

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. ____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING TENTATIVE SUBDIVISION MAP FOR TRACT NO. 5427 (PZ NO. 07-300-16) FOR PROPERTY LOCATED ON THE NORTH SIDE OF HUENEME ROAD, EAST OF EDISON DRIVE, WEST OF OLDS ROAD, AND SOUTH OF THE SOUTHERLY EXTENSION OF ROSE AVENUE (APNs 223-03-030-125, -145, -185, -195, -205, -225, -255, 275, -285, -295, -300, -310, -320; 224-0-043-155 AND 224-0-054-355), SUBJECT TO CERTAIN CONDITIONS. THE APPLICATION WAS FILED BY HEARTHSHOME HOMES/ITO FARMS, LLC., 6 EXECUTIVE CIRCLE, SUITE 250, IRVINE, CA 92614

WHEREAS, City Council has carefully reviewed Planning Commission Resolution No. 2011-15 recommending approval of Tentative Subdivision Map of Tract No. 5427 (Tentative Map), for property located on the North side of Hueneme Road, East of Edison Drive, West of Olds Road, and South of the Southerly extension of Rose Avenue (APNs 223-03-030-125, -145, -185, -195, -205, -225, -255, -275, -285, -295, -300, -310, -320; 224-0-043-155 and 224-0-054-355), filed by Hearthside Homes/Ito Farms; 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, on March 23, 2010, the City Council certified Final Environmental Impact Report (FEIR) No. 05-03 (SCH #2005091094) for the SouthShore Specific Plan and South Ormond Beach Specific Plan Projects (Ormond Beach Development Projects), and

WHEREAS, the documents and other material that constitute the record of proceedings are located in the Planning Division, and the custodian of the record is the Planning Manager; and

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD, DOES HEREBY RESOLVE AS FOLLOWS:

Part 1. The City Council finds pursuant to Government Code Section 66473.5 that Tentative Subdivision Map for Tract No. 5427, together with the provisions for its design and improvement, is consistent with the 2020 General Plan, as amended by General Plan Amendment No. 03-620-03, and the SouthShore Specific Plan, adopted pursuant to Ordinance No. ____.

ATTACHED

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Part 2. The City Council further finds that none of the factors identified in Government Code Section 66474 are applicable; specifically, the City finds that the site is physically suitable for the type of development proposed, and for the proposed density of the development; that the design of the subdivision and proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish and wildlife or their habitat; that the design of the subdivision or the type of improvements is not likely to cause serious public health problems; and that the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

Part 3. The City Council further finds that in approving Tentative Subdivision Map for Tract No. 5427 conditions have been imposed that satisfy the requirements of Government Code Section 66473.7.

Part 4. In adopting Tentative Subdivision Map for Tract No. 5427, the City Council adopts and incorporates by reference the Findings of Fact and Statement of Overriding Considerations pursuant to Section 21081 of CEQA and Sections 15091 through 15093 of Title 14 of the California Code of Regulations previously adopted by the City Council, and approves the project.

Part 5. Tentative Subdivision Map for Tract No. 5427 is hereby approved, subject to the conditions set forth in Planning Commission Resolution No. 2011-15.

PASSED AND ADOPTED this 14th day of June 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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RESOLUTION NO. 2011-15

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING CITY COUNCIL APPROVAL OF PLANNING AND ZONING PERMIT NO. 07-300-16 (TENTATIVE SUBDIVISION MAP) FOR TRACT NO. 5427, GENERALLY LOCATED ON THE NORTH SIDE OF HUENEME ROAD, EAST OF EDISON DRIVE, WEST OF OLDS ROAD, AND SOUTH OF THE SOUTHERLY EXTENSION OF ROSE AVENUE (APNs 223-03-030-125, -145, -185, -195, -205, -225, -255, 275, -285, -295, -300, -310, -320; 224-0-043-155 AND 224-0-054-355). FILED BY HEARTHSTONE HOMES/ITO FARMS, LLC., 6 EXECUTIVE CIRCLE, SUITE 250, IRVINE, CA 92614

WHEREAS, on December 10, 2009, the Planning Commission of the City of Oxnard considered Final Environmental Impact Report (FEIR) No. 05-03 for the SouthShore Specific Plan and South Ormond Beach Specific Plan Projects (Ormond Beach Development Projects) and made a recommendation to the City Council to certify the FEIR; and

WHEREAS, on March 23, 2010, the City Council certified FEIR No. 05-03 (SCH #2005091094), and the Planning Commission has considered the FEIR before making its decision herein; and

WHEREAS, the Applicant has submitted an application for Planning and Zoning Permit No. 07-300-16, proposed Tentative Subdivision Map No. 5427, for the SouthShore Specific Plan Project, and said tentative map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, on April 7, 2011 the Planning Commission held a public hearing and received and reviewed written and oral comments related to proposed Tentative Subdivision Map No. 5427; and

WHEREAS, the Planning Commission finds after due study, deliberation and public hearing, that the tentative map conforms to the City's 2020 General Plan as amended by PZ 03-620-03 and elements thereof; the tentative map conforms to the SouthShore Specific Plan as approved under PZ 03-640-01; and the public interest and general welfare require the adoption of Tentative Subdivision Map No. 5427 under PZ 07-300-16; and

WHEREAS, the documents and other material that constitute the record of proceedings are located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, the Applicant agrees as a condition of approval of this resolution and at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this resolution or any actions or proceedings, acts or

determinations taken, done or made before the approval of this resolution that were part of the approval process; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard recommends to the City Council approval of Planning and Zoning Permit No. 07-300-16 for Tentative Subdivision Map for Tract No. 5427 for property generally located as described above, subject to the certain conditions as identified within Exhibit A and the requirements identified within the Adaptive Management Plan, see Exhibit B.

Exhibit A

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)
3. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, *G-10*)

4. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
5. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
6. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
7. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
8. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, G-15).

LANDSCAPE SPECIAL CONDITIONS

9. The injection well driveway and the three (3) lake access driveways shown off Hueneme Road shall be designed in such as manner so that general public access to these driveways is prohibited.

FIRE DEPARTMENT CONDITIONS

10. Developer shall construct all vehicle access drive aisles and roads on the project property to be at least 26 feet wide (single family residential driveways excluded). Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)
11. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, F-3)
12. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. The tests must be certified by a mechanical, civil, or fire protection engineer. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, F-4)

13. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
14. At all times during construction, Developer shall maintain paved surfaces capable of handling loads of 46,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, *F-7*)
15. Developer shall identify all hydrants and fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
16. The turning radius of all project property driveways and turnaround areas used for emergency access shall be approved by the City Traffic Engineering Department. (FD, *F-11*)
17. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, *F-15*)

FIRE DEPARTMENT SPECIAL CONDITION

18. Developer shall insure Fire Department access through man-gates and vehicle access gates, either by Knox lock devices or other Fire Department approved means.

