



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Juan Martinez, Associate Planner

DATE: August 19, 2010

SUBJECT: Planning and Zoning Permit No. 10-520-05 (Special Use Permit), New Life Community Church, 1251 Rice Avenue

- 1) **Recommendation:** That the Planning Commission approve Planning and Zoning Permit No. 10-520-05 for a Special Use Permit and Administrative Relief from Parking Provisions pursuant to Code Section 16-651, subject to certain findings and conditions.

- 2) **Project Description and Applicant:** A special use permit to improve an existing 43,022 square foot warehouse/manufacturing tilt-up building for use as a church (1,000 seat sanctuary) with accessory uses (Sunday school classrooms, office, lobby, and kitchen/dinning area). The project includes a 5,279 square foot second floor addition, and a request for administrative parking relief to allow shared parking with adjoining properties in accordance with Section 16-651 (B) (1) of the Oxnard City Code. The project site is located at 1251 North Rice Avenue. Filed by Associate Pastor Chuck Swankosky with New Life Community Church, 2775 North Ventura Road, Suite 201, Oxnard, CA 93036.

- 3) **Existing & Surrounding Land Uses:** The 2.7-acre parcel is fully developed with a 43,022 square foot tilt-up warehouse/industrial building and related landscaping, loading zones, vehicular parking and driveways. The following table lists the surrounding zoning and existing land uses.

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	M-L	Limited Manufacturing	Industrial Tilt-Up Building
North	M-L	Limited Manufacturing	Industrial Tilt-Up Building
South	M-1-PD	Limited Manufacturing	Industrial Tilt-Up Building
East	M-2	Light Manufacturing	Agricultural Farm Land
West	M-L	Limited Manufacturing	Industrial Tilt-Up Building

- 4) Background Information:** Since 2001, New Life Community Church has been leasing and operating their services within a 14,200 square foot tenant space at 1960 North C Street within the Carriage Square shopping center. The church currently has a total of about 1,300 attendees at three Sunday services. The proposed church facility envisions about 1,000 attendees at two Sunday services, allowing for about 50 percent growth. A 30 minute "turnover" period between the two services allows for parking lots to clear and refill.

The Carriage Square shopping center has received entitlements to redevelop and construct a Lowe's home improvement center with related commercial retail buildings. The shopping center is mostly vacant and demolition is anticipated to commence in February of 2011. The New Life Community Church will likely use an interim facility until their tenant improvements are completed at the proposed location.

In November of 1997, Special Use Permit PZ 97-5-53 allowed the construction of the subject warehouse/industrial tilt up building. Subsequently, construction permits were issued and the building with development improvements was completed in February of 1999.

- 5) Environmental Determination:** The project is among the classes of projects listed in Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, which categorically exempts existing facilities from environmental review where there is negligible or no expansion of use. Since there is no substantial evidence that the proposed project may have a significant adverse effect on the environment, a notice of exemption will be filed (See Attachment D).

6) Analysis:

a) General Discussion: The applicant's request for a special use permit would involve interior tenant improvement to the existing 43,022 square foot tilt-up warehouse/industrial structure. Interior improvements will include the addition of a 5,279 square foot second floor addition, and a request for administrative parking relief to allow for reduced and shared off-site parking with adjacent industrial sites owned by the same property owner (complete parking discussion is in section 'c').

b) General Plan Consistency and Zoning Conformance: The General Plan land use designation for this property is Industrial: Limited. According to the Land Use Element of the General Plan and the zoning designation of Limited Manufacturing (M-L), both the zoning and land use designation are consistent. In accordance with City Code Section 16-186.1(B), a church use may be permitted if approved by special use permit provided five findings are made:

- (1) That the proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard. *This finding is made as stated above.*
- (2) That the proposed use will not adversely affect or be materially detrimental to the

adjacent uses, buildings or structures or to the public health, safety or general welfare. *Section 'c' below demonstrates that adequate parking is secured. The required tenant improvement plan check process will ensure compliance with fire and related safety requirements within the proposed building. The Fire Department did not find potentially hazardous uses in the immediate area and all businesses in the M-L zones are held to environmental performance standards that constrain exposure risks to within each respective business's building.*

- (3) That the site for the proposed project is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions. *The use would be located within an existing building that has no Code deficiencies. Section 'c' below demonstrates that the requirements for parking relief pursuant to Code Section 16-651 are satisfied.*
- (4) That the site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate. *The use would be located within an existing building served by City streets. Peak Sunday traffic would occur when the surrounding uses are either closed or operating below their normal levels.*
- (5) That the site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities. *The use would be located within an existing building that has adequate utility and fire protection connections.*

- c) Circulation and Parking:** All buildings, parking layout, vehicular ingress/egress and site improvements exist at the project site. No site changes are proposed except for the conversion of the loading (depressed) dock into an outdoor courtyard.

The church use will consist of a 1,000-seat sanctuary, office uses and classrooms totaling approximately 10,489 square feet. The classrooms and meeting rooms are limited to congregation members and Sunday school will be an ancillary use primarily used while church services are taking place. The project does not propose and was not analyzed to permit a day-to-day school or day care facility. A kitchen/dining area will be available to serve its members and will not be used to operate as a general public premise. Administrative services are expected to take place from 8:30 to 5:30 pm Monday through Thursday, and from 8:30 am to noon on Fridays. Two services (9:00 am and 11:00 am) are planned for Sunday mornings with a 30-minute parking turnover period between roughly 10:20 am and 11:50 am.

