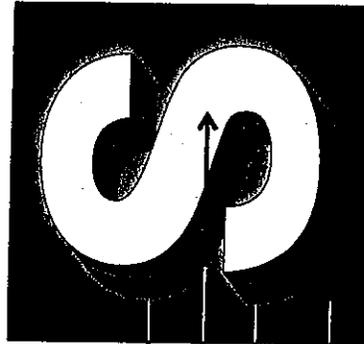
It is the Tenant's responsibility to maintain their signs in proper working and clean conditions at all times. Otherwise, landlord reserves the right to hire his own contractor, make the necessary corrections, and bill tenant should it be deemed necessary.



SIGN CONSTRUCTION

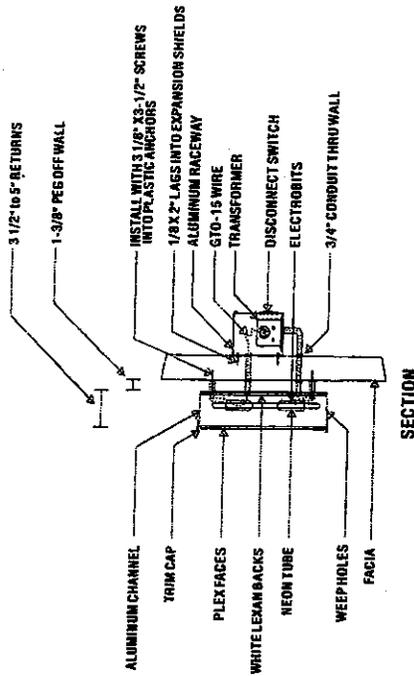
Illuminated LEXAN FACED CHANNELS with THROUGH FACE OR THROUGH FACE AND HALO ILLUMINATION. Use standard aluminum construction with Matthews (or equivalent) satin acrylic polyurethane finish. Faces use any color of translucent Lexan with any color of trim cap. Illuminate with 30 ma neon. Paint aluminum channel any color.

NOTE: All signs may utilize digital vinyl printing on faces of illuminated or non illuminated surfaces.



ALUMINIUM CHANNEL WITH NEON INSIDE
ILLUMINATION THROUGH LEXAN FACE
PLASTIC TRIM CAP TO RETAIN PLEX FACE
HALO ILLUMINATION

EXAMPLE OF LEXAN FACED CHANNEL WITH THROUGH FACE ILLUMINATION



SECTION

SIGN TO BE UL APPROVED AND BEAR UL LABEL

LEXAN FACED CHANNEL LETTERS THROUGH FACE AND HALO ILLUMINATION



RANCHO VICTORIA PLAZA SIGN PROGRAM

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"1"	65	79	130 OVERALL + 39.5 ON WEST ELEVATION	169.5
"2"	65	79	130 OVERALL + 39.5 ON EAST ELEVATION	169.5
"3"	79	65 EAST / 65 WEST	152 OVERALL + 32.5 EAST + 32.5 WEST	217
"4"	65	79	130 OVERALL + 39.5 ON WEST ELEVATION	169.5
"5"	65	0	130 OVERALL	130
"6"	58	0	116 OVERALL	116
"7"	58	0	116 OVERALL	116
"8"	65	0	130 OVERALL	130
"9"	65	0	130 OVERALL	130
"10"	58	0	116 OVERALL	116
"11"	65	0	130 OVERALL	130
"12"	58	0	116 OVERALL	116
"13"	58	0	116 OVERALL	116
"14"	65	0	130 OVERALL	130

THIS PLAN IS THE PROPERTY OF ULTRASIGNS INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ULTRASIGNS INC.

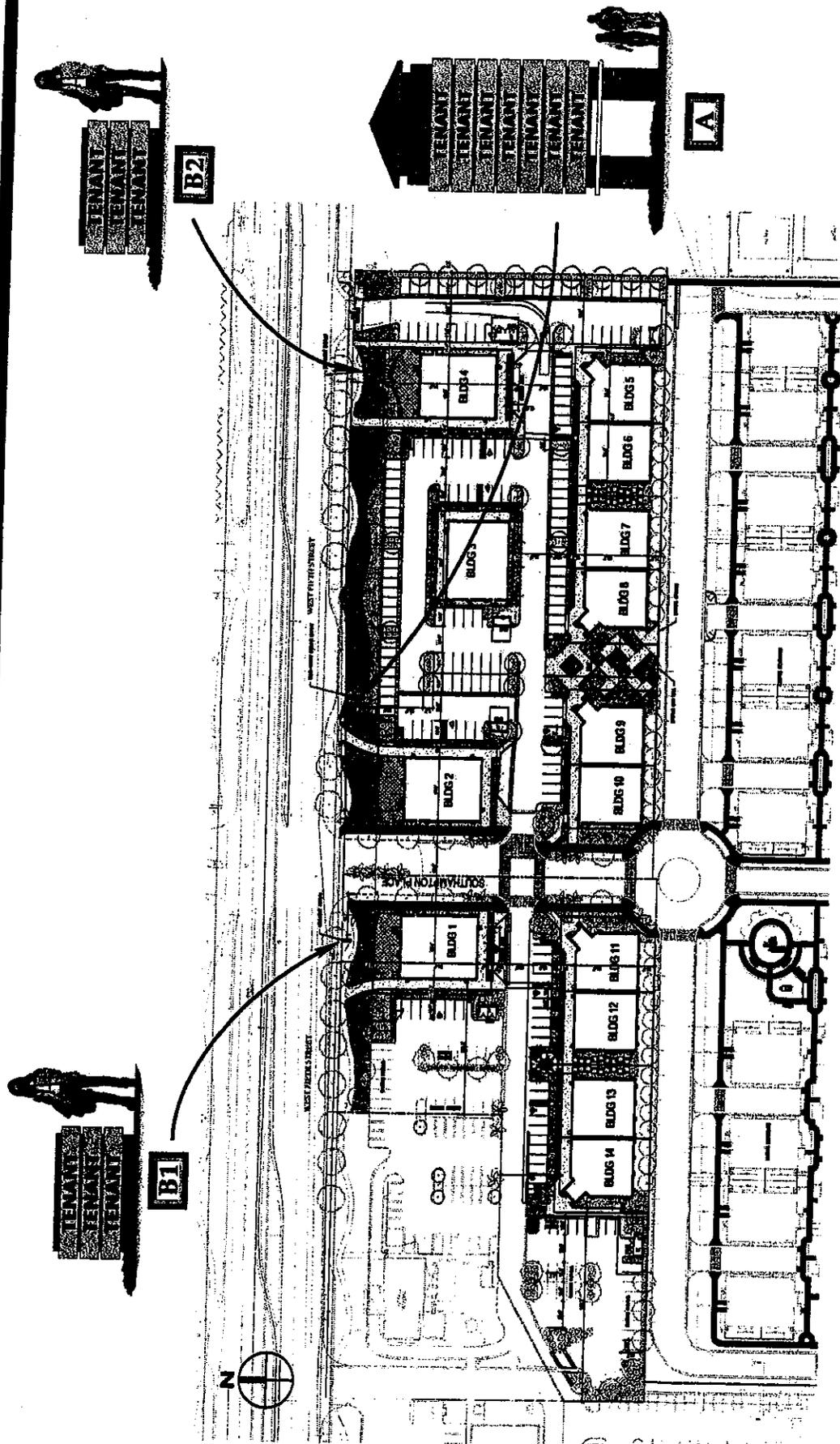
ATTACHMENT 7
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SIGN AREA

RANCHO VICTORIA PLAZA SIGN PROGRAM

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SITE PLAN

RANCHO VICTORIA PLAZA SIGN PROGRAM

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SIZE: 2.0 SQUARE FOOT OF SIGN AREA PER LINEAR FOOT OF LEASED PREMISES. SEE SIGN AREA ALLOCATION TABLE ON PAGE 8.

CONSTRUCTION: HALO AND FACE LIT FLEX FACED CHANNELS. ILLUMINATION: YES

COPY: TENANT NAME AND / OR LOGO

HEIGHT: TWENTY FOUR INCH MAXIMUM.

LENGTH: SEVENTY PERCENT OF ADJACENT SURFACE

TYPEFACE: CUSTOM LOGO AND TYPE OK

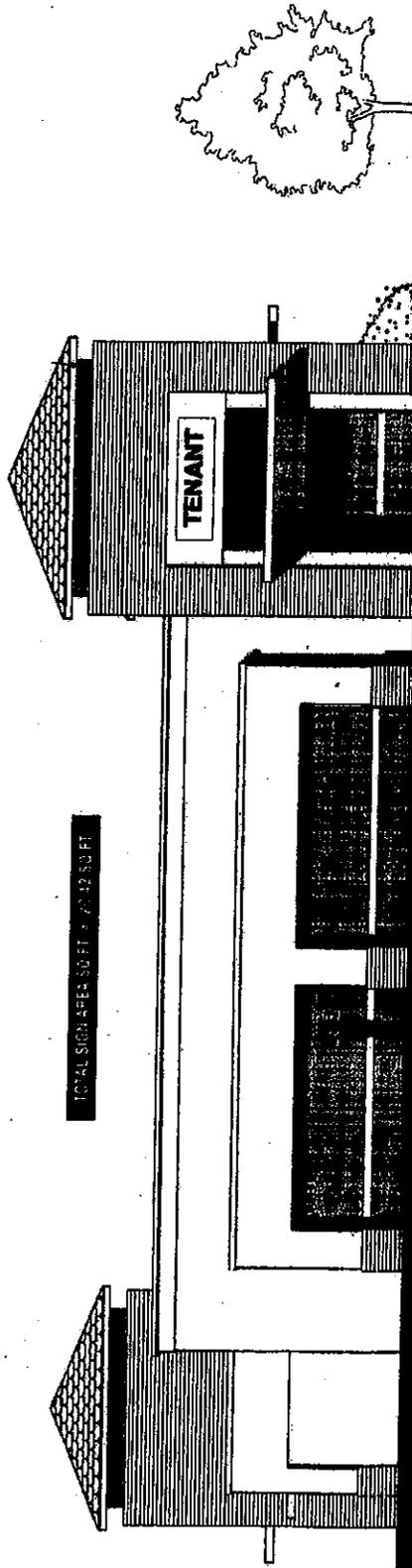
COLORS: CUSTOM COLORS OK

SECONDARY SIGNS: YES (NOT TO EXCEED 25% OF TOTAL ALLOWABLE SIGN AREA). ONLY MAJOR SERVICES/DEPARTMENTS

ALLOWED. NO ADVERTISING OR SLOGANS.



70% OF ADJACENT SURFACE OR 2'-6" MAX LETTER HEIGHT (WHICHEVER IS LESS)



BUILDING "1" (EAST ELEVATION)

SCALE: 1/8" = 1'-0"

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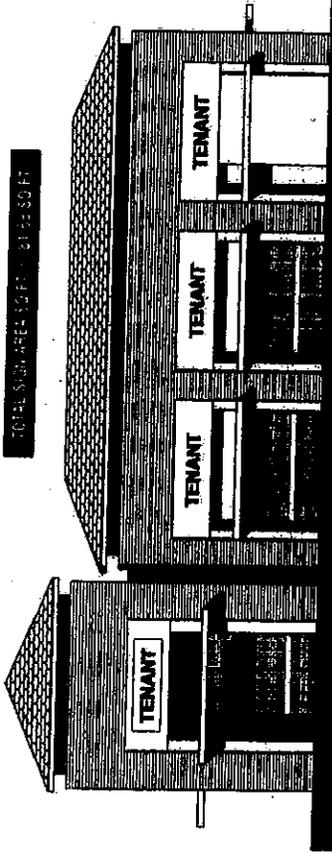


RANCHO VICTORIA PLAZA SIGN PROGRAM

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TOTAL WALL AREA 597 SQ FT
MAX SIGN AREA 150 SQ FT

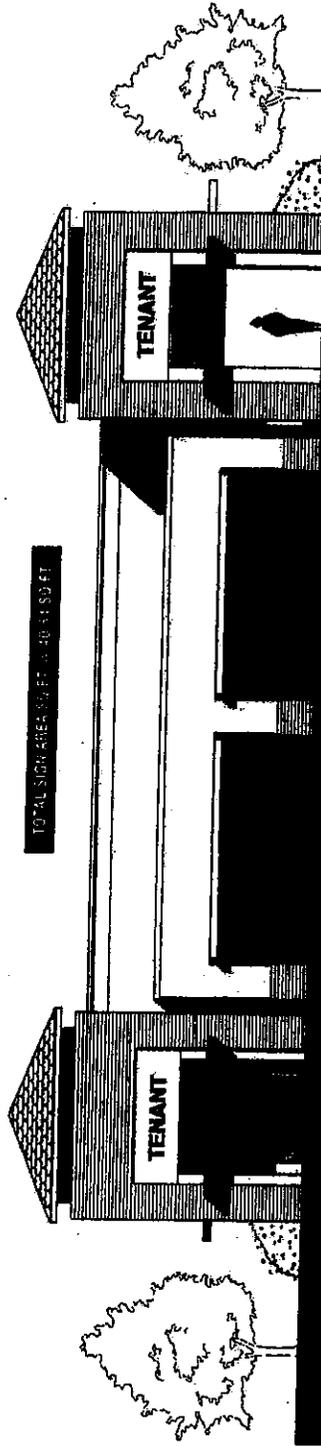
TOTAL SIGN AREA 597 SQ FT = 31 92 SQ FT



BUILDING "1" (NORTH ELEVATION)

SCALE 3/32" = 1'-0"

TOTAL SIGN AREA 597 SQ FT = 31 92 SQ FT



BUILDING "1" (WEST ELEVATION)

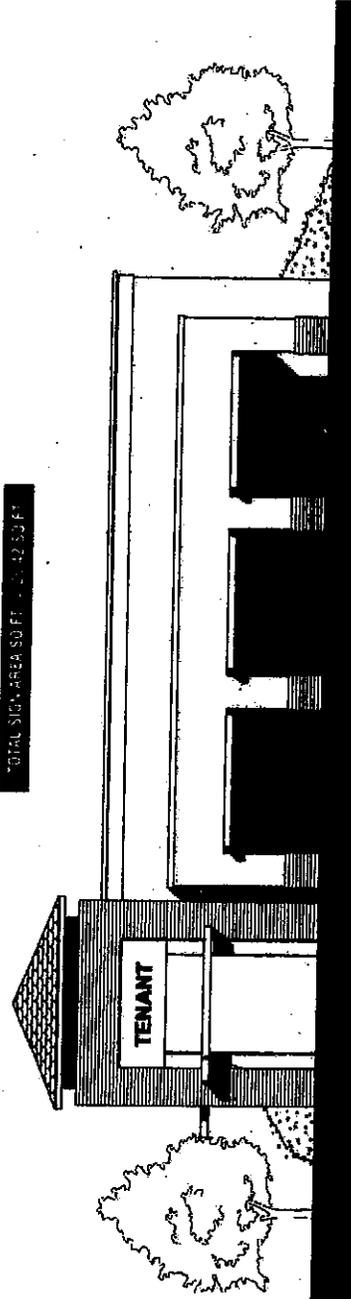
SCALE: 3/32" = 1'-0"

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RANCHO VICTORIA PLAZA SIGN PROGRAM

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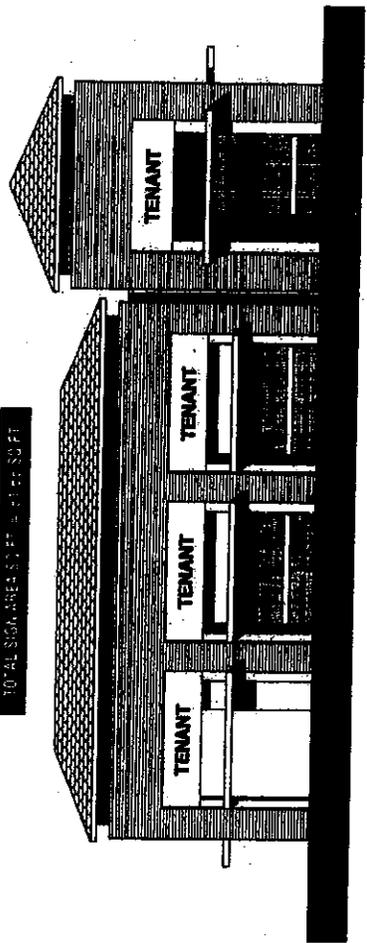
BUILDING "1" (SOUTH ELEVATION)

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

ATTACHMENT 7
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TOTAL WALL AREA 5,177 SQ. FT.
TOTAL SIGN AREA 1,643 SQ. FT.