PLANNING DIVISION STANDARD CONDITIONS

19. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, *PL-1*)
20. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, *PL-14*)
21. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)
22. Prior to the close of escrow for each dwelling unit, Developer shall provide the buyer with a written guarantee that the exterior finishes of the dwelling unit will remain in good condition for at least five (5) years from the final building permit inspection and sign off. Developer shall provide a copy of the guarantee to Planning staff prior to final Planning Division inspection and sign off. (PL, *PL-29*)

23. Developer shall include in all deeds for the project and in the Conditions Covenants & Restrictions a prohibition against parking recreational vehicles over 20 feet long in the project, with exception of the 12.9 acre Boat and Recreational Vehicle Storage Area within the M-L (SSP) Land Use District. (CE/PL, PL-35)
24. Developer shall post in the sales office of the project the latest City planning documents and maps that may affect the project and adjacent properties. At a minimum, this information shall include the 2020 Oxnard General Plan and General Plan Land Use Map showing all adjacent properties, a copy of the ordinances regulating the zone, and any specific plan that may apply to the project. Such documents may be purchased at cost from the Planning Division Manager. Developer shall require that all purchasers sign an affidavit declaring that they have familiarized themselves with the planning documents. Developer shall make such affidavits and planning information available for review upon reasonable request of the Planning Division Manager. (PL, PL-38)
25. All recreational vehicle parking spaces in the 12.9 acre Boat and Recreational Vehicle Storage Area within the M-L (SSP) Land Use District shall be designated by signs stating that the spaces are reserved exclusively for recreational vehicle parking. Developer shall prohibit the parking of recreational vehicles elsewhere in the project. (B, PL-39)
26. Where feasible, Developer shall locate individual unit plumbing within individual unit walls, as opposed to common or shared walls, and shall paint roof vents to match the roofing material. (PL/B, PL-40)

PLANNING DIVISION SPECIAL CONDITIONS

27. An approved tentative map shall expire in accordance with the terms and stipulations identified in the project Development Agreement. (PL)
28. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of the Final EIR Mitigation Monitoring Plan pertaining to dust control requirements.
29. The Ormond Beach Final Environmental Impact Report (FEIR, SCH #2005091094) is incorporated by reference in its entirety. All FEIR mitigations listed in the FEIR Mitigation Monitoring and Reporting Program apply as conditions of approval.
30. Developer shall comply with all of the items contained within Exhibit B (Adaptive Management Plan (AMP) which shall be incorporated by reference and be made conditions of approval to this permit.
31. This permit is granted subject to the approval of a general plan amendment (03-620-03) for the project property. (PL)

32. This permit is granted subject to the approval of a specific plan (03-640-01) for the project property. (PL)
33. This permit is granted subject to the approval of a development agreement (05-670-03) for the project property. (PL)
34. This permit is granted subject to the approval of pre-zoning (03-560-01) for the project property. (PL)
35. This permit is granted subject to the annexation of the project property to the City of Oxnard. (PL)
36. Before or during escrow for the sale of property within the project, Developer shall give to the buyers a document disclosing, in large type, that:
 - a. The property was formerly used for agricultural purposes, and is near or adjacent to, land that is currently used for agricultural operations; and
 - b. The buyers may be subject to inconvenience or discomfort arising from agricultural operations on such nearby or adjacent land, including, but not limited to, frost protection measures, noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) at any hour of the day or night, storage of equipment and materials necessary to the agricultural operations, slow moving farm equipment, and spraying or other application of chemical fertilizers, soil amendments (such as manure, compost materials and mulches) and pesticides (such as herbicides, insecticides and fumigants); and
 - c. The buyers may be subject to peak noise levels that exceed standards from military aircraft overflights operating to and from the Naval Base Ventura County (NBVC) Point Mugu facility; and
 - d. If the buyers complete the purchase of the property, the buyers should be prepared to accept such inconvenience and discomfort as a normal and necessary aspect of living near or adjacent to agricultural and NBVC operations.

To show that the buyers have read the document, Developer shall require the buyers to sign the document. Developer shall retain all such documents for at least three years and shall allow the City to inspect and copy all such documents upon request. (PL)

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

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

38. Developer shall submit improvement plans and drainage calculations that demonstrate that storm drainage from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
39. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
40. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
41. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)
42. Developer shall place existing overhead utility lines on and adjacent to the project underground in accordance with City ordinances in effect at the time City issues a site improvement permit. Before issuance of a site improvement permit, Developer shall post security satisfactory to the Finance Director guaranteeing utility relocation. (DS-13)
43. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code and shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)
44. A civil engineer licensed in the State of California shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Such plans and documents shall include, but not be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans; a master utility plan showing the layout and location of all on-site and off-site utility improvements that serve the project; construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not accept an application for the final map or parcel map for the project or issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)
45. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
46. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no such map, then at the time of public improvement plan approval. (DS-17)

47. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. City shall promptly notify Developer of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)
48. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, breezeways, parkways, landscaping, utilities, drainage facilities, and other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)
49. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
50. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)
51. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
52. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
53. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience

and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)

54. Prior to approval of the final map or parcel map, Developer shall provide the City Engineer with written evidence from the Ventura County Clerk's Office that Developer has executed and filed with the Clerk all certificates, statements and securities required by Government Code Sections 66492 and 66493. (DS-26)
55. "Standard Specifications for Public Works Construction," latest edition, and any modifications thereto by City, and City of Oxnard Standard Land Development Specifications and all applicable City Standard Plans, shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)
56. Developer shall retain a Civil Engineer licensed in the State of California to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "as-built" plans after project completion. Developer's submittal of the certified "as-built" plans is a condition of City's final acceptance of the project. (DS-29)
57. All grading shall conform to City's grading ordinance and any recommendations of Developer's soils engineer that have been approved by the City Engineer. Developer shall conform to all applicable notes specified on the site improvement/grading plan cover sheet and grading permit. (DS-30)
58. In order to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way, Developer shall construct required drainage facilities concurrently with the rough grading operations, or with prior approval of the City Engineer, provide interim drainage improvements on a temporary basis. (DS-31)
59. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)
60. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consents from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project, as evidence that such landowners accept any additional water flowing over their property. (DS-36)

61. Developer shall comply with Ventura County Flood Control District ("District") standards for all facilities affected by the project that are owned by or dedicated to the District, and shall obtain the approval of the District on all improvement plans for such facilities. Before issuance of grading or site improvement permits, Developer shall obtain any necessary encroachment permits from the District. (DS-37)
62. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer. (DS-38)
63. By title sheet dedication at the time of filing the subdivision map, Developer shall dedicate all water rights for the project property to City. (DS-39)
64. Developer shall install water mains, fire hydrants and water services in conformance with City Standard Plans and specifications as directed by the City Engineer. (DS-41)
65. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time City issues building permits. There shall be no interconnections between structures. (DS-42)
66. Prior to recordation of the final map or parcel map, Developer shall annex the project property to the Calleguas Municipal Water District. (DS-43)
67. Prior to issuance of building permits, Developer shall present to the City Engineer a "Proof of Payment - Authorization for Building Permits" form issued by the Calleguas Municipal Water District. (DS-44)
68. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
69. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Before performing the tests, Developer shall obtain permits from the City Engineer. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)
70. Developer shall construct all street and road improvements in conformance with the City Code, the City's 2020 General Plan, and any applicable specific plan. (DS-48)
71. Developer shall dedicate and improve to City standards all sidewalks, parkways, streets, alleys, and street appurtenances. City will name all streets in accordance with adopted City guidelines. (DS-49)

72. Street and road improvements shall conform to City standards and policies. Improvements shall include upgrading of existing pavement along the project frontage to City standards by removing and replacing or overlaying, as directed by the City Engineer. (DS-51)
73. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)
74. Developer shall provide soils reports, "R" value tests, and compaction tests for all streets. Determination of the actual structural sections shall be based on City's design procedure, applying the appropriate traffic index specified in City standards. (DS-53)
75. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)
76. Developer shall protect the stub ends of all streets planned for future continuation with warning barricades, redwood headers, berms, signs and/or reflectors as directed by the City Engineer. (DS-55)
77. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)
78. Prior to release of the final map or parcel map for recordation, Developer shall post a bond or other security satisfactory to the City Attorney, guaranteeing that all monuments will be set as required by the Government Code and the City Code. (DS-57)
79. Developer shall dedicate to City and improve streets abutting a park site to their full width in accordance with City standards. (DS-58)
80. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)
81. As part of the master utility plans, Developer shall submit a street lighting plan. On City's approval of the plan, Developer shall install streetlights in accordance with the plan. (DS-60)
82. As a part of the site improvement plans, Developer shall submit a master utility plan that shows the relative location of all public and private utilities (including gas, electric, street lights, telephone and cable television lines) in accordance with City standard plans. (DS-61)