Since off-street parking requirements for industrial uses differ from church (assembly) uses, a parking study was prepared by Associated Transportation Engineers (ATE). According to the parking study the parking requirement for the 1,000 seat church sanctuary and Sunday school during the weekends is 277 parking spaces (ATE, Table 4). Parking spaces available to the church from secured shared parking agreements with three adjacent properties under

the same ownership and management as the church site total 396 parking spaces, approximately 43 percent more parking than required by City Code (ATE, Table 3). Current church attendees average about four persons per vehicle, according to Pastor Swankosky, therefore the proposed parking would accommodate about 1,500 persons, which is adequate for the sanctuary and other rooms at the expected full capacity of 1,000 persons. On weekdays, on-site parking of 107 spaces will satisfy parking demands for daytime and evening group meetings.

The City Traffic Engineer reviewed and determined the parking study to be acceptable and that shared off-site parking on four neighboring properties will adequately provide parking.

7) Appeal Procedure: In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. ATE Parking Study
- D. Notice of Exemption Form
- E. Special Use Permit Resolution

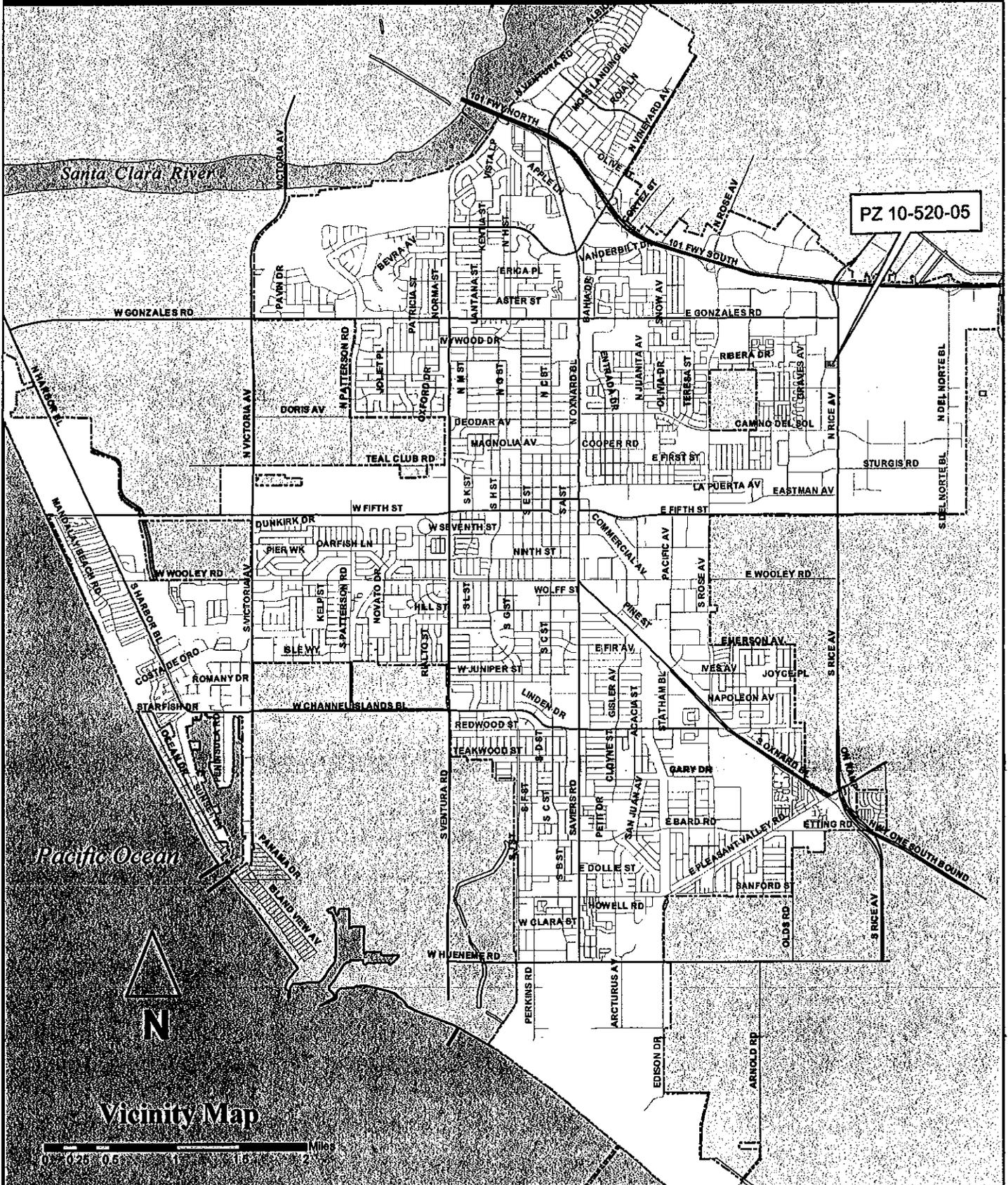
Prepared by:	
Approved by:	 SM

ATTACHMENT A

MAPS

(VICINITY, ZONING, AND GENERAL PLAN MAP)

