



Planning Director Staff Report – Hearing on November 10, 2015

County of Ventura • Resource Management Agency • Planning Division

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THE OUTPOST NEIGHBORHOOD MARKET

Case No. PL15-0111

A. PROJECT INFORMATION

1. **Request:** The applicant requests that a Planned Development (PD) permit be granted to authorize the operation of a retail market in an existing building.
2. **Applicant/Property Owner:** Kanji Holdings, Inc., 2931 E. Ventura Blvd., Oxnard, CA 93036.
3. **Applicant's Representative:** Jesse Gilholm, 867 E. Front St., Unit A, Ventura, CA 93001.
4. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) Section 8105-5 and Section 8111-1.2 et seq., the Planning Director is the decision-maker for the requested PD.
5. **Project Site Size, Location, and Parcel Number:** The 50,794 square foot project site is located at 3170 Santa Clara Avenue, near the intersection of Santa Clara Avenue and Ventura Boulevard, in the community of Nyeland Acres, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 149-0-100-485 (Exhibit 2).
6. **Project Site Land Use and Zoning Designations:**
 - a. Countywide General Plan Land Use Map Designation: Existing Community-Urban Reserve (Exhibit 2)
 - b. El Rio/Del Norte Area Plan Land Use Map Designation: Commercial (Exhibit 2)
 - c. Zoning Designation: CPD (Commercial Planned Development) (Exhibit 2)
7. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

| Location in Relation to the Project Site | Zoning | Land Uses/Development |
|--|--|---|
| North | CPD (Commercial Planned Development)/RE 10,000 square feet (Rural Exclusive, 10,000 square | Nyland Acres Water District Office/ Residential |

| Location in Relation to the Project Site | Zoning | Land Uses/Development |
|--|---|--------------------------------|
| | foot minimum lot area) | |
| East | RPD-15 du/ac (Residential Planned Development-15 dwelling units per acre) | Mobile Home Park/Ventura Blvd. |
| South | CPD (Commercial Planned Development) | Vacant lot/Highway 101 |
| West | Commercial (City of Oxnard) | Vacant lot/Santa Clara Road |

8. History: The site was previously used as a lumberyard from approximately 1960 through 1998, an equipment rental and retail yard from approximately 1998 to 2008, and has been non-operational since 2008. The subject property was formerly represented by APN 149-0-100-155. A portion of the legal lot was conveyed to the City of Oxnard for roadway purposes (APN 149-0-100-495). This conveyance to a public agency is exempt from the requirements for a parcel map per the Subdivision Map Act. The remainder property, APN 149-0-100-485, owned by the Applicant was, therefore, created legally in its current configuration.

9. Project Description: The applicant requests that a Planned Development Permit be granted to authorize the use of a 50,794 square-foot commercial property and an existing 3,200-square-foot building as a retail market. No structural changes will be made in the existing building. The exterior of the building will be painted and refurbished. The interior of the building will be reconfigured to accommodate the new market. No new restrooms will be added. The existing parking lot will be restriped to provide 15 vehicle parking/loading spaces. Other components of the Project include new bicycle parking, new parking lot lighting, approximately 5,200 square feet of new drought tolerant landscaping, a new trash enclosure, new wall-mounted signage and the removal of the existing wooden fencing along the eastern edge of the site, adjacent to the mobile home park, which will be replaced with a new six-foot tall concrete wall. No free standing signage or billboards will be installed. The project site will continue to be served water by the Nyeland Acres Mutual Water Company. Sewer service will be provided by Ventura County Service Area 30.

The hours of operation for the market will be 6:00 a.m. to 10:00 p.m., seven days per week. Access to the site will be provided by an existing driveway connected to Ventura Boulevard. Two employees will operate the market at any one time. There will be a total of nine truck deliveries per week (i.e., four semi-truck deliveries and five cargo van deliveries). All truck deliveries will occur during the hours of operation. The only activities that will occur outside of the hours of operation will be the arrival and departure of employees which may occur up to

one hour before and after the hours of operation, as well as security-related activities which may occur at any time.

The components of the project are illustrated in Exhibit 3 of this staff report.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, Section 15000 et seq.), the subject application constitutes a "project" that is subject to environmental review.

The State Legislature through the Secretary of Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. Section 15301 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), allows for the exemption of projects which involve the minor alteration of existing structures and facilities that would result in negligible expansion of an existing use. Section 15304 allows for the exemption of minor land alterations, including new landscaping. The proposed project involves minor alterations to an existing building and property. These minor alterations include new drought tolerant landscaping and the modification of the existing structure for use as a neighborhood market. No potentially significant impacts have been identified for the conversion of this existing building to a neighborhood market.

Based on the above discussion, staff recommends that the decision-maker find the proposed project to be exempt from environmental review pursuant to Sections 15301 and 15304 of the CEQA Guidelines.

C. CONSISTENCY WITH THE GENERAL PLAN

The Ventura County General Plan *Goals, Policies and Programs* (2015, page 4) states:

...in the unincorporated area of Ventura County, zoning and any permits issued thereunder, any subdivision of land, any public works project, any public (County, Special District, or Local Government) land acquisition or disposition, and any specific plan, must be consistent with the Ventura County General Plan Goals, Policies and Programs, and where applicable, the adopted Area Plan.

Furthermore, the Ventura County NCZO (Section 8111-1.2.1.1.a) states that in order to be approved, a PD must be found consistent with all applicable policies of the Ventura County General Plan.

Evaluated below is the consistency of the proposed project with the applicable policies of the General Plan Goals, Policies and Programs and the El Rio/Del Norte Area Plan.

1. **Resources Policy 1.3.2-4:** *Discretionary development shall not significantly impact the quantity or quality of water resources within watersheds, groundwater recharge areas or groundwater basins.*

Public Facilities and Services Policy 4.3.2-1: *Development that requires potable water shall be provided a permanent potable water supply of adequate quantity and quality that complies with applicable County and State water regulations. Water systems operated by or receiving water from Casitas Municipal Water District, the Calleguas Municipal Water District or the United Water Conservation District will be considered permanent supplies unless an Urban Water Management Plan (prepared pursuant to Part 2.6 of Division 6 of the Water Code) or a water supply and demand assessment (prepared pursuant to Part 2.10 of Division 6 of the Water Code) demonstrates that there is insufficient water supply to serve cumulative development within the district's service area. When the proposed water supply is to be drawn exclusively from wells in areas where groundwater supplies have been determined by the Environmental Health Division or the Public Works Agency to be questionable or inadequate, the developer shall be required to demonstrate the availability of a permanent potable water supply for the life of the project.*

El Rio/Del Norte Area Plan Water Resources Policy 1.2.2-1: *In order to protect groundwater quantity, discretionary development shall not result in any net decrease in the quantity of groundwater, taking into account existing and projected water supply and demand factors (e.g. potable water demand, landscape irrigation, evapotranspiration, recharge). Discretionary development may utilize water offsets (e.g. plumbing fixture retrofits in existing structures) to achieve no decrease in the quantity of groundwater.*

El Rio/Del Norte Area Plan Water Resources Policy 1.2.2-2: *Discretionary development that would individually or cumulatively result in a significant adverse impact on groundwater quality shall be prohibited.*

El Rio/Del Norte Area Plan Water Resources Policy 1.2.2-3: *Discretionary development shall comply with all applicable NPDES (National Pollution Discharge Elimination System) standards to protect surface water quality.*

The project site is supplied water by Nyeland Acres Mutual Water Company (MWC), whose source is groundwater from the Oxnard Plain Pressure groundwater basin. Water use for the bathrooms and the landscaping were estimated by the applicant to be less than 1000 gallons per month or 0.04 acre feet per year. Nyeland Acres MWC is within the boundaries of the Fox Canyon

Groundwater Management Agency (FCGMA) and, therefore, their annual extraction allocation is limited by FCGMA Ordinance. Based upon the Nyeland Acres MWC's current reporting and historical allocation, FCGMA has indicated that Nyeland Acres MWC has approximately 20 acre feet of allocation available. The proposed project would require less than 0.2 percent of the available allocation. Since the proposed water use is within the Nyeland Acres MWC's groundwater extraction allocation from the FCGMA, there would be no net decrease in groundwater quantity because the overall management of the basin by FCGMA ensures no net decrease. Impacts on groundwater quantity would be less than significant.

Sewer service is provided to the project site by Ventura County Service Area 30. Thus, no groundwater quality degradation would occur due to septic effluent discharge. Because no new impervious surfaces would be created with project implementation, a substantial change in site runoff characteristics or groundwater recharge would not occur.

No surface water is proposed to be used for the project. In addition, the project would be required to comply with any applicable surface water quality regulations (e.g., NPDES requirements) and impacts to surface water quality would be less than significant.

Based on the discussion above, the proposed project is consistent with these policies.

- 2. Resources Policy 1.3.2-5:** *Landscape plans for discretionary development shall incorporate water conservation measures as prescribed by the County's Guide to Landscape Plans, including use of low water usage landscape plants and irrigation systems and/or low water usage plumbing fixtures and other measures designed to reduce water usage.*

Public Facilities and Services Policy 4.3.2-3: *Discretionary development shall be conditioned to incorporate water conservation techniques and the use of drought resistant native plants pursuant to the County's Guide to Landscape Plans.*

Drought tolerant, native landscaping has been proposed by the applicant as depicted in the Planting Plan included in the Site Plans (Exhibit 3). The irrigation system will include bubblers and drip irrigation (Exhibit 3). The permit will also include, as a condition of approval, the requirement to submit a landscaping plan compliant with the Ventura County Landscape Design Criteria which includes water conservation measures.

Based on the discussion above, the proposed project is consistent with the above listed policies.

- 3. Resources Policy 1.7.2-1:** *Notwithstanding Policy 1.7.2-2, discretionary development which would significantly degrade visual resources or significantly alter or obscure public views of visual resources shall be prohibited unless no feasible mitigation measures are available and the decision-making body determines there are overriding considerations.*

The proposed project site is not located in a Scenic Resource Protection overlay zone and no scenic resources exist on the site. The site is adjacent to Highway 101, an Eligible County Scenic Highway. However, the project includes the refurbishment and use of an existing structure and parking area, and would include new landscaping. Therefore, there will be no substantial degradation of visual resources or alteration of public views of visual resources.

Based on the discussion above, the proposed project is consistent with Resources Policy 1.7.2-1.

- 4. Resources Policy 1.8.2-1:** *Discretionary developments shall be assessed for potential paleontological and cultural resource impacts, except when exempt from such requirements by CEQA. Such assessments shall be incorporated into a Countywide paleontological and cultural resource data base.*

The project site overlies alluvium and no impacts to paleontological resources would be expected to occur. Additionally, there will be minimal ground disturbing activities associated with the project (e.g., landscaping) and any potential impacts to inadvertent paleontological or archeological discoveries during ground disturbing activities would be minimized with the implementation of the standard conditions of approval for the project (Exhibit 4, Conditions No. 23 and 24).

The existing metal structure (commonly known as a "Butler building") that will be used for the new market was pre-fabricated and delivered to the site in 1959. Although the structure is greater than 50 years old, it is not considered an historic structure because the type of building is a common structure that was mass produced and does not hold any historical significance.

Based on the discussion above, the proposed project is consistent with Policy 1.8.2-1.

- 5. Hazards Policy 2.13.2-1:** *All discretionary permits shall be required, as a condition of approval, to provide adequate water supply and access for fire protection and evacuation purposes.*

Public Facilities and Services Policy 4.8.2-1: *Discretionary development shall be permitted only if adequate water supply, access and response time for fire protection can be made available.*

The Ventura County Fire Protection District (VCFPD) reviewed the proposed project and found that adequate access, response time and water supply are available to serve the project site. The VCFPD has recommended conditions of approval be imposed that ensure adequate access is maintained. In addition, the conditions of approval prohibit the construction of building additions or new structures until the water purveyor is certified as meeting the current adopted edition of the Ventura County Waterworks Manual by the Ventura County Public Works Department.

Based on the discussion above, the proposed project is consistent with these policies.

- 6. Hazards Policy 2.16.2-1:** *All discretionary development shall be reviewed for noise compatibility with surrounding uses. Noise compatibility shall be determined from a consistent set of criteria based on the standards listed below. An acoustical analysis by a qualified acoustical engineer shall be required of discretionary developments involving noise exposure or noise generation in excess of the established standards. The analysis shall provide documentation of existing and projected noise levels at on-site and off-site receptors, and shall recommend noise control measures for mitigating adverse impacts.*

(1) Noise sensitive uses proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that:

- a. Indoor noise levels in habitable rooms do not exceed CNEL 45.*
- b. Outdoor noise levels do not exceed CNEL 60 or Leq1H of 65 dB(A) during any hour.*

(2) Noise sensitive uses proposed to be located near railroads shall incorporate noise control measures so that:

- a. Guidelines (1)a. and (1)b. above are adhered to.*
- b. Outdoor noise levels do not exceed L10 of 60 dB(A).*

(3) Noise sensitive uses proposed to be located near airports:

- a. Shall be prohibited if they are in a CNEL 65 or greater, noise contour.*

- b. Shall be permitted in the CNEL 60 to CNEL 65 noise contour area only if means will be taken to ensure interior noise levels of CNEL 45 or less.*
- (4) Noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:*
 - a. Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.*
 - b. Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.*
 - c. Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.*

Section 2.16.2(4) is not applicable to increased traffic noise along any of the roads identified within the 2020 Regional Roadway Network (Figure 4.2.3) Public Facilities Appendix of the Ventura County General Plan (see 2.16.2-1(1)). In addition, State and Federal highways, all railroad line operations, aircraft in flight, and public utility facilities are noise generators having Federal and State regulations that preempt local regulations.

- (5) Construction noise shall be evaluated and, if necessary, mitigated in accordance with the County Construction Noise Threshold Criteria and Control Plan.*

The proposed project does not constitute a noise sensitive use. The project includes the refurbishment of an existing structure on a site located adjacent to noise sensitive uses (residential uses to the north and east). However, the project would not involve any substantial noise during the refurbishment activities. Any noise generated during these activities would be temporary, intermittent and limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday, and State holidays (Exhibit 4, Condition No. 25). The operational impacts of the market may include noise associated with truck deliveries. However, it is estimated that there would be no more than nine deliveries per week (cargo van or semi-truck) which would be limited to the hours of operation (6:00 a.m. to 10:00 p.m.). This noise would not substantially contribute to the ambient noise level associated with traffic on the surrounding public roadways including Highway 101.

Based on the discussion above, the proposed project is consistent with Policy 2.16.2-1.

- 7. Land Use Policy 3.4.2-3:** *Commercial and industrial developments shall be designed to be generally compact, grouped and consolidated into functional units providing for sufficient off-street parking and loading facilities, maximizing pedestrian and vehicle safety and minimizing the impacts on traffic congestion.*

El Rio/Del Norte Area Plan Land Use (Commercial) Policy 3.7.2-2:

Commercial development shall be designed to promote ease of pedestrian/bicycle access in order to encourage walk-in business, as well as provide sufficient off-street parking.

