



**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Christopher Williamson, AICP, Principal Planner

DATE: November 15, 2012

SUBJECT: Planning and Zoning Permit Nos. 11-300-04 (Tentative Parcel Map) and 11-500-11 (Special Use Permit), Located at 1950 Williams Drive, Oxnard.

- 1) Recommendation:** That the Planning Commission:
 - a)** Adopt a resolution approving PZ 11-500-11 (Special Use Permit), subject to certain findings and conditions.
 - b)** Adopt a resolution recommending that the City Council approve PZ 11-300-04 (Tentative Parcel Map), subject to certain findings and conditions.

- 2) Project Description and Applicant:** Subdivision of a 12.64 acre parcel located at 1950 Williams Drive into three parcels: Parcel 1 (7.47 acres) retains an occupied 94,607 square foot industrial building and associated parking; Parcel 2 (3.79 acres) retains a vacant 66,019 square foot industrial building and removes two vacant office buildings totaling 14,468 square feet; and Parcel 3 (1.38 acres) removes a 32,836 square foot office building that straddles Parcels 2 and 3. Filed by RIF III Williams, LLC c/o Rexford Industrial, 11620 Wilshire Blvd., Suite 300, Los Angeles, CA 90025.

- 3) Existing & Surrounding Land Uses:** The 12.64 acre site is a single parcel (APN: 213-0-031-480) on the northeast corner of East Gonzales Road and Williams Drive, extending 628 feet along East Gonzales Road and 635 feet along Williams Drive.

LOCATION	ZONING	2030 GENERAL PLAN	EXISTING LAND USE
Project Site	BRP	Business Research Park	Light Industrial and office (vacancies)
North	BRP	Business Research Park	Auto sales and servicing (CarMax)
South	R-3-PD	Residential Medium	Artisan Apartments (under construction)
East	BRP	Business Research Park	Medical offices, bank
West	BRP	Business Research Park	Offices/ Light Industrial

4) Background Information: Planned Development Permit No. 79 approved initial development of this manufacturing campus in 1969 for Falcon Plastics. In January of 1982, Zone Change No. 684 approved a change from M-1-PD (Light Manufacturing - Planned Development) to M-L-PD (Limited Manufacturing - Planned Development). In 1991, the 2101 East Gonzales Road building and its parking was approved as a 2.3 acre separate parcel and remodeled into the Kaiser Permanente medical office building, which is not part of the current project. In 2007, the

Planning Commission approved a Special Use Permit, Subdivision Tract Map, and Zone Change from M-L-PD to BRP for the reuse of the two industrial buildings, demolition of three office buildings, and construction of six new buildings with a total of 46 office condominiums (PZ 06-500-23, 06-300-17, and 06-570-03, respectively). The zone change became effective in October, 2007 (Ordinance No. 2753). In 2008, a Minor Modification was approved for a façade change. The 2007 project and tract map did not proceed and the permits have expired.

- 5) Environmental Determination:** The requested actions do not include new development on Parcels 2 and 3, development is anticipated after these two parcels are sold and the new owners seek entitlements for their respective uses. As replacement development is foreseeable with approval of the subdivision and removal of three buildings, the California Environmental Quality Act (CEQA) requires the CEQA project description to include the foreseeable replacement development.

In accordance with Sections 15302 and 15315 of the State CEQA Guidelines, projects involving “replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure(s) replaced” and “division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to proposed parcels to local standards are available,” respectively, may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA).

This proposal involves reuse of two existing building structures totaling 160,626 square feet, demolition of three existing vacant buildings totaling 47,304 square feet, and replacement of the demolished buildings with new development with substantially the same purpose and same or less capacity in compliance with the BRP zone designation, BRP development standards, and requiring either a subsequent Special Use Permit or Development Design Review permit with appropriate additional CEQA review and uniformly applied development policies. In addition, in accordance with Section 15268 of the State CEQA Guidelines, the issuance of permits to demolish the designated buildings is a ministerial act that is, by itself, exempt from the requirements of CEQA. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (see Attachment D).

6) Analysis:

- a) General Discussion:** The application was filed in September, 2011. Two existing large industrial buildings would remain, one each on Parcels 1 and 2, and three existing office buildings would be demolished on Parcels 2 and 3. The demolition of the office buildings allow for driveways, parking, and other improvements for future investor/operators. The tentative parcel map and demolitions create a 1.38 acre vacant site with Gonzales Road frontage (Parcel 3) that is large enough for a new BRP commercial building of 10,000 to 15,000 square feet, depending on setbacks, use, and parking. Future development will be

subject to the BRP use regulations, BRP development standards, and appropriate CEQA review. Conditions of approval are included to ensure adequate interim management of the vacant building and grounds (Parcels 2 and 3).

b) General Plan Consistency: The City’s 2030 General Plan BRP land use designation allows for a variety of “Professional, administrative, research, and limited manufacturing uses along with limited commercial activities intended to support such uses...” (pg. 3-16) Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed project. The three consistency classification levels are:

- I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).
- II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).
- III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

The table below presents 2030 General Plan policies and finds that the project is consistent with the policies shown (policies may include other situations as well).

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
CD-1.2	I	Infill Development, Priority to Mixed Use Promote the efficient use of larger vacant parcels and vacant areas of the City by encouraging infill development, with a priority to mixed uses that reduce vehicle trips and GHG emissions and promote sustainable development goals and objectives.	The project is a large parcel with vacant buildings located within an established commercial area along a major arterial. The BRP zone allows a variety of industrial and commercial uses, including the possible use of Parcel 3 for convenience retail for the residential uses south of the project site and/or motorists on Gonzales Road or in nearby businesses. The reuse of the buildings would bring jobs and economic activity to an area that has been vacant for over five years.
CD-1.3	I	Redevelopment to Mixed Use Promote the renovation and adaptive reuse of existing buildings, especially to mixed use if appropriate, in order to provide commercial convenience shopping in established neighborhoods.	
CD-4.2	I	Commercial Revitalization and Redevelopment Encourage upgrading, beautification, revitalization, and appropriate reuse of existing commercial areas and shopping centers and, especially within redevelopment project areas, continue to develop and implement programs that link commercial areas with their adjoining neighborhoods and increase overall jobs, sales and property valuation.	
CD-5.3	I	Available Services Encourage industrial activities to locate where municipal services are available including adequate storm drainage and water facilities, as	City and utilities currently serve the project site.

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
		well as easy access to multiple modes of transportation.	
CD-9.2	I	Revitalization and Redevelopment As part of the City's redevelopment programs and planning, promote the revitalization of residential, commercial, and industrial properties that are deteriorated or detract from the visual quality of the City.	The project is a private redevelopment of a mostly vacant industrial complex that will improve the visual quality once fully developed and occupied.
CD-14.1 CD-14.2 CD-14.3 ICS-9.2 ICS-11.10 ICS-20.8 ER-10.1 ER-14.1 SH-1.3	II	Design Review Process Development Advisory Committee Functions Quality of Design Development Has Adequate Parking Water Supply Findings for Smaller Projects Development Review Promote Native and Water Wise Plants Incorporate VC APCD Mitigations Building Code Standards	The Development Advisory Committee (DAC) review process led to changes in the project and/or conditions of approval that meet these Level II policies.
All others	III	All policies not listed above	Assumed consistent

c) Conformance with Zoning Development Standards: The proposed development is located in the Business Research park (BRP) zone district. Applicable development standards of the BRP zone are compared with the proposed project and included as Attachment E. With the approval of the concurrent special use permit (PZ 11-500-11), the subdivision conforms to the BRP zone standards. No building or structure permits may be issued without either a special use permit (SUP) or development design review permit (DDR) and are subject to safety and nuisance prevention performance standards (Code §16-181 and 182). Examples of BRP district uses that require a DDR permit are medical office, restaurant, distribution and warehousing, private trade school, light manufacturing and assembly, and day care. Examples of BRP district uses that require a SUP are drive-through restaurant, alcohol sales, service station, convenience market, and outdoor storage (Code §16-176-177). All new development or remodeling must comply with architectural, site design, landscaping, utility, wall and fence, signage, and loading and outdoor storage development design standards (Code §16-180).

d) Site Design: The site is fully developed as shown in the aerial and site photos (Attachment C). The site layout and warehouse structure on Parcel 1 would remain unchanged. Parcels 2 and 3 would require subsequent permits to be redeveloped including new parking, driveways, and one or more commercial or industrial buildings consistent with BRP development standards. Special Planning Condition No. 49 (within both resolutions) requires the applicant to "...submit a site plan for all three parcels showing proposed site improvements, landscaping, drive aisles, parking lots, and conceptual development of commercial building(s) on Parcel 2 and/or Parcel 3 to the Planning Manager for the Planning Manager's review and confirmation that the overall site plan has safe and adequate fire department access, parking for typical Business Research Park uses, and Code compliant landscaping that incorporates applicable conditions herein" prior to recordation of the final

map.