Vicinity Map

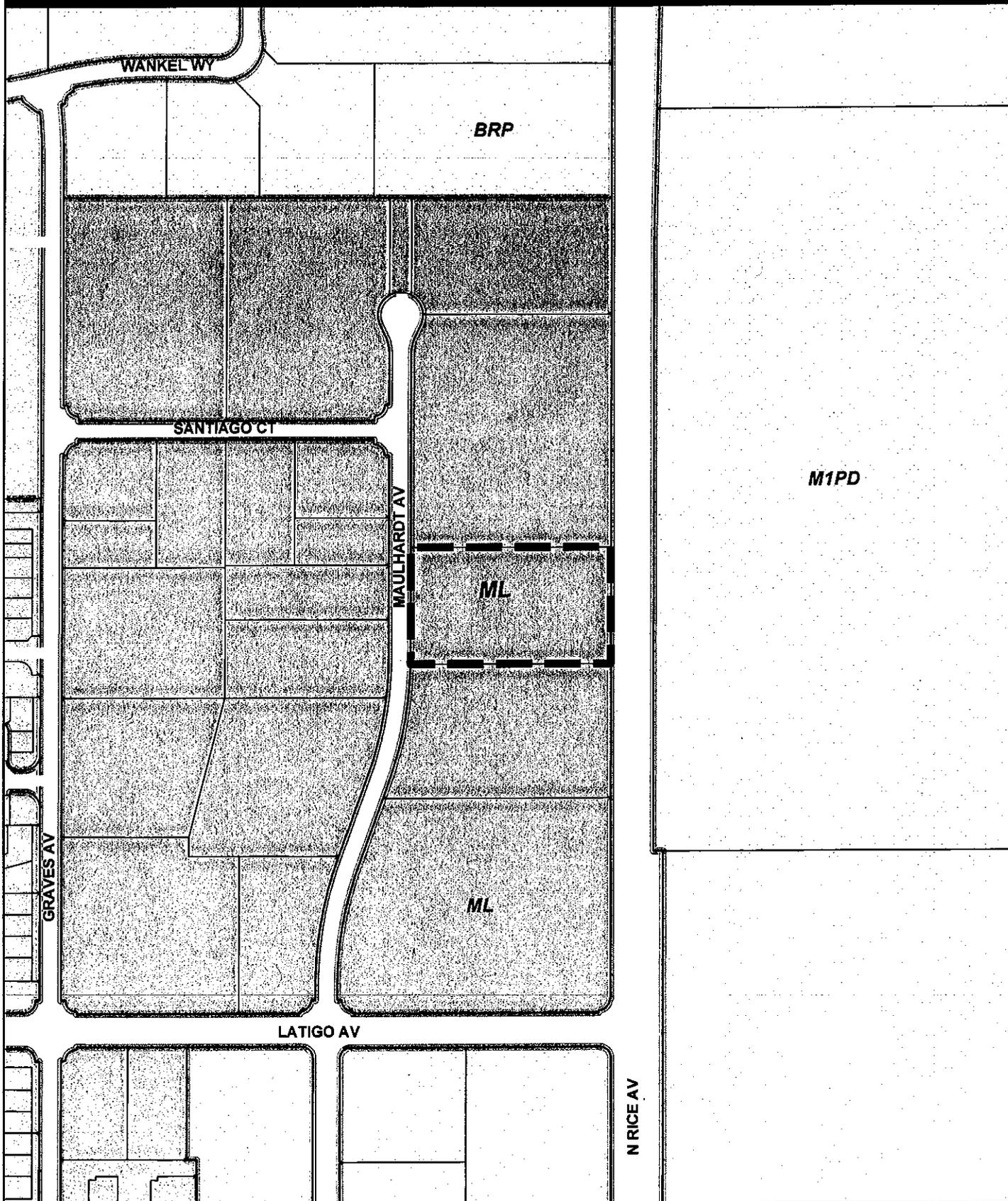


PZ 10-520-05



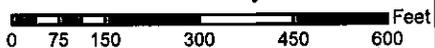
Oxnard Planning
June 28, 2010

PZ 10-520-05
Location: 1251 Rice Av
APN: 214003304
New Life Community Church



Zone Map

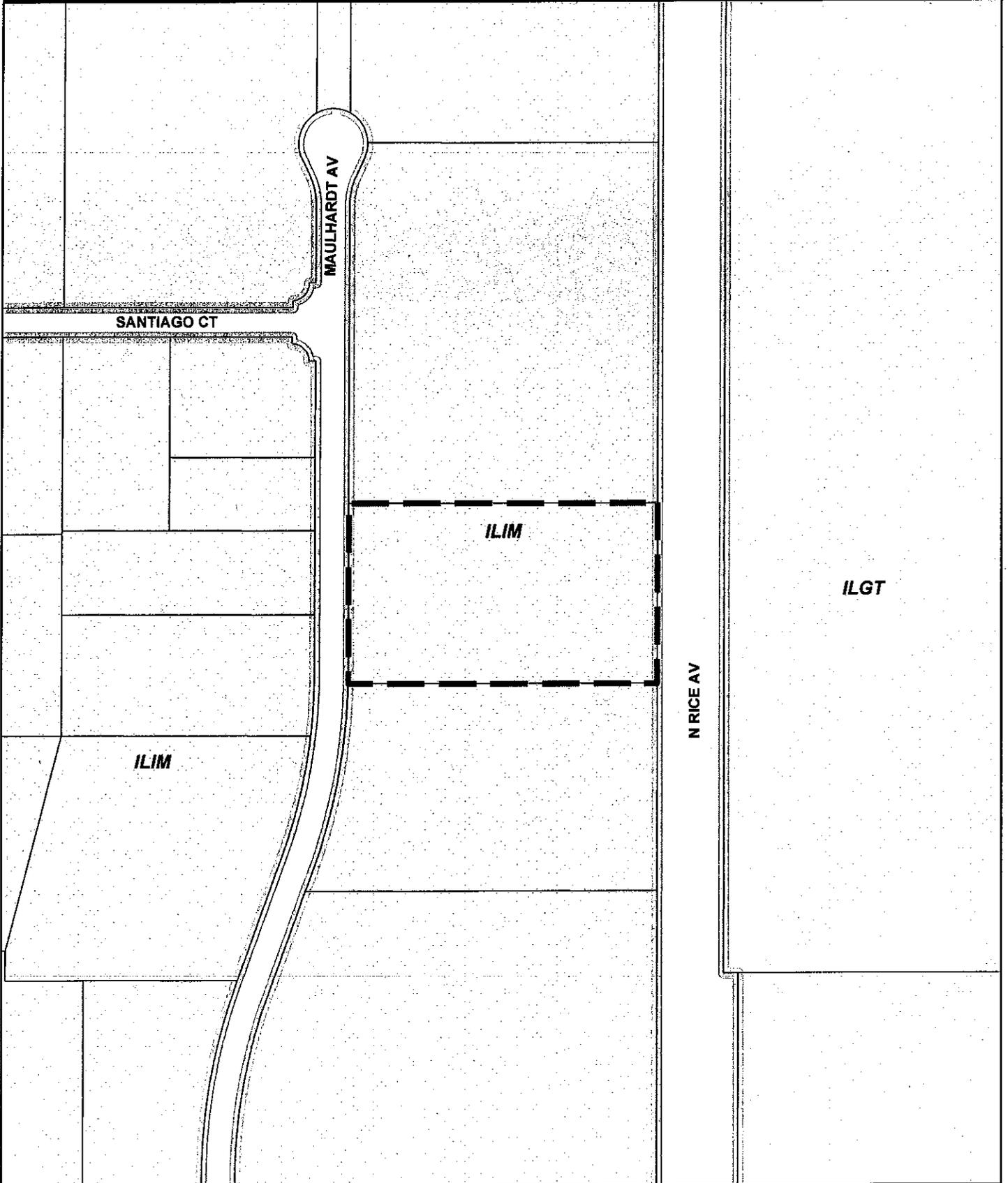
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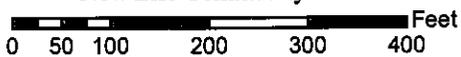