83. Prior to City approval of any development improvement plans, Developer shall obtain approval signatures from Southern California Edison Company, Southern California Gas Company, General Telephone Company, and all cable television companies. (DS-63)
84. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)
85. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
86. Prior to issuance of a building permit, all traffic signal, pavement marking and sign plans shall be prepared by a registered California traffic engineer and approved by the City Engineer prior to issuance of a grading, site improvement or a building permit. (TR-74)
87. Prior to issuance of an encroachment permit, Developer's shall obtain City's approval of a contractor qualified to install traffic signals, pavement markings and signs. (TR-76)
88. In non-residential developments where fifty or more persons are employed, Developer shall include a transportation information center stocked with bus schedules, rideshare information, and related information on alternative methods of transportation. Developer or owner shall update such information at least once a month. (TR-77)

STORMWATER QUALITY CONDITIONS

89. Developer shall design parking lot and other drive areas to minimize degradation of stormwater quality. Using Best Management Practices (BMPs), such as oil and water separators, sand filters, landscaped areas for infiltration, basins or approved equals, Developer shall intercept and effectively prevent pollutants from discharging to the storm drain system. The stormwater quality system design shall be approved by the City Engineer prior to the issuance of a site improvement permit. (DS-81)
90. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance program ("the Program") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Program and Developer provides an executed copy for recordation. (DS-82)
91. Prior to issuance of a certificate of occupancy, on-site storm drain inlets shall be labeled "Don't Dump - Drains to Ocean" in accordance with City standards. Before City issues a

site improvement permit, the requirement to label storm drain inlets shall be shown on the civil engineering plans. (DS-85)

92. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall provide the City Engineer with a copy of a letter from the California State Water Resources Control Board, Storm Water Permit Unit assigning a permit identification number to the Notice of Intent (NOI) submitted by Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all additional requirements of the General Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit pollutants from the construction site entering the storm drain system. Developer shall keep the SWPPP updated to reflect current site conditions at all times and shall keep a copy of the SWPPP and the NOI on the site and make them available for City or designated representative to review upon request. (DS-86)
93. Prior to issuance of a site improvement permit, Developer shall obtain the written approval of Oxnard Drainage District for all alterations to District facilities. (DS-100)
94. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)
95. Developer shall ensure that the project property landowner and Developer take all action necessary to transfer to City all water rights appurtenant to or associated with the project property and all Fox Canyon Groundwater Management Agency (GMA) groundwater pumping allocation (historical and baseline and credits accrued thereon) associated with groundwater extraction facilities used to irrigate the project property. Action necessary to transfer water rights and the GMA allocation shall include, but not be limited to, obtaining the necessary written approvals of the owners/operators of the groundwater extraction facilities and cooperating fully with City in obtaining written approval from the GMA for transfer of the GMA allocation. The transfer of water rights and the GMA allocation shall be completed and approved by the GMA to the satisfaction of City before City issues a site improvement permit to Developer. (DS-108)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

Stormwater Special Conditions:

96. Developer shall not discharge any stormwater onto private property, regardless of existing conditions, until Developer obtains and records an easement (or similar document) allowing such discharge. This condition shall be applicable to both public and private stormwater discharge. The easement shall include hold harmless language acceptable to

the City Attorney and a legal obligation for the accepting party to continuously maintain suitable downstream capacity for proposed discharge. The easement shall be signed by all affected downstream public and private entities as determined by the Development Services Manager. (DS)

97. The Project drainage report shall include quantification of the stormwater discharge from the undeveloped portions of the project that are not intended to discharge into the lake ("Non-lake Dischargers") at full project build-out. The improvement plans for the first phase of development shall include appropriate site improvements to limit the discharge from these Non-lake Dischargers to 0.3 cfs/acre (or updated discharge rate determined in the final tract drainage report) during a 100-year storm event. The temporary method of limiting the discharge from the Non-lake Dischargers is subject to approval of the Development Services Manager. Prior to issuance of a site improvement permit, Developer shall provide proof of recordation of a covenant (or similar document), acceptable to the Development Services Manager, that limits Non-lake Dischargers to the calculated discharge rates. (DS)
98. The Project Drainage report shall provide an analysis of the potential for stormwater runoff from areas east of Olds Road to leave the farm fields and enter the storm drain system within Olds Road during larger (up to a 100-year) storm events. Proposed lake design shall accommodate any such overflows. (DS)
99. Prior to connection of the storm drain line in Hueneme Road to the Oxnard Industrial Drain, Developer shall submit the project drainage report to the Ventura Watershed Protection District for review and comment regarding compliance with the District's discharge limitations. (DS)
100. Project drainage design shall limit stormwater discharges (up to 100-year event) conveyed to the Arnold Road storm drain system (south of Hueneme Road) to existing pre-development flow rates or, provide calculations demonstrating that the downstream Arnold Road stormwater conveyance system is capable of conveying any increased flows without creating downstream damage or increase in erosion potential. Developer shall obtain permission for any improvements on private property and record a stormwater acceptance easement (or similar document) for any increase in conveyance rates. The easement shall include hold harmless language acceptable to the City Attorney and a legal obligation for the accepting party to continuously maintain suitable downstream capacity for proposed discharge. The easement shall be signed by all affected downstream public and private entities as determined by the Development Services Manager. (DS)
101. Developer shall construct storm drain laterals a minimum of 5 feet behind the sidewalk for all park, open space, and school sites for future connections when the park, open space or school is developed. The location and size shall be determined by the project drainage report and approved by Development Services Manager. (DS)

Stormwater Quality Special Conditions:

102. Developer shall implement Low Impact Design (LID) BMPs in the design of all single family home lots to promote long-term post-construction stormwater infiltration. Final approval of LID BMP combination implemented within the project shall be by the Development Services Manager, but shall promote infiltration in a manner substantially similar to the following:
- a. Porous Pavements – Install porous pavement that allows rainwater to infiltrate into the underlying soils. A minimum of 50 percent of the pavement on the lot shall be porous;
 - b. Driveways – Driveways, onsite walks, and other impervious surfaces shall be sloped to direct water runoff toward vegetated areas or infiltration BMPs unless determined to be infeasible by the Development Services Manager;
 - c. Rain Gutters and Downspouts - If rain gutters and downspouts are used, the discharge shall be directed towards one of the following; 1) rain garden/planter box; 2) cistern/rain barrel; or 3) a drywell. The sum of the capacity of the downspout BMPs shall be a minimum of 200 gallons and shall be distributed based on discharge;
 - d. Vegetated Surface Swales – Conveyance of site drainage shall be via vegetated surface swales without the use of area drains except as allowed by item “e” below;
 - e. Area Drains – Rear and side yard area drains may be used only if they are part of a system that conveys rainwater to appropriately sized infiltration trenches, infiltration basins, dry-wells, or similar infiltration device. Infiltration systems shall be designed with emergency overflow provisions. Area drain pipes shall not discharge via a curb core;
 - f. Other methods of promoting infiltration may be approved by the Development Services Manager. (DS)
103. Developer shall provide a stormwater infiltration plan with all non-single family home projects within this tract that integrates long-term post-construction stormwater infiltration into the project following Low Impact Design (LID) guidelines similar to those illustrated in the San Mateo County Sustainable Green Streets and Parking Lots Design Guidebook. Stormwater infiltration plan is subject to approval of Development Services Manager. (DS)
104. Developer shall provide site specific recommendations from a geotechnical engineer and a landscape architect for design and implementation of all infiltration devices. Geotechnical Engineering review shall include, but not be limited to, determination of infiltration rates,

design suggestions to enhance infiltration, and methods (e.g. Pre-treatment) to minimize occlusion of soil porosity. Landscape architectural recommendations shall include, but not be limited to, suggestions regarding appropriate vegetation and soil amendments for vegetated infiltration BMPs. (DS)