- e) **Circulation and Parking:** Access from Williams Drive to Parcel 1 and its parking lot would remain unchanged. Access to Parcels 2 and 3 would be from Williams Drive. Future development may allow a new right-in/right-out driveway on Gonzales Road. Parcels 2 and 3 may require a shared parking lot and driveways.
 - f) **Building Design:** The Parcel 1 industrial building and parking remains unchanged. The Parcel 2 industrial building would remain: subsequent development would allow the building to be reconfigured or remodeled, subject to BRP and related design standards and guidelines. Special Planning Condition No. 50 (within both resolutions) requires, prior to recordation of the Final Map, the applicant to complete an interim façade treatment of all Parcel 2 building wall areas that are visible from Gonzales Road or Williams Drive exposed, or will be exposed, by demolition of the three structures. Interim façade treatment, which may require a minor modification permit, may range from painting an exposed wall to match the rest of the elevation to construction of a new façade. Landscaping in combination with façade improvements may be considered if demonstrated that exposed walls will not be visible to the public. This condition may be waived if a subsequent project planning and/or building permit is filed in conjunction with, or prior to, recordation of the Final Map, but only for walls that would be subsequently covered or reconstructed by the subsequent proposed project. Parcel 3, fully vacant after removal of the office building straddling the Parcel 2/Parcel 3 lot line, will require a subsequent planning permit for a new building consistent with BRP development and parking standards.
 - g) **Signs:** Special Condition No. 51 requires that the Developer remove signage not associated with an active licensed business and/or sale or marketing of the project and repair the exposed underlying structure to substantially match the surrounding façade. Developer shall provide evidence that remaining signs have appropriate sign permits, or will obtain permits if there is no approved permit on file.
 - h) **Landscaping and Open Space:** A condition of approval requires landscaping on Parcel 1 to be brought into compliance with PD 79. Landscape Conditions of Approval require the applicant to inventory the value of existing trees removed during demolition. Future development will require the value of these trees to be put back into the project landscaping. Future development will also require improvement of the frontage landscaping along Williams Drive and Gonzales Road and maintenance of existing landscaping on Parcels 2 and 3 during the interim sales and subsequent development planning and approval period.
- 7) **Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on April 25, 2012. Recommendations of the DAC are included in the attached resolution(s). DAC members tailored their conditions to this unique situation.
- 8) **Community Workshop:** A Community Workshop was not required as the project is not

within an established residential neighborhood and no new development or uses are proposed as part of this permit.

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

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Photographs of the Existing Site and Structures
- D. CEQA Exemption
- E. BRP Zoning Conformance Table
- F. Subdivision Parcel Map Resolution
- G. Special Use Permit Resolution

Prepared by: _____ CW
Approved by: _____ SM

Attachment A

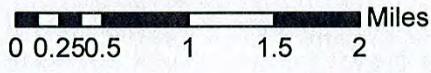
Maps (Vicinity, General Plan, Zoning)

Vicinity Map

PZ 11-300-04

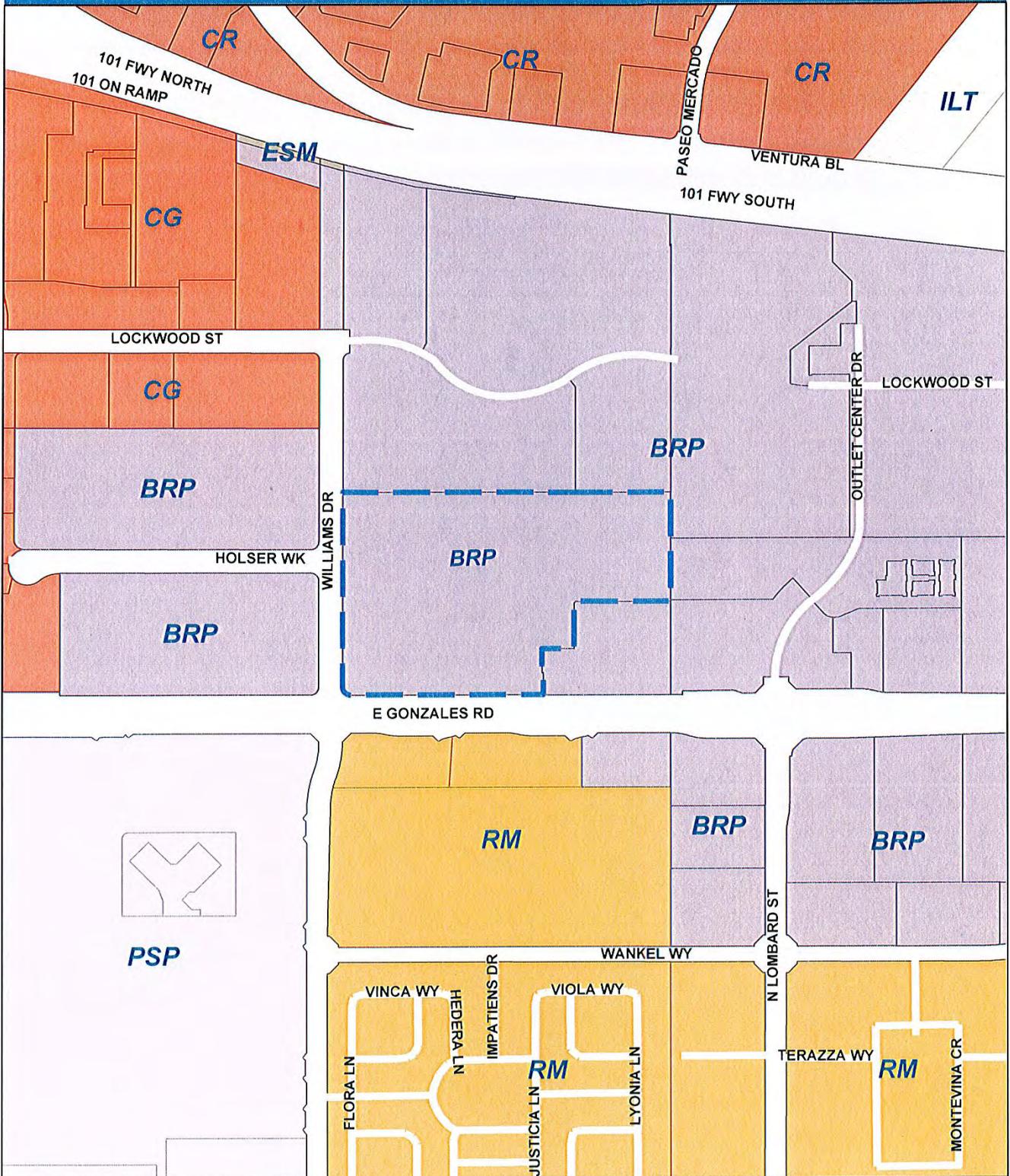


Vicinity Map



PZ 11-300-04
 Location: 1950 Williamson Dr
 APN: 213003148
 RIF III Williams, LLC