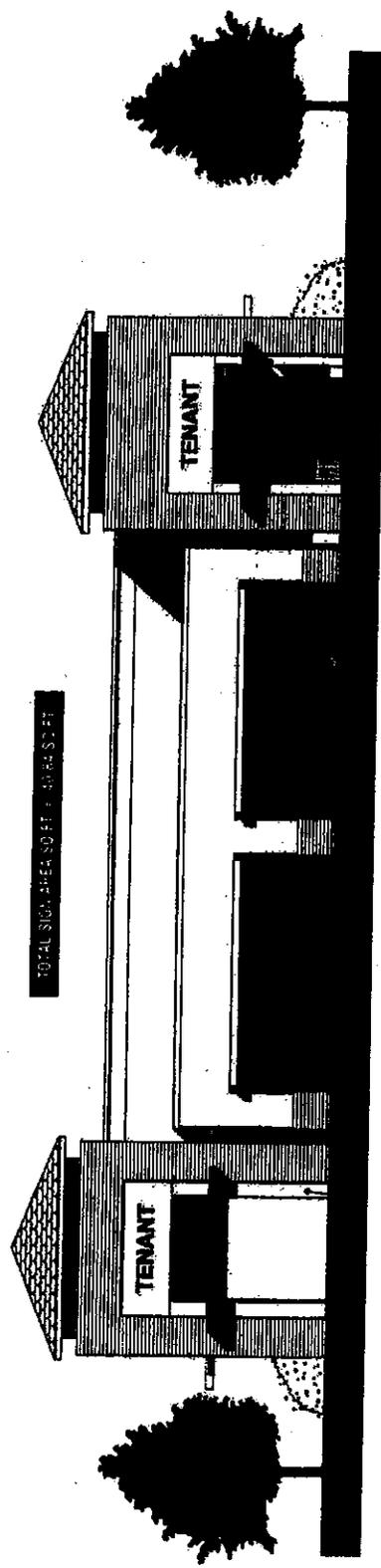
TOTAL SIGN AREA 5,177 SQ. FT.



BUILDING "2" (NORTH ELEVATION)

SCALE 3/32" = 1'-0"

TOTAL SIGN AREA 5,177 SQ. FT.



BUILDING "2" (EAST ELEVATION)

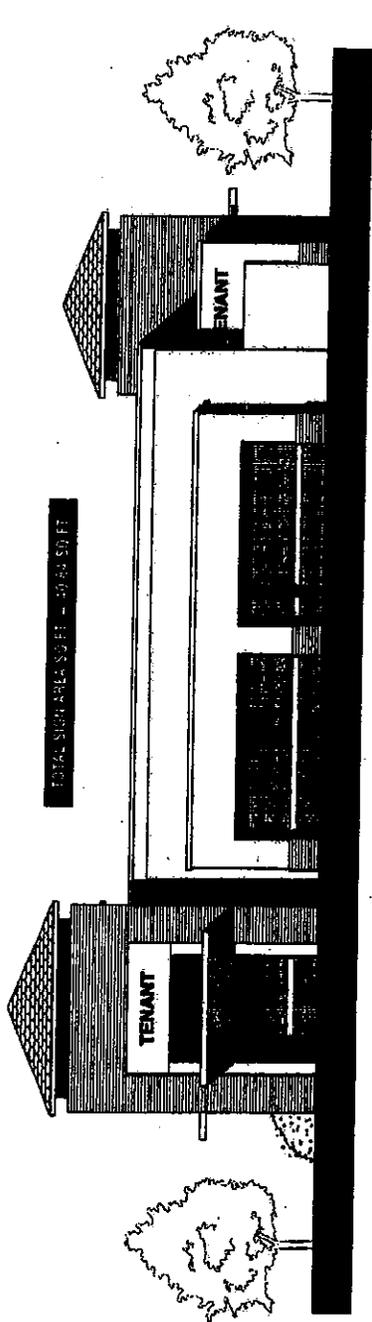
SCALE: 3/32" = 1'-0"

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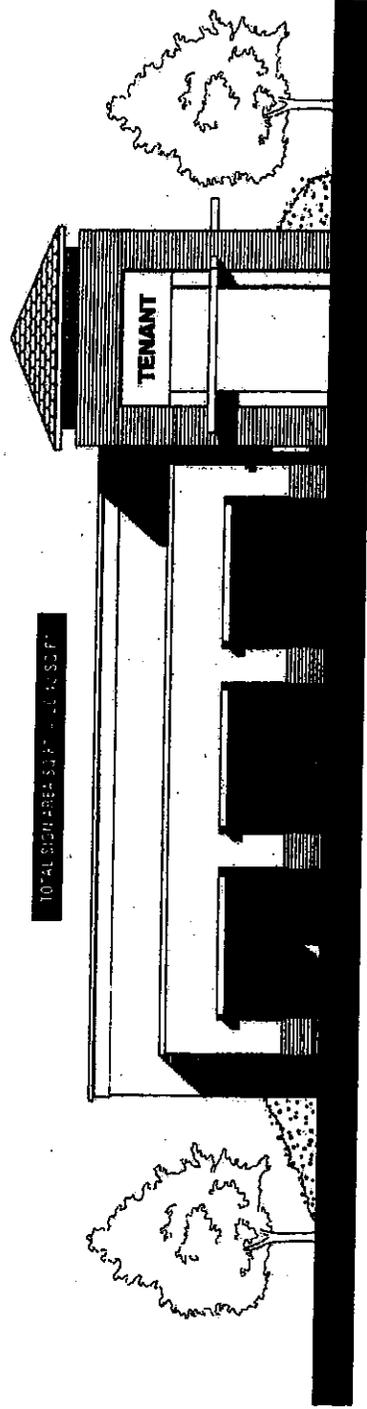
RANCHO VICTORIA PLAZA SIGN PROGRAM

OCTOBER 22, 2010 AT / JC



SCALE 3/32" = 1'-0"

BUILDING "2" (WEST ELEVATION)



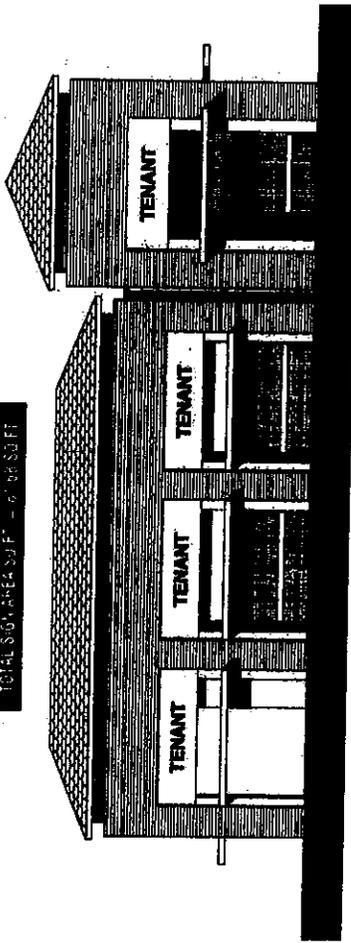
SCALE: 3/32" = 1'-0"

BUILDING "2" (SOUTH ELEVATION)

ATTACHMENT 7
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TOTAL WALL AREA 33 FT² = 10,117 SQ FT
024 SQ FT = 7,823 SQ FT

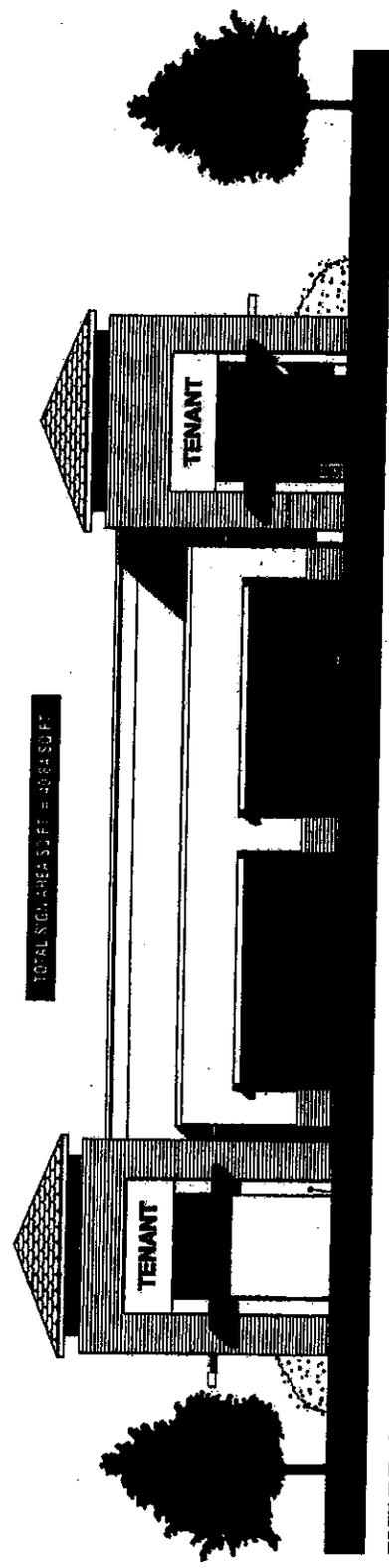
TOTAL SIGN AREA 33 FT² = 6,080 SQ FT



BUILDING "3" (WEST ELEVATION)

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

TOTAL SIGN AREA 33 FT² = 48,844 SQ FT



BUILDING "3" (NORTH ELEVATION)

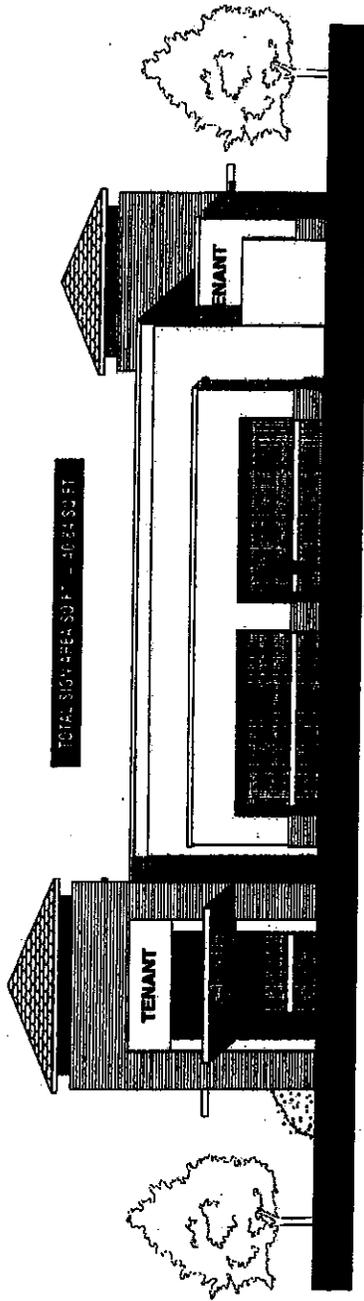
SCALE: 3/32" = 1'-0"

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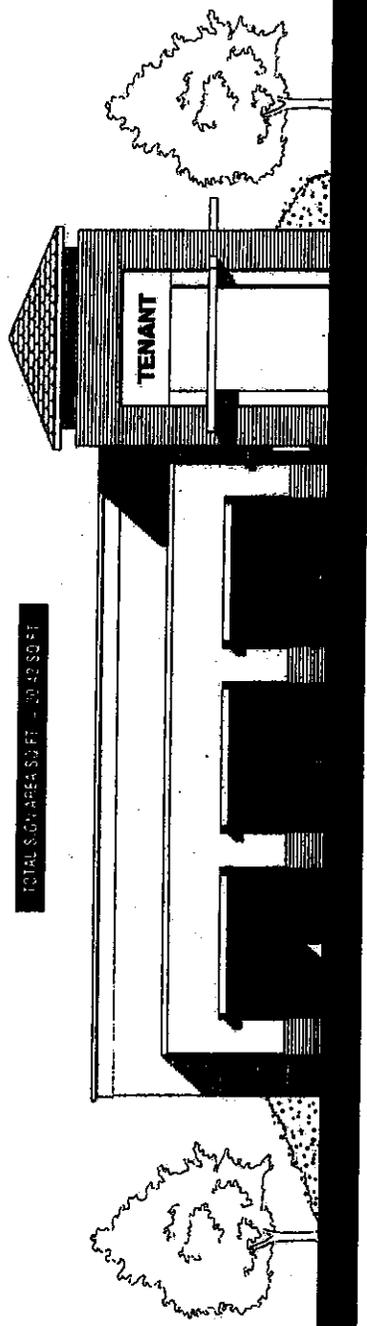
RANCHO VICTORIA PLAZA SIGN PROGRAM

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BUILDING "3" (SOUTH ELEVATION)

SCALE 3/32" = 1'-0"

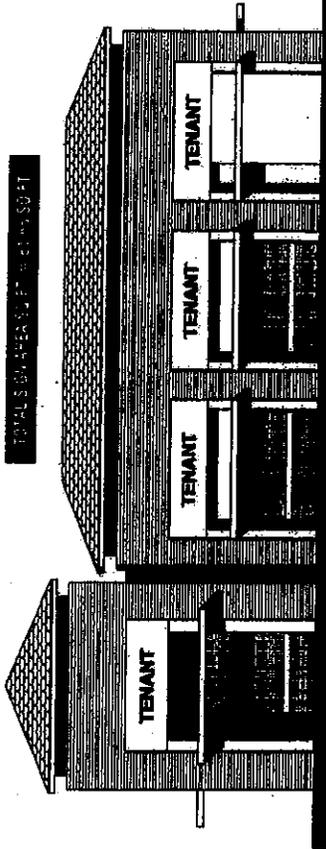


BUILDING "3" (EAST ELEVATION)

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

TOTAL GLASS AREA SQ FT = 1,607.75 SQ FT
TOTAL SIGN AREA SQ FT = 106.25 SQ FT

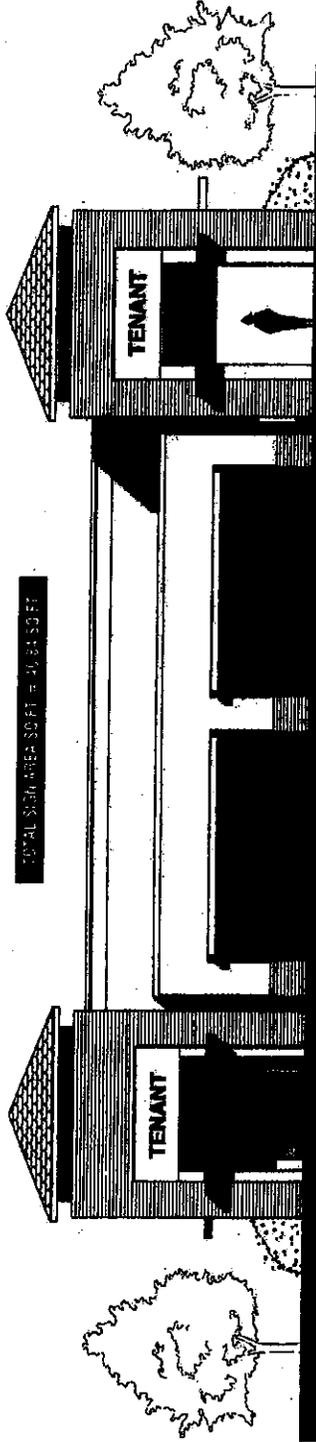
TOTAL SIGN AREA SQ FT = 106.25 SQ FT



BUILDING "4" (NORTH ELEVATION)