105. Developer shall integrate into each storm drain conveyance system a pre-treatment BMP that removes trash from the stormwater flow prior to discharge into the water quality filters (or similar device) within the lake. Pre-treatment BMPs shall be located downstream of the last stormwater inlet and be designed for easy access. The pre-treatment device shall be designed to allow trapped material to dry between storms and be easily removed. (DS)
106. Developer shall provide proof that all maintenance costs (including monitoring program costs) associated with the stormwater quality devices installed within the public storm drain system (including Lake SouthShore) have been included in a Community Finance District. Proof shall be provided prior to issuance of the first construction permit (not including a mass grading permit). (DS)
107. Developer shall prepare and implement a stormwater quality monitoring program ("Program") to evaluate the performance of BMPs within the project. The Program shall specify the pollutants of concern, reporting frequency, monitoring station locations, anticipated pollutant concentrations, thresholds of significant impact, and analytical approach for determining BMP effectiveness. The Program shall also establish facility management protocol in the event that discharge concentrations exceed the threshold of significant impact. Monitoring shall be conducted annually for the first five years following commencement of development and shall occur during the first significant runoff-producing storm event of the rainy season. Following this initial monitoring period, monitoring shall be conducted at no greater than five-year intervals during the first significant storm event of the rainy season, provided average annual pollutant loadings are determined not to exceed the threshold of significant impact. If it is determined that the pollutant loadings exceed the threshold of significant impact, Program shall begin annual monitoring (per the above requirements) until it is determined that the average annual pollutant loadings no longer exceed the threshold of significant impact. This Program shall be reviewed and approved by the Wastewater Superintendent. Developer shall be responsible for implementation of the Program until the City or some other qualified entity (as approved by the Development Services Manager) specifically accept responsibility for the Program in writing. After initiation of this Program and completion of the initial five years of monitoring, the Wastewater Superintendent may alter the requirements of the Program to conform to current City policies and practices regarding stormwater testing. The Program shall be prepared with the first phase of development and updated with future phases. Developer shall arrange to have all costs associated with this Program included in the proposed Community Financing District such that all costs are funded by property owners within the project. (DS)

108. Developer shall prepare an NPDES Best Management Practices Operations and Maintenance Program ("O&M Program") for stormwater quality BMPs implemented within this project. The O&M Program shall specify maintenance requirements, responsible parties, anticipated costs, (broken into labor, equipment, supplies, etc.) and other pertinent information regarding continued long-term maintenance of all project stormwater quality devices. The O&M Program shall be reviewed and approved by the Wastewater Superintendent. Developer shall arrange to have all costs of this O&M Program included in the proposed Community Financing District such that all costs are funded by property owners within the project. Developer shall be responsible for the maintenance and operation of all BMPs until the City or some other qualified entity (as approved by the Development Services Manager) specifically accepts them in writing for maintenance. Upon request by the City, Developer (or qualified entity after transfer of maintenance responsibility) shall provide written proof of ongoing BMP maintenance operations. (DS)

Wastewater Special Conditions:

109. Developer shall construct sewer laterals a minimum of 5 feet behind the sidewalk for all park, open space, and school sites for future connection when the park, open space or school is developed. The location and size shall be approved by Development Services Manager and Parks Division. (DS)
110. Developer's engineer shall provide detailed sewer system calculations and associated construction plans for each phase of the project. The design and sizing of all proposed sewer improvements shall meet the needs of the ultimate specific plan build-out as well as the interim requirements of the proposed phase. Developer shall be responsible for all offsite improvements required to provide sufficient sewer capacity unless otherwise specified in the project Development Agreement. The required calculations and plans are subject to approval of the Development Services Manager prior to the issuance of a site improvement/grading permit or recordation of each phase of the final map. (DS)
111. Developer shall provide a sewer lateral for each single family home. The lateral shall not be placed under a driveway unless no other practical alternative exists as determined by the Development Services Manager. (DS)

Water Special Conditions:

112. Prior to design of the Mugu and Ocean view Waterline relocations proposed by this project, Developer shall coordinate a joint meeting of all affected jurisdictions to discuss proposed waterline alignments, sizes, cross-connections, meter locations, and any other issues raised by the jurisdictions. Developer shall be responsible for developing a design acceptable to all affected jurisdictions. Developer is also responsible for providing all easements

required for the final alignment. The final design is subject to approval of the Development Services Manager. (DS)

113. Developer shall construct a waterline connecting the project to City of Oxnard blending station #5. The connection (replacement line) shall be located in Pleasant Valley Road (anticipated to be 2,100 feet of 24" line) and offsite Rose Avenue (anticipated to be 1,600 feet of 20" line) right-of-way. The final design, including size, alignment, and material is subject to approval of the Development Services Manager. (DS)
114. Developer shall construct water laterals a minimum of 5 feet behind the sidewalk for all park, open space, and school sites for future connection when the park, open space or school is developed. The location, need and size shall be approved by Development Services Manager and Parks Division. (DS)
115. Prior to the first phase of construction (excluding grading), Developer's engineer shall prepare water system calculations ("Project Master Water Calculations") that determine the size of backbone water pipelines for on-site and off-site water improvements required to adequately serve this project. Calculations shall assume all demands anticipated by the City's General Plan, Water Master Plan, and project build-out. The required calculations are subject to approval of the Development Services Manager prior to the issuance of the first phase of construction plans. (DS)
116. Developer's engineer shall provide detailed water system calculations (based on recent in-place fire hydrant flow tests) and plans with each phase of the project. The design and sizing of all water improvements provided with a particular phase shall meet the demand requirements of that phase and the Project Master Water Calculations. Developer shall be responsible for all offsite improvements required to provide sufficient water supply unless otherwise specified in the project Development Agreement. The required calculations and plans are subject to approval of the Development Services Manager prior to the issuance of a site improvement/grading permit or recordation of each phase of the final map. (DS)

Recycled Water Special Conditions:

117. Developer shall size all proposed recycled waterlines within the project (including Hueneme Road) as required to implement the City's Recycled Water Master Plan and as directed by the Development Services Manager. Developer shall coordinate with the City prior to initializing detailed improvement plans to discuss Developer preparation of a detailed sizing study if a study has not been prepared by the City. (DS)
118. Prior to issuance of a permit for the first phase of construction (excluding grading), Developer shall obtain approval of a study indicating how the project will comply with the recycled water use requirements of the project EIR and the associated Water Supply

Assessment. The study shall indicate how project requirements will be met on a project wide basis and as each phase is developed to assure compliance throughout all phases of construction. The study shall be approved by the Development Services Manager. (DS)

119. Prior to issuance of a permit for the first phase of construction (excluding grading), Developer shall provide exclusive easements for the two injection well sites indicated on the tentative map unless otherwise agreed in the project Development Agreement. Easement proposed near high power electrical lines (outside of the boundary of this subdivision) shall be relocated to an alternative site acceptable to the City if Developer is unable to obtain an easement at the proposed offsite location. Developer shall obtain access, pipeline, and construction easements acceptable to the Development Services Manager in addition to the site easements indicated on the tentative map. (DS)
120. Developer shall design project to comply with all City and Department of Health recycled water standards in effect at the time of project phase approval. (DS)
121. If a recycled water source is not available at the time of initiation of recycled water system, Developer shall provide strategic cross-connections between the domestic water and recycled water systems. Final design and location of these cross-connections shall be approved by the Development Services Manager. (DS)
122. Developer shall construct recycled water laterals a minimum of 5 feet behind the sidewalk for all park, open space, and school sites for future connection when the park, open space or school is developed. The location, need and size shall be approved by Development Services Manager and Parks Division. (DS)
123. Developer shall design and construct all irrigation systems that are supplied from the reclaimed water system in accordance with standard practice for such systems including the use of purple pipe, sprinkler heads, etc. Developer's project shall include the installation of appropriate reclaimed water usage signage. (DS)

Street Special Conditions:

124. Developer shall install signs restricting on-street parking during hours of proposed street sweeping. Final size, design, spacing, and wording of signs to be as directed by the City Traffic Engineer. Sign installation to be included on project striping and signage plan prior to plan approval. (DS)
125. Developer shall design and construct the bike trail connecting Pleasant Valley Road to SouthShore Drive (shown on Exhibit 4-15 of the Specific Plan) prior to, or concurrent with, construction on lot 3. The Developer of lot 3 shall be responsible for designing and constructing the trail along with obtaining all required easements. The final width,

alignment, easement width, landscaping, lighting, signage, striping, and other appurtenances shall be as approved by the Development Services Manager. (DS)