The project site and structure to be used for the new market are part of an existing commercial site with an existing parking area. As shown on Exhibit 3, new parking lot striping will be completed with sufficient off-street parking, including a loading zone, provided. The parking area design provides safe pedestrian, bicycle and vehicle access, and ample space/turnaround area is provided for entering and exiting the parking area. Bicycle parking will also be provided to encourage alternate transportation to minimize project-related traffic.

Based on the discussion above, the proposed project is consistent with these policies.

- 8. Land Use Policy 3.4.2-4:** *Commercial and industrial developments shall be designed to provide adequate buffering (e.g., walls, landscaping, setbacks), and on-site activities (e.g., hours of operation, scheduling of deliveries) shall be regulated to minimize adverse impacts (e.g., noise, glare, odors) on adjoining residential areas.*

Adequate buffering will be provided for the residential uses to the north and east with a new CMU wall, new landscaping and a new trash enclosure (Exhibit 3). The existing building is set back an adequate distance from the residential uses. All deliveries will occur during the approved hours of operation (i.e., 6:00 a.m. to 10:00 p.m.) included in Condition No.1 (Exhibit 4). All on-site lighting will be designed to minimize glare on adjacent residential areas (Exhibit 4, Condition No. 19) and structure lighting will only be utilized during the hours of operation.

Based on the discussion above, the proposed project is consistent with Policy 3.4.2-4.

- 9. Public Facilities and Services Policy 4.1.2-1:** *Discretionary development shall be conditioned to contribute land, improvements or funds toward the cost of needed public improvements and services related to the proposed development.*

As a condition of approval, the project will be required to pay Traffic Impact Mitigation Fees (TIMF) to address any cumulative adverse impacts of traffic on the Regional Road Network in the County (Exhibit 4, Condition No. 26). The

traffic generated by the project/development is below the threshold for the City of Oxnard, therefore the City of Oxnard TIMF will not be collected.

Based on the discussion above, the proposed project is consistent with Policy 4.1.2-1.

10. Public Facilities and Services Policy 4.1.2-2: *Development shall only be permitted in those locations where adequate public services are available (functional), under physical construction or will be available in the near future.*

Water service to the project site will continue to be provided by the Nyeland Acres Mutual Water Company. Ventura County Service Area 30 will continue to provide sewer service. The existing roadway network will serve the project site. Thus, adequate services are available to serve the proposed project.

Based on the discussion above, the proposed project is consistent with Policy 4.1.2-2.

11. Public Facilities and Services Policy 4.2.2-3: *The minimum acceptable Level of Service (LOS) for road segments and intersections within the Regional Road Network and Local Road Network shall be as follows:*

- (a) LOS-'D' for all County thoroughfares and Federal highways and State highways in the unincorporated area of the County, except as otherwise provided in subparagraph (b);*
- (b) LOS-'E' for State Route 33 between the northerly end of the Ojai Freeway and the City of Ojai, Santa Rosa Road, Moorpark Road north of Santa Rosa Road, State Route 34 north of the City of Camarillo and State Route 118 between Santa Clara Avenue and the City of Moorpark;*
- (c) LOS-'C' for all County-maintained local roads; and*
- (d) The LOS prescribed by the applicable city for all Federal highways, State highways, city thoroughfares and city-maintained local roads located within that city, if the city has formally adopted General Plan policies, ordinances, or a reciprocal agreement with the County (similar to Policies 4.2.2-3 through 4.2.2-6) respecting development in the city that would individually or cumulatively affect the LOS of Federal highways, State highways, County thoroughfares and County-maintained local roads in the unincorporated area of the County.*

At any intersection between two roads, each of which has a prescribed minimum acceptable LOS, the lower LOS of the two shall be the minimum acceptable LOS for that intersection.

Public Facilities and Services Policy 4.2.2-4: *Except as otherwise provided in the Ojai Area Plan, County General Plan land use designation changes and zone changes shall be evaluated for their individual and cumulative impacts, and discretionary development shall be evaluated for its individual impact, on existing and future roads, with special emphasis on the following:*

- (a) Whether the project would cause existing roads within the Regional Road Network or Local Road Network that are currently functioning at an acceptable LOS to function below an acceptable LOS;*
- (b) Whether the project would add traffic to existing roads within the Regional Road Network or the Local Road Network that are currently functioning below an acceptable LOS; and*
- (c) Whether the project could cause future roads planned for addition to the Regional Road Network or the Local Road Network to function below an acceptable LOS.*

Public Facilities and Services Policy 4.2.2-5: *Except as otherwise provided in the Ojai Area Plan and below, County General Plan land use designation changes and zone changes that would cumulatively cause any of the impacts identified in subparagraphs (a) through (c) of Policy 4.2.2-4 shall be prohibited unless the Board of Supervisors adopts a Statement of Overriding Considerations. County General Plan land use designation changes, zone changes and discretionary development that would individually cause any of the impacts identified in subparagraphs (a) through (c) of Policy 4.2.2-4 shall be prohibited unless feasible mitigation measures are adopted that would ensure that the impact does not occur or unless a project completion schedule and full funding commitment for road improvements are adopted which ensure that the impact will be eliminated within a reasonable period of time. This policy does not apply to city thoroughfares, city-maintained local roads, or Federal or State highways located within a city unless the applicable city has formally adopted General Plan policies, ordinances, or a reciprocal agreement with the County (similar to Policies 4.2.2-3 through 4.2.2-6) respecting development in the city that would affect the LOS of County thoroughfares, County-maintained local roads, and Federal and State highways located within the unincorporated area of the County. If a Specific Plan for a project has been determined to be consistent with this policy, any subsequent development that is consistent with the Specific Plan will also be determined to be consistent with this policy. Exceptions to the prohibitions of this policy include the following:*

- (d) Farmworker Housing Complexes, Affordable Housing development per Article 16 of the Non-Coastal Zoning Ordinance, and other housing exclusively for lower-income households, where such developments are served by roads that are currently operating at LOS "E" or better.*
- (e) Additional dwellings and lots on Cultural Heritage Sites as permitted in the Non-Coastal Zoning Ordinance.*
- (f) Agriculture and Agricultural Operations as permitted in the Coastal and Non-Coastal Zoning Ordinances, where such developments are served by roads that are currently operating at LOS "E" or better.*

According to the County Transportation Department, the project does not have the potential to alter the level of service of the nearest County-maintained roadway (Santa Clara Avenue).

The project will generate additional traffic on the Regional Road Network and local public roads. To address the cumulative effects of project-related traffic on the Regional Road Network, the Permittee will be required to pay a Traffic Impact Mitigation Fee (TIMF) in accordance with County Ordinance 4246. With payment of the TIMF, the level of service of the existing roads would remain consistent with the County's General Plan. The traffic generated by the project/development is below the threshold for the City of Oxnard, therefore the City of Oxnard TIMF will not be collected.

Based on the discussion above, the proposed project is consistent with these policies.

12. Public Facilities and Services Policy 4.2.2-8: *Discretionary development shall be conditioned, where feasible, to minimize traffic impacts by incorporating pedestrian and bicycle pathways, bicycle racks and lockers, ridesharing programs, transit improvements (bus turnouts, shelters, benches), and/or transit subsidies for employees or residents of the proposed development.*

The project will include bicycle parking consistent with this policy (Exhibit 3). The other transit improvements mentioned in the above policy are not feasible for the small size of the proposed market and the limited number of employees.

Based on the discussion above, the proposed project is consistent with Policy 4.2.2-8.

13. Public Facilities and Services Policy 4.4.2-2: *Any subdivision, or discretionary change in land use having a direct effect upon the volume of sewage, shall be*

required to connect to a public sewer system. Exceptions to this policy to allow the use of septic systems may be granted in accordance with County Sewer Policy. Installation and maintenance of septic systems shall be regulated by the County Environmental Health Division in accordance with the County's Sewer Policy, County Building Code, and County Service Area 32.

The proposed project will be provided sewer service by Ventura County Service Area 30.

Based on the discussion above, the proposed project is consistent with Policy 4.4.2-2.

14. Public Facilities and Services Policy 4.7.2-3: *Discretionary development shall be conditioned to provide adequate security lighting (e.g., parking lots to be well lighted with a minimum 1 foot candle of light at ground level, lighting devices to be protected from the elements and constructed of vandal resistant materials and located high enough to discourage anyone on the ground from tampering with them).*

The project will include new parking lot lighting (Exhibit 3) and be conditioned to include a final lighting plan that meets the required security lighting objectives.

Based on the discussion above, the proposed project is consistent with Policy 4.7.2-3.

15. Public Facilities and Services Policy 4.7.2-4: *Discretionary development shall be conditioned to avoid landscaping which interferes with police surveillance (e.g., landscaping must not cover any exterior door or window, landscaping at entrances and exits or at any parking lot intersection must not block or screen the view of a seated driver from another moving vehicle or pedestrian, trees must not be placed underneath any overhead light fixture which would cause a loss of light at ground level).*

Condition No. 18 (Exhibit 4) requires that landscaping be designed to deter crime by allowing unobstructed views of vulnerable doors and windows from the street and other properties, avoiding blind spots and hiding spaces, and creating pedestrian walkways that are safe. Additionally, Condition No. 19 will ensure that the lighting plan provides adequate light for security including avoiding conflicts with landscaping.

Based on the discussion above, the proposed project is consistent with Policy 4.7.2-4.

Additional El Rio/Del Norte Area Plan Policies

- 1. Scenic Resources Policy 1.5.2-1:** *Discretionary development on parcels adjacent to U.S. 101, Ventura Boulevard, Highway 118, State Route 232, Rose Avenue, Santa Clara Avenue and Central Avenue (within the El Rio/Del Norte Area Plan boundary) shall be subject to the following development standards:*

- a) A sign program shall be submitted concurrently with a discretionary permit for all commercial and industrial development. Freestanding off-site advertising signs shall be prohibited. All on-site freestanding signs shall be limited to five feet in height.*
- b) Outside open storage shall be landscaped and/or screened from public view to the maximum extent feasible.*
- c) The architectural design and building material of development shall be designed to enhance the visual quality of the surrounding areas.*

The proposed sign program includes only wall-mounted signage, and no free-standing signage or billboards will be installed on or off the site. There are no outside open storage areas proposed and the loading area/parking stall will be screened with landscaping. The existing exterior design and building material of the building will not change. The refurbishment (e.g., painting) will enhance the visual quality of the surrounding areas.

Based on the discussion above, the proposed project is consistent with Policy 1.5.2-1.

- 2. Land Use (General Land Use) Policy 3.1.2-2:** *All discretionary development projects shall be reviewed and conditioned to ensure that they are in conformance with the Building Intensity, Population Density Summary Table (Figure 3), compatible with their surroundings, are of highest quality and best design feasible, are consistent with the character of the El Rio/Del Norte area, and are beneficial to the community as a whole.*

Land Use (Commercial) Policy 3.7.2-1: *Commercial development shall be subject to either a Planned Development Permit or a Conditional Use Permit to assure compatibility with neighboring land uses. Such review shall give careful attention to landscaping, signage, access, site and building design and size, drainage, on-site parking and circulation, operating hours, fencing and mitigation of nuisance factors.*

Land Use (Commercial) Policy 3.7.2-3: *Commercial development shall be designed to ensure consistency with the community character of the El Rio/Del Norte area.*

The project is in conformance with the Building Intensity, Population Density Summary Table (i.e., it does not exceed 60% building coverage of the lot area, and does not exceed two employees per 1000 square feet of floor area). The project design and conditions of approval will ensure compatibility with the surrounding land uses (noise, light, etc.). As described in the El Rio/Del Norte Area Plan, the character of the El Rio/Del Norte area is defined by its small town, semi-rural qualities. The proposed use of the site, as a neighborhood market, as well as the design of the project, are consistent with this character and beneficial to the community as a whole.

Based on the discussion above, the proposed project is consistent with these policies.

D. ZONING ORDINANCE COMPLIANCE

The proposed project is subject to the requirements of the Ventura County NCZO.

Pursuant to the Ventura County NCZO Section 8105-5, the proposed use is allowed in the CPD zone district with the granting of a PD. Upon the granting of the PD, the proposed project will comply with this requirement.

The proposed project includes the use of a structure that is subject to the development standards of the Ventura County NCZO Section 8106-1.2. The table below lists the applicable development standards and a description of whether the proposed project complies with the development standards.

Development Standards Consistency Analysis

| Type of Requirement | Zoning Ordinance Requirement | Complies? |
|--|--|------------------|
| Minimum Lot Area (Gross) | No Requirement | N/A |
| Maximum Percentage of Building Coverage | Area Plan– 60% | Yes |
| Required Minimum Setbacks - From Street | 5 Feet on Corner Lots | Yes |
| Required Minimum Setbacks – Each Interior Yard | 5 Feet if Adjacent to an R-Zone; Otherwise as Specified by Permit. | Yes |
| Maximum Structure Height – Main Structure | 35 Feet | Yes |

E. PD FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a planned development permit pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO. The ability to make the required findings is evaluated below.

- 1. The proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code [Section 8111-1.2.1.1.a].**

Based on the information and analysis presented in Sections C and D of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code can be made.

- 2. The proposed development is compatible with the character of surrounding, legally established development [Section 8111-1.2.1.1.b].**

The project involves the use of an existing building on an existing commercial site. The new landscaping will be comprised of native plants and the refurbishment of the building will be compatible with surrounding development. As described in the El Rio/Del Norte Area Plan, the character of the El Rio/Del Norte area is defined by its small town, semi-rural qualities. The proposed use of the site, as a neighborhood market, is compatible with this character. Given these factors, the proposed project will be compatible with the character of surrounding, legally established development.

Based on the discussion above, this finding can be made.

- 3. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses [Section 8111-1.2.1.1.c].**

The proposed project involves the use of an existing building on an existing commercial site. The landscaping, screening, signage, and lighting (Exhibit 3) included in the project design will not adversely affect or impair the utility of neighboring property or uses.

Noise associated with the operation of the site, such as from truck deliveries, will be limited to the approved hours of operation (6:00 a.m. to 10:00 p.m.). This noise would not substantially alter the ambient and ongoing noise from the adjacent major roadways, including U.S. 101. Additionally, any temporary noise generating activities during the refurbishment of the site will be conditioned to be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday, and State holidays (Exhibit 4, Condition No. 25).

The project will also be conditioned to include a contact person (Exhibit 4, Condition No. 16) for the timely resolution of complaints involving the use of the site.

No aspect of the proposed project has been identified that would be obnoxious or harmful, or impair the utility of neighboring property or uses.

Based on the discussion above, this finding can be made.

4. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [Section 8111-1.2.1.1.d].