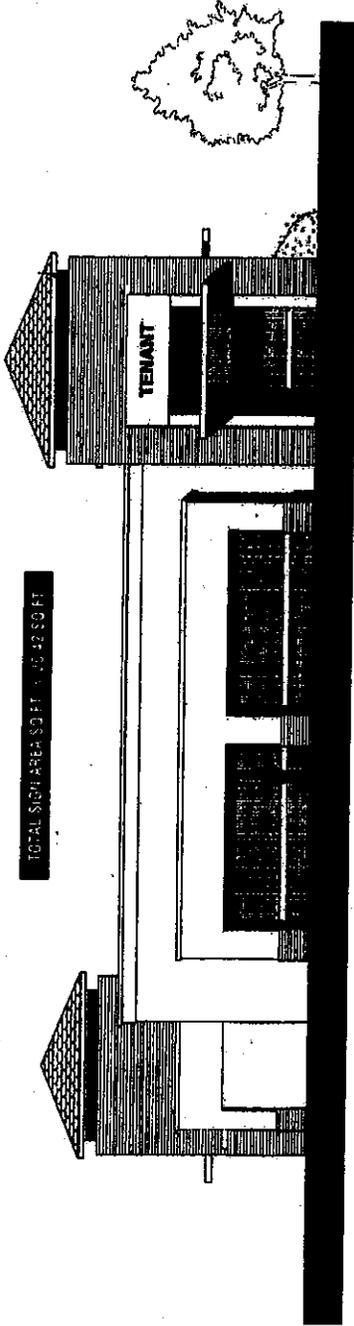
SCALE 3/32" = 1'-0"

TOTAL GLASS AREA SQ FT = 1,607.75 SQ FT
TOTAL SIGN AREA SQ FT = 106.25 SQ FT



BUILDING "4" (WEST ELEVATION)

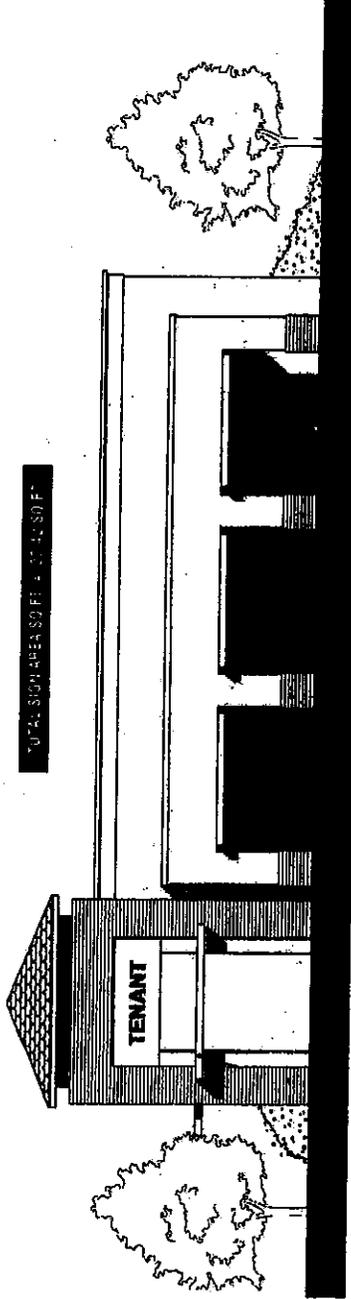
SCALE: 3/32" = 1'-0"



TOTAL SIGN AREA 50 SF ± 31.50 SF

BUILDING "4" (EAST ELEVATION)

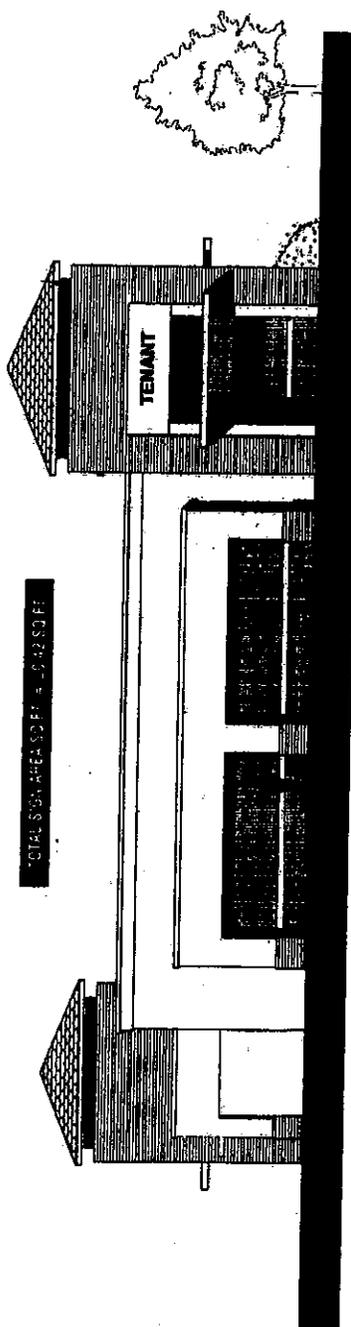
SCALE: 3/32" = 1'-0"



TOTAL SIGN AREA 50 SF ± 31.50 SF

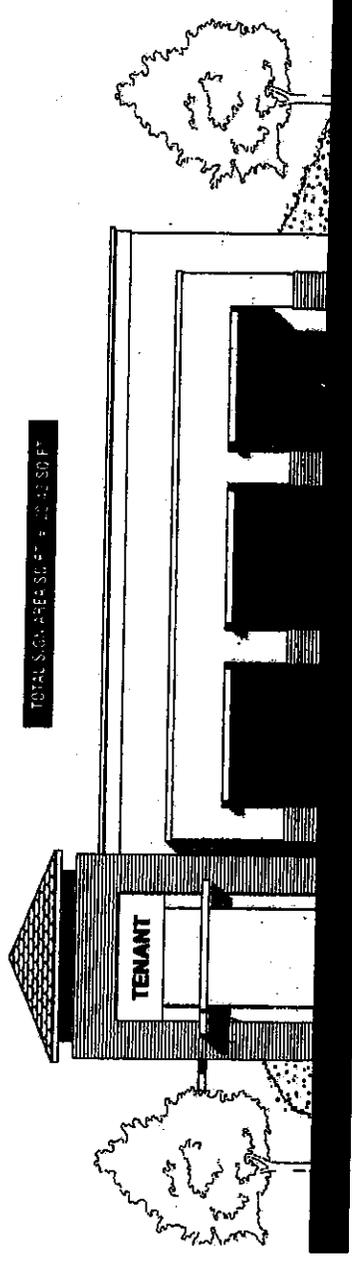
BUILDING "4" (SOUTH ELEVATION)

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



BUILDING "4" (EAST ELEVATION)

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



BUILDING "4" (SOUTH ELEVATION)

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

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SIZE: 2.0 SQUARE FOOT OF SIGN AREA PER LINEAR FOOT OF FRONTAGE SEE SIGN AREA ALLOCATION TABLE ON PAGE 8.

CONSTRUCTION: HALO AND FACE LIT PLEX FACED CHANNELS.
ILLUMINATION: YES

COPY: TENANT NAME AND / OR LOGO

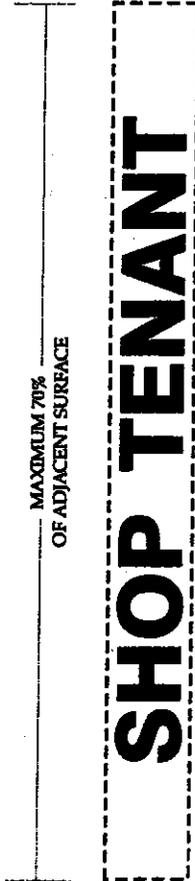
HEIGHT: TWENTY FOUR INCHES

LENGTH: SEVENTY PERCENT OF ADJACENT SURFACE

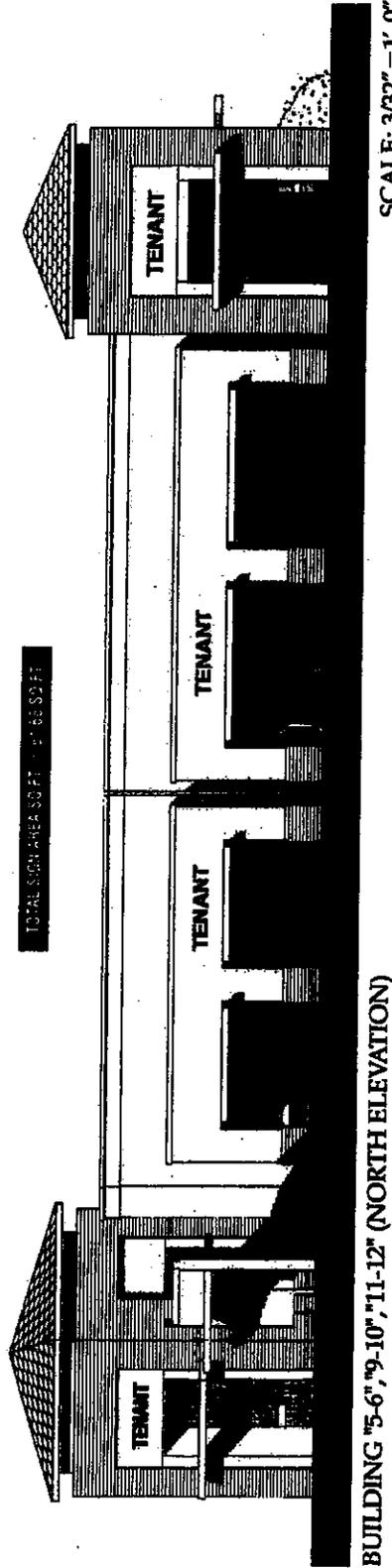
TYPEFACE: CUSTOM LOGO AND TYPE OK

COLORS: CUSTOM COLORS OK

SECONDARY SIGNS: NO

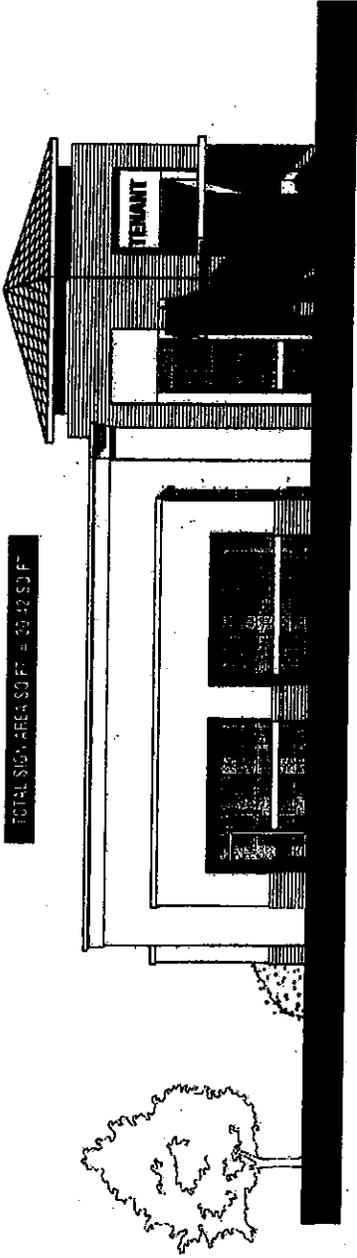


70% OF ADJACENT SURFACE OR 2'-6" MAX LETTER HEIGHT (WHICHEVER IS LESS)



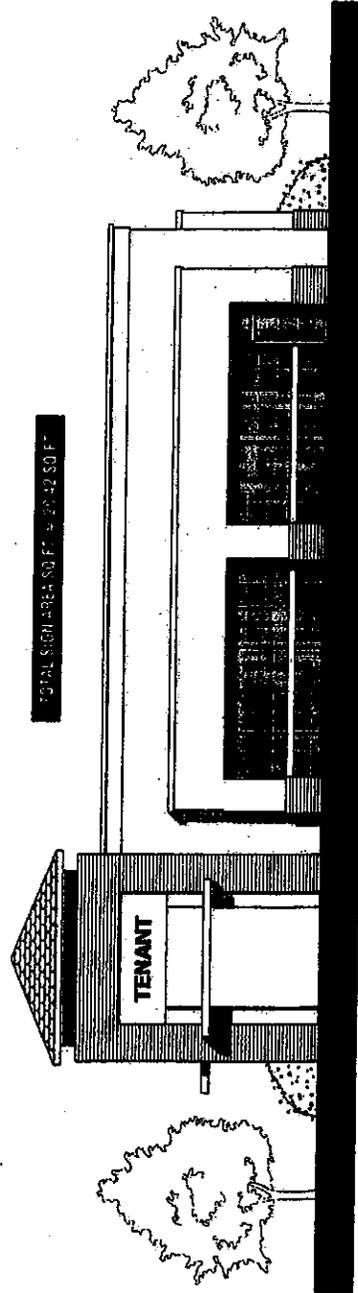
RANCHO VICTORIA PLAZA SIGN PROGRAM

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BUILDING "5' 9", "11" (EAST ELEVATION)

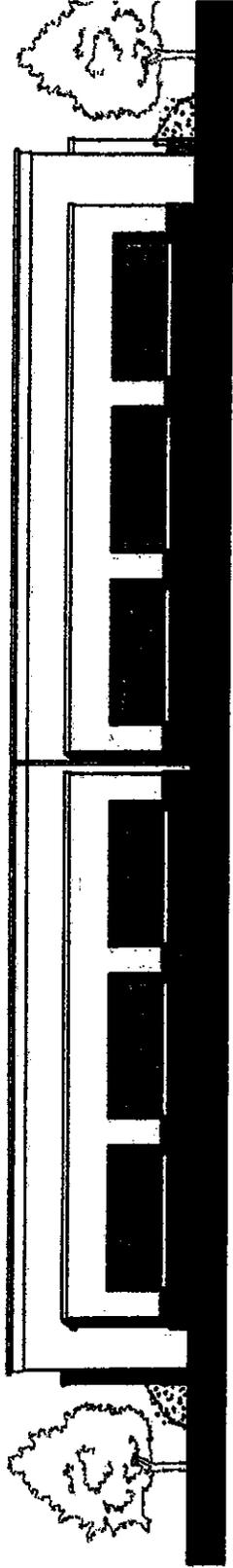
SCALE: 3/32" = 1'-0"



BUILDING "6' 10", "12" (WEST ELEVATION)

