DATE: March 20, 2018

TO: City Council

THROUGH: Scott Whitney
Interim City Manager

FROM: Ashley Golden
Development Services Director

SUBJECT: Appeal of Planning Commission Approval of Planning & Zoning Permit No. 17-540-01 (Special Use Permit) and Approval of Planning & Zoning Permit No. 17-300-01 (Tentative Parcel Map) (10/5/5)

CONTACT: Ashley Golden, Development Services Director
Ashley.Golden@oxnard.org, 385-7882

RECOMMENDATION:

That City Council:

1. Adopt a resolution upholding the Planning Commission’s approval of Planning and Zoning Permit No. 17-540-01 (Special Use Permit for a Planned Development Permit), subject to certain findings and conditions set forth in Planning Commission Resolution No. 2018-05.

2. Adopt a resolution approving Planning and Zoning Permit No. 17-300-01 (Tentative Parcel Map), subject to certain findings and conditions set forth in Planning Commission Resolution No. 2018-06.

BACKGROUND

On February 9, 2017, the applicant submitted an application for approval of a Special Use Permit (SUP) to construct an 11,500 sq. ft. commercial building to be used as a dialysis clinic on a portion of the 1.79 acre parcel located at 1601 Raiders Way. An application for a Tentative Parcel Map (Parcel Map) was also filed to subdivide the 1.79 acre parcel into two parcels. The 1.79-acre parcel is currently developed with a church operated by New Progressive Christian
Missionary Baptist Church. With approval of the Parcel Map, two parcels will be created: a 1.13 acre parcel to be utilized for New Progressive Christian Missionary Baptist Church and a .66 acre parcel (currently vacant) to be utilized for a dialysis clinic to be operated by DaVita Dialysis Center.

On January 18, 2018, the Planning Commission voted 7:0 to approve issuance of the SUP and recommend City Council approval of the Parcel Map to subdivide the property to create a parcel upon which the dialysis clinic will be constructed. No members of the public attended the meeting to speak in support or opposition to the SUP and Parcel Map. The project was found to be in compliance with all General Commercial development code standards and requirements and the Parcel Map is in compliance with all City and state subdivision map act requirements. Through an approved parking study, the parking for the medical office building will be shared with the existing New Progressive Christian Missionary Baptist Church site. Operation of the two uses, on the collective 1.79 acre site, generally operate on different days of the week; however, when both uses operate on the same day, the uses have different peak hours (see Attachments 2 and 3, Planning Commission Jan. 18, 2018 staff report and resolution of approval, respectively). The City traffic engineer accepted a project parking study to justify a reduced parking requirement for the clinic.

Pursuant to Section 16-545 of the Oxnard City Code, on February 5, 2018, Planning Division staff filed an application for an appeal of the SUP and Parcel Map. The SUP was appealed to allow for the City Council’s coordinated and comprehensive review of the Parcel Map and to provide the City Council with an efficient review since the project involves two entitlement applications.

STRATEGIC PRIORITIES

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goals and objectives:

Goal 3. Strengthen neighborhood development, and connect City, community and culture.

This agenda item supports the Economic Development strategy. The purpose of the Economic Development strategy is to develop and enhance Oxnard’s business climate, promote the City’s fiscal health, and support economic growth in a manner consistent with the City’s unique character. This item supports the following goals and objectives:

Goal 1. Create vibrant and economically sustainable commercial, industrial and retail industries throughout the City.

Goal 2. Enhance business development throughout the City.
Objective 2a. Develop a strong citywide economy which attracts investment, increases the tax base, creates employment opportunities, and generates public revenue.

Goal 3. Enhance business retention and attraction.
Objective 3a. Implement an economic development plan for attracting and retaining business.

FINANCIAL IMPACT

There is no estimated financial impact to the current FY 2017-2018 budget. The project will be subject to payment of applicable development and impacts fees and development will contribute to future property tax revenues.

<INSERT BODY HERE>

ATTACHMENTS:

Attachment 1 - PC Staff Report Jan. 18, 2018
Attachment 2 - Tentative Parcel Map
Attachment 3 - PC 2018-05_SUP-PD
Attachment 4 - PC 2018-06_TPM
Attachment 5 - CC Reso_SUP-PD
Attachment 6 - CC Reso_TPM
PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Juan Martinez, Associate Planner

DATE: January 18, 2018

SUBJECT: Planning and Zoning Permit Nos. 17-540-01 (Special Use Permit for Planned Development Permit) and 17-300-01 (Tentative Parcel Map), Medical Office Building, 1601 Raiders Way (APN 221-0-232-525).

1) Recommendation: That the Planning Commission:

   a) Adopt a resolution approving Planning and Zoning Permit No. 17-540-01 (Special Use Permit for a Planned Development Permit), subject to certain findings and conditions.

   b) Adopt a resolution recommending approval of Planning and Zoning Permit No. 17-300-01 (Tentative Parcel Map), subject to certain findings and conditions.

2) Project Description and Applicant: A request to subdivide a partially developed 1.79-acre parcel and construct an 11,500 square foot, single story medical office building with related site improvements on a vacant portion (0.66-acres) of this parcel. Shared access and parking for the medical office building will be integrated with the existing New Progressive Christian Missionary Baptist Church site (1.13-acres). The site is zoned General Commercial Planned Development (C2-PD) and is located at 1601 Raiders Way. For the purposes of this Staff Report, the foregoing project description shall be referred to as the “Project.” Filed by Tom Davies, Cardiff Realty Holdings, Inc., on behalf of New Progressive Christian Missionary Baptist Church, 2660 Townsgate Road, Suite 800 Westlake Village, CA 91361 (the “Applicant”).

3) Existing & Surrounding Land Uses: The 0.66-acre site is located within the College Estates Neighborhood. Existing improvement on the vacant site consist of a block wall and landscaping on the northerly side of the project, along Cota Circle; and perimeter wrought iron fencing along the east side and along Raiders Way. Landscaping, trees and irrigation along Raiders Way was installed with the original construction of the adjacent church building.

The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated on Attachment A:
4) **Background Information:** In October of 2008, the Planning Commission approved Special Use Permit No. 07-500-19, and permitted the construction of a 5,756 square foot church on the 1.79-acre parcel. The remaining .66-acre portion was conditioned to be seeded with a wildflower mix so that the vacant area adjacent to the church would not be overgrown with weeds. This parcel was not required for any of the church’s required open space. It was acknowledged at that time that the church was developed that the remaining .66-acre parcel would be developed in the future. Existing site improvements include fencing, walls, and perimeter improvements consisting of landscaping to minimize visual impacts to adjacent properties.

On February 9, 2017, the Applicant submitted land use applications for the subject Planned Development Permit and the Tentative Parcel Map, respectively, to subdivide a partially developed 1.79-acre parcel and construct an 11,500 square foot, single story medical office building with related site improvements.

5) **Environmental Determination:** In accordance with Section 15332, Class 32 of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “in-fill development” may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA). This proposed Project meets the requirements of a Class 32 categorical exemption because it: (i) is consistent with the City of Oxnard 2030 General Plan designation and all applicable General Plan policies for the reasons set forth below; (ii) occurs within the City limits on a site of no more than five acres; (iii) is located on site with no value as habitat for endangered, rare or threatened species; (iv) would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (v) would be adequately served by all required utilities and public services. Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (see Attachment B).
6) Analysis:

a) General Discussion: The proposed 11,500 square foot building will accommodate a 24 station DaVita Dialysis Center. The dialysis center proposes to operate between the hour of 7A.M. and 5P.M. Monday through Saturday. Hours vary by clinic; however, during the patient build up time, the new facility will usually operate Monday, Wednesday, and Friday within the first two years and then add Tuesday/Thursday and Saturday shifts to accommodate patient demand needs. The facility anticipates to operate up to two shifts with up to 14 employees per shift.

There are approximately eight facilities within the City that offer dialysis services to local residents and DaVita currently operates out of two facilities within the City of Oxnard; these facilities are located at 3541 West Fifth Street (DaVita Channel Islands Dialysis and at 1900 Outlet Center Drive (DaVita Oxnard Dialysis).

b) General Plan Consistency: The 2030 General Plan Land use Designation for the subject property is Commercial General (CG). This land use designation allows retail centers and free standing commercial uses along arterials that may also include office, residential uses up to 18 dwelling units per acre, live/work, and mixed uses.