The proposed project includes utilizing an existing commercial property and an existing commercial building as a neighborhood market. No substantial detrimental effect on the public interest, health, safety or welfare has been identified for the proposed project.

Based on the discussion above, this finding can be made.

5. The proposed development, if allowed by a Conditional Use Permit, is compatible with existing and potential land uses in the general area where the development is to be located [Section 8111-1.2.1.1.e].

The project involves the use of an existing building on an existing commercial site. The new landscaping will be comprised of native plants and the refurbished condition of the building will be compatible with surrounding development. As described in the El Rio/Del Norte Area Plan, the character of the El Rio/Del Norte area is defined by its small town, semi-rural qualities. The proposed use of the site, as a neighborhood market, is compatible with this character. Given these factors, the proposed project will be compatible with the character of surrounding, legally established development. Given the buildout of the local area and the location of the property adjacent to major roadways, a change in land uses in the future is not reasonably foreseeable at this time. Thus, the project is compatible with potential future land uses in the area.

Based on the discussion above, this finding can be made.

6. The proposed development will occur on a legal lot [Section 8111-1.2.1.1f].

Pursuant to a preliminary legal lot determination prepared by the County of Ventura Public Works Agency, County Surveyor Division, dated June 9, 1999, the parent parcel (APN 149-0-100-155) consisted of a legal lot created by conveyance (deed recorded June 21, 1962 in Book 2166, Page 221 of Official Records). A portion of the legal lot was conveyed to the City of Oxnard for roadway purposes (APN 149-0-100-495). This conveyance to a public agency is exempt from the requirements for a parcel map per the Subdivision Map Act. The remainder property, APN 149-0-100-485, owned by the Applicant was, therefore, created legally in its current configuration.

Based on the discussion above, this finding can be made.

F. PLANNING DIRECTOR HEARING NOTICE, PUBLIC COMMENTS, AND JURISDICTIONAL COMMENTS

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), and Ventura County NCZO (Section 8111-3.1). The Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located and placed a legal ad in the *Ventura County Star*. As of the date of this document, no comments have been received.

On September 17, 2015, the El Rio/Del Norte Municipal Advisory Committee (MAC) considered the proposed project and recommended approval.

The project site is located within the City of Oxnard's Sphere of Influence. Therefore, on July 21, 2015 the Planning Division notified the City of Oxnard of the proposed project and requested that the City of Oxnard submit any comments that the City may have on the proposed project. The City of Oxnard requested the Planning Division to include a number of conditions in the project conditions of approval. These are summarized below and provided in Exhibit 5:

1. No on- or off-site alcohol sales without approval by the Oxnard Police Department and extensive neighborhood outreach.
2. No customer or employee parking in the Park and Ride lot on Ventura Boulevard, east of the project site.
3. No billboard(s) on the property, or any freestanding signage.
4. Installation of a secure six-foot chain link fence to be locked at all times separating the project site parking lot from the adjacent property.
5. Removal of graffiti and trash within 24 hours.

With the exception of No. 1 and No. 2, these Oxnard-recommended conditions will be incorporated into the conditions of approval for the project (see Exhibit 4). No. 1 will not be imposed because alcohol sales are not part of the project, and because the project is within the jurisdiction of the County Sheriff. No. 2 will not be imposed because it is not legally enforceable by the County of Ventura.

G. RECOMMENDED ACTIONS

Based upon the analysis and information provided above, Planning Division Staff recommends that the Planning Director take the following actions:

1. **CERTIFY** that the Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;

2. **FIND** that this project is categorically exempt from CEQA pursuant to Sections 15301 and 15304 of the CEQA Guidelines.
3. **MAKE** the required findings to grant a PD pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** Planned Development Permit PL15-0111, subject to the conditions of approval (Exhibit 4).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 10th day falls on a weekend or holiday). Any aggrieved person may file an appeal of the decision with the Planning Division. The Planning Division shall then set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

If you have any questions concerning the information presented above, please contact Monica Hood at (805) 654-5038 or Monica.Hood@ventura.org.

Prepared by:



Monica Hood, Case Planner
Commercial & Industrial Permits Section
Ventura County Planning Division

Reviewed by:



Brian R. Baca, Manager
Commercial & Industrial Permits Section
Ventura County Planning Division

EXHIBITS

- Exhibit 2 - Aerial Location, General Plan and Zoning Designations, and Land Use Maps
- Exhibit 3 - Site Plans
- Exhibit 4 - Conditions of Approval
- Exhibit 5 - City of Oxnard Email



**Exhibit 2 - Aerial Location,
General Plan and Zoning Designations,
and Land Use Maps**



Ventura County
Resource Management Agency
Information Systems GIS Services
Map created on 10/07/2015
Source: Pictometry, February 2015



0 50 100 200 Feet

Disclaimer: this map was created by the Ventura County Resource Management Agency Information Systems GIS, which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance therein.



EXHIBIT 3 - SITE PLANS

THE OUTPOST NEIGHBORHOOD MARKET

PROJECT SUMMARY

SITE ADDRESS:

3170 SANTA CLARA AVE.
OXNARD CA 93036

PROPERTY OWNER CONTACT:

KANU HOLDINGS INC
ATTN: SHANTI KANU
2931 E VENTURA BLVD
OXNARD CA 93036
805-797-8948

APPLICANT:

SHANTI KANU
2931 E VENTURA BLVD
OXNARD CA 93036

APN: 149-0-100-485

CITY:

NYLAND ACRES

COUNTY:

VENTURA

JURISDICTION:

COUNTY OF VENTURA
CUP

BUILDING SUMMARY:

OCCUPANCY CLASSIFICATION: M
CONSTRUCTION TYPE: V-B

LOT SIZE:

APN 149-0-100-485 IS 1.27 AC ± MARKET

ZONING:

CPD (EXISTING) ZONING PER COUNTY

SHEET INDEX

SHEET DESCRIPTION

| | |
|------|----------------------------------|
| T-1 | TITLE SHEET |
| LS-1 | TOPOGRAPHIC SURVEY, SHEET 1 OF 2 |
| LS-2 | TOPOGRAPHIC SURVEY, SHEET 2 OF 2 |
| A-0 | OVERALL SITE PLAN |
| A-1 | SITE PLAN AND PARKING LAYOUT |
| A-2 | BUILDING FLOOR PLAN |
| A-3 | EXIST. METAL BUILDING ELEVATIONS |
| A-4 | PROPOSED TRASH ENCLOSURE PLAN |
| L-1 | PLANTING PLAN |
| S-1 | SIGNAGE PROGRAM |

VICINITY MAP:



DIRECTIONS FROM T-MOBILE OFFICE:
MERGE ONTO THE CA-118 W. TOWARDS FWY 23 S. MERGE ONTO THE FWY 23 S
TOWARDS FWY 101 N. TAKE THE US-101 TO OXNARD AND THEN TAKE RICE AVE.
EXIT, TURN RIGHT ONTO SANTA CLARA AVE. ARRIVE AT THE LOCATION AND TAKE THE
FIRST DRIVEWAY TO THE BACK OF THE BUILDING.

APPLICABLE CODES

| | |
|--|---|
| 2013 California Energy Code | County Building and Construction Ordinance - Title 19 |
| 2013 California Building Code, VOLS 1&2 | County Coastal Zone |
| 2013 California Electrical Code | Land Use Ordinance - Title 23 |
| 2013 California Fire Code | County Fire Code Ordinance - Title 16 |
| 2013 California Green Building Code | County Land Use Ordinance - Title 22 |
| 2013 California Mechanical Code | ASCE 7-10 |
| 2013 California Plumbing Code | ACI 318-11 |
| 2013 California Reference Standards Code | ANSI/TIA-222-G |
| 2013 California Residential Code | |

POWER AND TELCO UTILITY CONTACTS:

| | |
|--------------|------------------|
| POWER: | TELCO: |
| COMPANY: SCE | COMPANY: VERIZON |

CONSULTING TEAM

SAC/ZONING/PERMITTING:

JESSE GILHOLM
354 HURST AVE.
VENTURA, CA 93001
CONTACT: JESSE GILHOLM
PHONE: (760) 803-6219

PLANNING/ENGINEERING:

BON KHAM
3109 DEL ANO BLVD.
LAKEWOOD, CA 90712
PHONE: 562 607-7546

LEGAL DESCRIPTION

DISTRICT: 03 MAP REF. MAP 20 RS 31 ABBREVIATED DESCRIPTION:
DIST 03 CITY OXNARD MAP NUM: 20 RS 31, PREV APN: 149-0-100-155
MAP REF. MAP 20 RS 31 CITY/MUNI/TWP OXNARD

PROJECT DESCRIPTION:

1. THE PROJECT CONSISTS OF THE UTILIZATION OF THE EXISTING BUILDING ON PARCEL 149-0-100-485 TO BE UTILIZED FOR A RETAIL MARKET / CONVENIENT STORE. THE EXISTING BUILDING WILL REMAIN IN ITS AS IS EXTERIOR CONFIGURATION WITH A NEW INTERIOR CONFIGURATION TO ACCOMMODATE THE PROPOSED USE AS A MARKET. LANDSCAPING WILL BE PROPOSED AS DEPICTED ON THE LANDSCAPE PLANS.

2. PARCEL # 149-0-100-485 WILL REMAIN VACANT.

HOURS: 6AM TO 10PM - 7 DAYS

THE OUTPOST

3170 SANTA CLARA AVE.
OXNARD, CA 93036
VENTURA COUNTY

08-25-15

PLANNING

| REV. | DATE | DESCRIPTION | BY: |
|------|----------|---|-----|
| A | 07-14-15 | 90% ZONING ISSUED FOR REVIEW | BK |
| B | 07-15-15 | REV'D PER REGULATIONS, 90% ZONING ISSUED FOR CUP | BK |
| C | 08-17-15 | REV'D PLANTING, 90% ZONING ISSUED FOR CUP | BK |
| D | 08-25-15 | REV'D PARKING AND ADDED NOTES, 100% ZONING ISSUED FOR CUP | BK |

PLANS PREPARED BY:

BON KHAM
3109 DEL ANO BLVD
LAKEWOOD, CA 90712
PHONE: 562 607-7546

CONSULTANT:

JESSE GILHOLM
354 HURST AVE.
VENTURA, CA 93001
CONTACT: JESSE GILHOLM
PHONE: (760) 803-6219

DRAWN BY: CHK: APV:

CAD: BK

LICENSE:

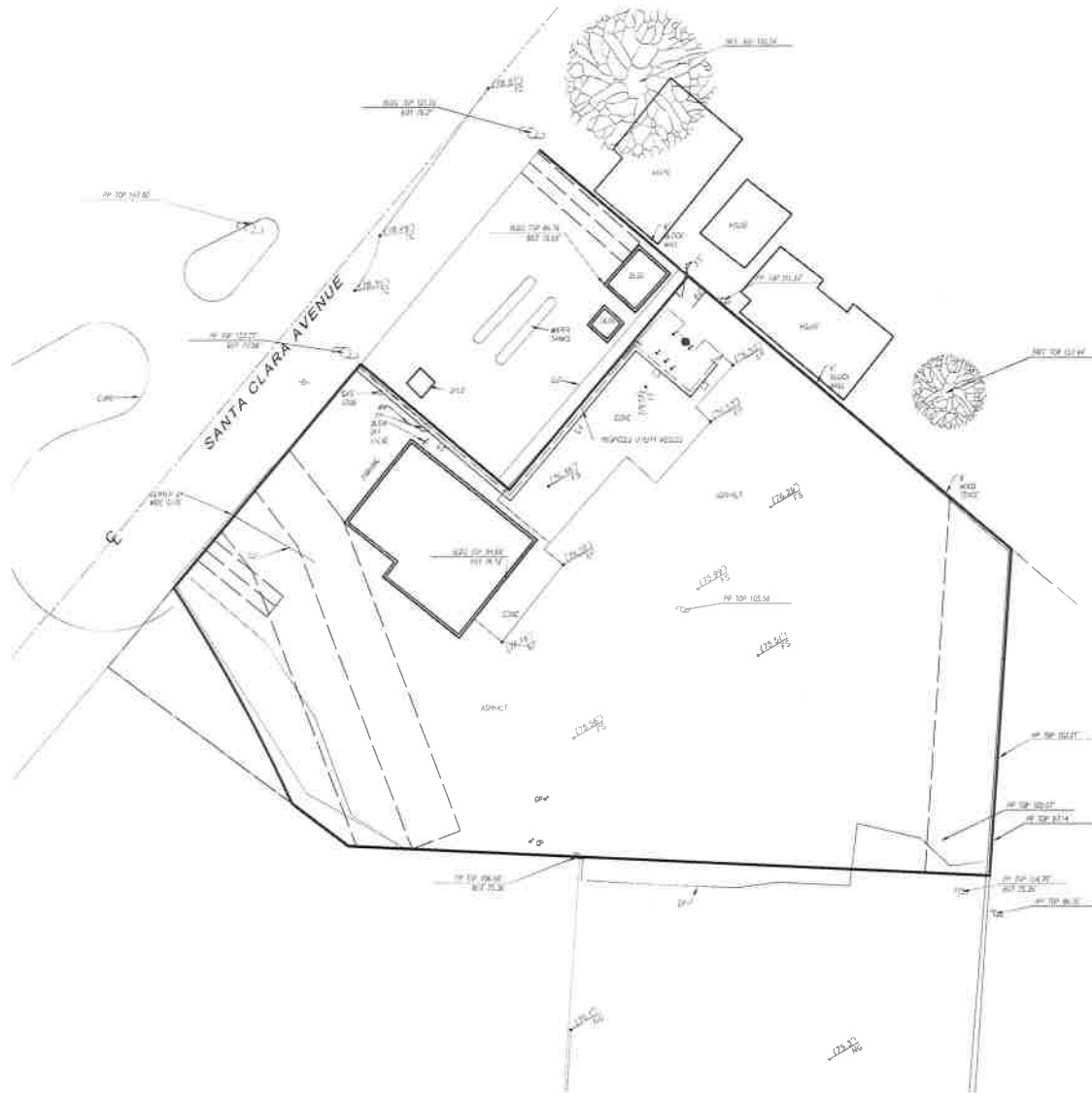
SHEET TITLE:

TITLE SHEET

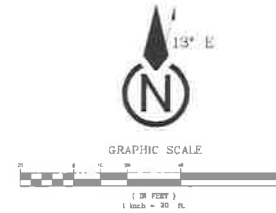
SHEET NUMBER: REVISION:

T-1 D

EXHIBIT 3 - SITE PLANS



- 1) THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIALIZED TOPOGRAPHIC MAP. THE PROPERTY LINES AND EASEMENTS SHOWN HEREON ARE FROM RECORD INFORMATION AS NOTED HEREON. THE TOPOGRAPHIC SURVEY WAS TRANSLATED TO RECORD INFORMATION USING FOUND MONUMENTS SHOWN HEREON. NO TITLE RESEARCH WAS PERFORMED BY THE SURVEYOR.
- 2) ANY CHANGES MADE TO THE INFORMATION ON THIS PLAN, WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR RELEASES THE SURVEYOR OF ANY AND ALL LIABILITY.
- 3) THESE DRAWINGS & SPECIFICATIONS ARE THE PROPERTY & COPYRIGHT OF SYNERGY & SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY AGREEMENT WITH THE SURVEYOR. WRITTEN DIMENSIONS SHALL TAKE PREFERENCE OVER SCALES & SHALL BE VERIFIED ON THE JOB SITE. ANY DISCREPANCY SHALL BE BROUGHT TO THE ATTENTION OF THE SURVEYOR AND OR ENGINEER PRIOR TO COMMENCEMENT OF ANY WORK.



| LEGEND | |
|--------|----------------------------------|
| D/W | ACCESS DRIVEWAY |
| SW | SIDEWALK |
| + | POSITION OF GEODETIC COORDINATES |
| • | CONTROL POINT |
| • | SPOT ELEVATION |
| PP | POWER POLE |
| WP | WATER CONTROL VALVE |
| FI | FIRE HYDRANT |
| GW | GUY WIRE |
| • | FOUND AS NOTED |
| LP | LIGHT POLE |
| ET | ELECTRICAL TRANSFORMER |
| ACU | AIR CONDITIONING UNIT |
| TP | TELEPHONE PEDESTAL |
| TV | TELEPHONE VAULT |
| GV | GAS VALVE |

| | | |
|---|------|----|
| DATE: _____ | | |
| SURVEY DATE: MAY 26, 2010 | | |
| SURVEYOR DATE: _____ | | |
| NO. 1 | DATE | BY |
| NOTE | | |
| NOTE | | |
| NOTE | | |
| 2 | DATE | BY |
| NOTE | | |
| NOTE | | |
| 3 | DATE | BY |
| NOTE | | |
| NOTE | | |
| 4 | DATE | BY |
| NOTE | | |
| NOTE | | |
| 5 | DATE | BY |
| NOTE | | |
| NOTE | | |
| 6 | DATE | BY |
| NOTE | | |
| NOTE | | |
| 7 | DATE | BY |
| NOTE | | |
| NOTE | | |
| SITE INFORMATION: | | |
| UNINCORPORATED AREA OF VENTURA COUNTY, CA | | |
| STAMP: | | |
| SHEET TITLE: TOPOGRAPHIC SURVEY | | |
| SHEET NUMBER: LS-2 | | |

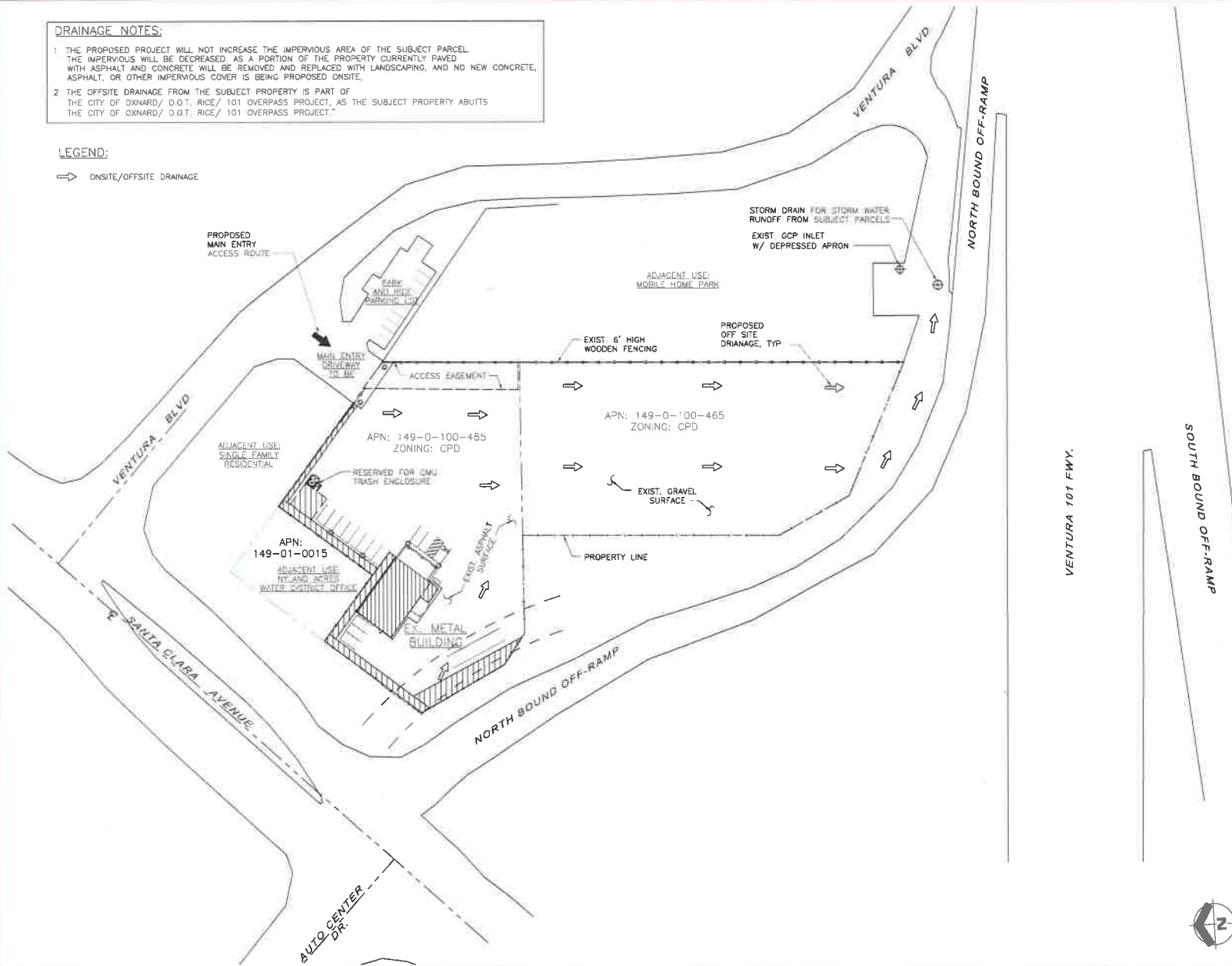
EXHIBIT 3 - SITE PLANS

DRAINAGE NOTES:

- 1 THE PROPOSED PROJECT WILL NOT INCREASE THE IMPERVIOUS AREA OF THE SUBJECT PARCEL. THE IMPERVIOUS WILL BE DECREASED AS A PORTION OF THE PROPERTY CURRENTLY PAVED WITH ASPHALT AND CONCRETE WILL BE REMOVED AND REPLACED WITH LANDSCAPING, AND NO NEW CONCRETE, ASPHALT, OR OTHER IMPERVIOUS COVER IS BEING PROPOSED ONSITE.
- 2 THE OFFSITE DRAINAGE FROM THE SUBJECT PROPERTY IS PART OF THE CITY OF OXNARD/ D.O.T. RICE/ 101 OVERPASS PROJECT, AS THE SUBJECT PROPERTY ABUTS THE CITY OF OXNARD/ D.O.T. RICE/ 101 OVERPASS PROJECT.

LEGEND:

→ ONSITE/OFFSITE DRAINAGE



PROJECT INFORMATION

THE OUTPOST

3170 SANTA CLARA AVE
OXNARD, CA 93036
VENTURA COUNTY

CURRENT ISSUE DATE

08-25-15

ISSUED FOR

PLANNING

| REV | DATE | DESCRIPTION | BY |
|-----|----------|--|----|
| Δ | 07-14-15 | 90% ZONING ISSUED FOR REVIEW | BK |
| Δ | 07-15-15 | REV'D FOR REQUIRED 90% ZONING ISSUED FOR REVIEW | BK |
| Δ | 08-17-15 | REV'D PLANNING AND ADDED NOTES 100% ZONING ISSUED FOR REVIEW | BK |
| Δ | 08-25-15 | REV'D PLANNING AND ADDED NOTES 100% ZONING ISSUED FOR REVIEW | BK |

PLANS PREPARED BY

RON KHAM
3109 DEL AMO BLVD
LAKEWOOD, CA 90712
PHONE: 562 607-7546

CONSULTANT

JESSE GILHOLM
354 HURST AVE
VENTURA, CA 93001
CONTACT: JESSE GILHOLM
PHONE: (760) 803-6219

DRAWN BY: CHK: APV:

CAD BK

LICENSURE

SHEET TITLE

OVERALL SITE PLAN

SHEET NUMBER: REVISION

A-0 D

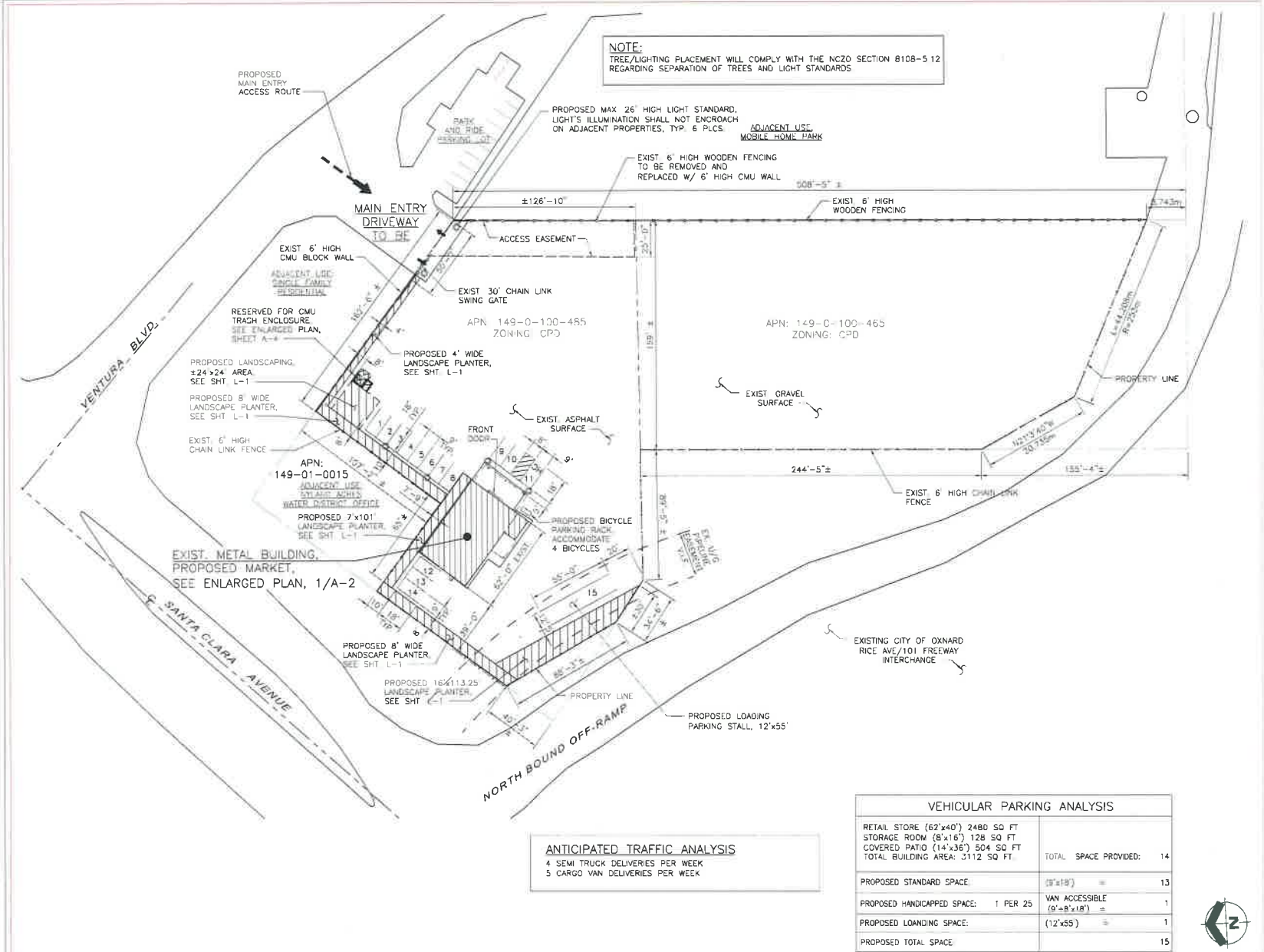
OVERALL SITE PLAN

SCALE: 1"=40' 0' 10' 20' 30' 40' 50'

1

EXHIBIT 3 - SITE PLANS

NOTE:
TREE/LIGHTING PLACEMENT WILL COMPLY WITH THE NCZO SECTION 8108-5.12
REGARDING SEPARATION OF TREES AND LIGHT STANDARDS



ANTICIPATED TRAFFIC ANALYSIS
4 SEMI TRUCK DELIVERIES PER WEEK
5 CARGO VAN DELIVERIES PER WEEK

| VEHICULAR PARKING ANALYSIS | | |
|-----------------------------|------------|----|
| RETAIL STORE (62'x40') | 2480 SQ FT | |
| STORAGE ROOM (8'x16') | 128 SQ FT | |
| COVERED PATIO (14'x36') | 504 SQ FT | |
| TOTAL BUILDING AREA: | 3112 SQ FT | |
| PROPOSED STANDARD SPACE | (9'x18') | 13 |
| PROPOSED HANDICAPPED SPACE: | 1 PER 25 | 1 |
| PROPOSED LOADING SPACE: | (12'x55') | 1 |
| PROPOSED TOTAL SPACE | | 15 |
| TOTAL SPACE PROVIDED: | | 14 |

PROJECT INFORMATION:

THE OUTPOST

3170 SANTA CLARA AVE
OXNARD, CA 93036
VENTURA COUNTY

CURRENT ISSUE DATE:

08-25-15

ISSUED FOR:

PLANNING

REV

DATE

DESCRIPTION

BY

07-14-15

07-15-15

08-17-15

08-25-15

90X ZONING

REVISED FOR SUB

REVISED FOR SUB

REVISED FOR SUB

07-14-15

07-15-15

08-17-15

08-25-15

07-14-15

07-15-15

08-17-15

08-25-15

07-14-15

07-15-15

08-17-15

08-25-15

PLANS PREPARED BY:

BON KHAM
3109 DEL AMO BLVD.
LAKEWOOD, CA 90712
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CONSULTANT:

JESSE GILHOLM
354 HURST AVE
VENTURA, CA 93001
CONTACT: JESSE GILHOLM
PHONE: (760) 803-6219

DRAWN BY:

CAD

CHK

APV

BN

LICENSURE:

SHEET TITLE

SITE PLAN AND PARKING LAYOUT

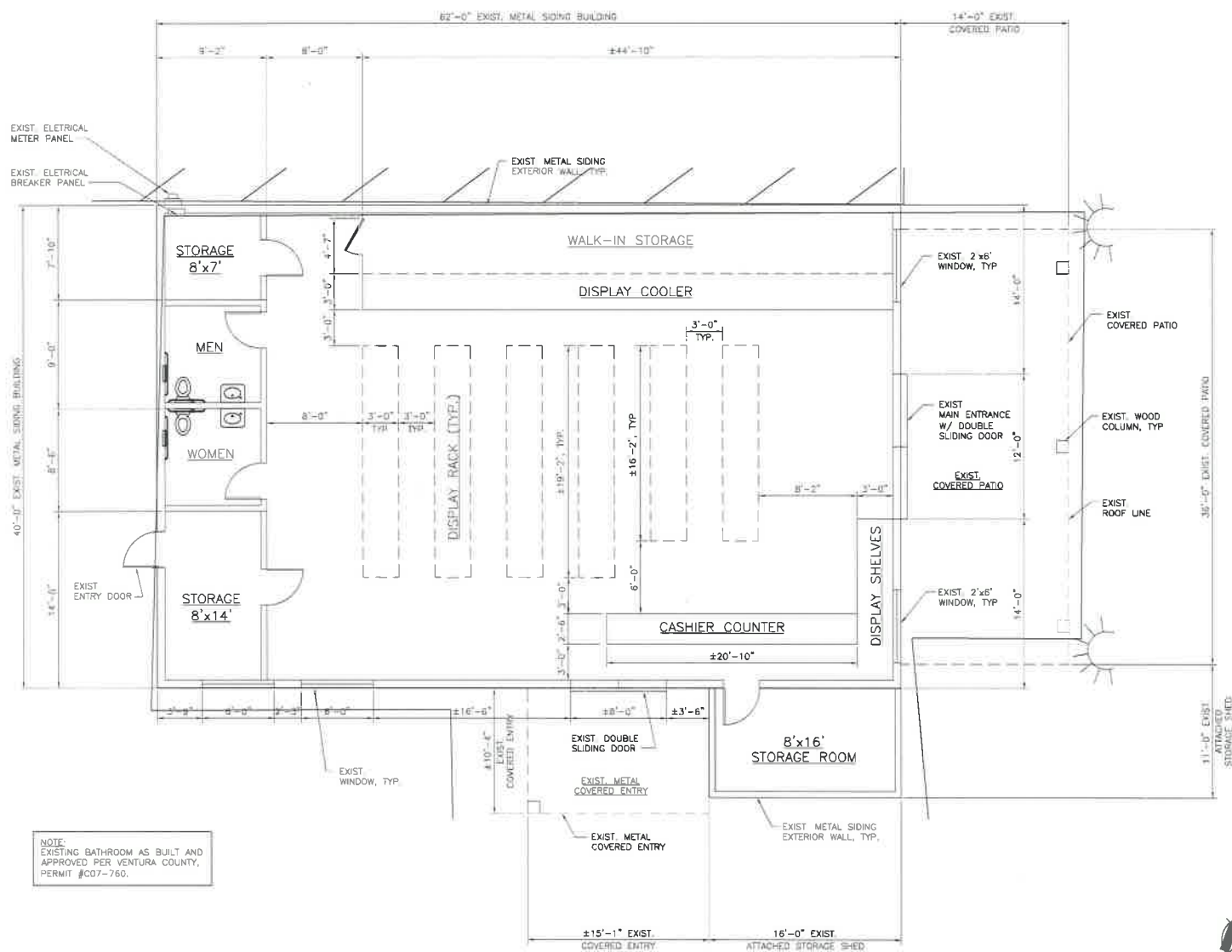
SHEET NUMBER

REVISION

A-1

D

EXHIBIT 3 - SITE PLANS



NOTE:
EXISTING BATHROOM AS BUILT AND
APPROVED PER VENTURA COUNTY,
PERMIT #007-760.

| | | | |
|--|----------|--|----|
| PROJECT INFORMATION: | | | |
| THE OUTPOST | | | |
| 3170 SANTA CLARA AVE OXNARD, CA 93036 VENTURA COUNTY | | | |
| CURRENT ISSUE DATE: | | | |
| 08-25-15 | | | |
| ISSUED FOR: | | | |
| PLANNING | | | |
| REV. | DATE | DESCRIPTION | BY |
| Δ | 07-14-15 | 90% ZONING ISSUED FOR REVIEW | BK |
| Δ | 07-15-15 | REV'D FOR REMARKS REV'D FOR CUP ADDED UTILITY POLE | BK |
| Δ | 08-17-15 | REV'D PLANNING AND ZDA ISSUED FOR CUP | BK |
| Δ | 08-25-15 | REV'D PARKING AND ADDED NOTES, VISION SIGN RE-ISSUED FOR CUP | BK |
| PLANS PREPARED BY: | | | |
| BON KHAM 3109 DEL AMO BLVD LAKEWOOD, CA 90712 PHONE: 562 607-7546 | | | |
| CONSULTANT: | | | |
| JESSE GILHOLM 354 HURST AVE VENTURA, CA 93001 CONTACT: JESSE GILHOLM PHONE: (760) 803-6219 | | | |
| DRAWN BY: | CHK: | APV: | |
| CAD | | BK | |
| LICENSURE: | | | |
| SHEET TITLE: | | | |
| ENLARGED FLOOR PLAN | | | |
| SHEET NUMBER: REVISION: | | | |
| A-2 D | | | |

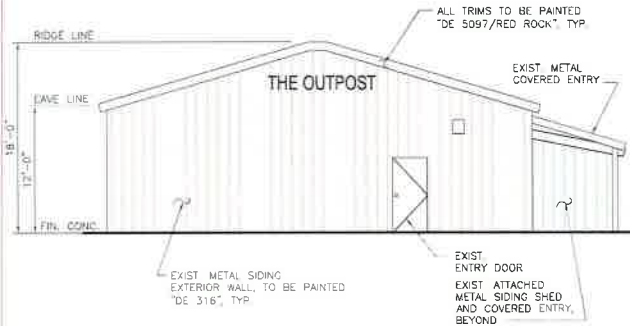
ENLARGED FLOOR PLAN



EXHIBIT 3 - SITE PLANS

NOTE:

- 1 ALL TRIMS TO BE PAINTED "DE 5097/RED ROCK"
- ALL EXTERIOR TO BE PAINTED "DE 316"
- ROOF TO BE PAINTED "DE 316"



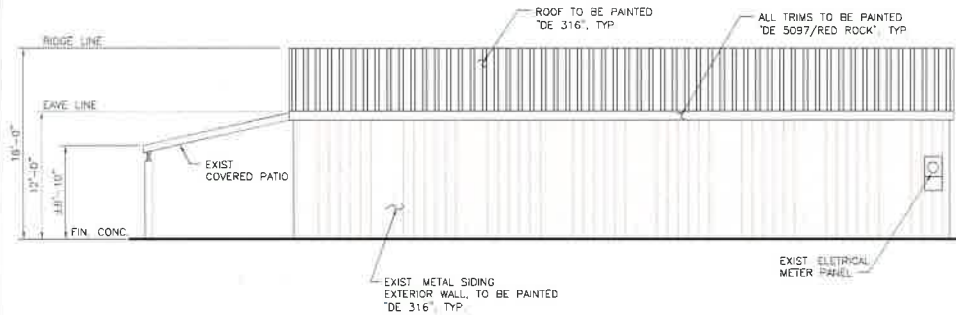
NORTH WEST ELEVATION - FACING SANTA CLARA AVE.

SCALE: 3/16"=1'

3

NOTE:

- 1 ALL TRIMS TO BE PAINTED "DE 5097/RED ROCK"
- ALL EXTERIOR TO BE PAINTED "DE 316"
- ROOF TO BE PAINTED "DE 316"



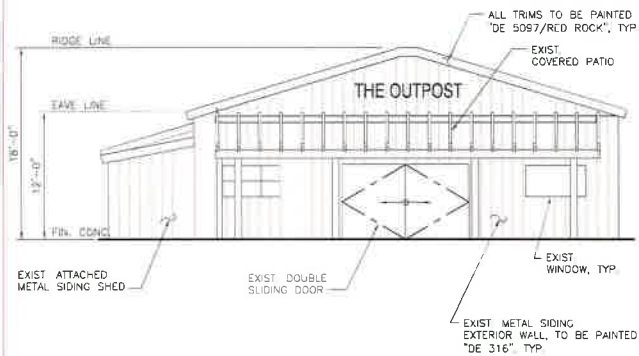
NORTH EAST ELEVATION - FACING VENTURA BLVD.

SCALE: 3/16"=1'

1

NOTE:

- 1 ALL TRIMS TO BE PAINTED "DE 5097/RED ROCK"
- ALL EXTERIOR TO BE PAINTED "DE 316"
- ROOF TO BE PAINTED "DE 316"



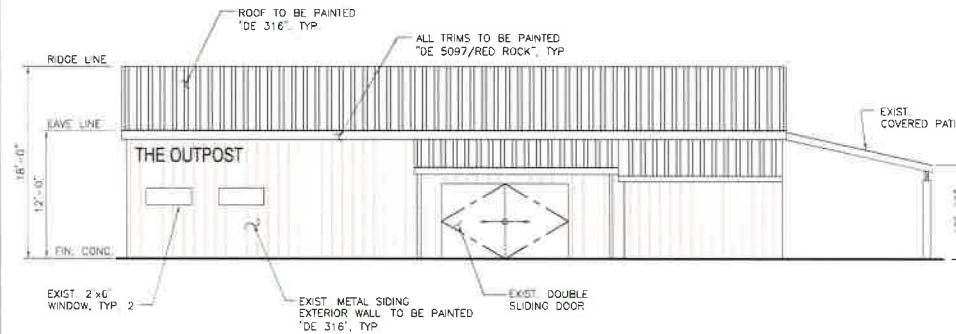
SOUTH-EAST ELEVATION - FACING MAIN PARKING LOT AND MAIN ENTRANCE

SCALE: 3/16"=1'

4

NOTE:

- 1 ALL TRIMS TO BE PAINTED "DE 5097/RED ROCK"
- ALL EXTERIOR TO BE PAINTED "DE 316"
- ROOF TO BE PAINTED "DE 316"



SOUTH-WEST ELEVATION - FACING HWY. 101 NORTHBOUND OFF RAMP

SCALE: 3/16"=1'

2

PROJECT INFORMATION:

THE OUTPOST

3170 SANTA CLARA AVE
OXNARD, CA 93036
VENTURA COUNTY

CURRENT ISSUE DATE:

08-25-15

ISSUED FOR:

PLANNING

| REV | DATE | DESCRIPTION | BY |
|-----|----------|--|----|
| Δ | 07-14-15 | SOX ZONING ISSUED FOR REVIEW | BK |
| Δ | 07-15-15 | REV'D PER RESOLNS. ISSUE ZON. ISSUED FOR CUP | BK |
| Δ | 08-17-15 | ADDED LITE POLE. REV'D PER CUP. ISSUED FOR CUP | BK |
| Δ | 08-25-15 | REV'D PER CUP. ISSUED FOR CUP. REV'D PER CUP. ISSUED FOR CUP | BK |

PLANS PREPARED BY:

BON KHAM
3109 DEL AMO BLVD
LAKEWOOD, CA 90712
PHONE: 562 607-7546

CONSULTANT:

JESSE GILHOLM
354 HURST AVE.
VENTURA, CA 93001
CONTACT: JESSE GILHOLM
PHONE: (760) 803-6219

DRAWN BY:

CAD BK

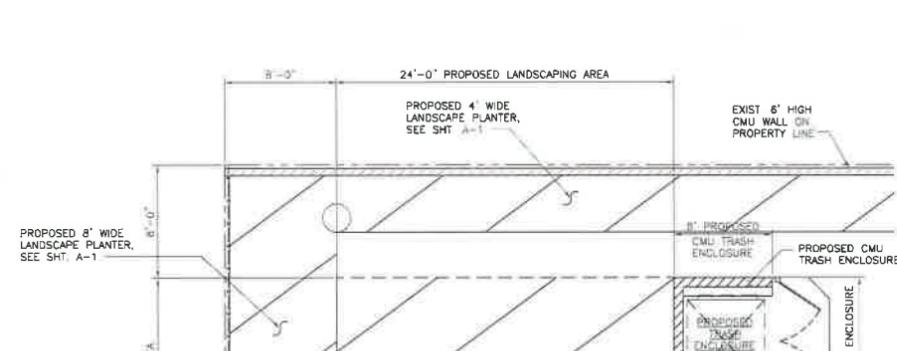
LICENSURE:

SHEET TITLE

EXIST. METAL BUILDING ELEVATIONS

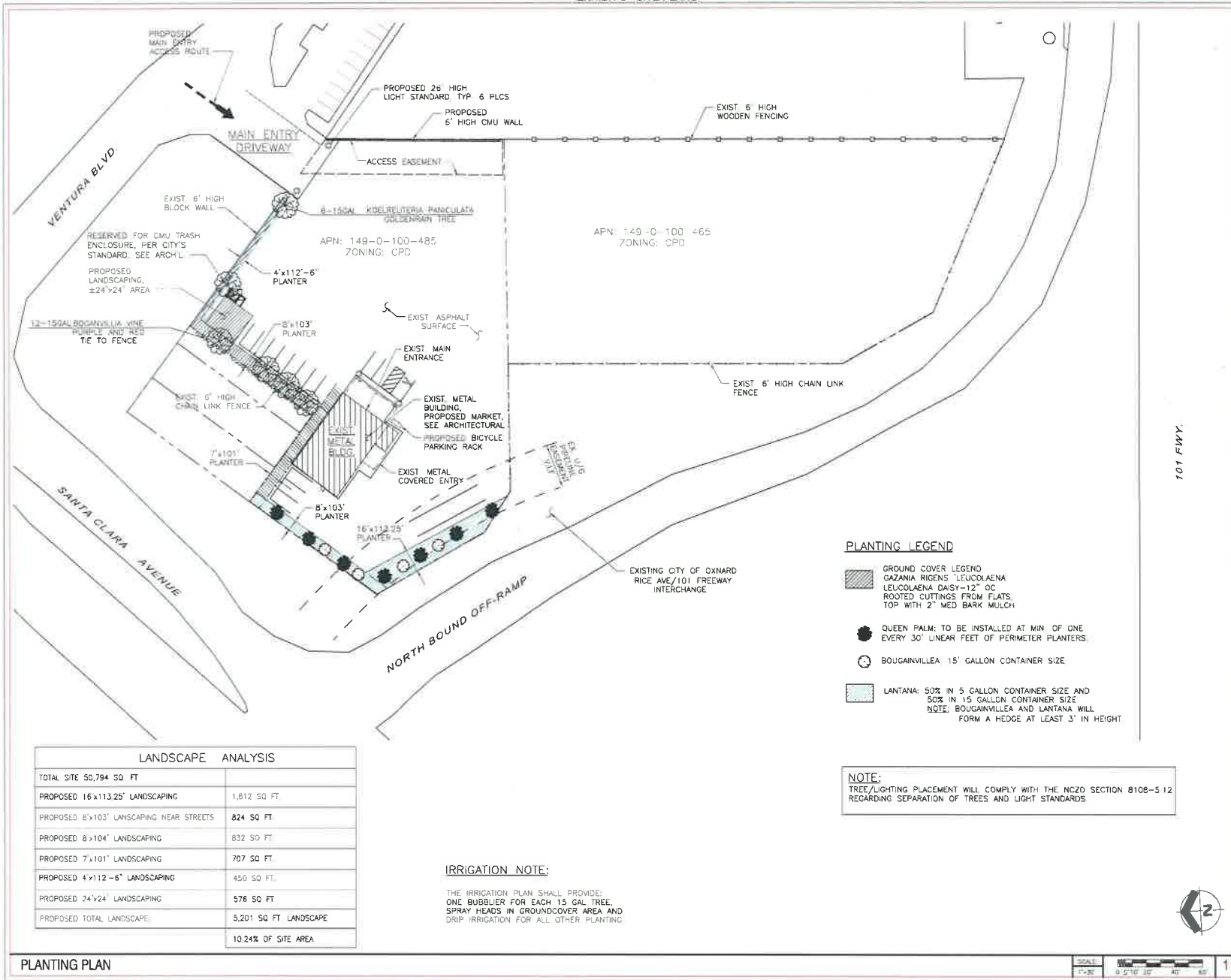
SHEET NUMBER

A-3 D

| | |
|------------------------------------|--|
| <div>(NOT USED)</div> <div>5</div> |  |
| <div>(NOT USED)</div> <div>6</div> | <div>PROPOSED CMU TRASH ENCLOSURE</div> <div>SCALE: 1/4"=1'</div> <div>0' 1' 2' 3' 4' 5' 6' 7' 8' 9' 10'</div> <div>1</div> |
| <div>(NOT USED)</div> <div>7</div> | <div>(NOT USED)</div> <div>4</div> <div>(NOT USED)</div> <div>SCALE: N.T.S.</div> <div>3</div> <div>(NOT USED)</div> <div>SCALE: N.T.S.</div> <div>2</div> |

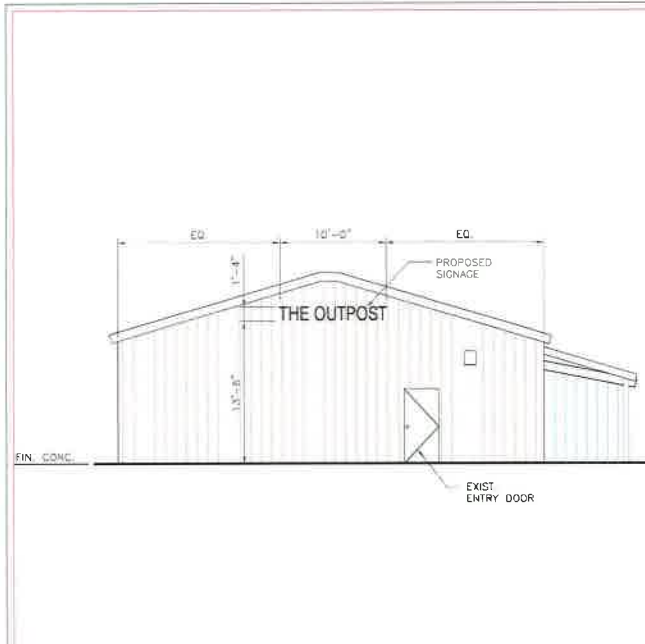
A-4 **D**

EXHIBIT 3 - SITE PLANS



| | |
|--|--|
| PROJECT INFORMATION: | |
| THE OUTPOST 3170 SANTA CLARA AVE OXNARD, CA 93036 VENTURA COUNTY | |
| CURRENT ISSUE DATE: | |
| 08-25-15 | |
| ISSUED FOR: | |
| PLANNING | |
| REV. | DATE DESCRIPTION BY |
| Δ | 07-14-15 BOKE ZONING ISSUED FOR REVIEW BH |
| Δ | 07-15-15 REV'D PER REQUESTS, WKS 2DNL, ADDED FOR CLIP, ADDED LIT. POLE, ADDED FIRE CLIP BH |
| Δ | 08-12-15 REV'D PLANTING, SEE CON. BH |
| Δ | 08-25-15 REV'D PARKING AND ADDED NOTEL, 1500 SQ. FT., REVISED FOR CLIP BH |
| PLANS PREPARED BY: | |
| BON KHAM 3109 DEL AMO BLVD LAKEWOOD, CA 90712 PHONE: 562 607-7546 | |
| CONSULTANT: | |
| JESSE GILHOLM 354 HURST AVE VENTURA, CA 93001 CONTACT: JESSE GILHOLM PHONE: (760) 803-6219 | |
| DRAWN BY: | CHK APPR |
| CAD | BK |
| LICENSURE: | |
| SHEET TITLE: | |
| PLANTING PLAN | |
| SHEET NUMBER | REVISION: |
| L-1 | D |

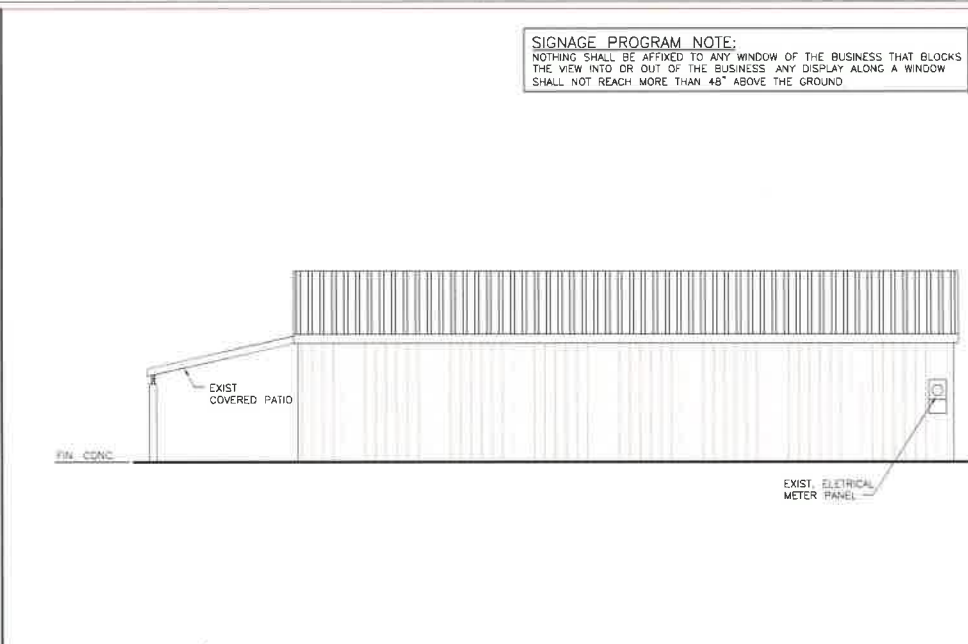
EXHIBIT 3 - SITE PLANS



NORTH WEST SIGNAGE - FACING SANTA CLARA AVE.

SCALE: 3/16"=1' 0' 1' 2' 3' 4' 5' 6' 7' 8' 9' 10'

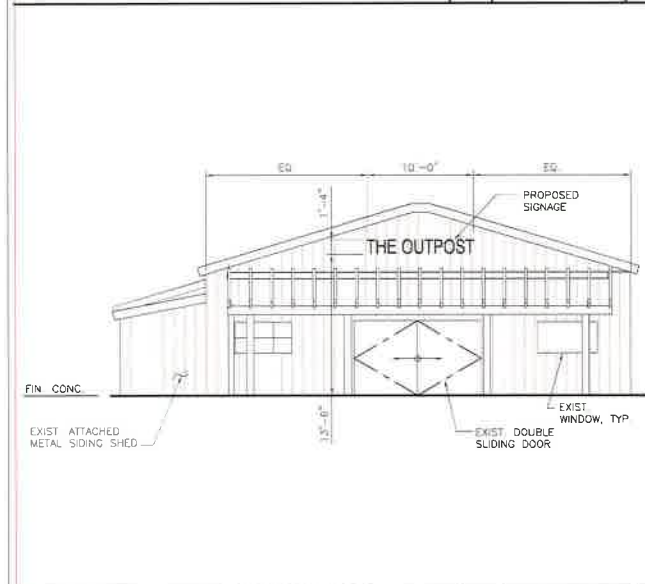
3



NORTH EAST ELEVATION - FACING VENTURA BLVD.

SCALE: 3/16"=1' 0' 1' 2' 3' 4' 5' 6' 7' 8' 9' 10'

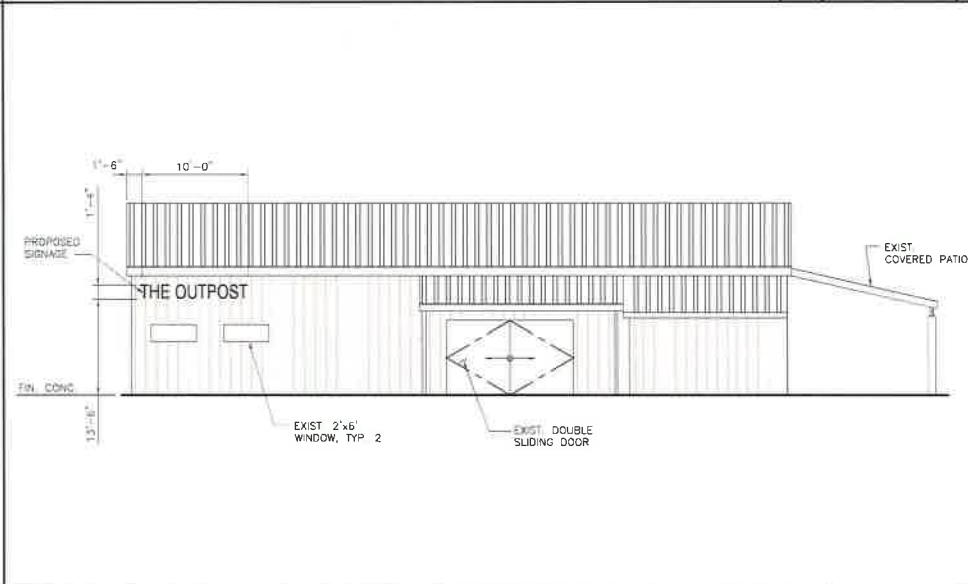
1



SOUTH-EAST SIGNAGE - FACING MAIN PARKING LOT AND MAIN ENTRANCE

SCALE: 3/16"=1' 0' 1' 2' 3' 4' 5' 6' 7' 8' 9' 10'

4



SOUTH-WEST SIGNAGE - FACING HWY. 101 NORTHBOUND OFF RAMP

SCALE: 3/16"=1' 0' 1' 2' 3' 4' 5' 6' 7' 8' 9' 10'

2

SIGNAGE PROGRAM NOTE:
NOTHING SHALL BE AFFIXED TO ANY WINDOW OF THE BUSINESS THAT BLOCKS THE VIEW INTO OR OUT OF THE BUSINESS. ANY DISPLAY ALONG A WINDOW SHALL NOT REACH MORE THAN 48" ABOVE THE GROUND.

PROJECT INFORMATION

THE OUTPOST

3170 SANTA CLARA AVE
OXNARD, CA 93036
VENTURA COUNTY

CURRENT ISSUE DATE

08-25-15

ISSUED FOR

PLANNING

| REV. | DATE | DESCRIPTION | BY |
|------|----------|---|----|
| Δ | 07-14-15 | 90% ZONING ISSUED FOR REVIEW | BK |
| Δ | 07-15-15 | REV'D PER REGULATIONS, 90% ZONING ISSUED FOR CUP | BK |
| Δ | 08-17-15 | REV'D PLANNING, 90% ZONING ISSUED FOR CUP | BK |
| Δ | 08-25-15 | REV'D PARKING AND ADDED NOTES, 100% ZONING ISSUED FOR CUP | BK |

PLANS PREPARED BY:

90N KHAM
3109 DEL AMO BLVD
LAKEWOOD, CA 90712
PHONE: 562 607-7546

CONSULTANT:

JESSE GILHOLM
354 HURST AVE
VENTURA, CA 93001
CONTACT: JESSE GILHOLM
PHONE: (760) 803-6219

DRAWN BY: CHK: APV:

CAD BK

LICENSURE:

SHEET TITLE

SIGNAGE PROGRAM

SHEET NUMBER REVISION

S-1 **D**

EXHIBIT 4 - DRAFT CONDITIONS OF APPROVAL FOR THE OUTPOST NEIGHBORHOOD MARKET

PLANNED DEVELOPMENT PERMIT NO. PL15-0111

RESOURCE MANAGEMENT AGENCY (RMA) CONDITIONS

I. Planning Division (PL) Conditions

1. Project Description

This Planned Development Permit (PD) is based on, and limited to, compliance with the project description stated in this condition, all County land use hearing exhibits in support of the project marked Exhibits 2 through 5, of the November 10, 2015 Planning Director staff report for Case No. PL15-0111, including the other conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any proposed changes in the Project must first be reviewed by the County in order to determine if they conform with the approval. Project deviations may require Planning Director approval of permit changes or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without the required County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

This permit authorizes the use of a 50,794 square-foot commercial property and an existing 3,200-square-foot building as a retail market. No structural changes will be made in the existing building. The exterior of the building will be painted and refurbished. The interior of the building will be reconfigured to accommodate the new market. No new restrooms will be added. The existing parking lot will be restriped to provide 15 vehicle parking/loading spaces. Other components of the Project include new bicycle parking, new parking lot lighting, approximately 5,200 square feet of new drought tolerant landscaping, a new trash enclosure, new wall-mounted signage and the removal of the existing wooden fencing along the eastern edge of the site, adjacent to the mobile home park, which will be replaced with a new six-foot tall concrete wall. No free-standing signage or billboards will be installed. The Project site will continue to be served water by the Nyeland Acres Mutual Water Company. Sewer service will be provided by Ventura County Service Area 30.

The hours of operation for the market will be 6:00 a.m. to 10:00 p.m., seven days per week. Access to the site will be provided by an existing driveway connected to Ventura Boulevard. Two employees will operate the market at any one time. There will be a total

Draft Conditions of Approval for Planned Development Permit (No. PL15-0111)

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Planning Director Approval Date: TBD

Permittee: Kanji Holdings, Inc.

Location: 3170 Santa Clara Ave.

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of nine truck deliveries per week (i.e., four semi-truck deliveries and five cargo van deliveries). All truck deliveries will occur during the hours of operation. The only activities that will occur outside of the hours of operation will be the arrival and departure of employees which may occur up to one hour before and after the hours of operation, as well as security-related activities which may occur at any time.