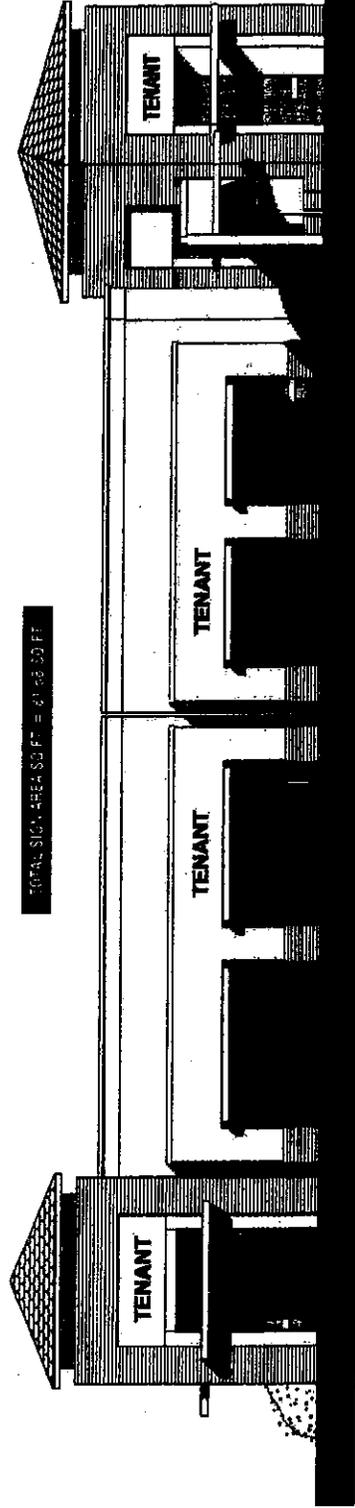
SCALE: 3/32" = 1'-0"

NO SIGNAGE THIS ELEVATION



BUILDING "5-6", "7-8", "9-10", "11-12", "13-14" (SOUTH ELEVATION)

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



BUILDING "7-8", "13-14" (NORTH ELEVATION)

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

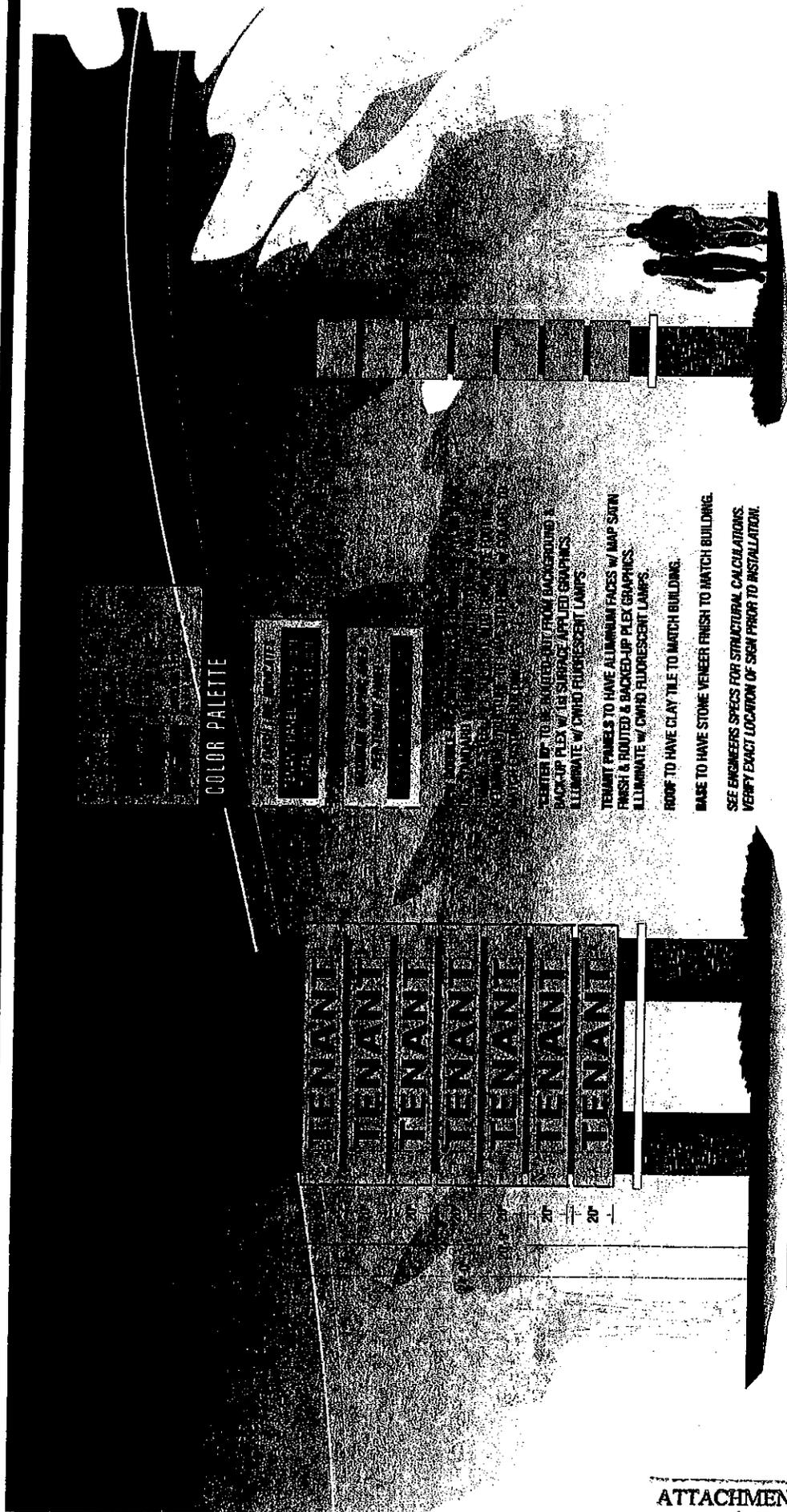
TOTAL SIGN AREA SQ. FT. = 2123.30 FT.

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RANCHO VICTORIA PLAZA SIGN PROGRAM

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COLOR PALETTE

NEW DOUBLE-FACE INTERNALLY-ILLUMINATED PYLON SIGN
SCALE: 1/4"=1'-0"



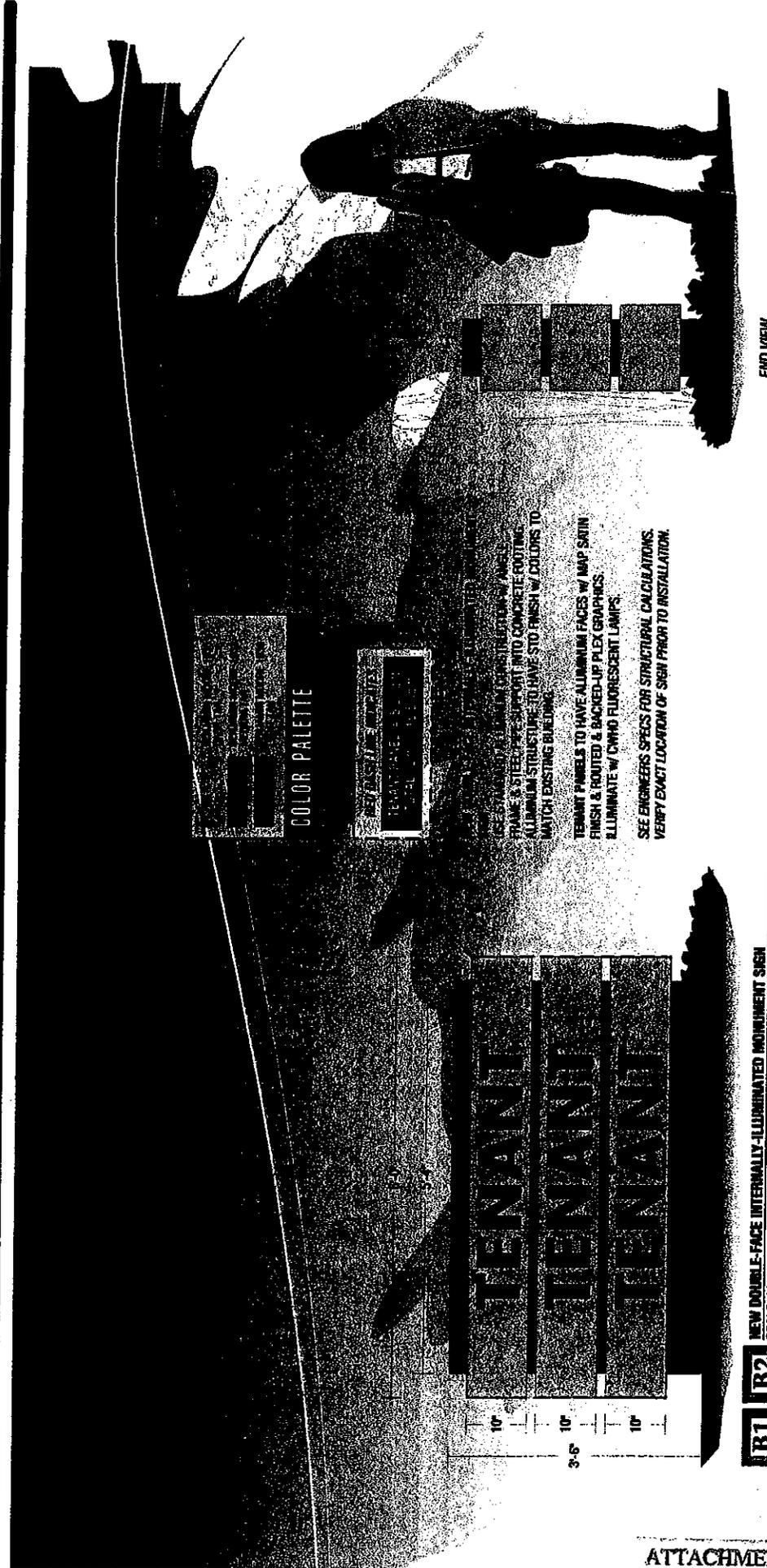
ROOF TO HAVE CLAY TILE TO MATCH BUILDING.
BASE TO HAVE STONE VENEER FINISH TO MATCH BUILDING.
SEE ENGINEERS SPECS FOR STRUCTURAL CALCULATIONS.
VERIFY EXACT LOCATION OF SIGN PRIOR TO INSTALLATION.
TENANT PANELS TO HAVE ALUMINUM FINISH W/ MAP SATIN
FINISH & ROUTED & BACKED-UP PLEX GRAPHICS.
ILLUMINATE W/ CWHD FLUORESCENT LAMPS.
CENTER W/ TO BE MAINTAINED FROM BACKGROUND &
BACK-UP PLEX W/ GR SURFACE/APPLIED GRAPHICS.
ILLUMINATE W/ CWHD FLUORESCENT LAMPS.

END VIEW

RANCHO VICTORIA PLAZA SIGN PROGRAM

PYLON DISPLAYS

OCTOBER 22, 2010 AT / JC



END VIEW

COLOR PALETTE



SEE PANELS FOR DIMENSIONS, MATERIALS AND FINISHES.
 FRAME & STEEL CASE SUPPORT INTO CONCRETE FOOTING.
 ALUMINUM STRUCTURE TO HAVE STD FINISH W/ COLORS TO
 MATCH EXISTING BUILDING.
 TENANT PANELS TO HAVE ALUMINUM FINISH W/ MAP SKIN
 FINISH & ROUTED & BACKED-UP PLEX GRAPHICS.
 ILLUMINATE W/ CMMO FLUORESCENT LAMPS.
 SEE ENGINEERS SPECS FOR STRUCTURAL CALCULATIONS.
 VERIFY EXACT LOCATION OF SIGN PRIOR TO INSTALLATION.

TENANT
 TENANT
 TENANT

10'
 10'
 10'
 3'-6"

B1 **B2** NEW DOUBLE-FACE INTERNALLY-ILLUMINATED MONUMENT SIGN
 SCALE: 3/4"=1'-0"



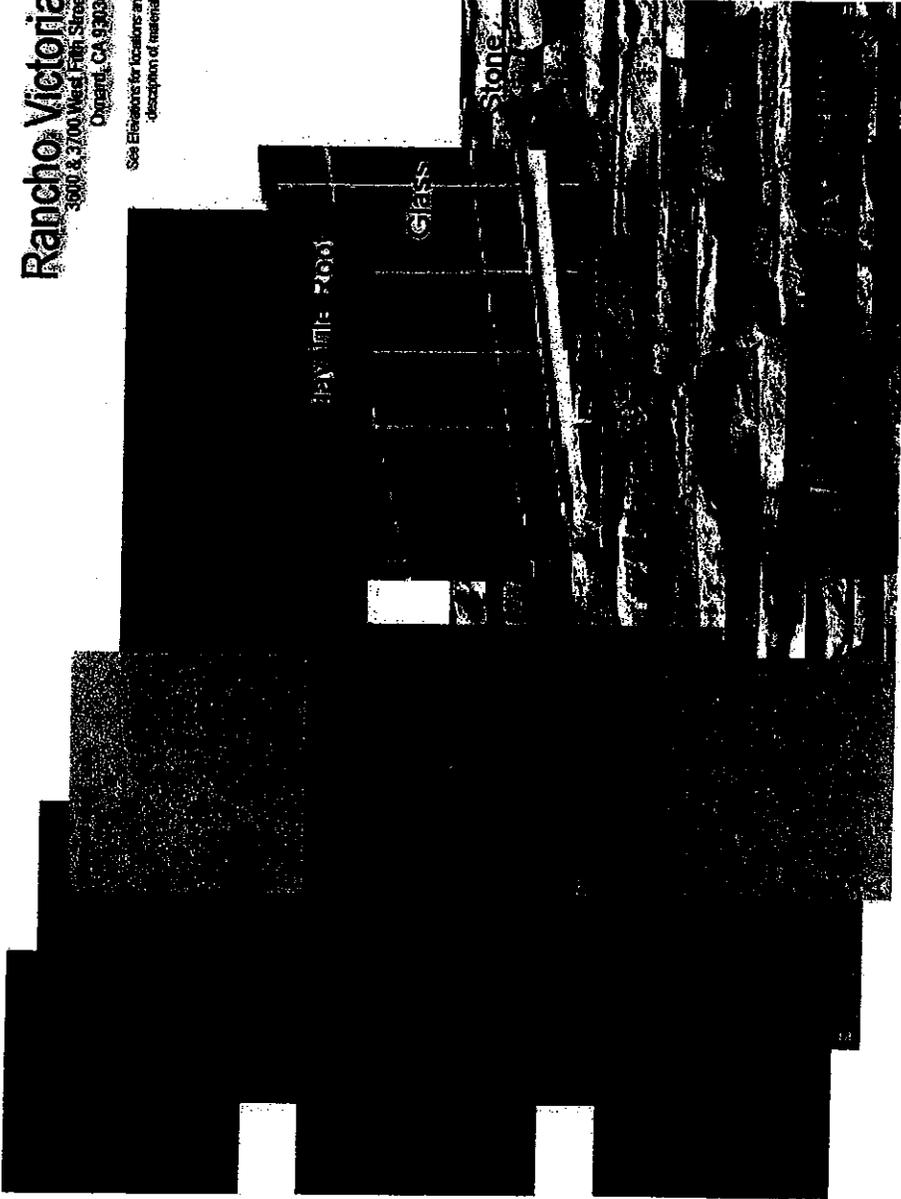
MONUMENT DISPLAYS

RANCHO VICTORIA PLAZA SIGN PROGRAM

OCTOBER 22, 2010 AT / JC

Rancho Victoria
3800 & 37000 West Fair Street
Orange, CA 92660

See Exhibits for locations and
description of materials



CAROLINA LEDGESTONE
SILVER SAND

Stone

ATTACHMENT D

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**Addendum to
Mitigated Negative Declaration No. 05-09**

Rancho Victoria Plaza
Planning & Zoning Permit Nos. 10-300-3 & 10-500-7

prepared by:
Brian Foote, AICP, Associate Planner
City of Oxnard, Planning Division
214 South C Street
Oxnard, California 93030

Summary

This document is an addendum to Mitigated Negative Declaration (MND) No. 05-09 adopted on October 6, 2005, by the City of Oxnard Planning Commission for the Rancho Victoria Plaza project (Planning & Zoning Permit Nos. 04-300-5, 04-620-9, 05-550-2). This addendum concludes that there are no new or more severe significant adverse effects associated with the project currently under consideration.