126. Developer shall design disabled access ramps at street intersections to direct pedestrians towards the cross-walk. Where practical, Developer shall provide two ramps at each return to provide a more direct alignment. The amount of concrete used at each ramp shall be minimized to reduce impervious area. Final design to be approved by the Development Services Manager. (DS)
127. Developer shall install bollards or other approved devices to deter vehicles from entering the lake maintenance driveways. (DS)

Lake SouthShore Special Conditions:

128. Prior to submittal of lake construction plans, Developer shall deposit with the City a sum determined by the City to be sufficient to cover 125 percent of the anticipated cost to hire a design professional ("Consultant") familiar with the design, construction, and maintenance of man-made lakes and to review plans, reports, calculations, and documents associated with lake construction. The Consultant shall also have experience with design and implementation of stormwater quality features similar to those proposed with this project. Deposit shall cover all costs associated with review of documents and periodic field inspections of lake construction. Consultant shall also review the Lake SouthShore O&M Program for ongoing lake maintenance prepared by Developer. Developer shall supplement the deposit when the remaining funds on deposit fall below 10% of the initial deposit. The intent of this condition is to cause Developer to incur all costs associated with review of lake design and construction including City's cost in procuring and administering the Consultant's services. (DS)
129. Developer shall construct vehicle access roads/ramps to each section of the lake such that all portions of the lake are easily accessible without the need to pass under bridges (unless adequate boat clearance is provided as determined by the Development Services Manager) or through culverts. It is anticipated that between four and six points of access will be required. (DS)
130. Developer shall construct pedestrian bridges over the lake with a minimum traveled way width of ten (10) feet. (DS)
131. Prior to submittal of construction plans for the pedestrian/bicycle bridges crossing the lake, Developer shall deposit with the City a sum determined by the City to be sufficient to cover 125 percent of the anticipated cost to hire a design professional ("Bridge Consultant") familiar with the design and construction of similar bridges to review plans, reports, calculations, and documents associated with proposed bridge construction. Deposit shall

cover all costs associated with review of documents and periodic field inspections of bridge construction as determined necessary by the Development Services Manager. Developer shall supplement the deposit when the remaining funds on deposit fall below 10% of the initial deposit. The intent of this condition is to cause Developer to incur all costs associated with review of bridge design and construction including City's cost in procuring and administering the Consultant's services. (DS)

132. Developer shall locate and design proposed lake pump stations to provide for ease of access and maintenance. Developer shall provide exclusive easements for these facilities including adequate vehicular access easements for any pump station not accessible directly from the public right-of-way or public property. Final design, location, and easement configuration shall be approved by the Development Services Manager. (DS)
133. Developer shall design drainage around Lake SouthShore to eliminate any rainwater, except rainwater falling directly on the lake parcel from surfaces draining directly into the lake. Rainwater shall be directed to localized sumps and have pre-treatment to remove trash prior to discharge into the lake. (DS)
134. Developer shall provide a temporary ten (10) foot wide access road (and associated temporary access easement) near the lake edge within parcels 1 and 6 until these parcels develop. The final design for development of these parcels shall include provision of vehicular access to the lake shore as directed by the Development Services Manager. (DS)
135. Developer shall design and construct the multi-use path surrounding the lake to facilitate use as a maintenance road. Path alignment, turning radii, and structural section shall accommodate use by pickup trucks pulling a small trailer. (DS)
136. Developer shall design the multi-use path surrounding the lake with a 5 foot wide level (2% maximum cross-fall) area adjacent to the trail surface. The level area may be reduced to 2 feet wide when the Development Services Manager determines that compliance with the 5 foot requirement would create an unreasonable hardship. (DS)
137. Developer shall prepare a Lake SouthShore Operations and Maintenance Program ("Lake SouthShore O&M Program") specifying required periodic lake maintenance requirements. The Lake SouthShore O&M Program shall specify maintenance requirements, responsible parties, anticipated costs, (broken into labor, equipment, supplies, etc.) and other pertinent information regarding continued long-term maintenance of Lake SouthShore. The Lake SouthShore O&M Program shall be reviewed and approved by the Wastewater Superintendent. Developer shall arrange to have all costs of the Lake SouthShore O&M Program included in the proposed Community Financing District such that all costs are funded by property owners within the project. Developer shall be responsible for the maintenance and operation of Lake SouthShore until the City or some other qualified entity

(as approved by the Development Services Manager) specifically accepts the parcel and associated maintenance responsibility in writing. (DS)

Project Phasing Special Conditions:

138. The first project phase shall prepare a comprehensive drainage report that provides a detailed analysis of the stormwater conveyance, storage, and discharge during full project build-out. The report shall include sufficient calculations to allocate discharge and volume capacity to various phases of the project based on the project width calculations. (DS)
139. All analysis, drainage reports, and improvement plans for individual phases of this project shall analyze and provide sufficient capacity for the greater of the current phase plus existing or full project build-out. (DS)
140. Developer may submit phased improvement plans corresponding to phased final maps. Extent of improvements required with each phase is subject to the review and approval of the Development Services Manager. All phases shall include a minimum of two points of vehicular access. Temporary improvements such as vehicle turnarounds, barricades, waterline blow-offs, or other improvements may be required as deemed necessary by the Development Services Manager. (DS)

Miscellaneous Special Conditions:

141. Unless otherwise approved by the Development Services Manager, Developer shall transfer ownership of parcels proposed for City ownership free and clear of any encumbrances including existing easements. Dedication of open space and park parcels shall occur after full improvement of the lot and shall not occur on the final map unless otherwise directed by the Parks Division. (DS)
142. Developer shall not transfer ownership of any lake parcel until a financing mechanism for the ongoing maintenance of the lake has been created and funded in a manner acceptable to the Public Works Director. (DS)
143. Developer shall provide proof of well destruction for all water wells within the construction limits of each phase of the project unless requirements are specifically altered by the Development Services Manager. Water well destruction shall be in accordance with Development Services Program's requirements. (DS)
144. Developer shall locate project walls and fences with a minimum setback of 2 feet from the top or bottom of any slope exceeding 5(Horiz):1(Vert). Walls and fences shall also be set back a minimum of 2 feet from any sidewalk or curb unless otherwise approved by the Development Services Manager. (DS)

145. Prior to approval of grading plans for any park or open-space parcel, Developer shall obtain approval of the Parks Division for all slopes proposed within such parcel. Approval shall at a minimum include the location and steepness of the proposed slope. All park and open space parcels must meet Americans with Disabilities access requirements. (DS)
146. Developer shall design all improvement plans to meet City design standards and Department of Health utility separation guidelines in effect at the time of plan approval. (DS)
147. Developer shall provide easements over all streets, sewer, water, storm drain, and recycled water facilities that cross private property and are determined by the Development Services Manager to be subject to public ownership. The width of all such easements shall be determined by the Development Services Manager based on depth and size of pipeline, access, and maintenance needs. Easements for such facilities shall be provided concurrent with, or prior to, issuance of a construction permit for the facility. (DS)
148. Developer shall construct a 9 foot by 3 foot level concrete pad for storage of three refuse containers for each single family home. The pad shall be located in the side yard area or other location approved by the Development Services Manager that is out of view from the street. The storage location shall not be within the garage. Developer shall construct a paved path from the storage location to the street (or other assigned pickup area) that does not require entering the garage. All gates or doors along the path shall be constructed with a minimum of 36 inches of clear space to allow passage of the containers. Storage location and path shall be shown on the final grading plans. (DS)
149. Developer shall list all grading or air quality related environmental mitigations measures on the grading plan cover sheet. Developer shall cause all project contractors to comply with these mitigations during all phases of construction. (DS)
150. Construction of lakes, landscaping, trails, pedestrian bridges, retaining walls, pump stations, stormwater quality BMPs, and other improvements within this project necessitate the formation of a maintenance assessment district, whereby the expenses of maintenance and operation of these improvements will be assessed upon the real property within the project. Developer agrees to cast all of its votes in favor of the formation of the district and in favor of the extent of such a district and in favor of the proposed assessment on property within the district. Developer shall enter into an agreement with the City, in a form to be approved by the City Attorney, establishing this condition as a covenant running with the land, which will be recorded. Developer shall insert such covenant, in a form approved by the City Attorney, in each deed of real property in the project granted by Developer. Developer shall sell or grant no property in the project until after maintenance assessment district has been formed and the property has been annexed into the maintenance assessment district. Sale of phases of the project to merchant builders may be approved

with the submittal of documentation acceptable to the City Attorney guaranteeing formation of the district. Other arrangements guaranteeing construction and perpetual maintenance of the listed improvements at the expense of the property owners within the project may be approved as determined appropriate by the City. (DS)