The components of the project are illustrated in Exhibit 3 of the Planning Director staff report for the November 10, 2015 hearing.

The development, use, and maintenance of the property, and the size, shape, arrangement, and location of structures, parking areas and landscape areas, shall conform to the project description above and all approved County land use hearing exhibits in support of the Project and conditions of approval below.

2. Site Maintenance

Purpose: To ensure that the Project site is maintained in a neat and orderly manner so as not to create any hazardous conditions or unsightly conditions which are visible from outside of the Project site.

Requirement: The Permittee shall maintain the Project site in a neat and orderly manner, and in compliance with the Project description set forth in Condition No. 1. Only equipment and/or materials which the Planning Director determines to be within the scope of the Project description shall be stored within the Project site during the life of the Project. All graffiti and trash (outside of designated receptacles) shall be removed/cleaned-up within 24-hours. Additionally, a secure six-foot chain link fence which separates the project site's parking lot from the adjacent parcels to the south (APN 149-0-100-465 and APN 149-0-100-315) shall be installed and locked at all times in order to avoid unauthorized use of the adjacent parcels which may create hazardous or unsightly conditions.

Documentation: The Permittee shall maintain the Project site in compliance with Condition No. 1 and the approved plans for the Project. The Permittee shall also submit a fencing plan to the Planning Division for review and approval.

Timing: The Permittee shall maintain the Project site in a neat and orderly manner and in compliance with Condition No. 1 throughout the life of the Project. The Permittee shall obtain the Planning Division's approval of the fencing plan and complete the installation of the fence prior to the issuance of a Zoning Clearance for use inauguration. The Permittee shall also maintain the fence as approved in the fencing plan for the life of the Project.

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

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3. PD Modification

Prior to undertaking any operational or construction-related activity which is not expressly described in these conditions, the Permittee shall first contact the Planning Director to determine if the proposed activity requires a modification of this PD. The Planning Director may, at the Planning Director's sole discretion, require the Permittee to file a written and/or mapped description of the proposed activity in order to determine if a PD modification is required. If a PD modification is required, the modification shall be subject to:

- a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and
- b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, Sections 21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387), as amended from time to time.

4. Construction Activities

Prior to any construction, the Permittee shall obtain a Zoning Clearance for construction from the Planning Division, and a Building Permit from the Building and Safety Division.

5. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this PD and/or commencement of construction and/or operations under this PD shall constitute the Permittee's formal agreement to comply with all conditions of this PD. Failure to abide by and comply with any condition of this PD shall constitute grounds for enforcement action provided in the Ventura County Non-Coastal Zoning Ordinance (Article 14), which shall include, but is not limited to, the following:

- a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- b. Suspension of the permitted land uses (Condition No. 1);
- c. Modification of the PD conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Revocation of this PD.

The Permittee is responsible for being aware of and complying with the PD conditions and all applicable federal, state, and local laws and regulations.

6. Time Limits

a. Use inauguration:

- (1) The approval decision for this PD becomes effective upon the expiration of the 10-day appeal period following the approval decision/date on which the Planning Director rendered the decision on the Project, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for use inauguration in order to initiate the land uses set forth in Condition No. 1.
- (2) This PD shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year from the date the approval decision of this PD becomes effective. The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for use inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.
- (3) Prior to the issuance of the Zoning Clearance for use inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this PD.

7. Documentation Verifying Compliance with Other Agencies' Requirements Related to this PD

Purpose: To ensure compliance with, and notification of, federal, state, and/or local government regulatory agencies that have requirements that pertain to the Project (Condition No. 1, above) that is the subject of this PD.

Requirement: Upon the request of the Planning Director, the Permittee shall provide the Planning Division with documentation (e.g., copies of permits or agreements from other agencies, which are required pursuant to a condition of this PD) to verify that the Permittee has obtained or satisfied all applicable federal, state, and local entitlements and conditions that pertain to the Project.

Documentation: The Permittee shall provide this documentation to Planning Division staff in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division Project file.

Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for use inauguration or as dictated by the respective agency.

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Permittee in the respective Project file. In the event that the federal, state, or local government regulatory agency prepares new documentation due to changes in the Project or the other agency's requirements, the Permittee shall submit the new documentation within 30 days of receipt of the documentation from the other agency.

8. Notice of PD Requirements and Retention of PD Conditions On-Site

Purpose: To ensure full and proper notice of these PD conditions affecting the use of the subject property.

Requirement: Unless otherwise required by the Planning Director, the Permittee shall notify, in writing, the Property Owner(s) of record, contractors, and all other parties and vendors who regularly conduct activities associated with the Project, of the pertinent conditions of this PD.

Documentation: The Permittee shall maintain a current set of PD conditions and exhibits at the project site.

Timing: Prior to issuance of a Zoning Clearance for use inauguration and throughout the life of the Project.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

9. Recorded Notice of Land Use Entitlement

Purpose: The Permittee shall record a "Notice of Land Use Entitlement" form and the conditions of this PD with the deed for the subject property that notifies the current and future Property Owner(s) of the conditions of this PD.

Requirement: The Permittee shall sign, have notarized, and record with the Office of the County Recorder, a "Notice of Land Use Entitlement" form furnished by the Planning Division and the conditions of this PD, with the deed of the property that is subject to this PD.

Documentation: Recorded "Notice of Land Use Entitlement" form and conditions of this PD.

Timing: The Permittee shall record the "Notice of Land use Entitlement" form and conditions of this PD, prior to use inauguration.

Monitoring and Reporting: The Permittee shall return a copy of the recorded "Notice of Land Use Entitlement" form and conditions of this PD to Planning Division staff to be included in the Project file.

10. Financial Responsibility for Compliance Monitoring and Enforcement

- a. **Cost Responsibilities:** The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Non-Coastal Zoning Ordinance (Section 8114-3) related to this PD. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.

- b. **Establishment of Revolving Compliance Account:**

Within 10 calendar days of the effective date of the final decision approving this PD, the Permittee shall submit the following deposit and reimbursement agreement to the Planning Director:

- (1) A payment of \$500.00 for deposit into a revolving condition compliance and enforcement account to be used by the Planning Division to cover costs associated with condition compliance review, monitoring, and enforcement activities described in 10.a (above), and any duly-imposed civil administrative penalties regarding this PD. The Permittee shall replenish such account to the above-stated amount within 10 calendar days after receiving notice of the requirement to do so from the Resource Management Agency.
 - (2) An executed reimbursement agreement, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.
- c. **Billing Process:** The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to timely pay an invoice shall subject the Permittee to late fees and charges set forth in the Planning Division Fee Schedule, and shall be grounds for suspension, modification, or revocation of this PD. The Permittee shall have the right to challenge any charge or penalty prior to payment.

11. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this PD. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.
- c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this PD, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.
- d. Neither the issuance of this PD, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this PD serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

12. Permittee's Consent to Site Inspections

Pursuant to the Ventura County Non-Coastal Zoning Ordinance (Section 8114-3.5), the Planning Division conducts periodic site inspections of permitted facilities and land uses to monitor compliance with the conditions of County-issued permits and the County zoning ordinance. The Permittee hereby consents to the inspection of all property, facilities, operations, and events comprising the Project that is subject of this PD. Said

inspections may occur at any time the Planning Division deems necessary to fully and effectively monitor the Project, including on nights or weekends. For example, if the permit authorizes events on weekend nights, the Permittee authorizes the Planning Division to conduct site inspections during such events to monitor compliance with event-related permit conditions. Upon the Planning Division's provision of reasonable notice, the Permittee agrees to provide Planning Division staff access to conduct the above-described inspections for the sole and exclusive purpose of monitoring compliance with this permit and the County zoning ordinance.

13. Invalidation of Condition(s)

If any of the conditions or limitations of this PD are held to be invalid in whole or in part by a court of competent jurisdiction, that holding shall not invalidate any of the remaining PD conditions or limitations. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee in an action filed in a court of competent jurisdiction, or threatened to be filed therein, the Permittee shall be required to fully comply with this PD, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This PD shall continue in full force unless, until, and only to the extent invalidated by a final, binding judgment issued in such action.

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this PD, at the discretion of the Planning Director, the Planning Director may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Director shall make the determination of adequacy. If the Planning Director cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this PD may be revoked.

14. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for the Project have the option of referring any and all special studies that these conditions require to an independent and qualified consultant for review and evaluation of issues beyond the expertise or resources of County staff.

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this PD, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such work. Whenever feasible, the County will use the lowest responsible bidder or proposer. Any decisions made by County staff in reliance on consultant or contractor work may be appealed pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

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The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 10 above, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

15. Relationship of PD Conditions, Laws, and Other Entitlements

The Permittee shall implement the Project in compliance with all applicable requirements and enactments of federal, state, and local authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any PD condition contained herein is in conflict with any other PD condition contained herein, when principles of law do not provide to the contrary, the PD condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this PD for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules, or regulations, or orders of an authorized governmental agency. Neither the approval of this PD, nor compliance with the conditions of this PD, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

The Permittee shall obtain a business tax certificate for the operation of the market.

16. Contact Person

Purpose: To designate a person responsible for responding to complaints.

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this PD.

Documentation: The Permittee shall provide the Planning Director with the contact information (e.g., name and/or position title, address, business and cell phone numbers, and email addresses) of the Permittee's field agent who receives all orders, notices, and communications regarding matters of condition and code compliance at the Project site.

Timing: Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall provide the Planning Division the contact information of the Permittee's field agent(s) for the Project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide Planning Division staff with the new information in writing within three calendar days of the change in the Permittee's field agent.

Monitoring and Reporting: The Planning Division maintains the contact information provided by the Permittee in the Project file. The Planning Division has the authority to

periodically confirm the contact information consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

17. Change of Permittee

Purpose: To ensure that the Planning Division is promptly notified of any change of Permittee.

Requirement: The Permittee shall file, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). The Permittee shall provide the Planning Director with a final notice once the transfer of ownership and/or operational control has occurred.

Documentation: The initial notice must be submitted with the new Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this PD.

Timing: The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.

Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

18. Landscaping and Screening

Purpose: To comply with the County's landscaping and screening requirements.

Requirement:

Landscaping Objectives: The Permittee must install and maintain landscaping and screening that serves the following functions:

- a. Screens undesirable views. The Permittee must install landscaping and screening to screen the parking area, trash enclosure, and loading areas, as shown on (Exhibit 3 of the November 10, 2015 Planning Director staff report for Case No. PL15-0111).
- b. Ensures compatibility with community character. The Permittee must install landscaping that visually integrates the development with the character of the surrounding community.
- c. Shades and improves the aesthetics of paved areas that the public and employees use. The Permittee must install landscaping in the parking area (Exhibit 3 of the November 10, 2015 Planning Director staff report for Case No. PL15-0111).

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Landscaping Design: The Permittee shall design all landscaping such that the landscaping requires minimal amounts of water and uses required water efficiently, in accordance with the water efficiency requirements of the Landscape Design Criteria, and must achieve the following design objectives:

- a. **Protection of Solar Access.** The Permittee must design the landscaping to avoid the introduction of vegetation that would now or in the future cast substantial shadow on existing solar collectors or photovoltaic cells, or impair the function of a nearby building using passive solar heat collection.
- b. **Create Viable Growing Environment.** The landscape design must address the needs of the plants to ensure their health, long-term viability, and protection.
- c. **Species Diversity.** The landscape plan must integrate a variety of plant species, heights, colors, and textures, as appropriate given the size of the landscape.
- d. **Crime Detering.** The landscape design must deter crime by allowing unobstructed views of vulnerable doors and windows from the street and other properties, avoiding blind spots and hiding spaces, and creating pedestrian walkways that are safe.

Documentation: The Permittee shall submit three sets of a draft landscape plan to the Planning Division for review and approval. A California registered landscape architect (or other qualified individual as approved by the Planning Director) shall prepare the landscape plan, demonstrating compliance with the requirements set forth in this condition (above), Section 8109-0.6 (Landscaping) of the Non-Coastal Zoning Ordinance, and the Ventura County Landscape Design Criteria. The landscape architect responsible for the work shall stamp the plan. After landscape installation, the Permittee shall submit to Planning Division staff a statement from the project landscape architect that the Permittee installed all landscaping as shown on the approved landscape plan. Prior to installation of the landscaping, the Permittee must obtain the Planning Director's approval of any changes to the landscape plans that affect the character or quantity of the plant material or irrigation system design.

Timing: The Permittee shall submit the landscape plan to the Planning Division for review and approval prior to issuance of a Zoning Clearance for Construction. The Permittee shall install all required landscaping prior to issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: The Planning Division maintains the landscape plans and statement by the landscape architect in the Project file and has the authority to conduct site inspections to ensure that the Permittee installs and maintains the landscaping in accordance with the approved plan consistent with the requirements of Section 8114-3 of the Non-Coastal Zoning Ordinance.

19. Lighting Plan

Purpose: In order to ensure lighting on the subject property is provided in compliance with Section 8106-8.6 and 8108-5.12 of the Ventura County Non-Coastal Zoning Ordinance, the Permittee shall prepare, and implement the permitted use in conformance with, an approved lighting plan.

Requirement: The Permittee shall prepare a lighting plan that meets the following objectives:

- avoids interference with reasonable use of adjoining properties;
- avoids conflict with landscape features;
- minimizes on-site and eliminates off-site glare;
- provides adequate on-site lighting for security;
- minimizes energy consumption; and
- includes devices that are compatible with the design of the permitted facility.

The Permittee shall include in the lighting plan a photometric diagram and manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs) in the lighting plan. An electrical engineer registered by the State of California shall prepare the lighting plan. The plan must include illumination information within parking areas, pathways, streetscapes, and open spaces proposed throughout the development. In order to minimize light and glare from the Project, all parking lot lighting, exterior structure light fixtures, and freestanding light standards must be a cut-off type, fully shielded, and downward facing, such that the lighting is projected downward onto the property and does not cast any direct light onto an adjacent property or roadway. The Permittee shall bear the total cost of the review and approval of the lighting plan. The Permittee shall install all exterior lighting in accordance with the approved lighting plan.

Documentation: The Permittee shall submit two copies of a lighting plan to the Planning Division for review and approval.

Timing: The Permittee shall obtain the Planning Division's approval of the lighting plan prior to the issuance of a Zoning Clearance for use inauguration. The Permittee shall maintain the lighting as approved in the lighting plan for the life of the Project.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved lighting plan in the Project file. The Permittee shall ensure that the lighting is installed according to the approved lighting plan prior to occupancy. The Building and Safety Inspector and Planning Division staff have the authority to ensure that the lighting plan is installed according to the approved lighting plan. Planning Division staff has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of Section 8114-3 of the Non-Coastal Zoning Ordinance.