Project Description

The applicant, Investec Rancho Victoria LLC, has requested approval of a Tentative Tract Map (PZ No. 10-300-3) and a Special Use Permit (PZ No. 10-500-7) to construct an office/retail center on a vacant 6-acre property located at 3600 and 3700 West Fifth Street. The Tentative Tract Map proposes a total of 14 commercial parcels plus one additional parcel for the common areas (e.g. parking lots, driveways, walkways, landscaping, lighting, loading zones, utility lines, etc.). The Special Use Permit proposes to construct a total of 53,016 square-feet of commercial space within the 14 buildings (four of which are single-tenant structures on separate pads, and five are dual-tenant structures on shared pads).

Mitigated Negative Declaration (MND) No. 05-09 previously analyzed a similar project with a commercial phase that was virtually identical to the project currently being considered. The project that was previously approved included a commercial phase totaling 55,000 square-feet for office and retail uses on Lots 2 & 3 of Tract 5542 (i.e. the same property as the current project). The following improvements will not change from the previously-approved project: site boundaries, off-site improvements and utilities, architecture, driveway locations and points of ingress/egress. The current proposal includes the following changes: number of new structures and parcels; site layout such as pad locations, parking, walkways, and on-site circulation; landscaping; sign program; and related on-site improvements such as utility connections. The current project does not qualify for exemption from environmental review, and therefore, is subject to the California Environmental Quality Act (CEQA).

California Environmental Quality Act (CEQA)

According to Section 15164 of the CEQA Guidelines, an addendum to a previously adopted Mitigated Negative Declaration (MND) or Environmental Impact Report (EIR) is the appropriate environmental document in instances when minor changes to an approved project are necessary, and no conditions exist that would trigger a subsequent MND or EIR. An addendum does not need to be re-circulated for public review and comment, but must be considered by the decision-making body prior to making a decision on the project. The following is a brief explanation of the decision not to prepare a subsequent MND pursuant to CEQA Section 15162.

CEQA Section 15162(a) identifies three tests to determine if a subsequent MND or EIR is required. If conditions do not meet any of the three tests, then an addendum is the appropriate environmental document. The tests are:

1. Substantial changes to the project lead to new significant effects or a substantial increase in the severity of previously identified significant effects; or,
 2. Substantial changes occur with respect to the circumstances under which the project is undertaken due to new significant effects or a substantial increase in the severity of previously identified significant effects; or,
 3. New information of substantial importance that was not known or could not have been known at the time of MND adoption or EIR certification shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration; or,
 - b. Significant effects previously examined will be substantially more severe than previously estimated; or,
 - c. Mitigation measures or alternatives previously found not to be feasible would now be feasible and would substantially reduce significant effects of the project, but the project proponents decline to accept the mitigation measure or alternative; or,
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous MND or EIR would substantially reduce significant environmental effects, but the project proponents decline to accept the mitigation measure or alternative.
1. In the first test contained in CEQA Section 15162(a)(1), the proposed project does not represent a change or increase in land use type or intensity. Therefore, the proposed project would not result in new significant effects or a substantial increase in the severity of previously identified effects.
 2. In the second test contained in CEQA Section 15162(a)(2), staff has determined that circumstances surrounding the project have not substantially changed with regard to issues, facts, and mitigations included in the Rancho Victoria Plaza MND No. 05-09. The proposed buildout has not changed from that evaluated by the MND, and the environmental circumstances applicable to the project site have not changed.
 3. In the third test contained in CEQA Section 15162(a)(3), staff has determined that no new information of substantial importance has become available since the time of MND adoption. Therefore, none of the four criteria in Section 15162(a)(3) are triggered.

Conclusion

The current proposal does not have any potentially significant environmental effects that meet any of the three tests identified in CEQA Section 15162(a), and therefore, an addendum to MND No. 05-09 may be adopted pursuant to CEQA Section 15164. All mitigation measures identified in MND No. 05-09 are included herein by reference, and no additional or new mitigations are necessary. The proposed design of the structures, site layout, engineering and improvements have been reviewed by the City of Oxnard as part of the Special Use Permit and Tentative Subdivision Map applications. All current development standards pertaining to engineering

design, drainage, site improvements, landscaping, lighting control, etc., are applicable to the project. All current development standards contained in the Zoning Code (Chapter 16 of the City Code) are applicable to the project.

The previously-adopted Mitigated Negative Declaration, with comments and MMRP, and the record of project approval may be examined at the City of Oxnard Planning Division, 214 South C Street, Oxnard, California 93030. Please call (805) 385-7858 to review the file.

Susan L. Martin, AICP
Planning Division Manager

Date



Date: February 1, 2011

From: Investec Real Estate
Richard Ridgeway
200 E. Carrillo Street, Suite 200
Santa Barbara, CA 93101

RE: *Initial Study and Addendum to Mitigated Negative Declaration No. 05-09*
Rancho Victoria Plaza project located at 3600 & 3700 West Fifth Street
PZ Nos. 10-500-7 (Special Use Permit) and 10-300-3 (Tentative Subdivision Map)

To: Planning Manager

Pursuant to Sections 15070 (Negative or Mitigated Negative Declaration Process) and 15164 (Addendum to an EIR or Negative Declaration) of the California Environmental Quality Act Guidelines, I/we acting as agents for the property owner/developer hereby agree to all of the following:

- 1) The previous Initial Study (MND No. 05-09) identified potentially significant effects from the project, but the study also identified mitigation measures that would avoid or mitigate the effects to a level where clearly no significant effects would occur;
- 2) The previously-adopted mitigation measures are hereby incorporated into the project prior to releasing the draft Initial Study and Addendum for public hearing and comment;
- 3) I/we agree to the mitigation measures as necessary to avoid or mitigate significant effects that would otherwise arise from the project. I/we accept the mitigation measures included in the draft Initial Study and Addendum, and have resolved all questions and concerns regarding the mitigation measures;
- 4) If during the public hearing and/or decision-making process, substitute or additional mitigation measures are proposed, the appropriate process must take place for determining whether or not to substitute or apply additional measures;
- 5) This agreement is binding upon the applicant for this project and any successors in interest or assignees.

This acknowledgment is binding upon the applicant and any successors in interest or assignees:

	February 1, 2011
Signature	Date
Investec Rancho Victoria, LLC	Manager
By: Richard L. Ridgeway	
Print Name	Title

ATTACHMENT E

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PLANNING & ENVIRONMENTAL
SERVICES DIVISION
305 WEST THIRD STREET
OXNARD, CALIFORNIA 93030

MITIGATED NEGATIVE DECLARATION NO. 05-09

On the basis of an initial study, and in accordance with Section 15070 of the California Code of Regulations, the Planning and Environmental Services Division has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment:

PLANNING & ZONING PERMIT NOS. 05-550-2 (Major Modification to Use Permit No. 1488) and **04-300-19** (Tentative Subdivision Map for Tract No. 5542) are the necessary entitlements for development of 34 triplex condominium structures (102 units on 8.66 acres, 11.8 units/acre) and 54,450 sf of retail commercial on 7.01 acres (in two parcels) within the Sea View Estates Neighborhood on the south side of W. Fifth Street and east of Victoria Avenue. The applicant also requests an amendment to the City's General Plan (**PZ 04-620-9**) to bring the land use designations into conformance with the existing C2-PD zoning. Filed by D.R. Horton, 28009 Smyth Drive, Valencia, CA 91355.

Attached is a copy of the initial study documenting the reasons to support the finding of no significant effect on the environment. Mitigation measures are included in the initial study to reduce the identified potential effects to a less than significant levels.

1. **Air Quality:** While under construction there may be short-term impacts to air quality due to grading and other construction activities associated with the project.
2. **Cultural Resources:** During the grading process there is a potential for the discovery of cultural resources.
3. **Geology and Soils:** The General Plan identifies the project site as a potential area having a moderate level for liquefaction. A site-specific soils investigation prepared by a licensed geotechnical engineer will be required.
4. **Noise:** During construction there may be an increase in ambient noise levels associated with construction activities. Construction times shall be limited to those times and specified in the City Ordinance. The site is located within the Oxnard Airport Sphere, therefore the developer shall disclose this to all potential homebuyers
5. **Utilities:** Standard water, storm water, and solid waste measures shall be incorporated into the construction plans and shall be satisfied prior to the issuance of a building permit.

Proposed mitigation measures, if any, included in the project to avoid potentially significant effects:

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
AIR QUALITY (short-term)	Temporary Minor Impact	<p>C-1 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.</p> <p>C-2 During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time.</p> <p>C-3 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.</p> <p>C-4 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.</p> <p>C-5 During construction, Developer shall control dust by the following activities:</p> <ul style="list-style-type: none"> 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. 	Less Than Significant Impact	Planning and Environmental Services/Development Services

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		<ul style="list-style-type: none"> 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. 		
		<p>C-6 During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.</p>		
		<p>C-7 During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite.</p>		
		<p>C-8 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.</p>		
		<p>C-9 Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance.</p>		

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
BIOLOGICAL RESOURCES	Potentially Significant	<p>D-1 Developer or contractor shall contact the Oxnard City Animal Control office three working days prior to the beginning of preliminary grading and allow the Animal Control office to attempt to trap any remaining fox on the site. During grading, machine operators will make their best effort to avoid injuring or killing any Red Fox and should work with Animal Control as needed during grading to capture any Red Fox that may still be on the site.</p> <p>D-2 Developer shall prepare a mailing to all residential units within 300 ft. of the south and east property lines giving the approximate start and stop dates, days per week, and daily hours of operation for each phase of grading, and include a toll-free phone number for residents to call if grading noise or vibrations become excessive, in the residents' opinion. A 4 X 8 foot sign shall also be posted near the four corners of the project site with the same information. The wording of the mailing and signs and mailing list shall be first approved by Planning staff. Developer shall maintain a record of all complaint calls and provide the record and the Developer's response to Planning staff upon request. Should the number of legitimate complaints exceed five per day (or another number agreed to by Planning staff and the Developer), Planning staff shall have the option of: 1) suspending grading activities, and/or 2) require less intense grading activity (such as only one bulldozer instead of two), and/or 3) require that the Developer hire a third party complaint monitor, at the Developer's expense and with Planning staff approval, to liaison with those who have called in complaints and work out acceptable arrangements to complete grading on a reasonable schedule with a minimum disruption to nearby residences. The Grading Liaison, if necessary, shall be knowledgeable of grading and with no financial relationship with the Developer or area residents. Decisions of the Grading Liaison shall be binding on both the Developer and area residents, and shall be considered a last resort option.</p>	Less Than Significant Impact	Planning and Environmental Services/

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
CULTURAL RESOURCES	Potentially Significant	<p>E-1 Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include 1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and 2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning and Environmental Services Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning and Environmental Services Manager for review and approval prior to initiation of the Phase I activities.</p> <p>The contract shall include provisions in case any cultural resources are discovered onsite. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey.</p> <p>E-2 Developer shall contract with a Native American monitor to be present during any subsurface grading, trenching or other construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing their activities and findings. 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 permits.</p>	Less Than Significant Impact	Planning and Environmental Services/Development Services

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
GEOLOGY AND SOILS	Potentially Significant	<p>F-1 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 in the project. Developer shall submit the report to the Building Official for review and approval prior to issuance of building permits.</p> <p>F-2 Developer shall seed, and maintain with adequate irrigation and maintenance either or both of the commercial lots on Fifth Street immediately after final grading unless Developer supplies a letter indicating Developer intends to progress to actual construction within 60 days from completion of final grading. Completion of final grading to be determined by the assigned City building inspector. Should either or both lots no progress to actual construction within 120 days of final grading, Developer shall sod one or both lots within 30 days. Irrigation and plant materials subject to approval by the Parks and Facilities Department.</p>	Less Than Significant Impact	Planning and Development Services Department, Parks and Facilities
HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant	<p>G-1 Developer shall submit plans the Development Services Division that clearly indicate the homes constructed along the northern residential boundary shall be no closer than 400 feet from the centerline of proposed widened W. Fifth Street.</p> <p>G-2 Prior to issuance of building permits the developer shall file a form 7460, "Notice of Proposed Construction: with the Federal Aviation Administration (FAA), a provide a copy to the Planning Division, that enables the FAA to review the development for any hazards to airport /aviation operations.</p>	Less Than Significant Impact	Planning and Environmental Services/

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
NOISE	Potentially Significant	<p>K-1 The applicant shall provide such notice to potential homebuyers disclosing the presence of the Oxnard Airport and a helicopter flight path along W. Fifth Street. The applicant shall provide such notice to each homebuyer and obtain signatures acknowledging the presence of the Oxnard Airport and a helicopter flight path along W. Fifth Street.</p> <p>K-2 No construction or delivery vehicles shall use Dunkirk Street east of the project site at any time. All deliveries and staging shall utilize Fifth Street access only.</p>	Less Than Significant Impact	Planning and Environmental Services/
TRANSPORTATION/ TRAFFIC	Significant	<p>T-1 Developer shall install a traffic signal at the intersection of Fifth Street and Southampton Place to the specifications of the City Traffic Engineer.</p> <p>T-2 Prior to issuance of building permits the developer shall pay applicable City and County cumulative impact mitigation traffic fees.</p>	Less Than Significant Impact	Planning and Environmental Services/

Attachments:

- A. Initial Study/MND 05-09
- B. Vicinity Map and Aerial Photo
- C. Reduced Project Plans
- D. Air Emission Modeling
- E. Applicant's Agreement to Mitigation Measures

Applicant
 County Clerk
 MND Distribution List



Planning & Environmental Services Division
305 West Third Street
Oxnard, CA 93030
805/385-7858
FAX 805/385-7417

INITIAL STUDY

MITIGATED NEGATIVE DECLARATION 05-09

Rancho Victoria, 3600 West Fifth Street
General Plan Amendment (PZ 04-620-9)
Major Modification to Use Permit 1488 (PZ 05-550-2)
Tentative Subdivision Map for Tract No. 5197 (PZ 04-300-19)

APN 185-0-170-055

July 1, 2005

Introduction

This *Initial Study* has been prepared in accordance with relevant provisions of the *California Environmental Quality Act (CEQA) of 1970*, as amended, and the *CEQA Guidelines* as revised. *Section 15063* of the *CEQA Guidelines* indicates that the purposes of an Initial Study are to:

1. Provide the Lead Agency (i.e., the City of Oxnard) with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration;
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
3. Assist the preparation of an EIR, if one is required, by:
 - Focusing the EIR on the effects determined to be significant;
 - Identifying the effects determined not to be significant;
 - Explaining the reasons why potentially significant effects would not be significant; and
 - Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
4. Facilitate environmental assessment early in the design of a project;
5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
6. Eliminate unnecessary EIRs; and
7. Determine whether a previously prepared EIR could be used with the project.

The City of Oxnard *Threshold Guidelines - Initial Study Assessment* (February 1995) was used along with other pertinent information for preparing the *Initial Study* for this project.

The purpose of the *Threshold Guidelines* is to inform the public, project applicants, consultants and City staff of the threshold criteria and standard methodology used in determining whether or not a project (individually or cumulatively) could have a significant effect on the environment. Furthermore, the *Threshold Guidelines* provide instructions for completing the *Initial Study* and determining the type of environmental document required for individual projects.

Determining the significance of environmental impacts is a critical and often controversial aspect of the environmental review process. It is critical because a determination of significance may require that the project be substantially altered, or that mitigation measures be readily employed to avoid the impact or reduce it below the level of significance. If the impact cannot be reduced or avoided, an Environmental Impact Report (EIR) must be prepared. An EIR is a detailed statement that describes and analyzes the significant environmental impacts of a proposed project, discusses ways to reduce or avoid them, and suggests alternatives to the project, as proposed. The preparation of an EIR can be a costly and time-consuming process.

Determining the significance of impacts is often controversial because the decision requires staff to use their judgment regarding a subject that is not clearly defined by the law. The State CEQA *Guidelines* define the term "significant impact on the environment" as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project. However, there is no iron-clad definition of what constitutes a substantial change because the significance of an activity may vary according to location.