General Plan Map



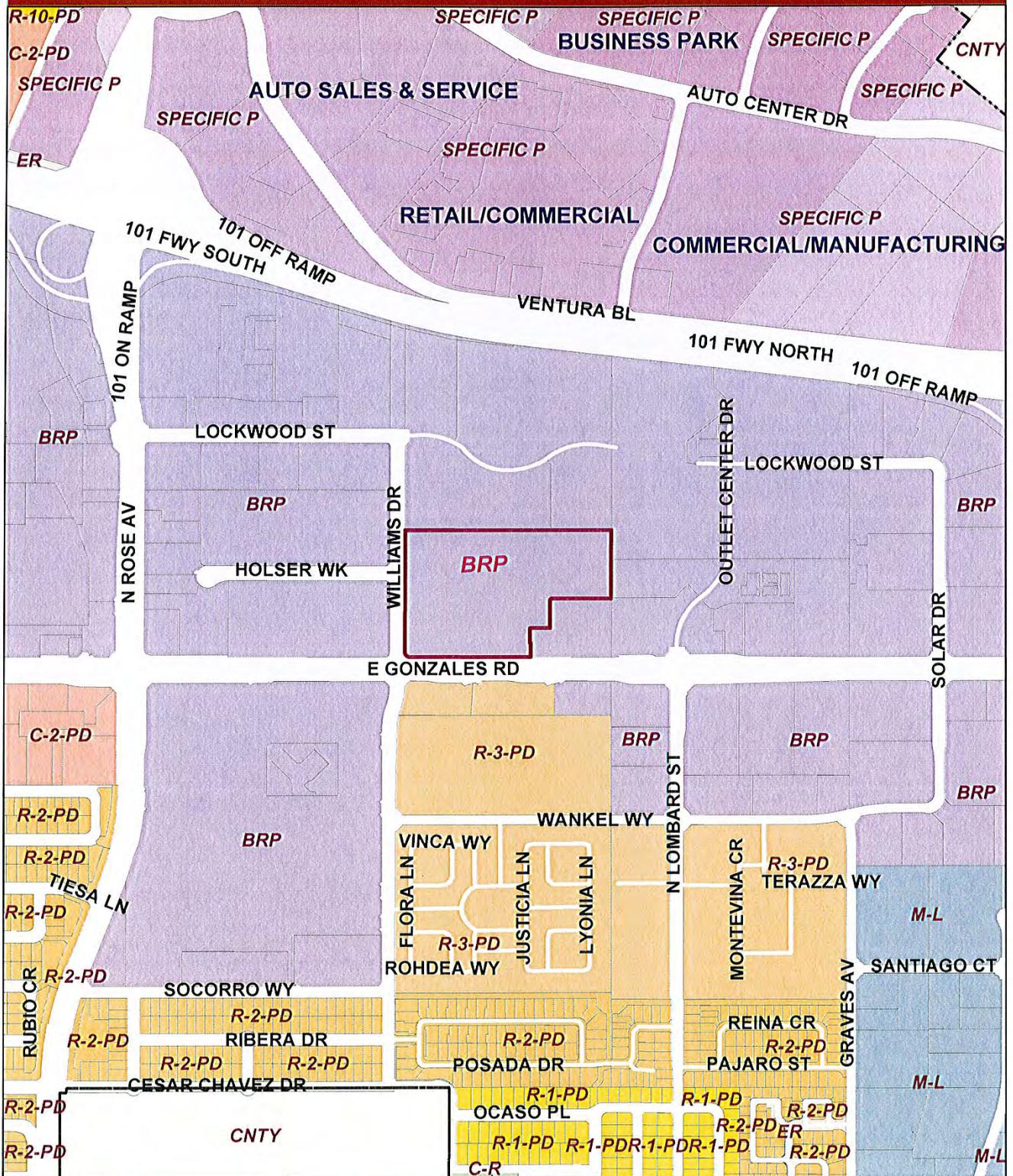
PZ 11-300-04
 Location: 1950 Williamson Dr
 APN: 213003148
 RIF III Williams, LLC

0 100 200 400 600 800 Feet

General Plan Map



Zone Map



PZ 11-300-04
 Location: 1950 Williamson Dr
 APN: 213003148
 RIF III Williams, LLC

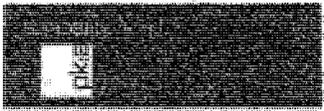
0 150 300 600 900 1,200 Feet

Zone Map



Attachment B

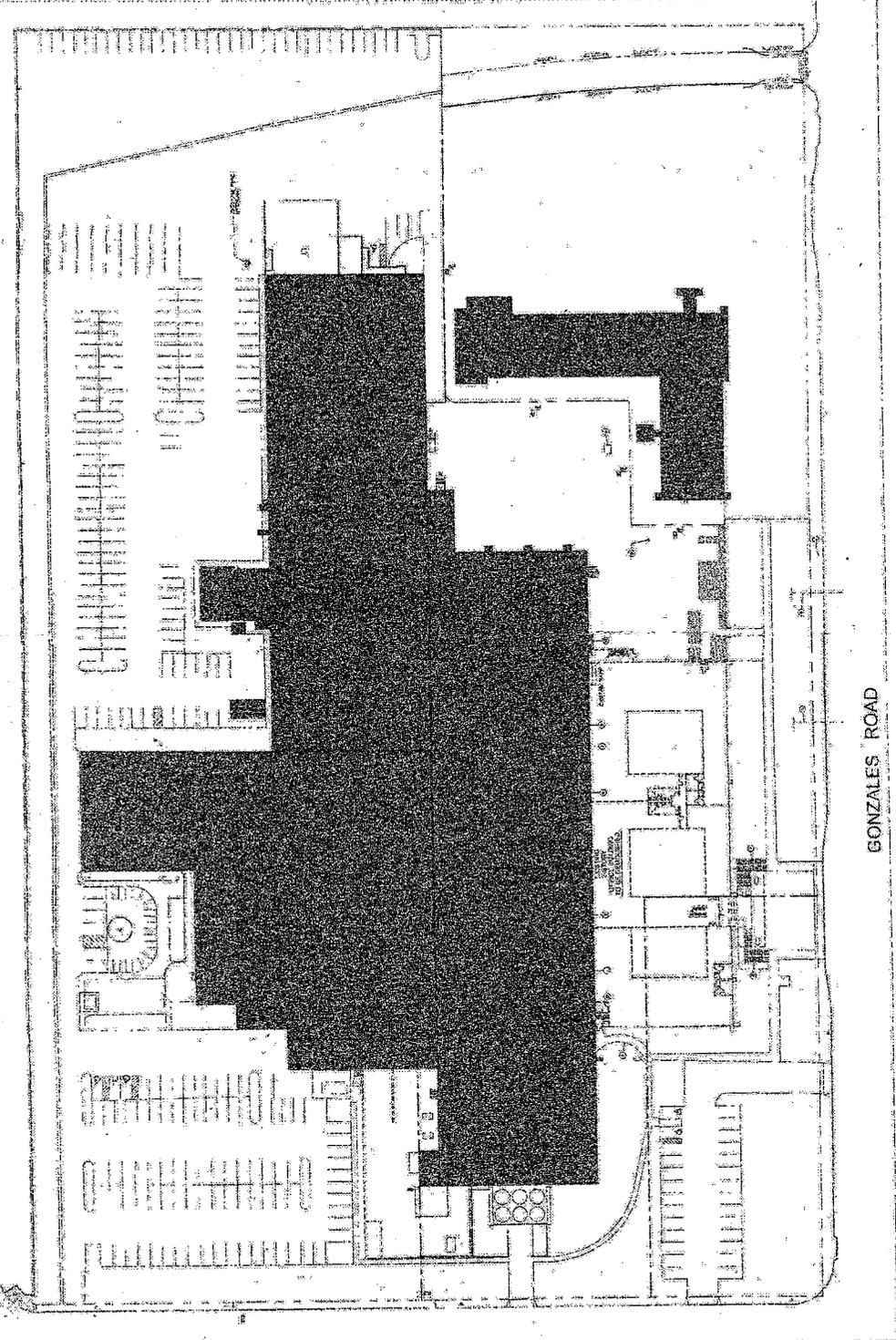
Reduced Project Plans



AGENCIJA ZA VEŠTAČENJE I PROJEKTOVANJE
 WILLIAMS DRIVE
 OFFICE/INDUSTRIAL REDEVELOPMENT
 1999 Williams Drive Grand Coliseum 80088

DATE: 01/11/2011
 PROJECT: WILLIAMS DRIVE OFFICE/INDUSTRIAL REDEVELOPMENT
 SHEET: 01 OF 02
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

AGENCIJA ZA VEŠTAČENJE I PROJEKTOVANJE
 WILLIAMS DRIVE
 OFFICE/INDUSTRIAL REDEVELOPMENT
 1999 Williams Drive Grand Coliseum 80088



- LEGENDA
- 1. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 2. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 3. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 4. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 5. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 6. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 7. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 8. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 9. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 10. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 11. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 12. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 13. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 14. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 15. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 16. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 17. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 18. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 19. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE
 - 20. PLOŠTA ZA VEŠTAČENJE I PROJEKTOVANJE

GONZALES ROAD

1999 WILLIAMS DRIVE

Attachment C

Photographs of the Existing Site and Structures

EXISTING AERIAL



1-3 Buildings to be removed



View Northeast from corner of Williams Drive and Gonzales Road.