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).

<table>
<thead>
<tr>
<th>POLICY</th>
<th>LEVEL</th>
<th>POLICY OR TITLE</th>
<th>EXPLANATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD-3.1</td>
<td>I</td>
<td>Neighborhood Preservation</td>
<td>- The project’s layout, architectural design, and low impact medical office use will protect existing residential neighborhood from the encroachment of incompatible activities and land uses.</td>
</tr>
<tr>
<td>CD-4.1</td>
<td></td>
<td>Mitigate Land Use Conflicts</td>
<td></td>
</tr>
<tr>
<td>CD-3.2</td>
<td>I</td>
<td>Encourage Planned Development Code Provisions for Revitalization</td>
<td>- The application proposes new development for review and consideration within a small infill site. Development offers improvements, revitalization, and other</td>
</tr>
<tr>
<td>CD-15.1</td>
<td></td>
<td>Quality of Life</td>
<td></td>
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<tr>
<td>CD-18.1</td>
<td>Attract New Business</td>
<td>neighborhood revitalization and quality of life opportunities. -Small medical office building will be compatible with the community’s setting and will not be detrimental to the established community character.</td>
<td></td>
</tr>
<tr>
<td>CD-18.2</td>
<td>Small Business</td>
<td>-The Project will offer an existing dialysis center to expand and offer added job opportunities to persons within the community. -As such, the proposed Project is consistent with General Policy Nos. CD-3.1; CD-4.1; CD-3.2; CD-15.1; CD-18.1; and CD-18.2</td>
<td></td>
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<tr>
<td>CD2.1</td>
<td>Zoning and General Plan Consistency</td>
<td>The General Commercial (C-2) zoning designation is consistent with the 2030 General Plan designation of Commercial General (CG). Therefore, the proposed project is consistent with General Plan Policy CD2.1.</td>
<td></td>
</tr>
<tr>
<td>CD-3.4</td>
<td>Neighborhood Quality of life</td>
<td>-Site development and infrastructural improvements will enhance community appearance and incorporate accessibility (ADA) parking and path of travel and other safety upgrades and design standards. Sign restrictions will apply to and not detract from the quality of the surrounding neighborhood.</td>
<td></td>
</tr>
<tr>
<td>CD-4.1</td>
<td>Commercial Area Aesthetics</td>
<td>-The PD will restrict commercial uses to retail commercial and uses that do not conflict with surrounded land uses.</td>
<td></td>
</tr>
<tr>
<td>CD-4.4</td>
<td>Commercial Signage</td>
<td>-For all the reasons stated above, the project is designed to meet the following General Plan Policies at a Phase II: CD-3.4; CD-4.2; CD-4.4; CD-5.2; CD-14.1; CD-14.2; CD-14.3; ICS-8.5; and ICS-8.6.</td>
<td></td>
</tr>
<tr>
<td>CD-5.2</td>
<td>Compatible Land Use</td>
<td></td>
<td></td>
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<tr>
<td>CD-14.1</td>
<td>-Design Review Process</td>
<td></td>
<td></td>
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<tr>
<td>CD-14.2</td>
<td>-Development Advisory Committee Functions (DAC)</td>
<td></td>
<td></td>
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<tr>
<td>CD-14.3</td>
<td>-Quality of Design</td>
<td></td>
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<tr>
<td>ICS-8.5</td>
<td>-Public Sidewalk and Pedestrian Orientation</td>
<td></td>
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<tr>
<td>ICS-8.6</td>
<td>-American with Disability Act (ADA) Handicap Requirements</td>
<td></td>
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</tbody>
</table>

### Conformance with Zoning Development Standards:

The proposed Project is located in the Commercial General (C-2) zone district. City Code Section 16-136(A)(1) allows medical office uses permitted in the Commercial Office (C-O) zone. With approval of the
Planned Development request, the proposed project would be consistent with the applicable development standards as shown in the following table.

<table>
<thead>
<tr>
<th>DEVELOPMENT STANDARD</th>
<th>REQUIREMENT</th>
<th>PROPOSED</th>
<th>COMPLIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Max. building height</td>
<td>2 stories or 35 feet. Additional stories may be permitted as part of an SUP (16-530—16-553)</td>
<td>29-feet, 7-inches</td>
<td>YES</td>
</tr>
<tr>
<td>Front yard setback*</td>
<td>10 feet from property line; 30 feet when abutting designated scenic corridors, per CD-9.4 of the 2030 General Plan.</td>
<td>12-feet</td>
<td>YES</td>
</tr>
<tr>
<td>Side yard setback*</td>
<td>5 feet. Zero when abuts another C-2 zoned lot.</td>
<td>43-Feet (West Site) 7-1&quot;Feet (East Site)</td>
<td>YES</td>
</tr>
<tr>
<td>Rear yard setback*</td>
<td>None if =&lt;16 feet in height; 15 feet if &gt;16 feet in height; 10 feet if abuts an alley.</td>
<td>46-feet</td>
<td>YES</td>
</tr>
<tr>
<td>Parking space sizes &amp;</td>
<td>9’W x 19’L; 12’W x 40’L x 14’H; alt size with PC or director approval</td>
<td>9’ x 19’</td>
<td>YES</td>
</tr>
<tr>
<td>design:</td>
<td>9’W x 19’L</td>
<td>Admin relief requested for</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>loading/ unloading area</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>44 shared parking spaces</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>You need to complete this</td>
<td></td>
</tr>
<tr>
<td>Parking area Landscape Req.</td>
<td>Min. 10’ wide strip.</td>
<td>15’ to 20’ along street side</td>
<td></td>
</tr>
<tr>
<td>(16-641):</td>
<td>Min. 5’ wide in parking areas.</td>
<td>Min. 5’ wide in parking areas</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minimum 5% of area, exclusive of any other required landscaped area</td>
<td>9 W x 20’ landscape ‘finger’</td>
<td></td>
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<tr>
<td></td>
<td>abutting a street or alley.</td>
<td>planters - every 10 spaces</td>
<td></td>
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<tr>
<td></td>
<td>9’W x 20’ - every 10 spaces with 2 trees.</td>
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<td></td>
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<tr>
<td></td>
<td>Min. 40’ O.C.</td>
<td></td>
<td></td>
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<tr>
<td>Trash enclosures &amp;</td>
<td>To be screened at installation.</td>
<td>Double Bin Provided (7’-4” X 17’-0”)</td>
<td>YES</td>
</tr>
<tr>
<td>transformers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rooftop equipment</td>
<td>May not protrude above height of parapet.</td>
<td>Building design incorporates</td>
<td>YES</td>
</tr>
<tr>
<td></td>
<td></td>
<td>parapet system</td>
<td></td>
</tr>
<tr>
<td>Fence (16-310)</td>
<td>Cannot be located in the FY setback area</td>
<td>Existing zone wall along west</td>
<td>YES</td>
</tr>
<tr>
<td></td>
<td>No chain link in FY</td>
<td>and north sides of the project</td>
<td></td>
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<tr>
<td></td>
<td>8’ max height</td>
<td>site</td>
<td></td>
</tr>
</tbody>
</table>
**Site Design:** The proposed 0.66-acre site is located near the intersection of Rose Avenue and Raiders Way. To the north and west is a 50-unit residential gated community (Rose Islands Homes) that was built in the late 90’s. A 6-foot tall slump stone wall is located on the westerly property line, which was constructed as part of the residential community boundaries. A 6-foot tall slump stone wall is located along the northerly side of the Project – adjacent to Cota Circle. The wall and the landscaping between the sidewalk and wall were installed as part of the Fresh and Easy Grocery Shopping Center in the late 2000’s. There are no vehicular connections from the cul-de-sac to the commercial shopping center or the subject site.

Primary access to the .66-acre site is proposed via a shared private driveway off of Raiders Way. Secondary access will also be accommodated off of S. Rose Avenue (see Attachment C).