Traffic Special Conditions:

151. Developer shall reconfigure the lane striping for the westbound direction of 'A' Street to provide for a seven foot parking lane, 6 foot bike lane, and a 12 foot travel lane. (DS)
152. Developer shall design and construct all intersections to maintain intersection sight distances as specified in Highway Design Manual section 405.1.2a. Corner fences may be chamfered to attain corner sight distance at intersections. (TR)
153. Developer's construction plans shall include appropriate bicycle signage and striping that includes all bicycle lanes, bicycle routes, and multi-use trails (including those around the lake) constructed as part of this development. All improvements must comply with MUTCD Standards and are subject to revision by the City Traffic Engineer. (TR)
154. Developer shall construct multi-use trails as indicated on the tentative map and in the SouthShore Specific Plan. The path shall be 10 feet wide and constructed of concrete except that portion on the north side of Lake SouthShore that is to be constructed of stabilized decomposed granite. The concrete trail shall be striped with a thermoplastic dashed white centerline dividing the trail in two 5 feet sections. Developer shall install signs approved by the City Traffic Engineer for use on the path. The signs shall indicate it is a shared use path and that bicyclists must be cautious of pedestrians. The Developer shall work with the Traffic Engineering Division regarding the type of signs to be installed and the placement of the signs. Required signage and striping shall be included on the bicycle signage and striping plan required by these conditions of approval. (TR)
155. The Developer shall participate in the Traffic Demand Management (TDM) Fee program as stipulated in AQ-4 of the EIR for the Ormond Beach Specific Plans. As required by AQ-4, prior to the issuance of the first building permit for this tract, Developer shall develop a Transportation Demand Management Fee Program for the project to be approved by the City in accordance with Section 7.5.3 of the Ventura County APCD Guidelines. (TR)
156. All traffic signal installations or modifications shall be designed per City of Oxnard Specifications. These specifications call for the installation of EMTRC emergency vehicle preemption devices, Dimensions battery back up, McCain 170 ATC Coldfire Controllers, Iteris Vantage video detection cameras, LED signal displays and pedestrian countdown timers, or other comparable equipment approved by the City Traffic Engineer. Refer to

City of Oxnard Specifications for a complete updated list of requirements for traffic signal design and installation prior to beginning design. All traffic signal designs are subject to review and approval by the City Traffic Engineer and the Traffic Engineering Division. (TR)

157. The Developer shall install Fiber Optic ready interconnect conduits between all new or modified traffic signals constructed by the project and install interconnect conduits connecting these intersections to the intersection of Rose Avenue and Pleasant Valley Road. The Developer shall install Fiber Optic cable in the interconnect conduit and install gigabit Ethernet communication integrated into the City's Intelligent Transportation System Master Plan as directed by the City Traffic Engineer. (TR)
158. The Developer shall re-stripe existing Olds Road from Etting Road to the northerly project property line. The striping plan shall accommodate a bicycle lane and a vehicular lane in both directions. Developer will work with the City Traffic Engineer and the Traffic Engineering Division to finalize a striping plan. In concept, the striping will consist of an 8 foot wide parking lane, a 5 foot wide bicycle lane, an 11 foot wide vehicular lane in each direction separated by a 12 foot wide center two way left turn lane. The two way left turn lane will transition into left turn pocket at intersections. This striping will be from Etting Road to a point in front of Ocean View Junior High School at which time the striping shall transition to an 8 foot wide parking lane, a 5 foot wide bicycle lane on the west edge of the road, two opposing 12 foot wide vehicle lanes separated by centerline striping, and a minimum 5 foot wide bicycle lane on the east side. This striping will continue from Ocean View Junior High School to Sanford Street. Between Sanford Street and the project limit, the striping shall be an 8 foot wide bicycle lane and a 12 foot wide vehicle lane with no on-street parking permitted in either direction. This striping shall transition to the planned roadway profile as designed along the project frontage. To complete this work, the Developer shall acquire an encroachment permit from the County of Ventura for those portions of the roadway not under City of Oxnard jurisdiction. Striping requirements may vary from the above if approved by the City of Oxnard Traffic Engineer. (TR)
159. Developer shall construct Hueneme Road to its full master planned width between Edison Drive and Olds Road in accordance with the SouthShore Master Plan and tentative map with the first phase of construction (not including mass grading.) (TR)
160. Developer shall contact Gold Coast Transit immediately prior to starting construction plans for Hueneme Road to determine preferred locations for bus pull outs. All bus pull outs shall be constructed per City of Oxnard standards. Bus pull outs shall be constructed concurrent with adjacent roadway improvements. (TR)
161. Developer shall re-stripe existing Rose Avenue from Pleasant Valley Road to its southerly terminus. The new striping shall accommodate 8 foot wide (minimum) bike lanes on both

sides of the street and two 12 foot wide vehicular lanes in each direction. The bicycle lane shall begin at Pleasant Valley Road and continue to a point just north of the roundabout where bicycles will be accommodated off-street. A 16 foot wide planted median shall be constructed from Sanford Street to the roundabout. All striping plans are subject to approval by the City Traffic Engineer. (TR)

162. In accordance with the Ormond Beach Specific Plan Final EIR Section 3.10.3.3, the City Traffic Engineer may require individual phases of this project to provide additional traffic analysis to determine timing and responsibility for implementation of specific EIR traffic mitigation measures. Traffic mitigation measures listed in the EIR are based on an assumed phasing order. (TR)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of April 2011, by the following vote:

AYES: Commissioners Huber, Medina, Stewart, and Chairman Mullin

NOES: Commissioners Guevara, Murguia, and Nash

ABSENT: None


Patrick Mullin, Chairman

ATTEST:


Susan L. Martin, Secretary

Exhibit B

Adaptive Management Plan Mitigations and Requirements

NORTHERN SUBAREA RECOMMENDATIONS

as presented in the

City of Oxnard Ormond Beach Specific Plan Area

Raptor Foraging Habitat Restoration Project

Adaptive Management Plan

(February 24, 2011)

Italic type = Specific recommendations/requirements for the Northern Subarea

Black type = General recommendations/requirements for both subareas

Mitigation Requirements

The total mitigation requirement for the Northern Subarea is 30.2 acres of foraging habitat.

Northern Subarea Mitigation Requirements and Proposed Onsite/Offsite Mitigation

Total Avian Foraging Habitat Mitigation Required ¹	Required Wet Herbaceous Habitat Mitigation	Required Upland Mitigation	Area Available Onsite for Wet Habitat Mitigation	Area Available Onsite for Upland Mitigation	Offsite Area Needed to Fulfill Upland Mitigation Requirement
30.2 acres	0.0	30.2 acres	0.0	10.2 acres	20.0 acres

Mitigation Option 1: All or Partial Onsite Restoration

Under Mitigation Option 1, a portion of the Northern Subarea proposed open space areas will be used to fulfill a portion of the Northern Subarea requirement for raptor foraging habitat restoration (Figure 4).