Oxnard Planning
June 28, 2010



Oxnard Planning
June 28, 2010

PZ 10-520-05
Location: 1251 Rice Av
APN: 214003304
New Life Community Church



General Plan Map



1:2,314

ATTACHMENT B

REDUCED PROJECT PLANS

ATTACHMENT C

PARKING ANALYSIS
(AUGUST 2010)



ASSOCIATED TRANSPORTATION ENGINEERS

100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8509

Richard L. Pool, P.E.
Scott A. Schell, AICP

August 4, 2010

10038L01.wpd

Chuck Swankosky
New Life Community Church
2775 North Ventura Road, Suite 201
Oxnard, CA 93036

PARKING STUDY FOR THE NEW LIFE COMMUNITY CHURCH, CITY OF OXNARD, CALIFORNIA

Associated Transportation Engineers (ATE) has prepared the following parking study for the New Life Community Church, proposed at 1251 North Rice Avenue in the City of Oxnard. The study reviews the City Zoning Ordinance parking requirements for the project, then provides an analysis of the parking based on the City's requirements and determines if the parking supply is sufficient.

PROJECT DESCRIPTION

The New Life Community Church is proposing to convert a vacant 43,022 square foot (SF) warehouse unit located at 1251 Rice Avenue into a church with office space, a sanctuary, meeting space and children's Sunday School rooms. The church employs 11 office staff members. The office hours of operation would be between 8:30 A.M. - 5:30 P.M., Monday through Thursday and 8:30 A.M. - 12:00 P.M. on Friday. On Mondays and Wednesdays, between the hours of 6:00 P.M. - 9:00 P.M., adult group meetings will be held at the church. The church sanctuary would be open on Sundays for two services. The proposed seating for the sanctuary is 1,000 seats. There will also be a children's ministry Sunday School during the morning church service. The on-site parking lot has 232 surface parking spaces. Out of the 232 surface parking spaces 107 parking spaces are allocated for the church during the daytime and evenings Monday through Friday.

The church has entered into an agreement (copies attached) with Fred Kavli to use parking in the immediate area available at 1401 North Rice Avenue (CalAmp - 72 parking spaces), 1201 North Rice Avenue (Unit B - 97 parking spaces/Records Xpress - 28 parking spaces) and 1101 Maulhardt Avenue (Clamshell - 92 parking spaces) on weekends from 7:00 A.M. - 6:00 P.M. These businesses will be closed on weekends and have not entered into joint parking agreements with any other entities. Figures illustrating the allocated off-site parking are attached. The church will have 107 on-site parking spaces from 8:00 A.M. - 5:30 P.M. Monday through Friday and a total of 396 on-site and off-site parking spaces on weekends. The off-site parking allocated to the church is illustrated on the attached figures.

The site components, hours of operation and building space for the church and the adjacent 1201 North Rice business are presented in Table 1. As illustrated in the table, the church office and the adjacent 1201 North Rice business would be expected to be open at generally the same weekday time. The church sanctuary however would be open only during the weekends, when the adjacent 1201 North Rice business is closed for the day.

**Table 1
1201-1251 Rice Avenue Building Square Footages**

Site Components	Expected Hours of Operation	Size
<u>1251 Rice Avenue:</u>		
Office	Monday - Thursday 8:30 A.M. - 5:30 P.M., Friday 8:30 A.M. - 12:00 P.M.	4,000 SF
Meeting Rooms	Monday and Wednesday 6:00 - 9:00 P.M.	5,650 SF
Sunday School	Sundays	2,700 SF
Sanctuary	Sundays	1000 Seats
<u>1201 Rice Avenue:</u>		
Warehouse	Monday - Friday 7:00 A.M. - 5:30 P.M.	43,022 SF

CITY OF OXNARD ZONING ORDINANCE REQUIREMENTS

The project is located on land zoned light industrial per the City of Oxnard. City of Oxnard Zoning Ordinance parking requirement ratios for the site components including the project are summarized below:

- Church: 1 parking space/5 seats (Sanctuary)
- Office: 1 space/250 SF
- Sunday School: 1 space/35 SF - Parking Rate based on school land use in the Zoning Ordinance

Warehousing: 1 parking space/1000 SF of gross floor area for the first 20,000 SF devoted to warehousing, plus the required parking for SF devoted to other uses.

Based on these ratios, the Zoning Ordinance parking requirements for the church during the weekday daytime and the weekend time periods were calculated as shown in the following Tables 2 and 4.

Weekday Parking Requirement

The weekday parking requirement assumes that only the church office use and the adjacent 1201 North Rice Avenue office/warehouse uses are open during daytime weekday hours.