The single story medical office structure averages approximately 79-feet wide by 154-feet deep and it will be centrally located with its front entrance facing east towards the church building.

e) **Tentative Parcel Map:** The tentative parcel map will subdivide the 1.79-acre site into two parcels to accommodate the construction of the new facility. The proposed parcel will comply with all code requirements. The existing church building and the proposed building include shared services to accommodate vehicular, pedestrian connectivity, cross drainage, and shared utilities that cross property lines. A condition of approval has been imposed on the tentative parcel map requiring a reciprocal access agreement between the two lots.

The proposed development project will connect to existing utilities and infrastructure located along Raiders Way. Existing infrastructure improvements along Raiders way include public sidewalks, parkways and landscaping will be adjusted to accommodate circulation needs and proposed on-site improvements (see Attachment E).

The proposed tentative map was referred to various public utility companies, City departments, and the Development Advisory Committee (DAC) for review. The recommendations received are included as conditions of approval to be implemented during construction of the proposed project.
Circulation and Parking: Vehicular access to the site is provided from an existing two-way shared drive aisle along Raiders Way and a single one-way drive aisle which provides access to 17 angled parking spaces along the west and north side of the building.

The City’s Traffic Engineer has reviewed and accepted the Project specific parking study (October 19, 2017) prepared by Alliance JB. The study evaluated operational days and shared parking demand needs for the proposed DaVita Dialysis Center and the existing New Progress Christian Missionary Baptist Church. In addition, the parking study evaluated the parking requirements of which were granted as part of the Special Use Permit for the existing New Progressive Christian Missionary Baptist Church. The study shows that the church was approved with 35 on-site parking spaces (through approval of administrative relief with support of the parking study). The church peak parking demand is based on seating capacity within the 171 seat auditorium. At maximum capacity, while church services or member receptions, the auditorium will meet the City’s parking requirement of one parking stall for every 5 seats.

The parking study sites that based upon the City parking requirements, a total of 58 parking spaces would be required for the 11,500 square foot medical office building (1 space per 200 square foot). Through approval of a parking study, the Planned Development (PD) additive zone allows a 25% reduction in parking through analysis and documentation of a parking study. Based upon the number of parking spaces required, this equates to 15 parking spaces. The parking evaluation conducted site specific observations to evaluate operational parking comparisons with an existing DaVita Dialysis Center in Oxnard. Operational observations were conducted on three weekdays in April 2017 and on Saturday, July 22, 2017. The observations showed that the DaVita Dialysis Center at 3541 West Fifth Street requires 17 parking spaces (7,574 square feet). The parking study documented parking, staffing, and patient service needs to determine parking demand based on typical day to day operations.

The dialysis center proposes to operate between the hour of 7:00 a.m. and 5:00 p.m. Monday through Saturday (no Sunday hours are proposed). The existing New Progressive Christian Missionary Baptist Church operates Sunday from 9:00 – 11:00 a.m.; choir practice typically occurs on Wed. evening from 7:00 – 8:00 p.m. Sunday school services will occur concurrently with Sunday services. Observations of the existing Oxnard dialysis facilities helped to establish site specific operational comparisons for determining parking demand needs. When proportionally compared, staffing, treatment operations, and patient stations, were used to establish anticipated parking demands for the proposed DaVita facility. The traffic study determined that the direct proportional comparison indicated that the peak parking demand for the Raiders Way facility would require 26 parking spaces on weekdays and 20 parking spaces on Saturdays; the facility will not be open on Sundays. The report justifies that the allowable reduction to 44 parking spaces (25% reduction pursuant to Planned Development permit) would be adequate to serve the higher weekday parking demands anticipated for the medical office facility.
By design and hours of operation, the two uses will operate and function cohesively as each parcel will have reciprocal parking, access, and a maintenance agreement to allow the parking to be shared amongst the two properties. Further, peak parking times for the church will occur on Sunday with the dialysis facility not open. Parking for the Project site is provided in accordance with the following table:

<table>
<thead>
<tr>
<th>Use</th>
<th>SQUARE FOOTAGE PROPOSED</th>
<th>PARKING STANDARD</th>
<th>PARKING REQUIRED</th>
<th>PARKING PROVIDED</th>
<th>NOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Office</td>
<td>11,500 sf</td>
<td>1 stall per 200sf of gross floor area</td>
<td>58.0</td>
<td>17 Standard 2 Motorcycle</td>
<td>Administrative Relief of 14 parking stalls pursuant to Section 16-651 and Section 16-271</td>
</tr>
<tr>
<td>Church</td>
<td>5,756 sf</td>
<td>1 stall per 5 seats within auditorium</td>
<td>34.0</td>
<td>29 Standard 5 ADA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>17,256</td>
<td>Total: 92.0</td>
<td>51</td>
<td></td>
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</tr>
</tbody>
</table>

DaVita Dyalysis Center will share 26 parking spaces located on the church property for a total of 44 parking spaces and the church will maintain 8 parking stalls for their day to day administrative needs.

g) **Building Design:** The building is rectangular in shape with the front main entrance facing east towards the adjacent church property. The building’s exterior design incorporates architectural design finishes that match and blend with the existing church structure to the east. The single story medical office building incorporates stucco finishes, colors, trim details, and concrete tile roofing materials that not only match and complement the adjacent church building but also the adjacent residential community.

The building’s exterior incorporate two main paint colors. The base of the medical office building will be painted a dark brown (Sherwin Williams SW 7032-Warm Stone) with the main stucco color a grayish/tan tone (Sherwin Williams SW 7044-Amazing Gray). The upper cornice detail along the parapet wall and the roof lines a soft white tone (Sherwin Williams SW 6147-Panda White) is used as an accent tone. In addition, the building incorporates storefront window systems along the east, south, and west elevation. The concrete roof tiles will be flat, interlocking with pattern and design to match the adjacent church building. Tile roof is incorporate on two building design features that occur along the south elevation and along the main entrance into the building. The average height of the building will be 21.6 feet to the top of the parapet and two pitched roof elements along the south elevation and main entrance will be 29.7 feet in height.

The adjacent single family community is predominantly two-story in height and the homes are approximately 25 feet in height. The adjacent church building is a single story.
construction with an average roof height of 30 feet, and a central roof structure that reaches an approximate height of 41 feet.

Architecturally, the building’s design is expected to complement and blend in with the two adjacent uses because architecturally the proposed building utilizes and incorporates design features from both adjacent uses. The single story building is expected to be architecturally compatible and its scale and massing.

h) Signs: The Project proposes to install a new monument sign on the church property near the corner of Rose Avenue and Raiders Way. The sign will be within an existing landscaped area and the identification sign will be jointly used by the church and DaVita Dialysis Center. Future building signs and the monument sign will be subject to the Oxnard City Code.

7) Development Advisory Committee: The Development Advisory Committee (DAC) reviewed this Project on April 26, 2017 and on August 23, 2017. Recommendations of the DAC have been made conditions of approval within the attached resolutions.

8) Community Workshop and Public Input: On September 7, 2017, the applicant mailed 604 notices of the Community Workshop meeting to all property owners within the College Estates Neighborhood. The Community Workshop was conducted at 6:00 p.m. Monday, September 18, 2017 and no one from this neighborhood attended the meeting.

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. Notice of Determination
C. Reduced Development Project Plans
D. Shared Parking Study by Alliance JB dated October 19, 2017
E. Reduced Tentative Parcel Map
F. Resolution PZ 17-540-01(Planned Development for Special Use Permit)
G. Resolution PZ 17-300-01 (Tentative Parcel Map)

Attachment E,F,G is removed from Staff Report

Prepared by: ________
JM

Approved by: ________
KM
ATTACHMENT A

MAPS
(VICINITY, GENERAL PLAN, ZONING MAP)
ATTACHMENT

B

NOTICE OF DETERMINATION
NOTICE OF EXEMPTION

Project Description:
Planning and Zoning Permit Nos. 17-540-01 (Special Use Permit for Planned Development Permit) and 17-300-01 (Tentative Parcel Map), a request to subdivide a partially developed 1.79-acre parcel and construct an 11,500 square foot, single story medical office building with related site improvements on a vacant portion (0.66-acres) of this parcel. Shared access and parking for the medical office building will be integrated with the existing New Progressive Christian Missionary Baptist Church site (1.13-acres). The site is zoned General Commercial Planned Development (C2-PD) and is located at 1601 Raiders Way. Filed by Tom Davies, Cardiff Realty Holdings, Inc., on behalf of New Progressive Christian Missionary Baptist Church, 2660 Townsgate Road, Suite 800 Westlake Village, CA 91361.