View southeast from northwest corner of Parcel 1



View east in middle of Williams Drive frontage



View from Gonzales Road of building to be demolished on Parcels 2 and 3

Attachment D
CEQA Exemption

Planning Division

214 South C Street
Oxnard, CA 93030
(805) 385-7430
Fax (805) 385-7595
www.ci.oxnard.ca.us



NOTICE OF EXEMPTION

Project Description:

PLANNING AND ZONING PERMIT NOS. 11-500-11 (Special Use Permit) and 11-300-04 (Tentative Parcel Map): Subdivision of a 12.64 acre parcel located at 1950 Williams Drive into three parcels: Parcel 1 (7.47 acres) retains an occupied 94,607 square foot industrial building and associated parking; Parcel 2 (3.79 acres) retains a vacant 66,019 square foot industrial building and removes two vacant office buildings totaling 14,468 square feet; and Parcel 3 (1.38 acres) removes a 32,836 square foot office building that straddles Parcels 2 and 3. Filed by RIF III Williams, LLC c/o Rexford Industrial, 11620 Wilshire Blvd., Suite 300, Los Angeles, CA 90025.

Finding:

The Planning and Environmental Services 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, Section 15270]
- No Possibility of Significant Effect [CEQA Guidelines, Section 15061(b)(3)]

Supporting Reasons:

The requested actions do not include new development on Parcels 2 and 3, development is anticipated after these two parcels are sold and the new owners seek entitlements for their respective uses. As replacement development is foreseeable with approval of the subdivision and removal of three buildings, the California Environmental Quality Act (CEQA) requires the CEQA project description to include the foreseeable replacement development.

In accordance with Sections 15302 and 15315 of the State CEQA Guidelines, projects involving “replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaces and will have substantially the same purpose and capacity as the structure(s) replaced” and “division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available,” respectively, may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA).

This proposal involves reuse of two existing building structures totaling 160,626 square feet, demolition of three existing vacant buildings totaling 47,304 square feet, and replacement of the demolished buildings with new development with substantially the same purpose and same or less capacity in compliance with the BRP zone designation, BRP development standards, and requiring either a subsequent Special Use Permit or Development Design Review permit with appropriate additional CEQA review and uniformly applied development policies. In addition, in accordance with Section 15268 of the State CEQA Guidelines, the issuance of permits to demolish the designated buildings is a ministerial act that is, by itself, exempt from the requirements of CEQA. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment

Date

Signed original with Planning Division

Susan L. Martin, AICP
Planning Manager

Attachment E

BRP Zoning Conformance Table

PZ 11-300-04 Tentative Parcel Map 5760 1950 Williams Drive, Oxnard, CA Plans dated 1/4/2012

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES or CONDITIONED
Min. lot area	20,000 sf	Parcel 1: 325,389 sf Parcel 2: 164,977 sf Parcel 3: 59,999 sf	Parcel 1: Yes Parcel 2: Yes Parcel 3: Yes
Min. lot width	Interior lots: 100 feet Corner lots: 150 feet	Parcels 1 and 2 exceed 100 ft. Parcel 3 is corner lot 150 X 400	Parcel 1: Yes Parcel 2: Yes Parcel 3: Yes
Min. lot depth	150 feet	Parcels 1 and 2 exceed 150 ft. Parcel 3 lot depth is 150 ft	Parcel 1: Yes Parcel 2: Yes Parcel 3: Yes
Max. building height	35 feet (additional by SUP)	Parcels 1 and 2 existing buildings are under 35 ft in height , equipment screening may exceed 35 ft.	Parcel 1: Yes Parcel 2: Yes Parcel 3: Subsequent development subject to this development standard.
Setbacks	Front: - 30 feet, 40 when abutting a thoroughfare Side – height of building (or as approved with SUP) Rear – 20 feet From residential zone- 100 feet.	Parcel 1 Front = 220ft (Williams Dr) N side = 130 ft S side = 0 feet Rear = 190 ft Parcel 2 Front = 90 ft (Williams Dr) N side = 0 feet S side = 25 ft Rear = 120 ft Parcel 3 has no structure.	Parcels 1 and 2 comply, with approval of SUP (PZ 11-500-11) reducing allowing no side setback where buildings abut. Parcel 3: Subsequent development subject to this development standard.
Parking Requirements	City Code applies. Parking depends on the actual end use. In the BRP, three uses are common: Research and Development (1 space/350 sf), Offices and Commercial (1 space/250 sf) and Medical Offices (1 space/200 sf)	Parcel 1: building is R&D 94,607 sf, 270 parking spaces required, 285 spaces provided. Parcel 2: building is 66,019 sf Unknown amount of parking to be developed in demolition areas Parcel 3: Vacant lot, parking to be developed with any new project.	Parcel 1: Yes. Parcels 2 and 3: Subsequent development subject to comply with parking requirements or have approved parking relief.
Max. lot coverage	40% of total lot area	Parcel 1: 29% (existing) Parcel 2: 40% (after demolitions) Parcel 3: vacant	Parcel 1: Yes Parcel 2: Yes Parcel 3: Subsequent development subject to this development standard.
Minimum BRP district	20 acres	Not applicable	Not Applicable

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES or CONDITIONED
Architectural Design Standards	No metal buildings Minimum two types of building texture or materials, exclusive of window treatment, on elevations facing public streets or residential areas. Roof structures and equipment completely screened Screened loading areas and docks, eight foot walls Refuse areas in enclosed block walls to match buildings.	Parcel 1: Existing structure Parcel 2: Existing structure Parcel 3: Vacant, no structure.	Parcels 1 and 2: Conditioned to meet Code for additions and/or elevations revealed by demolitions. Parcel 3: Subsequent development subject to this development standard.
Landscaping	-In accordance with section 16-641 and 16-642 -Minimum of 30 feet along street (may be averaged). -Parking lots screening with berms and/or plants -Backflow preventers screened -15% of lot area landscaped in addition to parking lot requirement -all above ground utility structures screened -commercial buildings may get credit for enhanced building's that incorporated pedestrian oriented designs -Required around base of building where no penetrations	Parcel 1: Existing parking lot per PD 79 (1969) as amended. Parcels 2 and 3: Demolition of three buildings.	Parcel 1: Conditioned to bring lot into compliance with PD 79 Parcels 2 and 3: Subsequent development subject to this development standard.
Lighting	-Theme coordinated decorative architectural standards providing downlighting, shielded from residential areas, streets, neighbors -Uplighting of architectural features may be approved by the manager or PC	Parcel 1: Existing to remain Parcels 2 and 3: Existing to remain, or demolition removes building lighting	Parcel 1: Conditioned per Police Parcels 2 and 3: Conditioned per Police Department to provide minimum safety lighting
Walls & fences	-Walls and fences to be finished in texture and color to match architectural features of the primary structure.	Parcel 1: Fence along north and eastern property line. Parcel 2: No walls or fences Parcel 3: No walls or fences	Parcel 1: Conditional to repair existing fence to Code Parcels 2 and 3: Subsequent development subject to this development standard.
Signage	-complies with Code 16-595 et al -monument, if allowed, not to exceed six feet	Parcel 1: Existing legal signage to remain Parcel 2: Remove signage Parcel 3: Remove signage	Parcels: Conditioned to demonstrate signs are permitted Parcels 2 and 3: remove existing signs. Subsequent development subject to this development standard.
Performance Standards	Per Code 16-203 to 16-214	Based on actual uses and occupants	Subsequent Planning and/or Tenant Improvement plan approvals and other applicable regulations will ensure compliance.

Attachment F

Subdivision Parcel Map Resolution

RESOLUTION NO. 2012- [PZ 11-300-04]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL THE APPROVAL OF A TENTATIVE PARCEL MAP (PLANNING AND ZONING PERMIT NO. PZ 11-300-04) TO CREATE THREE PARCELS FOR PROPERTY LOCATED AT 1950 WILLIAMS DRIVE. FILED BY REXFORD INDUSTRIAL, 11601 WILSHIRE BLVD., SUITE 650, LOS ANGELES, CA 90025.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 11-300-04 (Tentative Parcel Map) to subdivide a 12.64 acre parcel (APN 213-0-031-480) into three parcels, filed by Rexford Industrial, 11601 Wilshire Blvd., Suite 650, Los Angeles, CA 90025; and

WHEREAS, said tentative parcel map was referred to various public utility companies, City departments and the Development Advisory Committee (DAC) for recommendations; and

WHEREAS, the Applicant has filed for Planning and Zoning Permit No. 11-500-11 (Special Use Permit) to allow the subdivision into three parcels and demolition of three buildings which is being concurrently considered for approval; and

WHEREAS, Sections 15302 and Section 15315 of Title 14 of the California Code of Regulations exempt the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the Applicant or successors in interest intend to eventually occupy and/or redevelop Parcels 2 and/or 3 with one or more buildings of substantially the same purpose and capacity as the three demolished buildings totaling approximately 47,300 square feet, subject to applicable Business Research Park (BRP) zone designation development standards and uniformly applied regulations; and