**Table 2
City of Oxnard Zoning Ordinance Parking Requirements
Daytime Weekday Uses**

Site Components	Size	City Parking Ratio	Parking Requirement	Parking Provided
Church Office	4,000 SF	1 space/250 SF	16 spaces	107 spaces

Based on the Zoning Ordinance, the parking requirement during the daytime for the church office is 16 spaces. The data presented in Table 2 indicates that the 107 on-site parking spaces assigned to the church would accommodate the parking requirement.

Weekend Parking Requirement

The weekend parking requirement assumes that only the church sanctuary and related Sunday School is open. The adjacent 1201 North Rice Avenue business is closed on Sunday. The church will utilize parking at 1401 North Rice Avenue (CalAmp - 72 parking spaces), 1201 North Rice Avenue (Unit B - 97 parking spaces/Records Xpress - 28 parking spaces) and 1101 Maulhardt Avenue (Clamshell - 92 parking spaces) on weekends from 7:00 A.M. - 6:00 P.M. providing the church with a parking supply of 396 parking spaces. Table 3 shows the parking allocated to the church on the weekend.

**Table 3
Parking Spaces Available to Church
On Weekend**

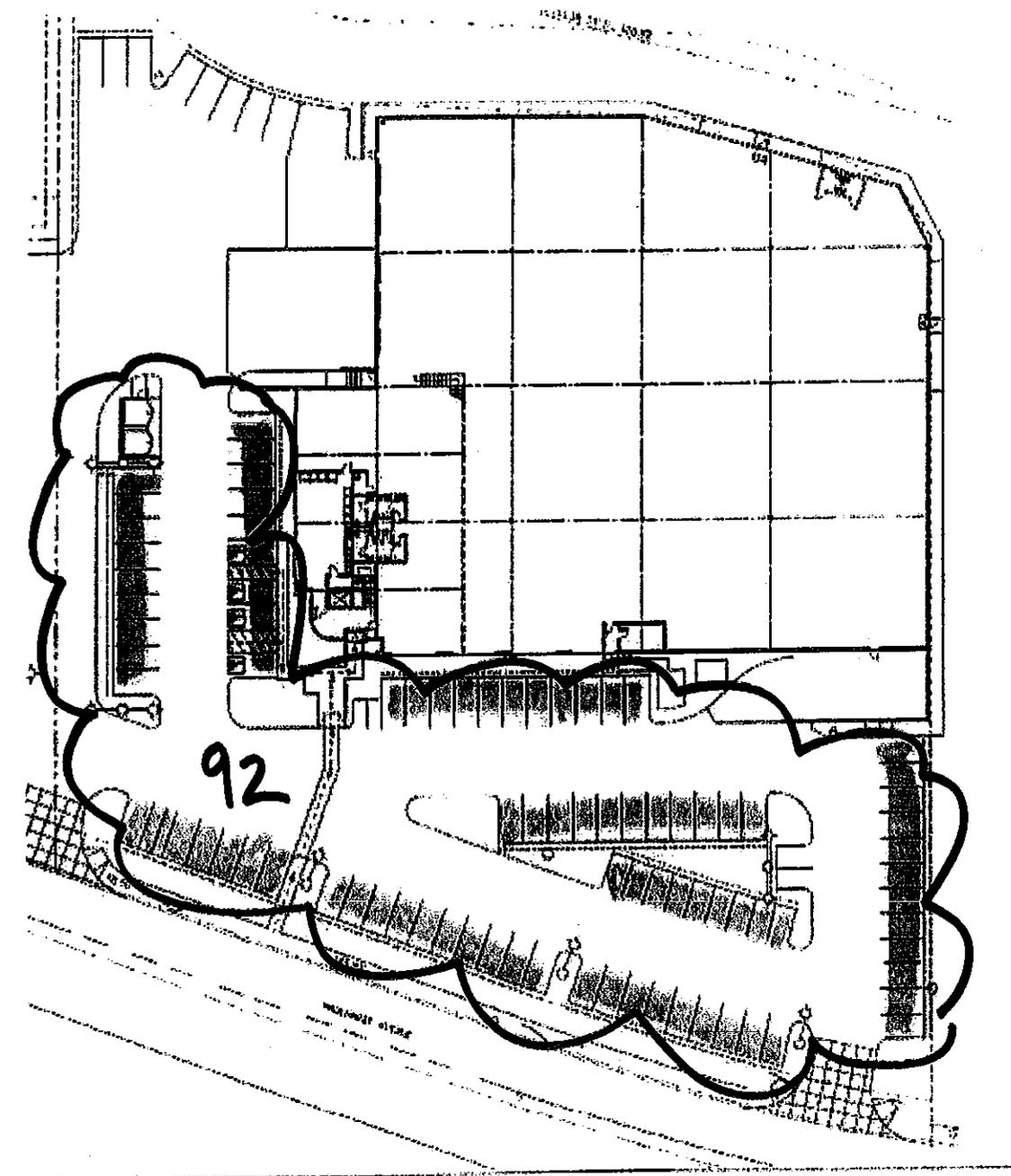
Address	Entity	Parking Spaces Available	Total Parking
1101 Maulhardt Avenue	Clamshell	92 spaces	396 spaces
1201 North Rice Avenue	Unit B	97 spaces	
1201 North Rice Avenue	Records Xpress	28 spaces	
1251 North Rice Avenue	New Life Community Church	107 spaces	
1401 North Rice Avenue	Cal Amp	72 spaces	

Based on the Zoning Ordinance, the parking requirement for the 1,000 seat church sanctuary and Sunday School during the weekends is 277 spaces. The data presented in Table 4 indicate that the 396 parking spaces would accommodate these parking requirements.