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

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

Supporting Reasons: In accordance with Section 15332, Class 32 of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “in-fill development” may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA). This proposed Project meets the requirements of a Class 32 categorical exemption because it: (i) is consistent with the City of Oxnard 2030 General Plan designation and all applicable General Plan policies for the reasons set forth below; (ii) occurs within the City limits on a site of no more than five acres; (iii) is located on site with no value as habitat for endangered, rare or threatened species; (iv) would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (v) would be adequately served by all required utilities and public services.

Based on the above exemption and in accordance with CEQA, the Planning Division Manager has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed.

(Date)                                    Kathleen Mallory, AICP
                                          Planning Manager
ATTACHMENT C

REDUCED DEVELOPMENT PROJECT PLANS
ATTACHMENT
D

SHARED PARKING STUDY BY
ALLIANCE JB
OCTOBER 19, 2017
Dear Mr. Davies:

AllianceJB has conducted a shared parking evaluation to assess the parking demand for the DaVita Dialysis Center development on Raiders Way at Rose Avenue in the City of Oxnard. Parking demand estimation procedures were based on the proposed DaVita Dialysis Center operating Monday through Saturday, and the adjacent New Progressive Christian Missionary Baptist Church operating with regularly scheduled church services on Sunday, and with occasional weddings and receptions on Saturday. Parking evaluations were prepared based on the City of Oxnard Zoning Code parking requirements and in consideration of site specific parking evaluations at an existing DaVita Dialysis Center at 3541 West Fifth Street in the City of Oxnard.

Project Site Plan

The proposed project site plan is shown below. The existing New Progressive Christian Missionary Baptist Church is located on the Congregation Property and will have 34 on-site parking spaces (shown in green and yellow). The proposed 11,500 square feet 24 station DaVita Dialysis Center will be located on the Churchyard Property with 18 on-site parking spaces (shown in blue), and will share an additional 26 parking spaces (shown in green) on the congregation property, for a total of 44 parking spaces (where 2 motorcycle spaces are counted as 1 vehicle space). Currently the Congregation Property and Churchyard Property is one parcel. Churchyard Development II, LLC will be seeking a tentative parcel map to subdivide the properties along with the Special Use Permit.
City of Oxnard Parking Requirements

The City of Oxnard parking requirements for the proposed DaVita Dialysis Center would be based on the medical offices land use category (even though the parking requirements for a Dialysis Center are much less than that of medical offices); and the City of Oxnard parking requirements for the New Progressive Christian Missionary Baptist Church would be based on the churches land use category. These City of Oxnard Zoning Code parking requirements are as follows:

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<thead>
<tr>
<th>Use</th>
<th>Requirements</th>
<th>Notes</th>
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<tr>
<td>Medical and dental offices and clinics</td>
<td>One space per 200 square feet of gross floor area.</td>
<td>Twenty-four inches shall be considered one seat where pews or benches are provided. Ancillary uses such as offices shall provide additional parking spaces as required.</td>
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<tr>
<td>Churches and other places of public assembly, including mortuaries, banquet facilities, and convention facilities</td>
<td>One space per five seats within the main auditorium or one space per 35 square feet of gross floor area. Where pews or benches are provided, one space required for every ten lineal feet of pew or bench.</td>
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The existing New Progressive Christian Missionary Baptist Church was developed to provide 35 parking spaces per a City of Oxnard Special Use Permit approved on October 2, 2008, and the 35 parking spaces (34 required parking spaces plus 1 additional parking space) was based on the SWC of Rose and Channel Islands Church Parking Evaluation prepared by AllianceJB dated February 4, 2008. A direct application of the City of Oxnard parking requirements for a medical office building for the proposed 11,500 square feet DaVita Dialysis Center indicates that 58 parking spaces would be required, with an allowable reduction of up to 25% in the Planned Development Zone (14 parking spaces) with appropriate justification, resulting in a total of 44 parking spaces.

DaVita Parking Requirements based on Observations at 3541 West Fifth Street

A site specific parking evaluation was conducted for the existing DaVita Dialysis Center at 3541 West Fifth Street in the City of Oxnard by conducting parking observations on April 24, 27 and 28, 2017 (weekdays) and on July 22, 2017 (Saturday). This DaVita Dialysis Center was an ideal location for conducting existing comparable parking observations because the adjacent office suite within the building housed by DaVita was unoccupied during the parking observations.

The existing DaVita Dialysis Center at 3541 West Fifth Street is 7,574 square feet with 16 dialysis stations. The maximum observed parking demand at this location includes a parking occupancy of 17 parking spaces on weekdays from 12:00 PM to 4:00 PM, a parking occupancy of 13 parking spaces on Saturday from 8:00 AM to 9:00 AM, and a parking occupancy of 10 parking spaces on Saturday from 11:00 AM to 1:00 PM.

A direct proportional comparison of this existing 7,574 square feet DaVita Dialysis Center to the proposed 11,500 square feet DaVita Dialysis Center would indicate that the Raiders Way DaVita Dialysis Center would require 26 parking spaces on weekdays from 12:00 PM to 4:00 PM, 20 parking spaces on Saturday from 8:00 AM to 9:00 AM, and 15 parking spaces on Saturday from 11:00 AM to 1:00 PM. The 44 parking spaces to be provided at the lower limit of the City of Oxnard Zoning Code requirements for a medical office building would exceed the parking demand of the proposed 11,500 square feet DaVita Dialysis Center.

DaVita Parking Requirements based on Dialysis Center Operations

DaVita Dialysis Center representatives were contacted to identify parking requirements based on employees and patients at a typical dialysis center with 24 stations:

Weekdays - Typical weekday operations for a dialysis center with 24 stations were reported to be as follows:

AllianceJB
00 DaVita Dialysis Center Shared Parking Evaluation 2017 10 19.docx
• 4 patients typically drive themselves and utilize a parking space
• 8 patients typically are driven and the driver waits and utilizes a parking space
• 4 patients are typically dropped off with no waiting with no parking space needed
• 8 patients are typically delivered by medical transport with no parking space needed
• 14 parking spaces are needed for employees per shift and car utilization among employees

Saturdays - Typical Saturday operations for a dialysis center with 24 stations was reported to be at about 75% of the weekday capacity (since the majority of dialysis treatments are scheduled on weekdays).

DaVita Dialysis Center representatives indicated that on a typical weekday they would need 12 parking spaces for patients and potentially 14 parking spaces for employees if every employee drove to work (which may or may not be the case), thereby resulting in a total parking demand of 26 parking spaces. And on a typical Saturday, they would need 9 parking spaces for patients and potentially 11 parking spaces for employees if every employee drove to work (which again may or may not be the case), thereby resulting in a total parking demand of 20 parking spaces. The 44 parking spaces to be provided at the lower limit of the City of Oxnard Zoning Code requirements for a medical office building would exceed the parking demand of the proposed 24 station DaVita Dialysis Center.

Shared Parking Evaluation

The shared parking evaluation for the proposed DaVita Dialysis Center and the existing New Progressive Christian Missionary Baptist Church is fairly simple and straightforward since DaVita operates primarily Monday through Friday (with Saturday operations only when there are excessive demands for Monday through Friday treatments), and the church operates primarily on Sunday (with only very rare instances of weddings and receptions on a Saturday). There are essentially no significant conflicting parking requirements for the two uses:

On weekdays, the DaVita Dialysis Center would be operational requiring 26 parking spaces with 44 parking spaces available (blue and green as shown on the site plan), and the New Progressive Christian Missionary Baptist Church would not be operational with 8 parking spaces available (yellow as shown on the site plan).