WHEREAS, conditions herein require the Applicant to submit a comprehensive conceptual site plan for Planning Manager review and approval prior to recordation of the Parcel Map to ensure that parking and fire access are adequate for the existing remaining structures and new conceptual commercial buildings on Parcel 2 and/or Parcel 3 of substantially the same purpose and capacity of the three demolished buildings and meeting applicable development standards of the BRP zone designation; and

WHEREAS, the Planning Commission finds the tentative parcel map conforms to the City's 2030 General Plan and elements thereof; 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 subdivision in particular.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council the approval of PZ 11-300-04 (Tentative Parcel Map), subject to the following conditions:

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, as applicable, for the plans dated January 4, 2012, (“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 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 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a demolition, grading, foundation, or building permit and the construction of substantial improvements, or the beginning of the proposed use. (PL, *G-3*)
4. 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. (CA, *G-6*)

5. 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)
6. Developer shall provide the number of spaces, stall size, paving, striping, location, and access, as required by the City Code Code-compliant off-street parking for development on any of the three parcels not otherwise qualifying for nonconforming and/or parking relief. (PL/B, G-9)
7. Prior to recording of a phased or parcel map, Developer shall complete the demolitions identified by this permit or post a performance bond or other guarantee instrument to the satisfaction of the Planning Manager and the City Attorney. Condition 69 herein shall supersede this condition to the extent compliance with one condition prevents compliance with the other. (B, G-11)
8. During demolition, Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
9. 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)
10. Prior to issuance of demolition permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

11. Developer shall maintain existing and/or replacement landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, PK-4)
12. Before the City issues permits for demolition(s), site improvements, and/or new buildings on any of the three parcels, Developer shall submit two copies of landscape and irrigation plans for existing landscaping and irrigation and/or for proposed landscaping and irrigation, along with the appropriate permit application and fees, to the Planning Division and obtain approval of such plans regarding maintenance of existing landscaping and irrigation and approval for proposed landscaping and irrigation. (PK/DS, PK-2)
13. Before the City issues a certificate of occupancy for site improvements and/or new buildings, Developer shall install landscape and automatic irrigation systems that have been approved by the Planning Manager and/or Parks and Facilities Superintendent. (PK, PK-3)
14. Before the City issues a certificate of occupancy for site improvements and/or new buildings, Developer shall provide a watering schedule to the building owner or manager and to the Planning Manager and/or Parks and Facilities Superintendent. The irrigation system shall include automatic

rain shut-off devices, or instructions on how to override the irrigation system during rainy periods.
(PK, PK-5)

15. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit.
(PK, PK-6)

LANDSCAPE SPECIAL CONDITIONS

16. Prior to issuance of the first demolition permit, an Arborist's Tree Report is required for the health and economic appraisal value of mature existing trees to be impacted, removed or displaced from the site due to demolition and/or site improvements for the entire project site. Planning Division staff will have final review approval on selection of an arborist. The Arborist's Tree Report shall be prepared by a certified arborist and shall follow the format as outlined in *Valuation of Landscape Trees, Shrubs, and Other Plants: A Guide to the Methods and Procedures for Appraising Amenity Plants*, latest edition, as published by the International Society of Arboriculture. The Tree Report shall include text, photos and a site plan that clearly labels all trees to be saved, removed or transplanted. The methodology for the tree appraisal value shall be based on the "Trunk Formula" method, with calculation work sheets included. The economic appraisal value of the trees removed shall be put back into new tree sizes for the project and shall be in addition to meeting the City's minimum tree size of 24" box. (PK)
17. During the time frame between the new parcels being created and the new parcels and their respective buildings being occupied and/or improved, all existing landscaping and irrigation care and maintenance shall be provided by the property owner that meets applicable property and landscape maintenance standards. (PK)
18. As part of the Conditions of Approval for future site improvements and/or development of new buildings, each of the proposed parcels shall be landscaped and irrigated with an independent irrigation system for each parcel, per an approved Landscape and Irrigation Plan prepared by a Licensed Landscape Architect. All parcels with existing landscape deficiencies or missing plant materials compared to original landscaping plan(s) and/or minimum City standards if there are no original landscaping plans, shall have the landscaping replaced and the work shall be identified and included as a part of a Landscape and Irrigation Plan submittal. (PK)
19. As a part of the Conditions of Approval for future site improvements and/or development of new buildings that may involve removal of mature trees removed or displaced from the site due to future construction. City staff will have final review approval on selection of an arborist. The Arborist's Tree Report shall be prepared by a certified arborist and shall follow the format as outlined in *Valuation of Landscape Trees, Shrubs, and Other Plants: A Guide to the Methods and Procedures for Appraising Amenity Plants*, latest edition, as published by the International Society of Arboriculture. The Tree Report shall include text, photos and a site plan that clearly labels all trees to be saved, removed or transplanted. The methodology for the tree appraisal value shall be based on the "Trunk Formula" method, with calculation work sheets included. The economic appraisal value of the trees removed shall be put back into new tree sizes for the project and shall be in addition to meeting the City's minimum tree size of 24" box. (PK)

20. As a part of the Conditions of Approval for future site improvements and/or development of new buildings, the first parcel that develops new structures shall provide the landscape streetscape frontage improvements for both Williams Drive and Gonzales Road as it fronts the entire project site. Any landscape deficiencies or missing plant materials (trees, shrubs, groundcovers) shall be replaced with new landscaping and the work shall be included as a part of the Landscape and Irrigation Plan submittal. The replacement landscaping shall have a unifying landscape effect for both the Williams Dr. and Gonzales Rd. streetscape. At the discretion of the Planning Manager, replacement landscaping for a parcel not seeking entitlement may post a performance bond or other guarantee instrument to the satisfaction of the Planning Manager and the City Attorney. (PK)
21. As a part of the Conditions of Approval for future site improvements and/or development of new buildings, the Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK)
22. As a part of the Conditions of Approval for future site improvements and/or development of new buildings, all landscaping and irrigation shall comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards. (PK)
23. At the time of plan check submittal, the landscape plans shall contain an exhibit titled "Tree Tabulation Chart". The "Tree Tabulation Chart" shall contain a listing of all existing trees on the parcels with demolition(s) and/or new development and shall refer to them by number as identified in the Arborist's Tree Report. The "Tree Tabulation Chart" shall clearly list all trees which are to remain, be removed or be transplanted. The chart shall contain the arborist's economic appraisal value of all trees to be removed as well as a computation showing how the removed tree value was put back into new tree sizes for the project. The new tree sizes for the project shall be in addition to meeting the City's minimum tree size of 24" box. (PK)

FIRE DEPARTMENT STANDARD CONDITIONS

24. Prior to recordation of the Parcel Map, Developer shall construct all vehicle access driveways on the three parcels to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)
25. Prior to recordation of the Parcel Map, all roof covering materials on the project property shall be demonstrated to be of non-combustible or fire retardant materials to the satisfaction of the Fire Chief and in compliance with the City Code. (FD, F-2)
26. 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)

27. Prior to recordation of the Parcel Map, Developer shall obtain at the Developer's expense 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)
28. New structures and alterations to existing structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)
29. New structures and alterations to existing structures shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
30. At all times during construction and demolition, 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)
31. Within 90 days of approval of this permit, Developer shall identify all existing and new hydrants and fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
32. New structures and alterations to existing structures shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
33. The turning radius of all new project property driveways and new turnaround areas used for emergency access shall be approved by the City Traffic Engineering Department. (FD, F-11)
34. New development and alterations to existing structures shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, F-12)
35. Developer shall install in each structure in new development an alarm system with a central station monitor that will automatically notify the Fire Department in the event of a fire in the structure. The alarm system shall include a UL or State Fire Marshal approved device, which shall not exceed design specifications, that reports the location of the fire and allows the central station monitor to inform the Fire Department. (FD, F-13)
36. Developer shall install in each new structure and alterations to existing structures if required in the project a system that automatically opens the skylights and/or smoke vents in areas affected by fire. (FD, F-14)
37. Should the current or subsequent entitlements require improvements to signalized intersections, the intersections shall be equipped with pre-emption equipment. (FD/TR, F-15)
38. Developer and current and future project occupants shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA

division of the Fire Department to ensure that such requirements are followed. (FD, *F-16*)

- 1) Fire sprinkler coverage is required for:
 - i. Patios, overhangs or any other projections that are 48” or more from the structure.
 - ii. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - iii. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.
- 2) Before the city issues a certificate of occupancy for new development, the developer shall install a Knox key vault at a location to be determined by the Fire Department.
- 3) Developer shall ensure Fire Department access through man-gates created as part of new development either by Knox lock devices or other Fire Department approved means.