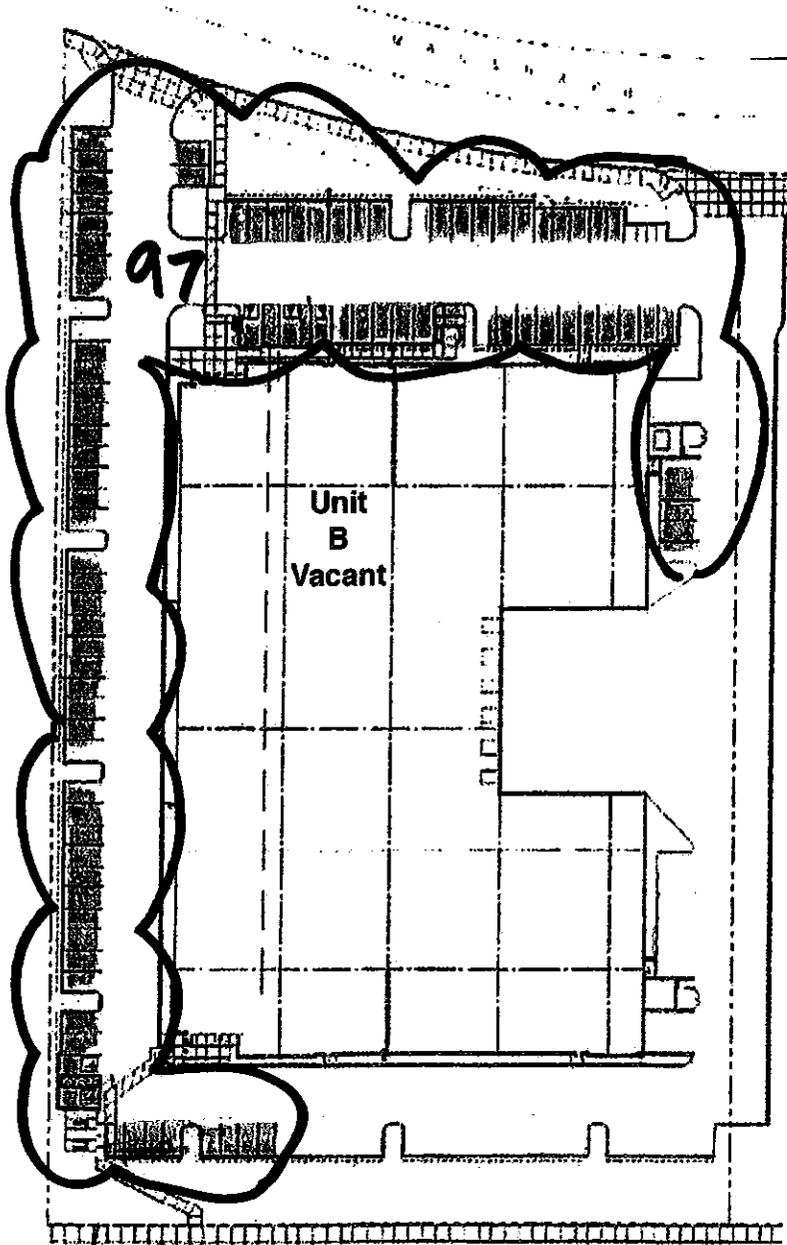
**Table 4
City of Oxnard Zoning Ordinance Parking Requirements
Weekend Uses**

Site Components	Size	City Parking Ratio	Parking Requirement	Parking Provided
Church Sanctuary	1,000 seats	1 space/5 seats	200 spaces	396 spaces
Sunday School	2,700 SF	1 space/35 SF	77 spaces	

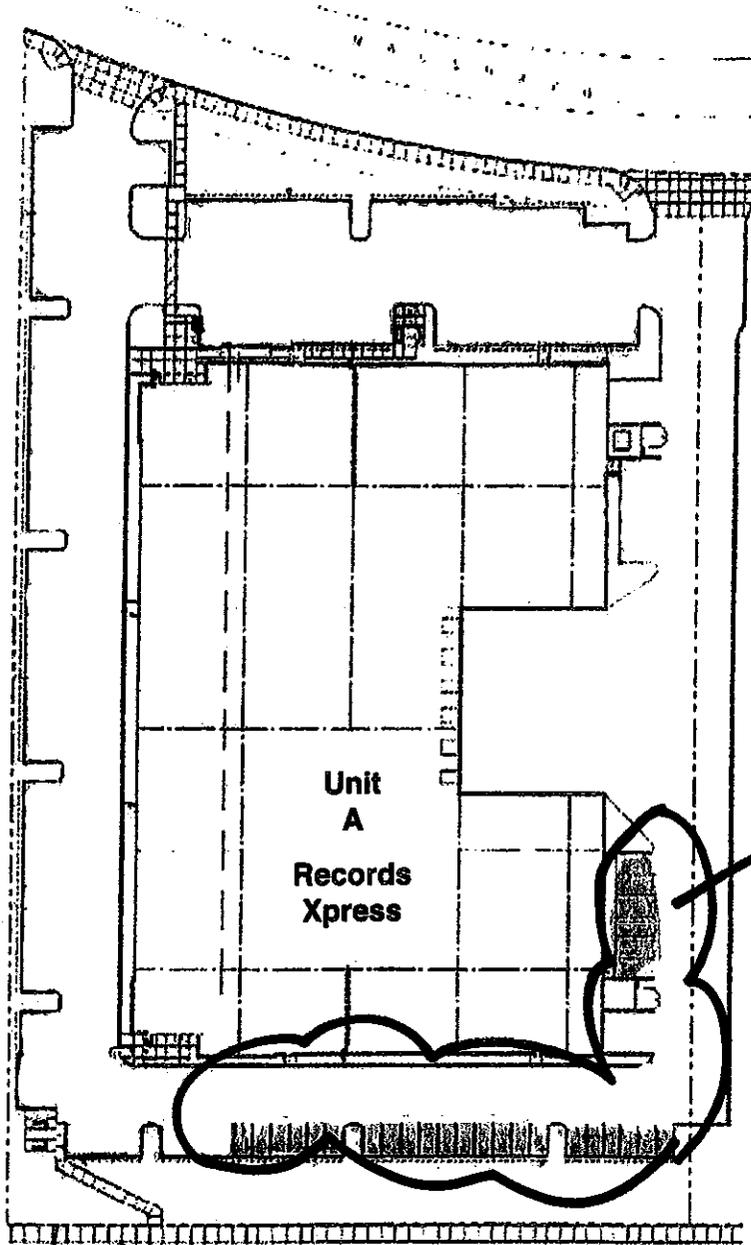
Clamshell
1101 Maulhardt Ave.
Oxnard, CA 93030
Property is West of 1251 Rice Ave.
92 Parking Spaces