The following three measures would meet the 30.2-acre upland restoration requirement:

1. All upland open space land immediately west, south, and east of the shoreline of Lake SouthShore will be planted with native transitional species near the shoreline, transitioning to upland grassland species with patches/hedgerows of native shrubs and trees. This will be implemented in three specific sections of open space areas adjacent to Lake SouthShore:
 - o 1.8 acres surrounding the southern and western corner of the western lake section.
 - o 4.1 acres between the southern margin of the middle lake section and Hueneme Road.
 - o 2.4 acres surrounding the southern and eastern corner of the eastern lake section.

These areas provide a total of approximately 8.3 acres of upland raptor foraging habitat restoration area.

2. In addition to the three locations mentioned above, the detention basin proposed north of the middle lake section island will also be used as a restoration area for upland raptor foraging habitat. Per the applicant, this area has been designed to receive overflow from the lake only when storm events reach a 10-year magnitude recurrence interval or greater. Lake overflow is designed to spill into the basin, which would then drain back into the lake as the lake level recedes. The

basin, as proposed, will not require any dredging or vegetation clearing because the drainage system routed to it is not expected to transport significant amounts of sediment. Lake overflow into the basin is designed to reside only for a short time. The total area of this detention basin therefore available for upland raptor foraging habitat is approximately 1.9 acres.

3. *The remaining 20 acres required to meet the mitigation requirement of 30.2 acres of upland raptor foraging habitat for the Northern Subarea will need to be implemented at an offsite location (offsite mitigation is discussed in detail in Mitigation Option 2 below).*

Mitigation Option 2: All Offsite Restoration

Under Mitigation Option 2, all 30.2 acres of raptor foraging habitat restoration required for impacts associated with the Northern Subarea would be implemented at an offsite location. If the onsite portion of this mitigation requirement cannot be fulfilled, or if it is determined that no onsite raptor foraging habitat mitigation is feasible due to constraints from development or proximity to human landscapes and influences, this option outlines measures necessary to implement sufficient and successful compensatory offsite mitigation.

Provide compensatory mitigation offsite through the private purchase of mitigation lands. This process typically entails the following tasks:

1. Identification of parcels that contain at minimum suitable raptor habitat characteristics.
2. Purchase of an adequate acreage to compensate for project-specific impacts.
3. Preparation of a long-term Habitat Management Plan to maintain and enhance the conservation values of the conserved land in perpetuity.
4. Recordation of a conservation easement or similar instrument that provides legal preservation of the conserved land in perpetuity.
5. Identification of a funding assurance mechanism, such as a letter of credit and/or endowment, for the purchase and long-term management of the conserved land in perpetuity.
6. Coordination with the regulatory agencies, including CDFG and the USFWS, to obtain approval of the proposed compensatory mitigation approach, including the mitigation lands, Habitat Management Plan, conservation easement, and funding assurances.

Habitat Functions to be Restored

In order to restore raptor/bird foraging habitat function as required, all on- and off-site mitigation will be implemented in accordance with the approved AMP and installation program. The restoration areas will be maintained and monitored for a minimum of three years and would be subject to success criteria and triggers for adaptive responses.

The habitat functions expected to be replaced include:

- Maintain habitat viability in terms of normal growth/development of functional habitat.
- Increase resources without resource depletion so that the habitat can continue to thrive into the future without external infusions of resource.

- Increase native cover and species richness with the creation of low-growing native and naturalized grassland habitat with native shrub shelterbelts.
- Increase perching and nesting opportunities with the establishment of small clusters of large trees.
- Maintain some habitat connectivity to other open space areas for prey recruitment.
- Increase small mammal populations in particular as prey for the target raptors. It is noted that natural vegetation will also provide for increases in the abundance of other prey animals (reptiles, invertebrates, birds), but the focus of the mitigation effort is on small mammals.

Implementation Schedule

Per Mitigation Measure BIO-2 of the certified OBSP FEIR, the restoration project shall be initiated prior to the completion of the proposed development to ensure there is no significant temporal loss of foraging habitat for raptors and shorebirds. Site preparation and irrigation system installation will be conducted prior to planting implementation. All restoration planting installation should be conducted during the first wetting rains from October 1 to February 1. All planting installation will occur when the top six inches of soil are moist following a series of winter/spring storms, or as supplemented by temporary irrigation. As-built conditions will be reported immediately following the completion of installation. Each individual restoration effort must be monitored and maintained for a minimum of a three-year period and until success criteria are met.

Site Preparation

Any non-native invasive plant species within the restoration site will be removed prior to planting of native vegetation. Use of herbicides will likely not be needed if the restoration areas are maintained frequently to prevent colonization of undesirable species. Immediately following irrigation installation, the restoration areas will be planted with native species by direct planting methods and broadcast seeding methods. A project restoration biologist should be contracted to identify specific planting locations of native vegetation for optimal establishment and longevity based on anticipated hydrology, edaphic factors, exposure, and slope aspect. A vegetative cover consisting of appropriate native plant species will develop slowly from the planted material over a minimum of three growing seasons with proper management.

Planting Plan

Planting plans to be developed by the subarea applicant shall include an assemblage of native plant species, such as those recommended in Table 2 of the AMP, that are known to occur within raptor foraging grassland, scrub, and transitional habitats. In general, the planting plan includes container plantings in addition to broadcast seeding of native species. The majority of the restoration required will concentrate on the development of native grassland habitat, and will include clusters and hedgerows of native scrub stands and emergent isolated native trees. Container plantings to be installed in the restoration area are to be spaced irregularly and in clusters to emulate natural conditions. A restoration biologist should provide advice for the implementation of the plantings and to aid the subareas in achieving the goals of FEIR Mitigation Measure BIO-2.

The restoration proposed within the Northern Subarea includes upland mitigation areas (1) south of Lake SouthShore and north of Hueneme Road, and (2) within the proposed detention basin (Figure 4). Mitigation areas along the lake shoreline will be planted with transitional plant species (Planting Zone B [Table 2, Figure 6]), including western ragweed, scarlet monkeyflower, mugwort, saltgrass, alkali rye grass, and deer grass. Grassland species (Planting Zone C) will be planted where the mitigation site progresses from the lake margin to the north edge of Hueneme Road, and will include species such as narrow-leaved milkweed, blue wild rye, California poppy, and purple needlegrass. The lower elevations within the Northern Subarea detention basin will be planted with transitional species (Planting Zone A), and the higher elevations of the detention basin will be planted with grassland and shrub species (Planting Zones B and C).

Scrub shelterbelts with native emergent trees (Planting Zone D) will also be designed within the Northern Subarea habitat mitigation areas. Specifically, scrub shelterbelts will be implemented to create cover and foraging resources for raptor prey species and to create low perches for raptors. The scrub species recommended in these shelterbelts include California sagebrush, coyote brush, ashy-leaf buckwheat, deerweed, bush monkeyflower, lemonade berry, and sages. Less than 10% of the total foraging habitat being created shall be comprised of shrubs to maintain the goal of creating open foraging habitat.

Planting Installation Specifications

Planting installation, maintenance, monitoring, and reporting activities will be overseen by a restoration biologist familiar with restoration of native plants and habitats. All plantings will be planted in randomly spaced, naturally clumped patterns. The planting density should be augmented by approximately 25% to compensate for anticipated planting mortality. The size, location, and variety of the plantings shall be based on professional judgment of a qualified biologist, and will depend on the available mitigation area and opportunity for survival of planted species. Container stock specifications, installation methods, seed broadcast methods, herbivore protection, and mulch applications shall follow the recommendations presented in the approved AMP.

Irrigation Plan

A detailed landscape irrigation plan shall be prepared specifically for the various planting zones within each mitigation site. A temporary above-ground irrigation system will be provided to initiate seed germination and promote proper container/cutting root establishment. The mitigation areas will be watered by an irrigation system, made up of multiple impact sprinkler or gear driven overhead sprinklers, to mimic the natural water cycle in the region. The intent of irrigation is to reduce mortality and increase the growth rate of plant materials during the first few months following planting and during the dry season. Irrigation will be provided for a period of approximately two years from planting (depending on climatic conditions), with irrigation being phased out during the fall/winter of the second year, unless unusually severe conditions threaten planting survival.