POLICE CONDITIONS

39. Any access control gates developed with new development shall be operable by City approved radio equipment.
40. Metal halide bulbs or those that provide optimal color rendition are preferred for new development exterior fixtures.
41. Site lighting for new development will need to comply with the Outdoor Lighting Code and Guideline.
42. Outdoor Lighting Code & Guideline For New Development
 - (a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - (b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the following exceptions:
 1. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 2. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
 - (c) Oxnard City Code 16-320
Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.

PLANNING DIVISION STANDARD CONDITIONS

43. Before the City issues demolition permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission in all sets of documents and specifications for the project. (PL, *PL-3*)
44. During demolition, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, *PL-11*)
45. During demolition, Developer shall control dust by the following activities:
 - a. All trucks hauling demolition material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All demolition material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. (B/DS, *PL-12*)
46. 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*)
47. 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 for future development. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)

PLANNING DIVISION SPECIAL CONDITIONS

48. This permit is granted subject to the approval of a Special Use Permit (PZ 11-500-11) for the project property. (PL)
49. Prior to recordation of the Parcel Map, in whole or in phases, Developer shall submit a conceptual site plan for all three parcels showing proposed site improvements, landscaping, drive aisles, parking lots, and conceptual development of a commercial building on Parcel 2 and/or Parcel 3 to the Planning Manager for the Planning Manager's review and confirmation that the overall site plan has safe and adequate fire department access, parking for typical Business Research Park uses, and Code compliant landscaping that incorporates applicable conditions herein. Applicant will

pay applicable Development Advisory Committee review fees and a Planning Division review fee equivalent to the Minor Modification fee (\$873.86 as of the date of this resolution).

50. Prior to recordation of the Parcel Map, in whole or in phases, Developer shall submit plans for and shall have completed construction of an interim façade treatment of all wall areas that are visible from Gonzales Road or Williams Drive exposed, or will be exposed, by demolition of the three structures identified in the Plans, to be approved by the Planning Manager. Interim façade treatment may range from painting an exposed wall to match the rest of the elevation up to, but not limited to, construction of a new façade. Landscaping in combination with façade improvements may be considered if demonstrated that exposed walls will not be visible to the public. This condition may be waived if a subsequent project planning and/or building permit is filed in conjunction with, or prior to, recordation of the Parcel Map, but only for walls that would be subsequently covered or reconstructed by the subsequent proposed project.
51. Prior to recordation of the Parcel Map, in whole or in phases, Developer shall remove signage not associated with an active licensed business and/or sale or marketing of the project and repair the exposed underlying structure to substantially match the surrounding façade. Developer shall provide evidence that remaining signs have appropriate sign permits and/or are legal non-conforming.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

52. 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)
53. Prior to issuance of building permit other than demolition, Developer shall have the site improvement plans prepared on standard Development Services Division mylars by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and the original ink-on-mylar plans filed with the Development Services Division. (DS-3)
54. Prior to issuance of building permit other than demolition, 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)
55. 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 issue a grading, site improvement or building permit (other than demolition permit) until the City Engineer has approved all improvement plans. (DS-15)

56. Prior to issuance of a site improvement permit other than demo 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)
57. Prior to issuance of building permit other than demolition, 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 public improvement plan approval. (DS-17 modified)
58. 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)
59. 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)
 60. 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)
61. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
 62. 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)

63. "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)
 64. 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)
65. Developer shall maintain and/or install water mains, fire hydrants and water services in conformance with City Standard Plans and specifications as directed by the City Engineer. (DS-41)
 66. 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)
 67. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during demolition or construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)

DEVELOPMENT SERVICES SPECIAL CONDITIONS

68. Developer shall remove all existing overhead utility lines on or adjacent to the parcel map and relocate lines underground in accordance with City code. Prior to recordation of a parcel map, Developer shall post security acceptable to the Development Services Manager to guarantee overhead utility removal. (DS)
69. Prior to recordation of a parcel map, Developer shall cause the Assessment District Engineer to reapportion the existing assessments in accordance with the proposed re-subdivision. (DS)
70. Developer shall provide a written evaluation to determine if the proposed property lines create, modify, or intensify any violations of the California Building Code or City Code. The evaluation shall be prepared by a California Registered Architect (or other approved professional) and shall be submitted concurrently with the initial map submittal. Prior to recordation of a parcel map, Developer shall prepare plans, obtain permits, and construct all mitigations determined necessary to comply with applicable codes. No parcel map shall be recorded if it creates or intensifies any code violations. (DS)

71. Prior to recordation of a parcel map, Developer shall provide each premise (as defined in the Oxnard City Code) with an independent domestic water meter. (DS)
72. Developer shall endeavor to relocate/redesign onsite utilities (e.g. sewer laterals, irrigation systems, domestic water supply lines, and fire sprinkler lines) to provide independent systems located on the lot being served. If it is determined by the Development Services Manager that provision of such independent utilities is impractical, Developer shall provide proof of recordation (or arrange for concurrent recordation) of easements or agreements allowing for utilities that cross proposed property lines. Upon redevelopment of any lot within this map, Developer of the redeveloped parcel shall provide for independent utility systems. (DS)
73. Developer shall demonstrate that each proposed lot is provided with an independent stormwater conveyance system or shall provide proof of recordation (or arrange for concurrent recordation) of easements or agreements allowing cross-lot drainage. Recorded document shall assign maintenance responsibility for various portions of the private storm drain system. (DS)
74. Concurrent with recordation of a parcel map, Developer shall construct an eight foot wide sidewalk along the Gonzales Road frontage of the tentative parcel map. Improvements shall include a temporary connection to the existing sidewalk easterly of the map. (DS)
75. Concurrent with recordation of a parcel map, Developer shall construct a five (5) foot wide sidewalk separated from the curb by an 8 foot landscaped parkway along the Williams Drive frontage of the tentative parcel map. Parkway and sidewalk configuration (and associated landscaping) shall match existing improvements northerly of the project on Williams Drive. (DS)
76. Developer shall remove the existing disabled access ramp at the northeast corner of the Williams Drive and Gonzales Road intersection and replace it with a standard ADA compliant flared ramp in accordance with City standard plate 110. (DS)
77. Developer shall dedicate right-of-way along the Gonzales Road and Williams Drive frontages of the tentative parcel map sufficient to encompass the newly constructed sidewalk and disabled access ramp. (DS)
78. Developer shall dedicate to the City all rights of ingress and egress to Williams Drive between the Gonzales Road intersection and a point 120 feet north of the northerly Gonzales Road curb face. Dedication shall be provided with recordation of a parcel map. (DS)
79. Developer shall dedicate to the City all rights of ingress and egress to Gonzales Road between the Williams Drive intersection and a point 150 feet east of the easterly Williams Drive curb face. Dedication shall be provided with recordation of a parcel map. (DS)

80. Developer may submit phased parcel maps. The extent of improvements with each phase is subject to the review and approval of the Development Services Manager based on the proposed phase line. Placement of overhead utilities underground and construction of the Williams Drive and Gonzales Road sidewalks along the entire tentative parcel map frontages shall be accomplished with the first parcel map phase. (DS)
81. Prior to initiation of any demolition that results in land disturbance, Developer shall prepare a SWPPP or Local SWPPP as appropriate based on the extent of the disturbance. Document shall be submitted to Development Services Engineering Division for review and approval prior to initiation of demolition. (DS)
82. The owner of each lot within this subdivision may be required by the City Traffic Engineer to submit a traffic study when owner proposes development/re-development on their property. (TR)
83. Developments within this subdivision shall comply with minimum spacing requirements between curb cuts (driveways) as specified in the City of Oxnard Zoning Ordinance and City Policy. (TR)
84. Developer shall provide proof of recordation of reciprocal access, parking, and as determined necessary by the proposed phase. (TR)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 15th day of November, 2012, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Anthony R. Murguia, Chairman

ATTEST: _____
Susan L. Martin, Secretary

Attachment G

Special Use Permit Resolution

RESOLUTION NO. 2012 [PZ 11-500-11]

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING & ZONING PERMIT NO. 11-500-11 (SPECIAL USE PERMIT) TO SUBDIVIDE A 12.64 ACRE PROPERTY LOCATED AT 1950 WILLIAMS DRIVE INTO THREE PARCELS. FILED BY REXFORD INDUSTRIAL, 11601 WILSHIRE BLVD., SUITE 650, LOS ANGELES, CA 90025.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 11-500-11 (Special Use Permit) to allow the subdivision of an existing developed 12.64 acre site, filed by Rexford Industrial; and