Vacant Unit
1201 Rice Ave. Unit B
Oxnard, CA 93030
Adjacent Property to the South of
1251 Rice Ave.
97 Parking Spaces

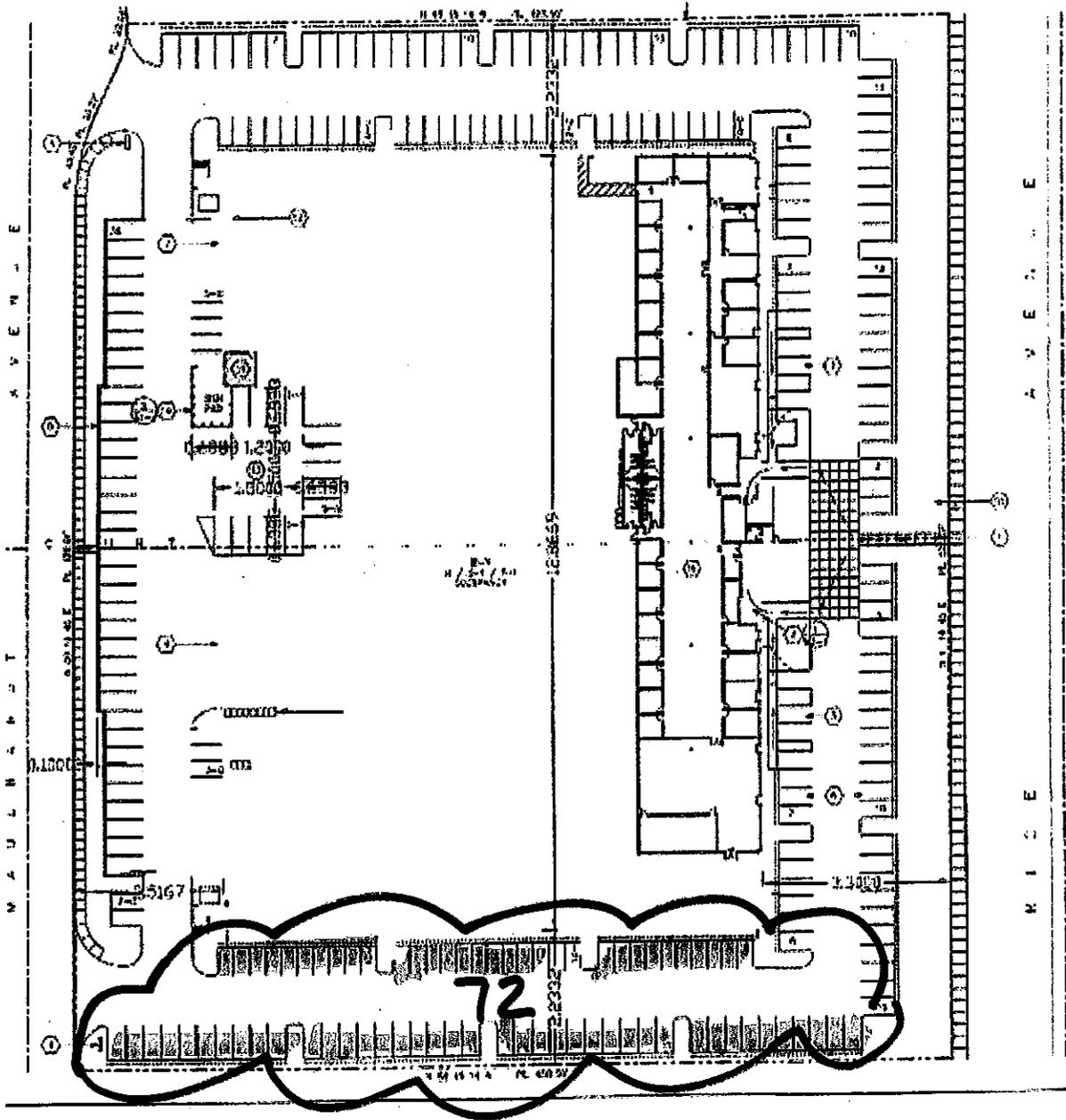


**Records Xpress
1201 Rice Ave. Unit A
Oxnard, CA 93030
Adjacent Property to the South of
1251 Rice Ave.
28 parking Spaces**



28

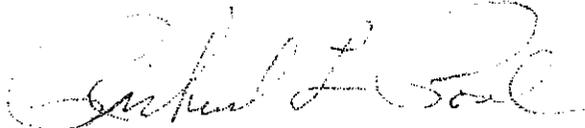
CalAmp
1401 Rice Ave.
Oxnard, CA 93030
Property North of 1251 Rice Ave.
72 Parking Spaces



Evening Adult Group Meetings

The New Life Community Church will hold adult group meetings on Monday and Wednesday evenings from 6:00 P.M. to 9:00 P.M. The estimated parking demand for the evening group meetings is based on an average vehicle occupancy of 1.5 persons per vehicle. The church is estimating approximately 100 attendees each night. The estimated parking demand for the group meetings would be 67 parking spaces. The 107 parking on-site spaces available to the church would satisfy the parking requirement for evening group meetings.