On Sundays, the New Progressive Christian Missionary Baptist Church would be operational with 34 parking spaces available (green and yellow as shown on the site plan), and the DaVita Dialysis Center would not be operational with 19 parking spaces available (blue as shown on the site plan).

On the vast majority of Saturdays, the DaVita Dialysis Center would only be operational when there are excessive demands for Monday through Friday treatments requiring 20 parking spaces in the morning and 15 parking spaces in the afternoon with 44 parking spaces available (blue and green as shown on the site plan), and the New Progressive Christian Missionary Baptist Church would not be operational with 18 parking spaces available (yellow as shown on the site plan).

On extremely rare Saturdays, when the New Progressive Christian Missionary Baptist Church would also be operational with a very rare afternoon wedding and reception to be held at the church with 34 parking spaces available (green and yellow as shown on the site plan), and the DaVita Dialysis Center would be operational due to excessive demands for Monday through Friday treatments requiring 20 parking spaces in the morning (prior to wedding times) and 15 parking spaces in the afternoon (during wedding times), the DaVita Dialysis Center parking would be accommodated with 18 parking spaces available (blue as shown on the site plan).

A shared parking arrangement between the proposed DaVita Dialysis Center and the existing New Progressive Christian Missionary Baptist Church can easily accommodate the parking requirements of both the DaVita and church on weekdays and weekends.
Loading Zone Requirement Evaluation

The City of Oxnard typically requires that a designated loading zone space be shown on the project site plan when it is anticipated that there will be a significant amount of loading or unloading activities occurring during business operating hours. It is anticipated that the proposed DaVita will receive three delivery trucks per week (primarily salt for their reverse osmosis process), along with one outbound truck for removal of medical waste. They use a variety of trucks for the delivery and removal activities (typically requiring a relatively short duration of 5-20 minutes each), and the trucks will be able to park within the two-way aisleway circulation system without causing any significant disruption to on-site traffic flow. The project is submitting a request for administrative relief to the requirement for a dedicated loading space given the delivery characteristics for the intended dialysis services.

Conclusions:

The proposed DaVita Dialysis Center parking requirements can be easily accommodated by enacting a shared parking agreement with the New Progressive Christian Missionary Baptist Church to provide 18 on-site parking spaces on the DaVita property with an additional 26 shared parking spaces on the church property, resulting in a total of 44 parking spaces; and a dedicated loading space is not needed due to the anticipated minimal amount of loading and unloading activities associated with the DaVita Dialysis Center.

AllianceJB appreciates the opportunity to provide traffic engineering services for this parking evaluation. If you have any questions, or need any additional traffic engineering services, please contact me at (805)-223-1413.

Very truly yours,

James A. Biega, P.E., T.E.
President, AllianceJB

Attachments
Project Site Plan
RESOLUTION NO. 2018-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 17-540-01 (SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT PERMIT) TO ALLOW THE CONSTRUCTION OF AN 11,500 SQUARE FOOT, SINGLE STORY MEDICAL OFFICE BUILDING WITH RELATED SITE IMPROVEMENTS ON A VACANT PORTION (0.66-ACRE) OF LAND ZONED GENERAL COMMERCIAL PLANNED DEVELOPMENT (C2-PD). THE PROJECT SITE IS LOCATED AT 1601 RAIDERS WAY AND THE REQUEST INCLUDES SHARED ACCESS FOR PARKING AND CIRCULATION WITH NEW PROGRESSIVE MISSIONARY BAPTIST CHURCH SITE (1.13-ACRES) LOCATED AT 3001 SOUTH ROSE AVENUE. FILED BY TOM DAVIES, CARDIFF REALTY HOLDINGS, INC., ON BEHALF OF NEW PROGRESSIVE CHRISTIAN MISSIONARY BAPTIST CHURCH, 2660 TOWNSGATE ROAD, SUITE 800 WESTLAKE VILLAGE, CA 91361.

WHEREAS, on February 9, 2017, Tom Davies with Cardiff Realty Holdings, Inc., on behalf of New Progressive Missionary Baptist Church, Property Owner (the “Applicant” and/or “Permittee”) submitted a request for approval of a Planned Development Permit for Special Use Permit for the construction of a 11,500 square foot medical office building with related site improvements at 1601 Raiders Way (APN 221-0-232-235); and associated on-site improvements (the “Project”), filed by (the Applicant); and

WHEREAS, on January 18, 2018, the Planning Commission of the City of Oxnard (“Planning Commission”) conducted a duly noticed public hearing to consider the Applicant’s request for the Project as described above in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, the Planning Commission considered Planning and Zoning Permit No. 17-540-01 (Planned Development Permit for Special Use Permit) and took action to approve the Project; and

WHEREAS, all persons wishing to testify in connection with the proposed Project were heard and the Planning Commission conducted a comprehensive review of the Application; and

WHEREAS, the Planning Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a categorical exemption; and

WHEREAS, the Project was referred to various public utility companies, City Departments and the Development Advisory Committee for recommendations; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:
SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

(1) **The proposed use is in conformance with the City of Oxnard 2030 General Plan and the elements thereof and other adopted standards.**

The proposed use is consistent with the 2030 General Plan since the proposed use is consistent with the site’s land use designation of Commercial General Planned Development (C2-PD) and the project complies with the development policies of the 2030 General Plan in that Section No. 16-136 of the Oxnard City Code states allows medical office uses permitted in the Commercial Office (C-O) zoning district.

(2) **The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

The proposed use is consistent with uses considered and permitted by the General Commercial (C-2) zone. Construction activities, use, development design will be subject to standard construction requirements of the California Building, Fire, and Traffic Codes. Therefore, the proposed use and improvements are not expected to have adverse effects or be materially detrimental the adjacent uses, buildings or structures or to the public health, safety or general welfare.

(3) **The site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this Resolution.**

The site is partially developed with existing infrastructure in place to accommodate the proposed development as described and shown in Section 6 of the Planning Commission Staff Report. As such, the subject site is adequate in terms of size and as developed the development meets or exceeds City’s design, development standards and parking will be met via shared access and parking with the adjoining church property.

(4) **The site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.**

The Project site will be served by existing and proposed driveways that connect with Raiders Way and the adjacent church site as described in Section 6 of the Planning Commission Staff Report.

(5) **The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.**
The Project is considered infill development that has been found to be consistent with anticipated development for this site. Furthermore, existing water, sewer, fire, and storm drainage infrastructure is in place along Raiders Way to serve the project. The Project will be subject to its fair share of sewer, water, and other impact fees associated with user connection fees. In addition, the Project will be subject to City permits and the California Plumbing and Fire Codes.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA Guidelines. This section pertains to projects found consistent with the applicable General Plan designation policies as well as with applicable zoning designation and regulations; and the proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban areas; and the project site has no value, as habitat for endangered, rare or threatened species; and approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The Planning Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15332 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit 17-540-01 (Special Use Permit for Planned Development Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

[CONDITIONS OF APPROVAL ON FOLLOWING PAGE]
STANDARD CONDITIONS OF APPROVAL
FOR LAND USE PERMITS

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

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<th>DEPARTMENTS AND DIVISIONS</th>
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<tbody>
<tr>
<td>CA City Attorney</td>
<td>PL Planning Division</td>
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<td>DS Dev Services/Eng Dev/Inspectors</td>
<td>TR Traffic Division</td>
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<td>PD Police Department</td>
<td>B Building Plan Checker</td>
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<td>SC Source Control</td>
<td>FD Fire Department</td>
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<tr>
<td>PK Landscape Design</td>
<td>CE Code Compliance</td>
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GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, G-1).