WHEREAS, the Applicant has filed for Planning and Zoning Permit No. 11-300-04 (Tentative Parcel Map), which is being concurrently considered for approval, to subdivide the 12.64 acre project parcel into three parcels and requires demolition of three buildings; and

WHEREAS, Sections 15302 and Section 15315 of Title 14 of the California Code of Regulations exempt the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the Applicant or successors in interest intend to eventually occupy and/or redevelop Parcels 2 and/or 3 with one or more buildings of substantially the same purpose and capacity as the three demolished buildings totaling approximately 47,300 square feet, subject to applicable Business Research Park (BRP) zone designation development standards and uniformly applied regulations; and

WHEREAS, conditions herein require the Applicant to submit a comprehensive conceptual site plan for Planning Manager review and approval prior to recordation of the Parcel Map to ensure that parking and fire access are adequate for the existing remaining structures and new conceptual commercial buildings on Parcel 2 and/or Parcel 3 of substantially the same purpose and capacity of the three demolished buildings and meeting applicable development standards of the BRP zone designation; and

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

1. That the proposed use will be in conformance with the 2030 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 use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this resolution.

4. That the site for the proposed use will be served by streets and highways adequate in width and 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 Planning Commission finds that the applicant and owner agree 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 grants Planning and Zoning Permit No. 11-500-11 (SUP) 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 Department
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Parks Division	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, as applicable, for the plans dated January 4, 2012, (“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 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 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a demolition, grading, foundation, or building permit and the construction of substantial improvements, or the beginning of the proposed use. (PL, G-3)
4. 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. (CA, G-6)
5. 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)
6. Developer shall provide the number of spaces, stall size, paving, striping, location, and access, as required by the City Code Code-compliant off-street parking for development on any of the three parcels not otherwise qualifying for nonconforming and/or parking relief. (PL/B, G-9)
7. Prior to recording of a phased or parcel map, Developer shall complete the demolitions identified by this permit or post a performance bond or other guarantee instrument to the satisfaction of the Planning Manager and the City Attorney. Condition 69 herein shall supersede this condition to the extent compliance with one condition prevents compliance with the other. (B, G-11)
8. During demolition, Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
9. 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)
10. Prior to issuance of demolition permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

11. Developer shall maintain existing and/or replacement landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, PK-4)
12. Before the City issues permits for demolition(s), site improvements, and/or new buildings on any of the three parcels, Developer shall submit two copies of landscape and irrigation plans for existing landscaping and irrigation and/or for proposed landscaping and irrigation, along with the

appropriate permit application and fees, to the Planning Division and obtain approval of such plans regarding maintenance of existing landscaping and irrigation and approval for proposed landscaping and irrigation. (PK/DS, PK-2)

13. Before the City issues a certificate of occupancy for site improvements and/or new buildings, Developer shall install landscape and automatic irrigation systems that have been approved by the Planning Manager and/or Parks and Facilities Superintendent. (PK, PK-3)
14. Before the City issues a certificate of occupancy for site improvements and/or new buildings, Developer shall provide a watering schedule to the building owner or manager and to the Planning Manager and/or Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
15. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)

LANDSCAPE SPECIAL CONDITIONS

16. Prior to issuance of the first demolition permit, an Arborist's Tree Report is required for the health and economic appraisal value of mature existing trees to be impacted, removed or displaced from the site due to demolition and/or site improvements for the entire project site. Planning Division staff will have final review approval on selection of an arborist. The Arborist's Tree Report shall be prepared by a certified arborist and shall follow the format as outlined in *Valuation of Landscape Trees, Shrubs, and Other Plants: A Guide to the Methods and Procedures for Appraising Amenity Plants*, latest edition, as published by the International Society of Arboriculture. The Tree Report shall include text, photos and a site plan that clearly labels all trees to be saved, removed or transplanted. The methodology for the tree appraisal value shall be based on the "Trunk Formula" method, with calculation work sheets included. The economic appraisal value of the trees removed shall be put back into new tree sizes for the project and shall be in addition to meeting the City's minimum tree size of 24" box. (PK)
17. During the time frame between the new parcels being created and the new parcels and their respective buildings being occupied and/or improved, all existing landscaping and irrigation care and maintenance shall be provided by the property owner that meets applicable property and landscape maintenance standards. (PK)
18. As part of the Conditions of Approval for future site improvements and/or development of new buildings, each of the proposed parcels shall be landscaped and irrigated with an independent irrigation system for each parcel, per an approved Landscape and Irrigation Plan prepared by a Licensed Landscape Architect. All parcels with existing landscape deficiencies or missing plant materials compared to original landscaping plan(s) and/or minimum City standards if there are no original landscaping plans, shall have the landscaping replaced and the work shall be identified and included as a part of a Landscape and Irrigation Plan submittal. (PK)

19. As a part of the Conditions of Approval for future site improvements and/or development of new buildings that may involve removal of mature trees removed or displaced from the site due to future construction. City staff will have final review approval on selection of an arborist. The Arborist's Tree Report shall be prepared by a certified arborist and shall follow the format as outlined in *Valuation of Landscape Trees, Shrubs, and Other Plants: A Guide to the Methods and Procedures for Appraising Amenity Plants*, latest edition, as published by the International Society of Arboriculture. The Tree Report shall include text, photos and a site plan that clearly labels all trees to be saved, removed or transplanted. The methodology for the tree appraisal value shall be based on the "Trunk Formula" method, with calculation work sheets included. The economic appraisal value of the trees removed shall be put back into new tree sizes for the project and shall be in addition to meeting the City's minimum tree size of 24" box. (PK)
20. As a part of the Conditions of Approval for future site improvements and/or development of new buildings, the first parcel that develops new structures shall provide the landscape streetscape frontage improvements for both Williams Drive and Gonzales Road as it fronts the entire project site. Any landscape deficiencies or missing plant materials (trees, shrubs, groundcovers) shall be replaced with new landscaping and the work shall be included as a part of the Landscape and Irrigation Plan submittal. The replacement landscaping shall have a unifying landscape effect for both the Williams Dr. and Gonzales Rd. streetscape. At the discretion of the Planning Manager, replacement landscaping for a parcel not seeking entitlement may post a performance bond or other guarantee instrument to the satisfaction of the Planning Manager and the City Attorney. (PK)
21. As a part of the Conditions of Approval for future site improvements and/or development of new buildings, the Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK)
22. As a part of the Conditions of Approval for future site improvements and/or development of new buildings, all landscaping and irrigation shall comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards. (PK)
23. At the time of plan check submittal, the landscape plans shall contain an exhibit titled "Tree Tabulation Chart". The "Tree Tabulation Chart" shall contain a listing of all existing trees on the parcels with demolition(s) and/or new development and shall refer to them by number as identified in the Arborist's Tree Report. The "Tree Tabulation Chart" shall clearly list all trees which are to remain, be removed or be transplanted. The chart shall contain the arborist's economic appraisal value of all trees to be removed as well as a computation showing how the removed tree value was put back into new tree sizes for the project. The new tree sizes for the project shall be in addition to meeting the City's minimum tree size of 24" box. (PK)

FIRE DEPARTMENT STANDARD CONDITIONS

24. Prior to recordation of the Parcel Map, Developer shall construct all vehicle access driveways on the three parcels to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark

all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)

25. Prior to recordation of the Parcel Map, all roof covering materials on the project property shall be demonstrated to be of non-combustible or fire retardant materials to the satisfaction of the Fire Chief and in compliance with the City Code. (FD, F-2)
26. 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)
27. Prior to recordation of the Parcel Map, Developer shall obtain at the Developer's expense 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)
28. New structures and alterations to existing structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)
29. New structures and alterations to existing structures shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
30. At all times during construction and demolition, 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)
31. Within 90 days of approval of this permit, Developer shall identify all existing and new hydrants and fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
32. New structures and alterations to existing structures shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
33. The turning radius of all new project property driveways and new turnaround areas used for emergency access shall be approved by the City Traffic Engineering Department. (FD, F-11)
34. New development and alterations to existing structures shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, F-12)
35. Developer shall install in each structure in new development an alarm system with a central station monitor that will automatically notify the Fire Department in the event of a fire in the structure. The alarm system shall include a UL or State Fire Marshal approved device, which shall not exceed design specifications, that reports the location of the fire and allows the central station

monitor to inform the Fire Department. (FD, *F-13*)

36. Developer shall install in each new structure and alterations to existing structures if required in the project a system that automatically opens the skylights and/or smoke vents in areas affected by fire. (FD, *F-14*)
37. Should the current or subsequent entitlements require improvements to signalized intersections, the intersections shall be equipped with pre-emption equipment. (FD/TR, *F-15*)
38. Developer and current and future project occupants shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, *F-16*)
- 1) Fire sprinkler coverage is required for:
 - i. Patios, overhangs or any other projections that are 48” or more from the structure.
 - ii. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - iii. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.
 - 2) Before the city issues a certificate of occupancy for new development, the developer shall install a Knox key vault at a location to be determined by the Fire Department.
 - 3) Developer shall ensure Fire Department access through man-gates created as part of new development either by Knox lock devices or other Fire Department approved means.