Associated Transportation Engineers



By: Richard L. Pool P.E.
President



RLP/DFN/wp

Attachments: Project Site Plan
Locations of Off-Site Parking Spaces
Allocated Off-Site Parking Spaces
Parking Agreements

ATTACHMENT D

NOTICE OF DETERMINATION



NOTICE OF EXEMPTION

Project Description:

Planning and Zoning Permit Nos. 10-520-05, a special use permit to improve an existing 43,022 square foot warehouse/manufacturing tilt-up building for use as a church (1,000 seat sanctuary) with accessory uses (Sunday school classrooms, office, lobby, and kitchen/dinning area). The project includes a 5,279 square foot second floor addition, and a request for administrative parking relief to allow shared parking with adjoining properties in accordance with Section 16-651 (B) (1) of the Oxnard City Code. The project site is located at 1251 North Rice Avenue. Filed by Chuck Swankosky with New Life Community Church, 2775 North Ventura Road, Suite 201, Oxnard, CA 93036.

Finding:

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

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

Supporting Reasons:

In accordance with Section 15332 of the California Environmental Quality Act (CEQA) Guidelines, projects involving existing facilities where there is negligible or no expansion of use may be found to be exempt from the requirements of CEQA. This proposal would not affect approved occupancy levels and would only amend an existing special use permit condition prohibiting alcohol availability. Based on the above exemption and in accordance with CEQA, the Planning Manager has determined that there is not substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed

(Date)

Susan L. Martin, AICP
Planning Division Manager

ATTACHMENT E

SPECIAL USE PERMIT RESOLUTION

RESOLUTION NO. 2010-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 10-520-05 (SPECIAL USE PERMIT), TO ALLOW A CHURCH WITH ACCESSORY USES AND A REQUEST FOR ADMINISTRATIVE PARKING RELIEF TO ALLOW SHARED PARKING WITH ADJOINING PROPERTIES IN ACCORDANCE WITH SECTION 16-651 (B) (1) OF THE OXNARD CITY CODE. FILED BY ASSOCIATE PASTOR CHUCK SWANKOSKY, NEW LIFE COMMUNITY CHURCH, 2775 N. VENTURA ROAD, SUITE 201, OXNARD, CA 93036.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 10-520-05, a special use permit which includes administrative relief from the parking requirements of the City Code, filed by Associate Pastor Chuck Swankosky with New Life Community Church in accordance with Section 16-530 through 16-553 and Section 16-651 of the Oxnard City Code; and

WHEREAS, Section 15301 of Title 14 of the California Code of Regulations exempts existing facilities from the requirements for the preparation of documents imposed by the California Environmental Quality Act; and

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

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

WHEREAS, the application includes an application for administrative relief pursuant to Section No. 16-651 (B) (1) of the Oxnard City Code, to allow the use of 289 off-site parking spaces within four adjacent industrial properties; and

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves this permit subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

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. This permit is granted for the plans dated August 19, 2010, (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning Division (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 24 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements, or the beginning of the proposed use. (PL, *G-3*)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows

Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Developer's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, G-6)
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
9. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
10. 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)
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
13. 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)
14. 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)

15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, G-15).

PLANNING DIVISION STANDARD CONDITIONS

16. The final building plans submitted by Developer with the building permit application shall depict on the building elevation sheets all building materials and colors to be used in construction. (PL/B, PL-1)
17. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, PL-2)
18. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, PL-3)
19. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, PL-4)
20. Developer acknowledges that because of population limitations placed on the City by the Air Quality Management Program, approval of this permit does not guarantee that the City will issue building permits. The City's issuance of building permits may be delayed as a result of implementation of an air quality plan. (PL, PL-5)
21. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, PL-7)
22. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B, PL-41)
23. Developer shall install toilets that have automatic flush sensors in all public restrooms. Such toilets shall be included on the plans submitted for a building permit and shall be maintained and in working order at all times. (PL, PL-44)
24. Developer shall install individual mirrors above each sink in a public restroom to the satisfaction of the Planning Division Manager. The details of such mirrors shall be approved prior to issuance of a building permit. Developer shall remove graffiti from the mirrors or replace the mirrors within 24 hours of graffiti appearance. (PL, PL-45)

PLANNING DIVISION SPECIAL CONDITIONS

25. Sunday school and all other activity rooms associated with the church use shall be limited to ancillary uses directly related to the "primary" church use. Modifications or a request to operate a full-time school or day care shall require a modification to this permit to evaluate the extent of use and any potential impacts. (PL)
26. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
27. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)
28. Prior to the issuance of a certificate of occupancy for the assembly use, Permittee shall provide a written parking agreement in the form on file with the City Clerk that is executed by all landowners and tenants affected by the shared parking agreement. The agreement shall specify that the City is a third- party beneficiary to the agreement and shall state that the user agrees to vacate the use within 12 months if a landowner or tenant should amend or terminate the agreement so that the user no longer has sufficient parking to satisfy the parking requirements in effect at the time the agreement was accepted by the City. The parking agreement shall include and provide for a minimum of 277 parking stalls as provided by the parking study to assure the continued availability for on and off-site parking for the life of the use. (PL/DS)

ENVIRONMENTAL RESOURCES DIVISION

29. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.
30. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling Plan" and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the "City of Oxnard C&D Environmental Resources Management &

Recycling Report For Work Completed” (“Work Completed Report”) and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility’s letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.

31. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling to an authorized facility.
32. Developer shall make provisions to divert at least 50% of the waste material generated during occupancy through source reduction, recycling, reuse, and green waste programs. Developer shall complete and submit a “City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Plan” (“Occupancy Plan”) to the City’s Environmental Resources Division. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. A “City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Report” shall be submitted to the Environmental Resources Division annually on the anniversary date of the certificate of occupancy for approval.
33. 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.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of August, 2010, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Randall Elliott, Chair

ATTEST: _____
Christopher Williamson, Secretary