As-Built Conditions

Following plant installation, the project restoration biologist will assist in the preparation of a general as-built restoration and planting plan and will oversee the implementation of the monitoring program. As-built planting plans will be used as baseline information to track the

success of container plantings and seeded areas throughout the monitoring period. The as-built plan will document any changes made during implementation, and will outline any modification made that deviate from this implementation plan to reflect as-built conditions.

Maintenance Schedule

Each mitigation site must be monitored and maintained for a minimum of a three-year period and until success criteria are met. If success criteria are not achieved by the end of the third year, maintenance and monitoring shall continue a maximum of two additional years for a total monitoring period of five years. The maintenance schedule for the habitat restoration sites will be monthly for the first year, and every other month for the second and third year. Weeding will be conducted, as needed, to prevent displacement of native species, which may include treatment or removal several times per year. All trash and foreign material will be removed regularly from the restoration site. Irrigation system maintenance will occur as needed to meet the goals of this plan.

Weed Abatement Program

Table 3 in the approved AMP provides a list of example common invasive plant species that shall be removed from the project site during site preparation and throughout the maintenance period. Control of invasive plant species will be overseen by qualified individuals experienced with habitat restoration techniques, and experienced with native-versus-nonnative plant species identification, to aid in the establishment of habitat function onsite. Weeding will be conducted by hand monthly the first year and every other month during the last two years of the three-year monitoring period, or until it is determined that the installed plantings are not at risk from competition by invasive plants. Weed control activities will be intensified during the spring and early summer prior to the development of mature seeds produced by the target weed species. Invasive plant materials will be disposed of in a manner and location as to prevent re-establishment.

Monitoring Schedule

For a minimum of three years after installation of this restoration plan, a biological monitor will monitor the mitigation area twice yearly, beginning in the spring or fall after installation of the vegetation and raptor enhancements have been completed (whichever season comes first). Sampling of the replaced and reconstructed habitats shall be conducted during those seasons for assessing peak growth for upland, transitional, and hydrophytic vegetation, accurate identification of plant species, and site conditions such as drought and inundation. The monitoring approach and methods will follow those detailed in the approved AMP. An annual monitoring report documenting the results of each fall mitigation monitoring session will be submitted by December 1st for the years 2017, 2018, and 2019. If success criteria are not achieved by the end of the third year, monitoring shall continue a maximum of two additional years for a total monitoring period of five years.

Performance Standards and Success Criteria

The following criteria will be used to aid in determining success over the three-year monitoring period:

- No more than 10% cover by weedy/invasive plant species after three years.
- 50% cover by native plant species after two years and 70% percent native cover after three years.
- At least 5 native plant species comprising dominant vegetative cover after three years.
- Observations or detections of rodents and/or raptors inhabiting or foraging within the restoration sites every monitoring year.

Triggers for Adaptive Responses

The triggers for remedial adaptive actions include the following:

- Greater than 25% planting mortality after planting or in any monitoring year in any mitigation area
- Greater than 10% cover by invasive plant species in any monitoring year in any mitigation area
- Less than 50% native cover in any monitoring year in any mitigation area
- Pest problem (house/feral cats, raccoons, etc. hunting or feeding on target prey species) detected or observed in any monitoring year in any mitigation area
- Insufficient rodent recruitment after the first monitoring year in any mitigation area
- No raptors frequenting/foraging anywhere within the mitigation sites after the second monitoring year

Response Actions

The following presents the specific response action that should be implemented when one or more triggers are set.

Trigger 1: Greater than 25% of the planted and seeded material fails to germinate or dies after planting or in any year, and/or the native percent coverage within the restoration sites is less than 50% during any monitoring period.

Response Action 1: To attempt to increase planting survival and native percent cover, maintenance and remediation will include, but are not limited to, replanting problem areas with seed and plant mixtures specifically designed to overcome the identified problem; identifying and controlling invasive plant species; and modifying the irrigation program. The recommended planting palette and restoration plan provided above will be reinstalled where needed to increase survivability and native percent cover. Because supplemental irrigation will be available within the restoration areas, remedial seeding and planting can take place near the end of the first growing season or at the start of the second growing season, depending on the extent of the activity. Any replacement plantings installed to achieve the requirements will be monitored with the same survival

and growth requirements for two years after planting. Any implemented remedial measures will be fully documented in the annual reports.

Trigger 2: The weedy/invasive vegetative cover within the restoration sites is greater than 10%.

Response Action 2: Weed abatement will be increased to a monthly schedule for the remaining monitoring years. Depending on the level of disturbance by invasives, and the species of concern, the weed abatement program would be intensified to attempt to eradicate the species from the restoration sites.

Trigger 3: Evidence of a substantial pest problem (i.e. house/feral cats or raccoons) is observed (pest observed hunting or feeding on target prey species) or detected (numerous remains of prey species found) during any monitoring year.

Response Action 3: To address a pest problem affecting target prey species, trapping of such pests will be conducted to either eradicate or relocate pests from restoration areas, if feasible.

Trigger 4: Natural small mammal recruitment and foraging by target raptor species is not evident in the restoration areas. No target prey species are being observed or detected (i.e. burrows or scat) within the restoration areas.

Response Action 4a: Response Action 1 would be implemented to enhance the restoration effort to attract the raptor prey mammal to the restoration areas.

Response Action 4b: If after one year of increasing maintenance and implementing remediation measures no natural recruitment of target prey species is observed/detected, trapping will be conducted within the restoration areas onsite and/or offsite to determine presence/absence and to quantify small mammal populations inhabiting the restoration areas.

Response Action 4c: If after remediation measures conducted under Response Action 4a yields no target raptor prey species, and if trapping conducted under Response Action 4b within the restoration areas yield no or insufficient prey species, then small mammal trapping of such species would be conducted in an offsite location (such as an area with a predetermined native rodent problem). Those captures would be relocated into restoration areas. Once introduced onsite, prey species would likely flourish in the unoccupied restored habitats. This would provide a prey base for target raptor species.

Trigger 5: It is demonstrated after five years of maintenance and monitoring (including the three initially required years plus two additional remediation years) that onsite mitigation is infeasible due to the constraints associated with urban development, and/or that ultimately a higher level of ecological functioning would result from offsite mitigation.

Response Action 5: The portion of the restoration effort that failed, or the entire restoration effort, shall be re-implemented entirely offsite at an appropriate and superior location. The new restoration effort will be implemented in accordance with this adaptive management plan and implementation plan and will be maintained and

monitored for a minimum three-year monitoring period. Partial credit may be given for portions of the initial restoration effort onsite and/or offsite, depending on the status and function of the habitats created at the end of five years.

Documentation Requirements and Reporting

Annual Adaptive Management Reports will be submitted to the City of Oxnard by January 31 of each year following habitat restoration implementation. Reports will be prepared by the project restoration biologist conducting the onsite monitoring. The format and required content of the Annual Adaptive Management Reports should follow the documentation and reporting requirements outlined in the approved AMP.

Success and Closure

The habitat restoration will only be considered complete after a minimum period of three years or until restoration success has been achieved and documented for a maximum of five years. If any portion of the onsite and/or offsite mitigation effort fails after a maximum of five years of maintenance, monitoring, and contingency measures, the portion that failed shall be implemented offsite at an appropriate or superior location and be maintained and monitored for a three-year monitoring period. The final monitoring report shall evaluate the success of the restoration effort in achieving the final success criteria. The final monitoring report will be notification of when the monitoring period has been completed and the approved success criteria have been met. The habitat restoration will only be considered complete by the City of Oxnard when they provide written verification of habitat restoration success.

Cost Recovery for Contingency Actions

If the restoration effort begins to fail and adaptive responses are triggered, the cost recovery for the contingency/response actions shall be the responsibility of the property owner in which the response actions were implemented. A performance bond shall also be established for the cost of full re-installation as presented above under the Habitat Restoration Implementation Plan Cost Estimate subsection in the event that the restoration project fails and is required to be re-installed.