2. This permit is granted for the plans dated September 18, 2018, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, G-2)

3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, G-3)

4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)

6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)

7. Developer shall complete the “Notice of Land Use Restrictions and Conditions” form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)

8. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)

9. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)

10. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)

11. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)

12. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)

13. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)

14. Prior to issuance of building 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

15. Prior to submittal of landscape and irrigation plans, Developer shall obtain approval of the Planning Manager or designee of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, PK-1)
16. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)

17. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)

18. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensure compliance (PK, PK-4)

19. Prior to the issuance of City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. 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)

20. All trees planted or placed on the 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)

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

22. At time of submittal to the Building and Engineering Division for plan check, 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, PK-23)

23. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that “all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California”. (PK, PK-24)

**FIRE DEPARTMENT STANDARD CONDITIONS**

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

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. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, F-4)

28. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)

29. The project 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, developer shall maintain paved surfaces capable of handling loads of 76,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, F-7)

31. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)

32. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)

33. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, F-11)

34. Developer shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, F-12)

35. Developer shall install in each structure in the project a detection/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 of the point of entry into the structure that is nearest the fire. (FD, F-13)
36. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F-15)

37. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, F-16)

FIRE DEPARTMENT SPECIAL CONDITIONS

38. Areas designated by the Fire Marshal as Fire Lanes shall be identified by a red curb and signage per the California Vehicle Code. (FD)

39. Before the city issues a certificate of occupancy, the developer shall install a Knox key vault at a location to be determined by the Fire Department. (FD)

PLANNING DIVISION STANDARD CONDITIONS

40. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, PL-1)

41. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, PL-2)

42. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, PL-3)

43. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2” by 11”) of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, PL-4)

44. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, PL-7)

45. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that
adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)

46. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.

47. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, PL-8)

48. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, PL-9)

49. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, PL-11)

50. During construction, Developer shall control dust by the following activities:
   a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
   b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, PL-12)

51. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)

52. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City’s water service area, if such a program is in effect when building permits
L.2.c

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PZ 17-540-01 (SUP/PD)
January 18, 2018
Page 10

are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, PL-14)

53. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, PL-15)

54. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, PL-16).

55. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. (PL, PL-50)

56. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B, PL-41)

57. Developer shall install all roof and building drainpipes and downspouts inside building elements. These items shall not be visible on any exterior building elevations. (PL, PL-42)

58. For any exterior utility meter panels, Developer shall paint such panels to match the structure upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (PL, PL-43)

59. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, PL-47)

PLANNING DIVISION SPECIAL CONDITIONS

60. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
61. This permit is granted subject to the City’s approval of a tentative map and final map and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning Division Manager and the Development Services Manager. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)

62. Prohibited uses within the building shall include, but are not limited to: food establishments selling food for dine-in or take out; arcade and video gaming; marijuana/cannabis dispensaries; and commercial establishments that sell tobacco, alcohol, drug products, paraphernalia or adult material. (PL)

63. Outdoor displays or vending equipment shall be prohibited. (PL)

64. Food trucks of any vehicle type or vending carts shall be prohibited from parking or staging on the project site. (PL)

65. Developer acknowledges that upon a change of use, the Planning Manager shall review the request and proposed building occupancy to determine compliance with Oxnard City Code provisions (i.e., number of parking spaces and loading/unloading space requirements). (PL)

ENVIRONMENTAL RESOURCES DIVISION

66. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a “City of Oxnard C&D Environmental Resources Management & Recycling Plan” (“Plan”) to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.

67. Developer shall follow the approved “City of Oxnard C&D Environmental Resources Management & Recycling Plan” and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the “City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed” (“Work Completed Report”) and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility’s letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating
the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.

68. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.

69. Developer shall make provisions to divert at least 50% of the waste material generated during occupancy through source reduction, recycling, reuse, and green waste programs. Developer shall complete and submit a “City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Plan” (“Occupancy Plan”) to the City’s Environmental Resources Division. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. A “City of Oxnard C&D Environmental Resources Management and Recycling Occupancy Report” shall be submitted to the Environmental Resources Division annually for approval on the anniversary date of the certificate of occupancy or at any such time that the facility’s operational functions change significantly.

70. Developer shall dispose of sewage and solid waste from the project by City’s wastewater and solid waste systems in a manner approved by the City Engineer.

POLICE DEPARTMENT CONDITIONS

71. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline:
   a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California’s Energy Efficiency Standards for Residential and Nonresidential Buildings.
   b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the 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 on 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.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 the 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.

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 the 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. (PD)

72. Exterior lighting of the site including parking areas shall be between 1 and 7 foot candles and shall be in harmony with existing adjacent lighting scheme. (PD)

73. Lighting instruments shall be metal halide, LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature). (PD)

74. Lighting instruments shall be full cut-off and installed so that light does not directly illuminate property outside the project site. Instruments shall not create glare for motorists or pedestrians. (PD)

75. Landscape elements shall be arranged to provide clear lines of sight and eliminate potential places of concealment. (PD)

76. Outdoor lighting instruments shall not be placed in close proximity of parking lot trees. In the event outdoor lighting instruments and trees are in close proximity an additional sheet will be required illustrating light and tree placement showing trees with a 20-year maturity. (PD)

77. Integrated landscape/lighting/photometric plan shall be submitted illustrating a 20-year tree maturity. This is to ensure that tree growth will not adversely impact future lighting and therefore site safety as the project matures. This plan shall be submitted and approved prior to the issuance of building permits. (PD)

78. Motion detection burglary or intrusion alarm system is required and shall utilize “Dual Technology” sensors capable of differentiating between human movement and non-human movement. (PD)

79. Should the applicant or future occupant business choses to install a security camera system, it must meet current industry standards and the below specifications:

   a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are expected for infra-red lighting.
b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
c. Cameras shall have low light capability and able to identifying persons conducting transactions or entering the business.
d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
e. The video system shall allow recording, live viewing and playback of recorded video for a period of a period of at least 30 days.
f. Recorded images shall bear a date and time stamp that cannot be altered.
g. Prior to the installation of a security camera system the applicant shall submit a plan showing location of cameras and the scope of their capture area. The plan shall include a list of components and a web address where a description of the component’s specifications can be located.
h. Signage shall be posted near the primary public building entrance which states in 2” letters: “These premises are monitored by a security camera system”. (PD)

80. Should the applicant or any future occupant plan to keep, store or maintain any controlled substances as defined by the State of California the following conditions shall apply:
   a. A security camera system shall be installed and maintained.
   b. A dual technology alarm system shall be installed and maintained in accordance with City Code to detect unlawful intrusion into the controlled substance facility.
   c. Controlled substances shall be stored in a secured manner.
   d. Plans for the camera system and the controlled substance storage facility shall be reviewed and approved by a person designated by the Chief of Police.
   e. Inquiries relative to storage of controlled substances can be made by contacting the Oxnard Police Department Special Projects Unit at specialprojects@oxnardpd.org. (PD)

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

81. 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 permit issuance. (DS-1)

82. Developer’s Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall indicate the proposed structural section and design T.I. on the site improvement plans. (DS-2)

83. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) 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 ink-on-mylar plans filed with the Development Services Division. (DS-3)

84. Developer shall submit improvement plans and drainage calculations demonstrating that storm drain runoff from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City’s Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)

85. Developer shall protect building pads from inundation during a 1% chance (100-year) storm. (DS-5)

86. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)

87. Developer’s site improvement plans shall include an on-site sewer plan. (DS-10)

88. Developer shall install on-site and off-site electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

89. 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. Developer 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)

90. A California licensed civil engineer 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. Submittal shall include, but not necessarily be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans, construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not approve a parcel map or final map nor issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)

91. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or 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)
92. 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)

93. 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)

94. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)

95. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)

96. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)

97. "Standard Specifications for Public Works Construction" latest edition (including modifications thereto by City) and applicable City Standard Plates and Design Criteria 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)

98. Developer shall retain a California licensed Civil Engineer 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 certified "as-built" plans is a condition of City's final acceptance of the project and release of any associated security. (DS-29)

99. All grading shall conform to City's standard grading notes, City Code, and recommendations of Developer's soils engineer as approved by the City Engineer. (DS-30)

100. Developer shall design all slopes steeper than 5 (horizontal) to 1 (vertical) with a minimum 18 inch wide level area (at both top and bottom of slope) where it adjoins a wall, fence, sidewalk, trail, curb or similar improvement. (DS-32)
101. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consent (as determined appropriate by the Development Services Director) from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project. (DS-36)

102. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer. (DS-38)

103. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

104. Street and road improvements shall conform to City standard plates, design criteria and policies. Improvements shall include upgrading of existing pavement along the project frontage to City standards by removing and replacing or overlaying, as directed by the City Engineer. (DS-51)

105. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)

106. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)

107. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends a minimum of 15 feet from the face of the enclosure. (DS-69)

108. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)

109. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

**STORMWATER QUALITY CONDITIONS**

110. Developer shall design project to minimize degradation of stormwater quality by complying with the applicable sections of the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit (Order R4-2010-0108 including all revisions) for new development and redevelopment projects. Developer shall submit stormwater quality calculations and associated construction plans demonstrating compliance with the MS4 permit. Calculations shall generally be organized to follow the steps outlined in Chapter 2 of the 2011 Technical Guidance Manual for Stormwater Control Measures ("2011 TGM"). (DS-78)

111. Developer shall construct double-bin trash enclosures (one bin for recycle use) with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse
bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Development Services Division. Developer shall finish the trash enclosure to match the major design elements of the main structure subject to approval by the Planning Division. The location and configuration of the enclosure shall be approved by the Environmental Resources Division. All site refuse bins shall be stored in an approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. (DS-79)

112. Developer’s stormwater quality calculations shall include site specific analysis and recommendations from a geotechnical engineer, and if applicable, a landscape architect for design and implementation of stormwater treatment and infiltration devices. Geotechnical Engineering analysis and recommendations shall include, but not necessarily be limited to, determination of site specific soil infiltration rates, depth to permeable soil layers, methods to reach permeable soil layers, appropriate compaction rates, recommendations to enhance infiltration, and other requirements of the 2011 TGM. Landscape architectural recommendations shall include, but not necessarily be limited to, suggestions regarding appropriate vegetation and soil amendments for vegetated infiltration devices. Project plans shall implement approved design recommendations. (DS-81)

113. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Plan and Developer provides an executed copy of the City’s stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)

114. Developer’s stormwater quality control measures maintenance and operations plan shall include: 1) Requirement to clean on-site storm drains at least twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning; 2) Requirement to maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system; 3) Requirement to label all on-site storm drain inlets with the message "Don’t Dump - Drains to Ocean" in accordance with City standards. (DS-83)

115. Developer shall provide pre-treatment for all infiltration based stormwater quality Best Management Practices ("BMPs"). Pre-treatment devices must effectively reduce sediment load entering infiltration BMPs to minimize occlusion of underlying soils and reduce long term
maintenance requirements and thereby maintain the infiltration capacity of the BMP. 2011 TGM compliant pre-treatment such as vegetated swales are an approved form of pre-treatment. Proprietary pre-treatment devices must be capable of removing 80% of 50 micron particles to be considered adequate pre-treatment. Typical catch basin inserts do not provide the sufficient sediment storage to provide pre-treatment. (DS-85)

116. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the Ventura Countywide MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-86)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

117. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)

118. Developer shall process Parcel Map 17-300-01 concurrent with the site civil improvement plan for this project. (DS)

119. Developer proposes to alter stormwater quality best management practices (BMPs) located on this site that serve a previously developed area. The proposed substitution of catch basin inserts in lieu of the existing treatment swale is acceptable based on the standards in effect at the time of original implementation. The catch basin inserts shall be installed in a manner that results in treatment of all stormwater runoff previously treated by the swale. The inserts shall be capable of removing 80% of 50 micron particles. Developer shall process (and record) an updated stormwater quality control measures maintenance and operations plan ("Plan") that implements these revisions. (DS)

120. Developer must design all stormwater runoff from this project (including all roof runoff) to drain to the proposed infiltration chamber in compliance with stormwater quality standards. (DS)

121. The percolation tests for this project shall include implementation of the reduction factor specified in the "Guidelines for Design, Investigation, and reporting for Low Impact Development Stormwater Infiltration" published in the Administrative Manual of the County of Los Angeles Department of Public Works. This reduction factor is in addition to the required safety factor. (DS)
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122. Developer's geotechnical engineer shall test the exposed bottom of infiltration facilities immediately prior to facility construction and provide the City with a written opinion that the exposed soil layer is suitable for an infiltration facility based on review of the existing geotechnical reports, percolation tests, infiltration facility design, and characteristics of the exposed soil layer. (DS)

123. Developer shall install a root barrier on all trees planted within 8 feet of the storm drain pipe along the westerly boundary of the site. The root barrier shall be placed a minimum of 4 feet from the closest edge of existing storm drain pipe. The requirement for a root barrier shall be clearly indicated on the civil site plans in addition to the landscape plans. Root barrier location, tree species, and final tree location are subject to approval of the Development Services Manager. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 18th day of January 2018.

[Signature]
Deirdre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 18th day of January 2018, and carried by the following vote:

AYES: Commissioner(s): Chua, Stewart, Huber, Sanchez, Frank, Dozier, Fuhring

NOES: Commissioner(s): None

ABSENT: Commissioner(s): None

ABSTAIN: Commissioner(s): None

[Signature]
Kathleen Mallory, AICP, Secretary
RESOLUTION NO. 2018-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF PLANNING AND ZONING PERMIT NO. 17-300-01 (TENTATIVE PARCEL MAP) TO SUBDIVIDE A 1.79-ACRE PARCEL INTO TWO PARCELS (0.66-ACRE AND 1.13-ACRE), FOR PROPERTY LOCATED AT 1601 RAIDERS WAY AND 3001 SOUTH ROSE AVENUE (APN # 221-0-232-235), SUBJECT TO CERTAIN CONDITIONS. FILED BY TOM DAVIES, CARDIFF REALTY HOLDINGS, INC., ON BEHALF OF NEW PROGRESSIVE CHRISTIAN MISSIONARY BAPTIST CHURCH, 2660 TOWNSGATE ROAD, SUITE 800 WESTLAKE VILLAGE, CA 91361.

WHEREAS, on February 9, 2017, Tom Davies with Cardiff Realty Holdings, Inc on behalf of New Progressive Missionary Baptist Church, Property Owner (the “Applicant” and/or “Permittee”) submitted a request for approval of a Tentative Parcel Map to subdivide a 1.79-acre parcel into two parcels (0.66-acre and 1.13-acre) for property located at 1601 Raiders Way and 3001 South Rose Avenue (APN 221-0-232-235) (the “Project”), filed by the Applicant; and

WHEREAS, on January 18, 2018, the Planning Commission of the City of Oxnard (“Planning Commission”) conducted a duly noticed public hearing to consider the Applicant’s request to approve Planning and Zoning Permit No. 17-300-01 (Tentative Parcel Map) to subdivide a 1.79-acre parcel into two parcels (0.66-acre and 1.13-acre) (the “Subdivision”) in accordance with Section No. 15-40 of the Oxnard City Code; and

WHEREAS, the Planning Commission considered Planning and Zoning Permit No. 17-300-01 (Tentative Parcel Map) and took action to recommend that the City Council approve the Project; and

WHEREAS, said tentative map was referred to various public utility companies, City Departments and the Development Advisory Committee for recommendations; and

WHEREAS, the Planning Commission finds the tentative map conforms to the City's General Plan and elements thereof; and

WHEREAS, the Planning Division has completed a preliminary environmental assessment of the Subdivision in accordance with the California Environmental Quality Act (CEQA) and determined that the Subdivision is subject to a categorical exemption; 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 BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

(1) The proposed tentative parcel map is consistent with the City of Oxnard 2030 General Plan.
The proposed Tentative Parcel Map is consistent with the policies and provisions of the 2030 General Plan because the proposed Project will allow for development that conforms and is consistent with the 2030 General plan’s land use designation and development policies.

(2) That the design or improvement of the proposed Tentative Parcel Map is consistent with the City of Oxnard 2030 General Plan and any applicable specific plan.
The design and improvement of the proposed subdivision of land is consistent with applicable provisions of the 2030 General Plan because the proposed lot division supports the proposed infrastructural improvements and the intended uses.

(3) That the site is physically suitable for the type of development.
The site is partially developed with existing infrastructure in place to accommodate the proposed development as described and shown in Section 6 of the Planning Commission Staff Report. As such, the subject site is adequate in terms of size and as developed the development meets or exceeds City’s design, development standards and parking will be met via shared access and parking with the adjoining church property.