POLICE CONDITIONS

39. Any access control gates developed with new development shall be operable by City approved radio equipment.
40. Metal halide bulbs or those that provide optimal color rendition are preferred for new development exterior fixtures.
41. Site lighting for new development will need to comply with the Outdoor Lighting Code and Guideline.
42. Outdoor Lighting Code & Guideline For New Development
- (a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - (b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the following exceptions:
 1. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.

2. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.

(c) Oxnard City Code 16-320

Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.

PLANNING DIVISION STANDARD CONDITIONS

43. Before the City issues demolition permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission in all sets of documents and specifications for the project. (PL, *PL-3*)
44. During demolition, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, *PL-11*)
45. During demolition, Developer shall control dust by the following activities:
 - a. All trucks hauling demolition material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All demolition material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. (B/DS, *PL-12*)
46. 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*)
47. 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 for future development. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)

PLANNING DIVISION SPECIAL CONDITIONS

48. This permit is granted subject to the approval of a Special Use Permit (PZ 11-500-11) for the project property. (PL)
49. Prior to recordation of the Parcel Map, in whole or in phases, Developer shall submit a conceptual site plan for all three parcels showing proposed site improvements, landscaping, drive aisles, parking lots, and conceptual development of a commercial building on Parcel 2 and/or Parcel 3 to the Planning Manager for the Planning Manager’s review and confirmation that the overall site plan has safe and adequate fire department access, parking for typical Business Research Park uses, and Code compliant landscaping that incorporates applicable conditions herein. Applicant will pay applicable Development Advisory Committee review fees and a Planning Division review fee equivalent to the Minor Modification fee (\$873.86 as of the date of this resolution).
50. Prior to recordation of the Parcel Map, in whole or in phases, Developer shall submit plans for and shall have completed construction of an interim façade treatment of all wall areas that are visible from Gonzales Road or Williams Drive exposed, or will be exposed, by demolition of the three structures identified in the Plans, to be approved by the Planning Manager. Interim façade treatment may range from painting an exposed wall to match the rest of the elevation up to, but not limited to, construction of a new façade. Landscaping in combination with façade improvements may be considered if demonstrated that exposed walls will not be visible to the public. This condition may be waived if a subsequent project planning and/or building permit is filed in conjunction with, or prior to, recordation of the Parcel Map, but only for walls that would be subsequently covered or reconstructed by the subsequent proposed project.
51. Developer shall provide proof of recordation of reciprocal access, parking, and as determined necessary by the proposed phase. (TR)

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

52. 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)
53. Prior to issuance of building permit other than demolition, Developer shall have the site improvement plans prepared on standard Development Services Division mylars by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and the original ink-on-mylar plans filed with the Development Services Division. (DS-3)
54. Prior to issuance of building permit other than demolition, 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)

55. 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 issue a grading, site improvement or building permit (other than demolition permit) until the City Engineer has approved all improvement plans. (DS-15)
56. Prior to issuance of a site improvement permit other than demo 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)
57. Prior to issuance of building permit other than demolition, 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 public improvement plan approval. (DS-17 modified)
58. 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)
59. 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)
60. 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)
61. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)

62. 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)
63. "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)
64. 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)
65. Developer shall maintain and/or install water mains, fire hydrants and water services in conformance with City Standard Plans and specifications as directed by the City Engineer. (DS-41)
66. 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)
67. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during demolition or construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)

DEVELOPMENT SERVICES SPECIAL CONDITIONS

68. Developer shall remove all existing overhead utility lines on or adjacent to the parcel map and relocate lines underground in accordance with City code. Prior to recordation of a parcel map, Developer shall post security acceptable to the Development Services Manager to guarantee overhead utility removal. (DS)
69. Prior to recordation of a parcel map, Developer shall cause the Assessment District Engineer to reapportion the existing assessments in accordance with the proposed re-subdivision. (DS)
70. Developer shall provide a written evaluation to determine if the proposed property lines create, modify, or intensify any violations of the California Building Code or City Code. The evaluation shall be prepared by a California Registered Architect (or other approved professional) and shall be submitted concurrently with the initial map submittal. Prior to recordation of a parcel map, Developer shall prepare plans, obtain permits, and construct all mitigations determined necessary

to comply with applicable codes. No parcel map shall be recorded if it creates or intensifies any code violations. (DS)

71. Prior to recordation of a parcel map, Developer shall provide each premise (as defined in the Oxnard City Code) with an independent domestic water meter. (DS)
72. Developer shall endeavor to relocate/redesign onsite utilities (e.g. sewer laterals, irrigation systems, domestic water supply lines, and fire sprinkler lines) to provide independent systems located on the lot being served. If it is determined by the Development Services Manager that provision of such independent utilities is impractical, Developer shall provide proof of recordation (or arrange for concurrent recordation) of easements or agreements allowing for utilities that cross proposed property lines. Upon redevelopment of any lot within this map, Developer of the redeveloped parcel shall provide for independent utility systems. (DS)
73. Developer shall demonstrate that each proposed lot is provided with an independent stormwater conveyance system or shall provide proof of recordation (or arrange for concurrent recordation) of easements or agreements allowing cross-lot drainage. Recorded document shall assign maintenance responsibility for various portions of the private storm drain system. (DS)
74. Concurrent with recordation of a parcel map, Developer shall construct an eight foot wide sidewalk along the Gonzales Road frontage of the tentative parcel map. Improvements shall include a temporary connection to the existing sidewalk easterly of the map. (DS)
75. Concurrent with recordation of a parcel map, Developer shall construct a five (5) foot wide sidewalk separated from the curb by an 8 foot landscaped parkway along the Williams Drive frontage of the tentative parcel map. Parkway and sidewalk configuration (and associated landscaping) shall match existing improvements northerly of the project on Williams Drive. (DS)
76. Developer shall remove the existing disabled access ramp at the northeast corner of the Williams Drive and Gonzales Road intersection and replace it with a standard ADA compliant flared ramp in accordance with City standard plate 110. (DS)
77. Developer shall dedicate right-of-way along the Gonzales Road and Williams Drive frontages of the tentative parcel map sufficient to encompass the newly constructed sidewalk and disabled access ramp. (DS)
78. Developer shall dedicate to the City all rights of ingress and egress to Williams Drive between the Gonzales Road intersection and a point 120 feet north of the northerly Gonzales Road curb face. Dedication shall be provided with recordation of a parcel map. (DS)
79. Developer shall dedicate to the City all rights of ingress and egress to Gonzales Road between the Williams Drive intersection and a point 150 feet east of the easterly Williams Drive curb face. Dedication shall be provided with recordation of a parcel map. (DS)
80. Developer may submit phased parcel maps. The extent of improvements with each phase is subject to the review and approval of the Development Services Manager based on the proposed

phase line. Placement of overhead utilities underground and construction of the Williams Drive and Gonzales Road sidewalks along the entire tentative parcel map frontages shall be accomplished with the first parcel map phase. (DS)

- 81. Prior to initiation of any demolition that results in land disturbance, Developer shall prepare a SWPPP or Local SWPPP as appropriate based on the extent of the disturbance. Document shall be submitted to Development Services Engineering Division for review and approval prior to initiation of demolition. (DS)
- 82. The owner of each lot within this subdivision may be required by the City Traffic Engineer to submit a traffic study when owner proposes development/re-development on their property. (TR)
- 83. Developments within this subdivision shall comply with minimum spacing requirements between curb cuts (driveways) as specified in the City of Oxnard Zoning Ordinance and City Policy. (TR)
- 84. Developer shall provide proof of recordation of reciprocal access, parking, and as determined necessary by the proposed phase. (TR)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 15th day of November, 2012, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Anthony R. Murguia, Chairman

ATTEST: _____
Susan L. Martin, Secretary