To help clarify and standardize decision-making in the environmental review process, Oxnard has developed thresholds of environmental significance. Thresholds are measures of environmental change that are quantitative for subjects like noise, air quality, and traffic; and qualitative for subjects like aesthetics, land use compatibility, and biology. These thresholds are used in the absence of other empirical data to define the significance of impacts. For some projects, however, special studies and/or the professional judgment of City staff may enter into the decision-making process. Therefore, Oxnard's thresholds are intended to serve as guidelines, and to augment existing CEQA provisions governing the definition of significance.

The City's environmental thresholds will be periodically updated as new information becomes available, or as standards regarding acceptable levels of environmental change are reevaluated. For example, the air quality thresholds adopted by Oxnard were established through State and Federal legislation. These standards, and the methodology used to compute them, may change over time. When this occurs, the City will evaluate the data and, if necessary, modify the thresholds to reflect improved awareness.

When other agencies have jurisdiction over a given site, the project proponent will have to meet the design, mitigation, and monitoring requirements imposed by those agencies, as well as any additional requirements established by the City of Oxnard.

CITY OF OXNARD

Initial Study Environmental Checklist Form

1. Project Title: Rancho Victoria, Tract Number 5197
2. Lead Agency Name and Address: City of Oxnard, Planning & Environmental Services Division, 305 West Third Street, Oxnard, CA 93030
3. Contact Person and Phone Number: Christopher Williamson, Associate Planner, 805-385-8156
4. Project Location: The 17-acre parcel is located east of Victoria Avenue, south of West Fifth Street, and north of Monte Carlo Drive. Parcels fronting on Victoria and West Fifth Street developed with an Arco Station (500 S. Victoria), Jack-in-the-Box (550 S. Victoria), and El Pollo Loco restaurant (3750 W. Fifth Street) are not part of this request. The subject property is within the City of Oxnard's city limits, having been previously annexed as part of the original 1992 project approval (Use Permit 1488).
5. Project Applicant Name and Address: D. R. Horton, 28009 Smyth Drive, Valencia, CA. 91355
6. General Plan Designation: The project site is currently designated as Community Commercial and Open Space Buffer.
7. Zoning: The project site is zoned General Commercial Planned Development (C2-PD)
8. Description of Project: A proposal to subdivide the 17-acre site into four parcels, three for commercial uses (with a combined total of 55,000 sf. in four one-story commercial structures with associated parking) and one for condominium residential purposes (102 units in 34 triplex structures with associated parking and recreation areas). The site plan places two commercial lots along W. Fifth Street that also provide approximately 400 feet of buffer separating the proposed residential uses from the Oxnard Airport. The third commercial parcel would encompass the existing multi-tenant commercial building located at 600 S. Victoria. The residential parcel would take up the remaining interior area and situates the 34 residential triplex structures along two new east-west streets, abutting existing residential to the south and east.

Principal access to the site is proposed via a new north-south access street from W. Fifth Street (Southampton Place), an east-west street (Jolly Roger Way), and a westward extension of Dunkirk Drive from the adjoining 41-unit subdivision currently under construction along the eastern edge of the project site. Secondary access is proposed with a service road from W. Fifth Street, connecting through the rear parking areas of the adjoining existing commercial uses on Victoria Avenue.

Infrastructure improvements include street and sidewalk development, power lines, sewer lines and other utilities. All improvements will be designed and constructed to the specifications and codes of the City.

Four discretionary actions are needed to develop the property as proposed, including:

- General Plan Amendment (GPA),
- Tentative Subdivision Map,
- Vacation of a utility easement, and
- Major Modification to Use Permit 1488.

9. Surrounding Land Uses and Setting: The project site is vacant. To the south are single-family residential uses with a rear-yard zone wall separating them from the subject's parcel. To the east is an adjoining 41-unit new subdivision currently under construction. To the west, oriented towards Victoria Avenue, are three existing commercial uses (Arco, Jack-in-the-Box, and the 1,000 sf. 600 S. Victoria center). To the north is one commercial use facing West Fifth Street (El Pollo Loco). Across Fifth Street are a multi-tenant retail center, airport related uses, and beyond them the western end of the Oxnard Airport main runway.

10. Other agencies whose approval is required (e.g., permits, financing approval, or participating agreement):

- Ventura County Airport Land Use Commission

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Christopher Williamson
Signature

July 9, 2005
Date

Christopher Williamson
Print Name

Associate Planner
Title

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," cited in support of conclusions reached in other sections may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063©(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used—Identify and state where they are available for review.
 - b. Impacts Adequately Addressed—Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures—For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify: a) The significance criteria or threshold, if any, used to evaluate each question; and b) The mitigation measure identified, if any, to reduce the impact to less than significance.

A. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (2020 General Plan, VIII - Open Space/ Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (2020 General Plan, VIII - Open Space/ Conservation Element; XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (2020 General Plan, VIII - Open Space/Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Create a source of substantial light or glare, which would adversely affect day or nighttime views in the area? (2020 General Plan, VIII - Open Space/Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

1 Fifth Street and Victoria Road are designated as City Image Corridors in the City's General Plan, Figure XII-1. As the site vicinity is developed, introduction of the proposed project would be visually consistent with the surrounding urban uses and would not have a significant effort on the City-designated Image Corridors. Although development of the site would be noticeable along these roadways, all aspects of the project design are subject to review by the Development Advisory Committee (DAC). This committee has been established by the City of Oxnard to review proposed development with the City to ensure compliance with appliance City development standards, code, and regulations. **Therefore, a less than significant adverse visual impact on a public scenic vista is expected to result from the proposed development.**

Existing homes to the immediate south of the project currently have a northerly mountain view over the vacant project parcel. The project will introduce two-story structures and trees that will partially intrude on the lower angle of the northward views, and may block mountain views completely for some homes. The proposed building heights are within those allowed by the

current zoning and General Plan designations. Therefore, a less than significant adverse visual impact on private scenic vistas is expected to result from the proposed development.

- 2-3 The project site is flat, vacant, with no landmarks or other distinguishing natural or man-made features, and surrounded by urbanized uses. The City of Oxnard 2020 General Plan does not designate the project site or its surroundings as a scenic or historic resource. Therefore, there is no significant adverse visual impact on categories 2 and 3 above.
- 4 All project design plans would be subject to review by the City's DAC. Consequently, development of the project would not introduce a substantial new source of light or glare that would be greater than light and glare sources that presently exist in the area from similar development. Therefore, with the inclusion of standard conditions of approval, the impacts to light and glare are expected to be less than significant.

Mitigation: No mitigation measures are required or proposed.

B. AGRICULTURAL RESOURCES*

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agricultural and farmland.

Discussion:

1-3 According to the California Soil Conservation Divisions of Farmland & Open Space Resources (1970), soil on the project site is considered prime. No portion of the site is subject to a Williamson Act Contract. Although the site will convert vacant land regarded as prime agricultural soils, the City's 2020 General Plan designates the subject site for urban use, and the property is within the City's Urban Restriction Boundary, so conversion of the property to developed uses would not result in development pressure on other agricultural land located within the City's planning sphere or outside the CURB line. **Therefore, no significant adverse impacts to agricultural resources are anticipated.**

Mitigation: No mitigation measures are required or proposed.

C. AIR QUALITY*

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Expose sensitive receptors to substantial pollutant concentrations? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Create objectionable odors affecting a substantial number of people? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Discussion:

- 1,2,5. The subject site is not considered to be in conflict with the Air Quality Management Plan. Nor is the project likely to create any objectionable odors.

Short-term impacts: Short-term impacts to air quality will likely result from grading and other construction activities associated with the project, such as earth-moving and heavy equipment vehicle operations. According to the Ventura County Air Pollution Control District (APCD), any combustion equipment onsite, which is rated at 50 horsepower or greater, must have either an APCD Permit to Operate (PTO), or be registered with the California Air Resources Board's (CARD) Portable Equipment Registration Program (PERP). Examples of such equipment include portable electrical generators and portable air compressors. The applicant is responsible for contacting APCD to verify compliance with any APCD permitting needs. The proposed project could potentially expose construction workers to pollutants and excessive amounts of airborne matter. Standard conditions of project approval, as recommended by the APCD, will be included to minimize such emissions and maximize dust suppression onsite. **With the inclusion of mitigation measures, impacts to short-term air quality would be reduced to less than significant.**

Long-term impacts: Anticipated long-term impacts of the proposed project will be attributed by the increase traffic associated with 102 new dwelling-units and 55,000 sf of commercial uses in this area. The City's adopted threshold for Reactive Organic Compound (ROC) and Nitrogen Oxide (NOx) emissions is 25 pounds per day (ppd). It is determined that the proposed residential project (102 units and 55,000 sf retail) will generate 2,861.98 average daily trips and 39.26 ppd NOx, exceeding the significance threshold of 25.0 ppd by 14.26 lbs. Emissions that exceed the threshold may be mitigated with the "buy-down" of emissions through a contribution to the City's Transportation Demand Management (TDM) Program. In this case, the resulting project exceeds the significance threshold by 14.26 ppd NOx. For building permits issued in 2005, the fee for the proposed development is calculated as follows:

$$\text{TDM fee} = 14.26 \times 8.77 \times 365 \times 3 = \$ 136,940.92$$

In accordance with the current APCD Guidelines, such fee shall be re-assessed at the time of building permit issuance to ensure the correct fees are used in the calculation, based on number of units and Target Year. **As City and County CEQA Guidelines and adopted policies consider the buy-down fee as full mitigation for cumulative long-term air quality impacts, no significant adverse impacts associated with long-term effects on air quality are anticipated as a result of this project.**

3. A new elementary school will be constructed about 1000 feet east of the northeast corner of the project site along Fifth Street. Existing home and new homes proposed within the project are also likely to have young children and others who are sensitive receptors (ill, elderly, etc.). In both cases, the project's temporary air quality construction impacts will be minimized by standard air quality conditions of approval listed below, and long term operating impacts attributable to the project will not be concentrated in or near these sensitive receptors to any level to cause harm. **Therefore, less than significant adverse impacts associated with sensitive receptors are expected.**
4. The project proposes residential uses rather than industrial or manufacturing where objectionable odors are likely to occur. Typical odors generated by the project would be those associated with outdoor cooking or landscape maintenance activities. **Therefore, no adverse impacts associated with objectionable odors are expected.**

Mitigation: The following mitigation measures shall apply:

- C-1 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 times 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.
- C-2 During smog season (may through October), developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time.
- C-3 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.
- C-4 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.
- C-5 During construction, Developer shall control dust by the following activities:
 - 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.
 - All graded and excavated material, exposed soils area, 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.

- C-6 During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.
- C-7 During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite.
- C-8 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.
- C-9 Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance.

Monitoring: Planning staff will verify that all dust control measures (C1 through C-8) are included on the grading plans. The Building Official, or designee, will monitor all applicable measures in the field until construction is completed. Planning staff will assess the C-9 fee at time of issuing the first building permit.

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effects on the environment related to air quality issues.

D. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

D. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (2020 General Plan, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1-6 The City of Oxnard's 2020 General Plan and 2020 General Plan EIR do not identify any species of plants or animals which are considered to be endangered, threatened, or sensitive on or adjacent to the subject property. Additionally, no wildlife corridors have been identified in the area. With regards to vegetation communities, the City of Oxnard's General Plan identifies three types of habitat that are considered significant and include: Riparian, Dunes Habitat, and Wetlands. These habitats exist on or near the Pacific Ocean or the Santa Clara River, and are not present on or in the vicinity of the subject property.

The project site is vacant with intermittent grasses and other opportunistic vegetation, supporting a small habitat of ground mice and other open field wildlife. Several Red Fox (*Vulpes vulpes*) have been seen on site, and one was killed by a vehicle on Fifth Street in December 2004, according to Oxnard Animal Control. Animal Control believes the foxes migrated into the project area several years ago as the Westport and Seabridge projects further south began construction, and they remain because of food scraps that are available from the nearby restaurants. The Red Fox is not native to California and not an endangered or threatened species. Animal Control is planning to capture and relocate the foxes, if possible. If not, the foxes will probably migrate across Fifth Street and eventually into the agricultural fields west of Victoria once grading begins on the project site. **Therefore, with the inclusion of mitigation measures, impacts to biological resources would be reduced to less than significant.**

The project will be grading and compacting adjacent to existing homes within 15 feet of the south and east lot lines. Residents have experienced noise and vibrations from similar operations in the two adjoining projects (Wingfield and Wingfield West).

Mitigation: The following mitigation measures shall apply:

D-1 Developer or contractor shall contact the Oxnard City Animal Control office three working days prior to the beginning of preliminary grading and allow the Animal Control office to attempt to trap any remaining fox on the site. During grading, machine operators will make their best effort to avoid injuring or killing any Red Fox and shall coordinate with Animal Control as needed during grading to capture any Red Fox that may still be on the site.

D-2 Developer shall prepare a mailing to all residential units within 300 ft. of the south and east property lines giving the approximate start and stop dates, days per week, and daily hours of operation for each phase of grading, and include a toll-free phone number for residents to call if grading noise or vibrations become excessive, in the residents' opinion. A 4 X 8 foot sign shall also be posted near the four corners of the project site with the same information. The wording of the mailing and signs and mailing list shall be first approved by Planning Staff. Developer shall maintain a record of all complaint calls and provide the record and the Developer's response to Planning Staff upon request. Should the number of legitimate complaints exceed five per day (or another number agreed to by Planning Staff and the Developer), Planning Staff shall have the option of: 1) suspending grading activities, and/or 2) require less intense grading activity (such as only one bulldozer instead of two), and/or 3) require that the Developer hire a Grading Liaison, at the Developer's expense and with Planning Staff approval, to liaison with those who have called in complaints and work out acceptable arrangements to complete grading on a reasonable schedule with a minimum practical disruption to nearby residences. The Grading Liaison, if necessary, shall be knowledgeable of grading and with no financial relationship with the Developer or area residents. Decisions of the Grading Liaison shall be binding on both the Developer and area residents, and shall be considered a last resort option.

Monitoring: Planning Staff will confirm that Animal Control has been contacted by the Developer prior to approving any grading permit, and as long as Animal Control considers there to be any Red Fox on the project site. Planning the Native American monitoring contract prior to issuance of any building permits. Planning staff will ensure the monitoring reports are received prior to Planning Division inspection for final building permit sign-off. Development Services staff will monitor onsite construction activities, as necessary.

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effects on the environment related to cultural resources. No further monitoring needed.

E. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 ? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 ? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Disturb any human remains, including those interred outside of formal cemeteries? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

1-4 The property is disturbed from previous agricultural activity. Neither the City of Oxnard 2020 General Plan nor the 2020 General Plan FEIR identify any cultural or historic resources on the subject property. However, the City lies entirely on the Oxnard Plain and is part of the California cultural area. Although recent nearby development has not revealed any cultural resources in the immediate vicinity, the nature of previously recorded and discovered archaeological and ethnographic resources in the area and the expressed concerns of the Native American community for the entire City warrant onsite monitoring during grading activities in the event an unexpected find occurs. Should cultural resources be unearthed during construction activities, they would be subject to proper procedures that will minimize the risk of destruction, as well as protect and preserve the cultural integrity of the resource. **With the inclusion of the mitigation measures, potential impacts to cultural resources will be less than significant.**

Mitigation: The following mitigation measures shall apply:

E-1 Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the site prior to issuance of any grading permits. The survey shall include 1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and 2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning and Environmental Services Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning and Environmental Services Manager for review and approval prior to initiation of the Phase I activities.

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

E-2 Developer shall contract with a Native American monitor to be present during any subsurface grading, trenching or other construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing their activities and findings. 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 permits.