(4) That the site is physically suitable for the proposed tentative parcel map will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.
The Project site will be served by existing and proposed driveways that connect with Raiders Way and the adjacent church site as described in Section 6 of the Planning Commission Staff Report.

(5) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor likely to substantially and avoidably injure fish and wildlife or their habitat.
The design of the proposed land division and parcel improvements is no likely to cause substantial environmental damage or substantially and avoidable injure fish or
wildlife or their habitat because the Project is located within a developed urban area of the City that is not in an environmentally sensitive habitat

(6) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision; provided however, that approval may be granted if it is found that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to the ones previously acquired by the public.

The design of the proposed land division and parcel improvements will not conflict with existing easements. The Project has existing storm drain easements that extend across the northerly side and along the westerly side over the proposed L-shaped drive aisle to the west and north of the existing building. Condition No. 17, requires that the two subdivided lots maintain easement agreements for reciprocal access (vehicular/pedestrian), cross drainage, and shared utilities.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Subdivision will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15332 (In-fill Development), Class 32 of the State CEQA Guidelines. This section pertains to projects found consistent with the applicable General Plan designation policies as well as with applicable zoning designation and regulations; and the proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban areas; and the project site has no value, as habitat for endangered, rare or threatened species; and approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The Planning Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby recommends that the City Council approve Planning and Zoning Permit 17-300-01 (Tentative Parcel Map), subject to the attached conditions of approval.

SECTION 4. The Secretary shall certify the adoption of this Resolution.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides
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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).

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<td>FD</td>
<td>Fire Department</td>
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<tr>
<td>PK</td>
<td>Landscape Design</td>
<td>CE</td>
<td>Code Compliance</td>
<td></td>
</tr>
</tbody>
</table>

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, G-1).

2. This permit is granted for the plans dated January 18, 2018, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, G-2)

3. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)

4. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)

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)

PLANNING DIVISION STANDARD CONDITIONS

6. An approved tentative map shall expire thirty-six (36) months after its approval, unless an extension is applied for and approved by the City Council pursuant to Section 15-46 of the City Code. (PL)
PLANNING DIVISION SPECIAL CONDITIONS

7. This permit is granted subject to the approval of Planning and Zoning Permit No. 17-540-01 (Special Use Permit for Planned Development Permit). (PL)

DEVELOPMENT SERVICES STANDARD CONDITIONS

8. 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)

9. 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)

10. Developer shall dedicate to the City all water rights for the project property by title sheet dedication on the final map or parcel map. (DS-39)

11. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)

12. Prior to release of the final map or parcel map for recordation, Developer shall post security satisfactory to the City Attorney guaranteeing that all survey monuments will be set as required by the Government Code and the City Code. (DS-57)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

13. Developer shall process (and ultimately record) an agreement between the two proposed
lots of this subdivision that provides for reciprocal access (vehicular and pedestrian), cross lot drainage, and shared utilities. The agreement shall assign maintenance responsibly for all shared facilities or facilities that cross property lines. A draft of the agreement shall be provided for City approval and the agreement shall be recorded concurrent with map recordation. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 18th day of January 2018.

Deirdre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 18th day of January 2018, and carried by the following vote:

AYES: Commissioner(s): Chua, Stewart, Huber, Sanchez, Frank, Dozier, Fuhring

NOES: Commissioner(s): None

ABSENT: Commissioner(s): None

ABSTAIN: Commissioner(s): None

Kathleen Mallory, AICP, Secretary
CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
UPHOLDING PLANNING COMMISSION APPROVAL OF PLANNING AND
ZONING PERMIT NO. 17-540-01 (SPECIAL USE PERMIT FOR PLANNED
DEVELOPMENT PERMIT) TO ALLOW THE CONSTRUCTION OF AN 11,500
SQUARE FOOT, SINGLE STORY MEDICAL OFFICE BUILDING WITH RELATED
SITE IMPROVEMENTS ON A VACANT PORTION (0.66-ACRE – 1601 RAIDERS
WAY) OF LAND ZONED GENERAL COMMERCIAL PLANNED DEVELOPMENT
(C2-PD). FILED BY TOM DAVIES, CARDIFF REALTY HOLDINGS, INC., ON
BEHALF OF NEW PROGRESSIVE CHRISTIAN MISSIONARY BAPTIST
CHURCH, 2660 TOWNSGATE ROAD, SUITE 800 WESTLAKE VILLAGE, CA
91361.

WHEREAS, on January 18, 2018, the Planning Commission adopted Resolution No. 2018-05,
approving Planning and Zoning Permit No. 17-540-01 (Planned Development Permit for Special Use
Permit), to construction of a 11,500 square foot medical office building with related site improvements
at 1601 Raiders Way (APN 221-0-232-235); and associated on-site improvements (the “Project”), filed
by (the Applicant); and

WHEREAS, the City Council has considered the appeal of the Planning Commission’s decision
filed by the Planning Division to provide efficient and coordinated review of a multiple permit project,
and carefully reviewed the decision of the Planning Commission; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and in
opposition to the application for a Planning and Zoning Permit No. 17-540-01 (Planned Development
Permit for Special Use Permit); and

WHEREAS, the City Council finds that the proposed site, and the design and improvement of
the development requested are consistent with the 2030 General Plan; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning
Commission completed a preliminary environmental assessment of the Project in accordance with the
California Environmental Quality Act (CEQA) and determined that the Project is subject to a
categorical exemption.

NOW, THEREFORE, the City Council of the City of Oxnard does hereby resolve to uphold
Planning Commission Resolution No. 2018-05, including all the findings contained therein, and
approves Planning and Zoning Permit No. 17-540-01 (Planned Development Permit for Special Use
Permit), subject to the conditions set forth in Planning Commission Resolution No. 2018-05.
PASSED AND ADOPTED this 20th day of March 2018, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney
CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 17-300-01 (TENTATIVE PARCEL MAP) TO SUBDIVIDE A 1.79 -ACRE PARCEL INTO TWO PARCELS (0.66-ACRE AND 1.13-ACRE), FOR PROPERTY LOCATED AT 1601 RAIDERS WAY AND 3001 SOUTH ROSE AVENUE (APN # 221-0-232-235), SUBJECT TO CERTAIN CONDITIONS. FILED BY TOM DAVIES, CARDIFF REALTY HOLDINGS, INC., ON BEHALF OF NEW PROGRESSIVE CHRISTIAN MISSIONARY BAPTIST CHURCH, 2660 TOWNSGATE ROAD, SUITE 800 WESTLAKE VILLAGE, CA 91361.

WHEREAS, on January 18, 2018 the Planning Commission considered Planning and Zoning Permit No. 17-300-01 and adopted Resolution No. 2018-06 recommending City Council approval of a Tentative Parcel Map; and

WHEREAS, the City Council has reviewed an application for Planning and Zoning Permit No. 17-300-01 (Tentative Parcel Map) to subdivide a 1.79-acre parcel into two parcels (0.66-acre and 1.13-acre) for property located at 1601 Raiders Way and 3001 South Rose Avenue (APN 221-0-232-235) (the “Project”), filed by the Applicant; and

WHEREAS, the City Council has carefully reviewed Planning Commission Resolution No. 2018-06, recommending approval of the Tentative Parcel Map, subject to certain conditions, for property located at 1601 Raiders Way and 3001 South Rose Avenue (APN 221-0-232-235); and

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

WHEREAS, the City Council finds that the Tentative Parcel Map and the design and improvement of the proposed development are consistent with the 2030 General Plan; and

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

WHEREAS, the Planning Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a categorical exemption; and
NOW, THEREFORE, the City Council of the City of Oxnard does hereby resolve to approve Planning & Zoning Permit No. 17-300-01 (Tentative Parcel Map – Attachment A) subject to the findings and conditions set forth in Planning Commission Resolution No. 2018-06, on file in the Planning Division, and incorporated herein by reference.

PASSED AND ADOPTED this 20th day of March 2018, by the following vote:

AYES:

NOES:

ABSENT:

Tim Flynn, Mayor

ATTEST:

Michelle Ascencio, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney
ATTACHMENT A

TENTATIVE PARCEL MAP