Monitoring: Planning Staff will review the Native American monitoring contract prior to issuance of any building permits. Planning staff will ensure the monitoring reports are received prior to Planning Division inspection for final building permit sign-off. Development Services staff will monitor onsite construction activities, as necessary.

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effects on the environment related to cultural resources. **No further monitoring needed.**

F. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? Refer to Division of Mines and Geology Special Pub. 42. (2020 General Plan, IX-Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Strong seismic ground shaking? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Seismic-related ground failure, including liquefaction? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Landslides? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Result in substantial soil erosion, or the loss of topsoil? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- 1-4 The City, as with other jurisdictions in California, lies in a seismically active region. There are two seismic faults north and east of the site. Given the proximity of the site to these faults the site is susceptible to several types of earthquake-related risks. Through the implementation of standard construction techniques, adherence to the Uniform Building Code (UBC) potential impacts associated with seismically induced activities would be considered less than significant. The City's Development Services Division plan check process requires the submittal and approval of a soils, geologic and structural evaluation report prepared by a registered soils engineer and/or structural engineer for all new development.

According the 2020 General Plan, the City of Oxnard is located in an area with high seismic ground shaking potential. The subject site is located in an area that has been identified as having a moderate to low potential for liquefaction (Figure IX-2). **With the inclusion of the mitigation measure, impacts to geology would be reduced to less than significant.**

Mitigation: The following mitigation measure shall apply:

- F-1 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 in the project. Developer shall submit the report to the Building Official for review and approval prior to issuance of building permits.

Monitoring: The Building Official will review the soils investigation report, and shall determine if any applicable recommendations are to be incorporate into the project.

Result After Mitigation: Upon implementation of the above mitigation measure, the project will not result in any residual significant adverse effects on the environment related to geophysical issues.

G. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Create a significant hazard to the public or the environment through reasonably foreseeable up-set and accident conditions involving the release of hazardous materials into the environment? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (2020 General Plan, IX - Safety Element; City of Oxnard Emergency Preparedness Plan and Response Manual)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- 1-4 The proposed project will create residential and general retail commercial uses that do not generally transport or emit toxic chemicals or vapors. All application for home occupation permits and/or business licenses are subject to City review and conditions that either prohibit dangerous materials or require adequate safety measures that fully mitigate possible dangers. **Therefore, the risk associated with emissions or handling of hazardous materials is considered to be less than significant.**
- 5-6 The project site is located within the Oxnard Airport Sphere of Interest as determined by the General Plan. Since over 90% of all aircraft approaches to the Oxnard Airport are in an east to west direction over the City of Oxnard the project site is not located within most landing patterns. However, Section 36-5.4.0 of the City Code requires the preparation of an airport hazard risk assessment for new development proposed within the airport's sphere of influence. The Airport Land Use Commission and Oxnard Airport Authority reviewed the project and found it to be consistent with the airport land use plan, provisions of Federal Aviation Administration (FAA) Federal Aviation Regulations (FAR) Part 77 (obstruction clearance), provisions of FAR Part 150 (land use compatibility), the airport comprehensive land use plan (CLUP) and the airport master plan. The project is technically and legally compliant with the minimum standards relation to development in the vicinity of an airport. **Therefore, with the inclusion of the mitigation measures the impact would be reduced to less than significant.**
7. According the General Plan, Fifth Street is considered an evacuation route. The project is providing an access point off of Fifth Street which will allow for ease of access for residents to evacuation routes as well as continuing Dunkirk Drive from the east to the west, which will allow residents to access Patterson Road, which then leads south to Channel Islands, an additional evacuation route. **Therefore, no significant impact is anticipated.**
8. Development of the property would not result in an increased wildfire risk and would reduce risk of fire inherent in its present state of brush and tall grasses. **Therefore, no significant impact is anticipated.**

Mitigation: The following mitigation measures shall apply:

- G-1 Developer shall submit plans to the Development Services Division that clearly indicate the homes constructed along the northern residential boundary are no closer than 400 feet from the centerline of Fifth Street.
- G-2 Prior to issuance of building permits the developer shall file a form 7460, "Notice of Proposed Construction: with the Federal Aviation Administration (FAA), a provide a copy to the Planning Division, that enables the FAA to review the development for any hazards to airport /aviation operations.

Monitoring: Planning staff will verify the plans submitted clearly show a minimum 400' buffer from the centerline of Fifth Street. Planning staff shall review form 7460 prior to issuance of building permits.

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effects on the environment related to hazards and hazardous material issues.

H. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Violate any water quality standards or waste discharge requirements? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in substantial erosion or siltation on- or off-site? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

H. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
5. Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Otherwise substantially degrade water quality? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Inundation by seiche, tsunami, or mudflow? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1-3,5,6. The project will replace vacant land with residential and commercial uses creating less impervious surfaces. There are no surface water bodies or wetlands in the project vicinity which could be affected by the propose development. However, existing absorption rates, drainage patters, and runoff rates of the subject site are surrounding areas will be affected by the proposed project. In addition, development of the subject site will place an increased demand on the City's water resources.

The project does not utilize or store hazardous materials as part of operational activity, so water quality impacts associated with project operation would be limited to those associated with motor vehicles and landscape maintenance. The primary source of contaminants would be oil, grease and particulates emitted by motor vehicles. Commercial kitchens would be required to comply with applicable regulations to trap and treat their wastewater that is not discharged into the wastewater collection system.

The project is subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) permit during both construction and operation. The applicant is required to comply with the permit requirements through incorporation of design features and use of best management practices (BMPs) appropriate and applicable to the project. The City of Oxnard will review all proposed project plans for compliance with NPDES requirements as part of the project review and approval process. The developer, as part of the development to the east, installed a stormdrain for this project. Based on the above, no impacts are anticipated with regard to water quality. **Therefore, no adverse impacts are expected of these risks.**

4. The project site is flat and surrounded by urban uses. No river or stream occurs in the project vicinity, so site development would not alter the course of such a waterway. **Therefore, no adverse impacts are expected of this risk.**
- 7-10 According to the 2020 General Plan, the project is not located in the 100-year flood zone or areas subject to tsunami or seiche areas. **Therefore, no adverse impacts are expected of these risks.**

Mitigation: No mitigation measures required or proposed.

I. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Physically divide an established community? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.1 - Land Use)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (2020 General Plan; City adopted Specific Plans; Local Coastal Program; and Zoning Ordinance; FEIR 88-3, 4.1 - Land Use)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Conflict with any applicable habitat conservation plan or natural community conservation plan? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.1 - Land Use)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1.3. The project site is located adjacent to existing residential uses and is not the subject of a habitat conservation plan or program. The project itself represents residential development that would round out the boundary of the adjacent established residential community of Sea View Estates. **Therefore, the project would not physically divide an established community nor effect any habitat conservation planning and no significant impact is anticipated.**

2. California State Law (Government Code Section 65300) requires that each city prepare and adopt a comprehensive, long-term general plan for its future development. The general plan must contain seven elements, including land use, circulation, housing, conservation, open space, noise, and safety. In addition to these, state law permits cities to include optional elements in their general plans, thereby providing local governments with the flexibility to address the specific needs and unique character of their jurisdictions. The role of the general plan is to act as a "constitution" for development, the foundation upon which all land use decisions are based.

The proposed project is a continuation of a 15-year old development proposal for this parcel, including the three separate parcels along Victoria Avenue. The first proposal was made in 1991 for a 235,000 gross square foot multi-tenant neighborhood shopping center (8 buildings and 5 pads), and was adopted as Use Permit 1488 (U-1488), relying on EIR 88-3, prepared in 1988. In 1994 and 1996, several modifications were approved to allow the development of the Arco station, Jack-in-the-Box, El Pollo Loco, and 600 S Victoria center. Design Guidelines and a master sign program were developed in an attempt to ensure that future development, if it were to occur in phases, would retain the approved design concepts contained in U-1488. In

2002, a revised project, "Sea Colony," was proposed with 192 apartments and a 40,000 sf mini-storage facility, partly in recognition that there was insufficient market demand for the previously approved shopping center. The Sea Colony proposal was not well received by planning staff and the City Council, and the project did not progress to an application. The U-1488 permit has technically expired and EIR 88-3 is no longer valid as it relies on data and conditions nearly 20 years old.

The current project proposes a 55,000 sf shopping center and 102 residential units. Approval of the project requires a General Plan Amendment to change the existing land use designation from Community Commercial to General Commercial to be consistent with the current zoning, C2-PD (General Commercial Planned Development), that allows residential uses up to 18 units per acre. (The General Commercial land use designation was amended in 2004 to specifically allow residential use.) In addition, a 40-ft. wide buffer strip along the south lot line designated Open Space Buffer would be changed to General Commercial. The buffer was intended as a utility easement, primarily for a new storm drain, and as a buffer between the previously proposed shopping center and residential uses along Monte Carlo Drive. The proposed project would place the storm drain in Dunkirk Drive and housing along the south lot line, eliminating the need for the buffer area.

The City of Oxnard has analyzed the proposed project and tract map with City development and design guidelines which regulate permitted uses, development density, building heights, site and building design, and transportation demand. The requested general plan amendment would allow for more compatible land uses with the existing and approved residential developments to the east and south of the project site. **Therefore, contingent on the adoption of the General Plan Amendment, impacts to land use and planning do not require mitigation.**

Mitigation: No mitigation measures are required or proposed.

J. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1,2. Aggregate (sand, gravel, and crushed rock) resources are located in several geographic within Ventura County. In the western Ventura County area, aggregate resources are almost exclusively located adjacent to, and in the Santa Clara River. In addition, there are aggregate resources present in the hills northwest of Moorpark and in the hills to the north and south of Simi Valley. The project site is located south of these mineral deposits on soil designated MRZ-1 or MRZ-4. Neither of these zones are identified as containing prime aggregate resources and as a result of development, the proposed project would not impact potential or active mineral resources.¹ According to the Resources Appendix of the Ventura County General Plan, theoretically, there are adequate supplies of aggregate in the areas presently being mined, to meet the total projected demand of that mineral in the entire county through the year 2030.²

Development of the subject site would increase the rate of consumption of fuel and other energy sources. During construction, energy resources would be necessary for onsite building activities, equipment operations, and transport vehicles bringing supplies to the site and hauling waste and debris offsite. After construction, necessary energy resources might include gasoline for project vehicle trips, natural gas for heating and cooling, and electrical services for lighting. The proposal does not create any unique demand on the resources described above. **Therefore, no impacts on natural and mineral resources are expected**

Mitigation: No mitigation measures are required or proposed.

K. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1 Final Environmental Impact Report, City of Oxnard 2020 General Plan, Figure 4.8-5 June 1990.
 2 Ventura County General Plan, Resources Appendix, page 37, May 1988.

K. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- 1-4, 6. The existing noise environment is characterized by urban noise sources, such as commuter traffic, domestic noises, and retail/office and light industrial operations. Development of 55,000 sf of retail and 34 triplex residences (102 total units) onsite will increase the existing ambient noise levels. Although short-term noise generated by construction activities will occur, these levels are anticipated to be adverse but not significant. The City Ordinance limits construction activities to between the 7:00 am and 7:00 pm., Monday through Saturday. **Therefore, significant impacts relating to these risks are not anticipated.**
5. The project site is just south of the Oxnard Airport. With respect to airport compatibility the project site is located outside of the 65 dB9A) CNEL aircraft noise contour. Thus the proposed residential development would not expose future occupants to significant noise levels associated with airport operations. In addition the project site is within the helicopter over flight area, which would generate an instantaneous sound level that could represent a temporary annoyance to future occupants. However, the number of fly-over events is too infrequent to influence the 24-hour time weighted CNEL contours for airport operations, so the project is considered compatible with State and City General Plan noise criteria. **Therefore, with the inclusion of the following mitigation, impact associated with airport noise would be reduced to less than significant.**

Mitigation: The following mitigation measure shall apply:

- K-1 The applicant shall provide such notice to potential homebuyers disclosing the presence of the Oxnard Airport and a helicopter flight path along W. Fifth Street. The applicant shall provide such notice to each homebuyer and obtain signatures acknowledging the presence of the Oxnard Airport and a helicopter flight path along W. Fifth Street.

Monitoring: Planning staff shall have on file a copy of the disclosure prior to issuance of a Temporary Use Permit application.

Result After Mitigation: Upon implementation of the above mitigation measure, the project will not result in any residual significant adverse effects related to the noise levels at the project site.

L. POPULATION AND HOUSING

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	-----------

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infrastructure)? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

1-3. The project site is currently vacant, consequently development of the project site would not remove existing homes, nor displace people. The proposed project would, however, result in the development of 102 additional residences and 55,000 sf of retail uses. Based on a person per household figure of 3.9 (pursuant the 2005 Department of Finance estimates) the proposed project could result in a potential population growth of approximately 400 people. The new housing units would add to the City's housing stock and would comply with the City's affordable housing requirements. The anticipated population growth has been analyzed as part of the EIR for the 2020 General Plan and is considered to be consistent with the City's General Plan, even though the projected 2020 population has already been exceeded, largely due to higher than anticipated birth rates in the early 1990's. The City is updating the General Plan and has yet not prepared population projections. However, this project and others that are in progress will be included in the projection calculations. **Therefore, impacts to population growth and housing displacement are considered to be less than significant.**

Mitigation: No mitigation measures are required or proposed.

M. PUBLIC SERVICES*

Would the project result in substantial adverse physical impacts to the following:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Fire protection? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Police protection? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Schools? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Parks? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Other public facilities? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- Include potential effects associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services.

Discussion:

1. The project will include adequate fire hydrants, vehicular and pedestrian access, signage, addressable smoke detectors and all requirements of the Uniform Fire Code in order to minimize any potential impacts on Fire services. In addition, standard Fire Department conditions will be incorporated into the proposed project. **With the inclusion of standard Fire Department conditions, impact on fire services is considered to be less than significant.**
2. According to the 2020 General Plan, the current staffing ration of police officers to population should be maintained to provided adequate police services as the City's population increases. The City will monitor the need for additional public facilities and/or personnel as part of the Five-Year Development Plan. Through this action, the City would ensure that police services are available to serve the proposed project and cumulative development. The increase in tax base generated by the project and cumulative projects would help fund the project's share of necessary police service expansion within the City. In addition the project must incorporate any Police Department design requirements (such as those pertaining to site access, site security, lighting, etc.) which will reduce demands for police protections service to the site and which will help ensure adequate public safety. **Therefore, impact on police services is considered to be less than significant.**
3. According to the 2020 General Plan, the proposed residential development will adversely impact existing schools. The Oxnard Elementary School District and the Oxnard Union High School District provide public education in the vicinity of the project. Occupancy of the 102 homes would generate about 80 additional students that would ultimately attend school in the two school districts. There is a proposal for the development of a new elementary school just east of the project site, which could help alleviate the impact on existing schools, however the proposed school is not yet approved. Prior to issuance of a building permit, the applicant will be required to pay the required school impact fee per unit in order to mitigate this impact. **With the inclusion of the required fees, impacts to schools are considered to be less than significant.**
4. There are no parks sites proposed in this development, however a park site is being development to the east at part of the build out of the Wingfield/Centex project on the southwest corner of Patterson Road and Fifth Street. Prior to issuance of building permits, the applicant will be required to pay the required Quimby fee per unit in order to mitigate this impact. **With the inclusion of the required fees, impacts to parks are considered to be less tan significant.**
5. The proposed project is part of the Calleguas Municipal Water District. The proposed project would contribute to the general wear and tear of various public facilities, including roadways, storm drainage system, and water and wastewater infrastructure. In order to address the project's share of wear and tear caused by the proposed project, the City requires developers of new projects to 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. The existing Central Library and community center facilities will be sufficient to meet the future needs of the City as identified in the 2020 General Plan. **Therefore, impacts to other public facilities are considered to be less than significant.**

Mitigation: No mitigation measures are required or proposed.

N. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (2020 General Plan, XIII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (2020 General Plan, XIII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1-2. The project site is currently vacant, therefore development of the project site would increase the resident population of the City and the associated demand for recreational opportunities. The developer is required to pay a Quimby fee to reduce the impacts associated with the proposed development prior to issuance of building permits. **Therefore, with the inclusion of standard Parks conditions, no adverse impacts to recreation facilities are expected.**

Mitigation: No mitigation measures are required or proposed.

O. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Result in inadequate emergency access? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Result in inadequate parking capacity? (Zone Ordinance - Parking Regulations and Parking Lot Design Standards)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Bicycle Facilities Master Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

1-3 Based on a Traffic Study completed by Associated Transportation Engineers (ATE) using the most current data available and the 7th Edition of Trip Generation (published by the Institute of Transportation Engineering), the proposed residential and commercial project is anticipated to generate 5,227 average daily trips (ATM), as shown in Table 1 below:

Table 1: Rancho Victoria Trip Generation: AM and PM Peak Hours

Land Use	Size	ADT	Rancho Victoria Peak Hour Trips					
			Morning Peak Hour			Evening Peak Hour		
			Entering	Exiting	Total	Entering	Exiting	Total
Residential	102 units	653	9	43	52	41	20	61
Commercial	54,450 sf	4,574	66	42	108	201	218	419
Total Trip Generation		5,227						

The ATE study considers traffic conditions in the project area to the year 2010 for existing, under construction, and approved projects. It also includes planned and under construction roadway and signal improvements. The ATE Traffic Study is included by reference as part of this MND 05-09.

Based on the ATE traffic study, as approved and accepted by the City Traffic Engineer on June 27, 2005, and the City's 1995 CEQA Threshold Guidelines, the project has a significant adverse impact on two existing signalized intersections when combined with cumulative traffic (existing plus approved/pending projects), as shown in Table 2 below for the PM peak hour, which are larger than the AM impacts:

Table 2: Rancho Victoria Intersection Impacts, PM Peak Hour

Intersection	P.M. Peak Hour					
	Cumulative		Cumulative + Project		ICU Change	Sig. Impact?
	ICU	LOS	ICU	LOS		
Victoria/Gonzales	0.91	E	0.93	E	0.02	Yes
Victoria/Doris	0.83	D	0.85	D	0.02	Yes
Victoria/Fifth	0.63	B	0.66	B	0.03	No*
Victoria/Wooley	0.76	C	0.77	C	0.01	No

ICU = Intersection Capacity Utilization
 LOS=Level of Service

* Significant impacts do not occur unless an intersection is at LOS C or lower.

The previously approved Rancho Victoria development was conditioned to install a traffic signal at the main Fifth Street entrance (now named Southampton Place), opposite the existing shopping center driveway on the north side of Fifth Street. The previous four-hour signal warrant was reviewed to determine if the minimum volumes were satisfied. With the addition of forecasted project volumes at the Fifth Street/Southampton Place intersection, the four-hour signal warrant would be satisfied.

To address cumulative traffic impacts, the City of Oxnard and the County of Ventura have an agreement pertaining to cumulative traffic fees in which applicants are required to pay applicable City and County traffic fees at time of permit issuance. This is a standard condition of approval and will be included as part of the approval of this project. **Therefore, projects impacts to traffic are anticipated to be less than significant with implementation of the listed mitigations measures.**

- 4-5. The Development Advisory Committee (DAC), which contains representatives from a variety of City Departments including Public Works, Planning, Police, Fire, Traffic, and Parks reviewed this project for consistency with City codes and development standards. As part of the DAC review potential inadequate emergency access issues were resolved. **Therefore, impacts to emergency access will be reduced to less than significant.**
6. The proposed project includes parking that meets the requirements by City Code. For each dwelling unit, a two-car garage (minimum interior clear dimensions 20' X 20') is required. Additional parking, such as for visitors, is available within the project that will be designated for visitors. As proposed, the development complies with the City's requirements for on-site parking. **Therefore, no impacts related to inadequate parking are anticipated.**
7. The project site is served by the South Coast Area Transit (SCAT) along W. Fifth. As part of this proposal the developer will provide pedestrian connection to access the existing transit stops. The proposed project will not conflict with any policies supporting alternative transportation. Nor will the project create impacts to rail, waterborne or air traffic. **Therefore, no impacts to alternative transportation are anticipated.**

Mitigation: The following mitigation measures shall apply:

- T-1 Developer shall install a traffic signal at the intersection of Fifth Street and Southampton Place to the specifications of the City Traffic Engineer.
- T-2 Prior to issuance of building permits the developer shall pay applicable City and County cumulative impact mitigation traffic fees.

Monitoring: Planning staff will withhold approval of initial and/or subsequent building permits until the City Traffic Engineer indicates the mitigations are completed.

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effects on the environment related to traffic, parking, transit, pedestrian, bicycle, and emergency access.

P. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3; 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Comply with federal, state, and local statutes and regulations related to solid waste? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- 1-5 The project will create additional demand on existing utilities and service systems. As stated previously, in Section H, the developer, as part of the development to the east, installed a stormdrain for this project. Adequate water service to this area is currently provided by Calleguas Municipal Water District (CMWD). **Therefore, no adverse impacts to water service are expected.**
- 6-7. Standard conditions of approval will involve compliance with the City's recycling requirements, which will address the landfill and solid waste concerns. **Therefore, impacts to utilities and public services are expected to be less than significant.**

Mitigation: No mitigation measures and required or proposed.

Q. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Does the project have impacts that are individually limited, but cumulatively considerable (<i>"Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects</i>)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

No new significant unmitigated adverse effects are expected to result from the proposed project. Mitigation measures are either incorporated into the project or made a part of the Mitigated Negative Declaration which will be monitored in compliance applicable City and state law.

SUMMARY OF MITIGATION MEASURES INCORPORATED INTO THE PROJECT

Air Quality

- C-1 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.
- C-2 During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time.
- C-3 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.
- C-4 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.
- C-5 During construction, Developer shall control dust by the following activities:
- 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.
 - 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.
- C-6 During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.
- C-7 During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite.
- C-8 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.

Biological Resources

- D-1 Developer or contractor shall contact the Oxnard City Animal Control office three working days prior to the beginning of preliminary grading and allow the Animal Control office to attempt to trap any remaining fox on the site. During grading, machine operators will make their best effort to avoid injuring or killing any Red Fox and shall coordinate with Animal Control as needed during grading to capture any Red Fox that may still be on the site.
- D-2 Developer shall prepare a mailing to all residential units within 300 ft. of the south and east property lines giving the approximate start and stop dates, days per week, and daily hours of operation for each phase of grading, and include a toll-free phone number for residents to call if grading noise or vibrations become excessive, in the residents' opinion. A 4 X 8 foot sign shall also be posted near the four corners of the project site with the same information. The wording of the mailing and signs and mailing list shall be first approved by Planning Staff. Developer shall maintain a record of all complaint calls and provide the record and the Developer's response to Planning Staff upon request. Should the number of legitimate complaints exceed five per day (or another number agreed to by Planning Staff and the Developer), Planning Staff shall have the option of: 1) suspending grading activities, and/or 2) require less intense grading activity (such as only one bulldozer instead of two), and/or 3) require that the Developer hire a Grading Liaison, at the Developer's expense and with Planning Staff approval, to liaison with those who have called in complaints and work out acceptable arrangements to complete grading on a reasonable schedule with a minimum practical disruption to nearby residences. The Grading Liaison, if necessary, shall be knowledgeable of grading and with no financial relationship with the Developer or area residents. Decisions of the Grading Liaison shall be binding on both the Developer and area residents, and shall be considered a last resort option.

Cultural Resources

- E-1 Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include 1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and 2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning and Environmental Services Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning and Environmental Services Manager for review and approval prior to initiation of the Phase I activities.

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

- E-2 Developer shall contract with a Native American monitor to be present during any subsurface grading, trenching or other construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing their activities and findings. 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 permits.

Geology and Soils

- F-1 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 in the project. Developer shall submit the report to the Building Official for review and approval prior to issuance of building permits.

Hazards and Hazardous Materials

- G-1 Developer shall submit plans to the Development Services Division that clearly indicate the homes constructed along the northern residential boundary are no closer than 400 feet from the centerline of Fifth Street.
- G-2 Prior to issuance of building permits the developer shall file a form 7460, "Notice of Proposed Construction: with the Federal Aviation Administration (FAA), a provide a copy to the Planning Division, that enables the FAA to review the development for any hazards to airport /aviation operations.

Noise

- K-1 The applicant shall provide such notice to potential homebuyers disclosing the presence of the Oxnard Airport and a helicopter flight path along W. Fifth Street. The applicant shall provide such notice to each homebuyer and obtain signatures acknowledging the presence of the Oxnard Airport and a helicopter flight path along W. Fifth Street.

Transportation/Traffic

- T-1 Developer shall install a traffic signal at the intersection of Fifth Street and Southampton Place to the specifications of the City Traffic Engineer.
- T-2 Prior to issuance of building permits the developer shall pay applicable City and County cumulative impact mitigation traffic fees.

ADDITIONAL REFERENCES

1. California, State of, Air Resources Board, *URBEMIS 2002 Program*.
2. California, State of, Governor's Office, Office of Planning and Research, Office of Permit Assistance, *Hazardous Waste and Substances Sites - List Pursuant to AB 3750*, current edition.
3. California, State of, Office of Planning and Research, *California Environmental Quality Act Statutes*, Sacramento, California: January 1, 2002.
4. California, State of, Office of Planning and Research, *Guidelines for Implementation of the California Environmental Quality Act*, Sacramento, California: February 1, 2001.
5. California, State of, Office of Planning and Research, *Planning, Zoning and Development Laws*, November 2000.
6. City of Oxnard, *The Municipal Code of the City of Oxnard - Zoning Ordinance*, current edition.
7. City of Oxnard, Development Services Department, Planning Division, and *Zone & Land Use Maps*, current editions.
8. City of Oxnard, Fire Department, *Fire Protection Planning Guide*, January 1990.
9. Ventura County Air Pollution Control District, *Air Quality Management Plan*, current edition.
10. Ventura County Air Pollution Control District, *Ventura County Air Quality Assessment Guidelines*, October 2003.
11. Institute of Transportation Engineers, *Trip Generation Manual*, Seventh Edition, Washington, DC, 2003.
12. United States Federal Emergency Management Agency, National Flood Insurance Program, *FIRM Flood Insurance Rate Maps for the City of Oxnard*, October 1985.
13. City of Oxnard, Public Works Department, *Master Sewer Plan*, current edition.
14. City of Oxnard, Public Works Department, *Master Drainage Plan*, current edition.
15. City of Oxnard, Public Works Department, *Master Water Plan*, current edition.
16. California State University - Fullerton South Central Coastal Information Center, *California Historical Resources Information System*, Department of Anthropology, Fullerton, California.
17. Ventura County Airport Land Use Commission, *Oxnard Airport Master Land Use Plan*, 1990.
18. Ventura County Cultural Heritage Board, *Ventura County Historical Landmarks & Points of Interest - August 1991*, Ventura County Recreation Services.
19. Ventura County, Property Administration Agency, *Final Report: Cultural Heritage Survey, Phase I*, Oxnard and Santa Paula, 1981.

Environmental Impact Reports

1. City of Oxnard, *FEIR for the Fifth and Patterson project (Tract 5340)*.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 10-300-03 (TENTATIVE SUBDIVISION MAP) FOR TRACT NO. 5877, TO SUBDIVIDE A 6.0 ACRE PROPERTY INTO FOURTEEN COMMERCIAL CONDOMINIUMS PLUS ONE COMMON LOT, LOCATED AT 3600 & 3700 WEST FIFTH STREET (APN'S 185-0-170-085, 095), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY INVESTEC RANCHO VICTORIA LLC, 200 EAST CARILLO STREET, SUITE 200, SANTA BARBARA, CA 93101.

WHEREAS, City Council has carefully reviewed Planning Commission Resolution No. 2011-04 recommending approval of Planning and Zoning Permit No. 10-300-03 for Tentative Tract Map No. 5877, for a vacant 6.0-acre property located at 3600 and 3700 West Fifth Street, filed by Richard Ridgway, Investec Rancho Victoria LLC; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning 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 addendum to Mitigated Negative Declaration No. 05-09 adopted by the Planning Commission, together with any comments received during the public review process, finds on the basis of the whole record before it 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 project requires no further environmental review and further finds that the addendum reflects the independent judgment of the City; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the addendum to 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 Manager; and

WHEREAS, the Planning Commission adopted Resolution No. 2011-04, approving and adopting the addendum to Mitigated Negative Declaration No. 05-09 and the program of monitoring or reporting for the changes to the project made conditions of approval in order to mitigate or avoid significant effects on the environment, on file in the Planning Division, and the City Council considered the addendum as adopted by the Planning Commission; and

WHEREAS, the City Council finds that the Tentative Map complies with all requirements of the Subdivision Map Act and the Oxnard City Code; and

WHEREAS, the City Council finds that the Tentative Map, the proposed site, and the design and improvement of the development requested are consistent with the General Plan; and

WHEREAS, the City Council finds that the proposed site is suitable for the type and density of development requested and is not likely to cause substantial environmental damage, serious public health problems or conflict with any publicly acquired easements or access; and

WHEREAS, the City Council finds that the proposed division of land complies with the requirements established by the Subdivision Map Act and Chapter 15 of the Oxnard City Code, including but not limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection; and

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 in this subdivision in particular.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that Tentative Subdivision Map for Tract No. 5877 is hereby approved, subject to the conditions set forth in Planning Commission Resolution No. 2011-04.

PASSED AND ADOPTED this 22nd day of March, 2011, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Alan Holmberg, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF PLANNING AND ZONING PERMIT NO. 10-500-07 (SPECIAL USE PERMIT) TO CONSTRUCT 14 COMMERCIAL BUILDINGS FOR A TOTAL OF 53,016 SQUARE-FEET ON A VACANT 6-ACRE LOT, LOCATED AT 3600 & 3700 WEST FIFTH STREET (APN'S 185-0-170-085, 095), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY INVESTEC RANCHO VICTORIA LLC, 200 EAST CARILLO STREET, SUITE 200, SANTA BARBARA, CA 93101

WHEREAS, on February 17, 2011, the Planning Commission adopted Resolution No. 2011-05 approving Planning and Zoning Permit No. 10-500-07 to allow the development of 14 single-story commercial structures totaling 53,016 square-feet on a vacant 6.0-acre property located at 3600 and 3700 West Fifth Street, filed by Richard Ridgway, Investec Rancho Victoria LLC, in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, the City Council has considered the appeal of the Planning Commission's decision filed by the Planning Division, and carefully reviewed the decision of the Planning Commission; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a Planning and Zoning Permit No. PZ 10-500-07; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning 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 addendum to Mitigated Negative Declaration No. 05-09 adopted by the Planning Commission, together with any comments received during the public review process, finds on the basis of the whole record before it 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 project requires no further environmental review and further finds that the addendum reflects the independent judgment of the City; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the addendum to 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 Manager; and

WHEREAS, the Planning Commission adopted Resolution No. 2011-05, approving and adopting the addendum to Mitigated Negative Declaration No. 05-09 and the program of monitoring or reporting for the changes to the project made conditions of approval in order to mitigate or avoid significant effects on the environment, on file in the Planning Division, and the City Council considered the addendum as adopted by the Planning Commission.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that the Planning Commission's approval of Planning and Zoning Permit No. PZ 10-500-07 is upheld, subject to the conditions set forth in Planning Commission Resolution No. 2011-05.

PASSED AND ADOPTED this 22nd day of March 2011, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Alan Holmberg, City Attorney

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