20. Sign Plan

Purpose: To ensure signage on the property complies with Chapter 1, Article 10 of the Ventura County Non-Coastal Ordinance and the El Rio/Del Norte Area Plan.

Requirement: The Permittee shall submit two copies of a sign plan to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for construction. The sign plan shall include the proposed size, colors, materials, and lighting details. The Permittee shall bear the total cost of such review and approval. The Permittee also shall be responsible for obtaining a Zoning Clearance for any new or replacement sign to ensure that the signage for the Project continues to comply with the approved sign plan.

Documentation: A stamped copy of the approved sign plan.

Timing: The Permittee shall submit the sign plan to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for construction.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved sign plan in the Project file. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

Parking

21. Availability of Parking Spaces

Purpose: To ensure compliance with Section 8108-3 of the Ventura County Non-Coastal Zoning Ordinance.

Requirement: The Permittee shall ensure that the 15 motor vehicle parking spaces (including accessible spaces) and 4 bicycle spaces remain continuously available for their intended parking use and are not used for merchandise display, storage, vehicle repair, or any other unauthorized use. The Permittee shall maintain the required parking area as illustrated on the approved site plan. This maintenance requirement includes, but is not limited to, the number of parking spaces, curbs, directional markings, accessible parking symbols, screening, sight distance, surfaces, signs, striping, lighting fixtures, landscaping, and trash and recyclables enclosures.

Documentation: A stamped copy of the approved site plan.

Timing: The Permittee shall install all components of the required parking area as indicated on the approved site plan prior to occupancy, and shall maintain the required parking area as illustrated on the approved site plan for the life of the Project.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved site plan provided by the Permittee in the Project file. The Building and Safety Inspector and Planning Division have the authority to inspect the site to ensure compliance with the approved site plan prior to occupancy. Planning Division staff has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

22. Trash and Recycling Storage Area

Purpose: In order to comply with Section 8106-8.7 and Section 8108-5.13 of the Ventura County Non-Coastal Zoning Ordinance.

Requirement: The Permittee shall ensure that trash and waste diversion (e.g., recyclables and yard waste) enclosures are constructed and maintained on the project site in accordance with the County of Ventura's adopted "Space Allocation for Recycling and Refuse Collection Design Criteria and Specifications Guidelines."

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall illustrate the enclosures on all development plans for review and approval by the Planning Division. The Permittee shall install the trash enclosures prior to occupancy.

Documentation: A copy of the approved site plan.

Monitoring and Reporting: The Planning Division maintains a copy of the approved site plan in the Project file. The Planning Division has the authority to inspect the site to ensure that the enclosures are constructed as illustrated on the approved plans prior to occupancy. The Planning Division has the authority to periodically inspect the site to ensure that the trash enclosures are maintained consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

Paleontological and Archaeological Resources

23. Paleontological Resources Inadvertently Discovered During Grading

Purpose: In order to mitigate potential impacts to paleontological resources that may be encountered during ground disturbance or construction activities.

Requirement: If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall:

- a. Cease operations and assure the preservation of the area in which the discovery was made;
- b. Notify the Planning Director in writing, within three days of the discovery;
- c. Obtain the services of a paleontological consultant or professional geologist who shall assess the find and provide a report that assesses the resources and sets forth recommendations on the proper disposition of the site;
- d. Obtain the Planning Director's written concurrence with the recommended disposition of the site before resuming development; and
- e. Implement the agreed upon recommendations.

Documentation: The Permittee shall submit the paleontologist's or geologist's reports. Additional documentation may be required to demonstrate that the Permittee has implemented the recommendations set forth in the paleontological report.

Timing: If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the paleontological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Permittee shall provide the paleontological report to the Planning Division to be made part of the Project file. The Permittee shall implement any recommendations made in the paleontological report to the satisfaction of the Planning Director. The paleontologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the paleontological report. The Planning Division has the authority to conduct site inspections to ensure that the Permittee implements the recommendations set forth in the paleontological report, consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

24. Archaeological Resources Inadvertently Discovered During Grading

Purpose: In order to mitigate potential impacts to archaeological resources inadvertently discovered during ground disturbance.

Requirement: The Permittee shall implement the following procedures:

- a. If any archaeological or historical artifacts are uncovered during ground disturbance or construction activities, the Permittee shall:
 1. Cease operations and assure the preservation of the area in which the discovery was made;
 2. Notify the Planning Director in writing, within three days of the discovery;
 3. Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
 4. Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development; and
 5. Implement the agreed upon recommendations.
- b. If any human burial remains are encountered during ground disturbance or construction activities, the Permittee shall:
 1. Cease operations and assure the preservation of the area in which the discovery was made;
 2. Immediately notify the County Coroner and the Planning Director;
 3. Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide

recommendations on the proper disposition of the site in a written report format;

4. Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development on-site; and
5. Implement the agreed upon recommendations.

Documentation: If archaeological remains are encountered, the Permittee shall submit a report prepared by a County-approved archaeologist including recommendations for the proper disposition of the site. Additional documentation may be required to demonstrate that the Permittee has implemented any recommendations made by the archaeologist's report.

Timing: If any archaeological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the archaeological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Permittee shall provide the archaeological report to the Planning Division to be made part of the Project file. The Permittee shall implement any recommendations made in the archaeological report to the satisfaction of the Planning Director. The archaeologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the archaeological report. The Planning Division has the authority to conduct site inspections to ensure that the Permittee implements the recommendations set forth in the archaeological report, consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

Noise

25. Construction Noise

Purpose: In order for this project to comply with the Ventura County General Plan *Goals, Policies and Programs* Noise Policy 2.16.2-1(5) and the County of Ventura Construction Noise Threshold Criteria and Control Plan (Amended 2010).

Requirement: The Permittee shall limit construction activity for site preparation and development to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday, and State holidays. Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions.

Documentation: The Permittee shall post a sign stating these restrictions in a conspicuous location on the Project site so that the sign is visible to the general public. The Permittee shall provide photo documentation showing posting of the required signage to the Planning Division, prior to the commencement of grading and

Draft Conditions of Approval for Planned Development Permit (No. PL15-0111)

Planning Director Hearing Date: November 10, 2015

Planning Director Approval Date: TBD

Permittee: Kanji Holdings, Inc.

Location: 3170 Santa Clara Ave.

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construction activities. The sign must provide a telephone number of the site foreman, or other person who controls activities on the jobsite, for use for complaints from the public. The Permittee shall maintain a "Complaint Log," noting the date, time, complainant's name, complaint, and any corrective action taken, in the event that the Permittee receives noise complaints. The Permittee must submit the "Complaint Log" to the Planning Division upon the Planning Director's request.

Timing: The Permittee shall install the sign prior to the issuance of a building permit and throughout all grading and construction activities. The Permittee shall maintain the signage on-site until all grading and construction activities are complete. If the Planning Director requests the Permittee to submit the "Complaint Log" to the Planning Division, the Permittee shall submit the "Complaint Log" within one day of receiving the Planning Director's request.

Monitoring and Reporting: The Planning Division reviews, and maintains in the Project file, the photo documentation of the sign and the "Complaint Log." The Planning Division has the authority to conduct site inspections and take enforcement actions to ensure that the Permittee conducts grading and construction activities in compliance with this condition, consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

PUBLIC WORKS AGENCY (PWA) CONDITIONS

II. Transportation Department Conditions

26. Traffic Impact Mitigation Fee

Purpose: To address the cumulative adverse impacts of traffic on the Regional Road Network, TIMF Ordinance 4246 and County GP 4.2.2 require that the PWA Transportation Department collect a TIMF.

Requirement: The applicant/permittee shall deposit with the PWA Transportation Department a TIMF. The trip generation rate and TIMF will be calculated based on the applicant's information. The applicant/permittee may choose to submit additional information or provide a Traffic Study to supplement the information currently provided to establish the trip generation rate. The TIMF may be adjusted for inflation at the time of deposit in accordance with the latest version of the Engineering News Record Construction Cost Index. Based on the applicant's information, the TIMF due to the County would be:

$$\text{\$13,862.97} = 209 \text{ ADT}^{**} \times \text{\$66.33} / \text{ADT}^{***}$$

$$209 \text{ ADT}^{**} = 3.269 \text{ TSF} \times 64.03 \text{ trips} / \text{TSF}$$

Notes

1) ** Based on the project description and application documentation, the most applicable Land Use according to the most recent version of the ITE Trip Generation

Manual is Variety Store (#814). The square footage of the store is 3,269 SF or 3.269 TSF.

2) *** The project is in the Oxnard Traffic District #8.

3) The traffic generated by the project/development is below the threshold for the City of Oxnard, therefore the City of Oxnard TIMF will not be collected.

4) The trips generated by the project/development shall be used as a baseline level so that the TIMF may be computed for future increases in the trip generation. Based on the ITE trip generation rates, the baseline level is 209 average daily trips. (TD – 4, RMA – 138)

Documentation: The applicant/permittee shall come to the PWA Transportation Department counter, fill out the TIMF form, and pay the TIMF.

Timing: This condition shall be met prior to the issuance of the Zoning Clearance for a Use Inauguration.

Monitoring and Reporting: The PWA Transportation Department will review and approve the payment of the TIMF.

III. Integrated Waste Management Division (IWMD) Conditions

27. Waste Diversion & Recycling Requirement

Purpose: To ensure the project complies with Ordinance No. 4445. Ordinance 4445 which pertains to the diversion of recyclable materials generated by this project (e.g., paper, cardboard, wood, metal, greenwaste, soil, concrete, plastic containers, beverage containers) from local landfills through recycling, reuse, or salvage. Ordinance 4445 can be reviewed at www.vcpublicworks.org/ord4445.

Requirement: Ordinance 4445, Sec 4770-2.3, requires the Permittee to work with a County-franchised solid waste hauler who can determine the level of service required to divert recyclables generated by their project from local landfills. For a complete list of County –franchised solid waste haulers, go to: www.vcpublicworks.org/commercialhaulers.

Documentation: The Permittee must maintain copies of bi-monthly solid waste billing statements for a minimum of one year. The address on the billing statement must match the address of the permitted business.

Timing: Upon request, the Permittee must provide the IWMD with a copy of a current solid waste billing statement to verify compliance with this condition.

Monitoring and Reporting: Upon request, the Permittee shall allow IWMD staff to perform a free, on-site, waste audit to verify recyclable materials generated by their business are being diverted from the landfill.

28. Collection and Loading Areas for Refuse and Recyclables

Purpose: To comply with the California Solid Waste Reuse and Recycling Access Act of 1991 (CA Public Resources Code 42900-42901).

Requirement: The Permittee shall adhere to the County's Space Allocation Guidelines which include minimum space requirements for refuse and recycling bins and

recommend aesthetic, gated, trash enclosures. Please review the County's Space Allocation Guidelines at: www.vcpublicworks.org/SpaceAllocation.

Documentation: The Permittee shall submit a site plan to the IWMD indicating the location of a trash enclosure, or a designated area on the project site, with sufficient space to accommodate refuse and recycling bins necessary to meet the needs of the project.

Timing: Prior to Issuance of a Zoning Clearance for Construction or Use Inauguration, the Permittee must submit a site plan to the IWMD for review/approval that indicates the location of a trash enclosure or a designated area for refuse and recycling bins on the property.

Monitoring & Reporting: Upon request, the Permittee shall allow IWMD staff to verify the location of a trash enclosure or a designated area for trash and recycling bins on the property.

OTHER VENTURA COUNTY AGENCIES CONDITIONS

IV. Ventura County Fire Protection District (VCFPD) Conditions

29. Address Numbers (Commercial, Industrial, Multi-Family Buildings)

Purpose: To ensure proper premise identification to expedite emergency response.

Requirement: The Permittee shall install a minimum of 10 inch (10") address numbers that are a contrasting color to the background and readily visible at night. Brass or gold plated numbers shall not be used. Where structures are setback more than 150 feet (150') from the street, larger numbers will be required so that they are distinguishable from the street. In the event the structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post. Individual unit numbers shall be a minimum of 4 inches (4") in height and shall be posted at the front and rear entrance to each unit. Additional address directional signs may be required at common building entrances and stairways.

Documentation: A stamped copy of an approved addressing plan or a signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction".

Timing: The Permittee shall install address numbers before final occupancy.

Monitoring and Reporting: A copy of the approved addressing plan and/or signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction" shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that all structures are addressed according to the approved plans /form.

30. General Requirements

Purpose: To provide clarification of building restrictions for this parcel.

Requirement: The Permittee shall not add any additional square footage to the existing structure or construct any new structures on the parcel until such time the water

purveyor is certified as meeting the current adopted edition of the Ventura County Waterworks Manual by the Ventura County Public Works Department.

Documentation: A certified copy of the Water Availability Letter.

Timing: The Permittee shall provide a certified copy of the water purveyor's Water Availability Letter prior to any additional square footage being constructed on the parcel.

Monitoring and Reporting: A copy of the certified Water Availability Letter shall be kept on file with the County of Ventura Public Works Department. The Fire Prevention Bureau shall conduct a final inspection to ensure that no additional square footage has been added to the parcel.

31. Access Road Widths, Multi-Family, Commercial or Industrial

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum paved width of 25 feet for all on-site driveways. Parking shall not be allowed within the required width.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before the start of combustible construction.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the access for the life of the development.

32. Vertical Clearance

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum vertical clearance of 13 feet 6 inches (13'-6") along all access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before the start of combustible construction.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the access for the life of the development.

33. Turning Radius

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum 40 foot outside turning radius at all turns along the access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before the start of combustible construction.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the access for the life of the development.

34. Fire Lanes

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall post all fire lanes in accordance with California Vehicle Code, the International Fire Code and current Ventura County Fire Protection District Fire Lane Standards. All fire lane markings / signs shall be located within recorded access easements. The Permittee shall maintain all required fire lane markings / signs to be clearly visible.

Documentation: A stamped copy of the approved fire lane plan.

Timing: The Permittee shall submit two (2) copies of the site plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required fire lanes shall be installed before final occupancy.

Monitoring and Reporting: A copy of the approved fire lane plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that all fire lanes are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the fire lanes for the life of the development.

35. Access Road Gates

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Standards.

Requirement: The Permittee shall design and install all gates along required fire access roads /driveways consistent with Fire Protection District Standards.

Documentation: A stamped copy of the approved gate plans.

Timing: The Permittee shall submit gate plans to the Fire Prevention Bureau for approval before the installation of any access gates. The submittal shall include a copy of the zoning clearance issued by the Planning Department.

Monitoring and Reporting: A copy of the approved gate plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that access gates are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the gates for the life of the development.

36. Fire Code Permits

Purpose: In order to minimize fire hazards, the project shall be constructed in conformance with the requirements of the Ventura County Fire Code.

Requirement: The Permittee and/or tenant shall obtain all applicable Fire Code permits.

Documentation: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for review and approval.

Timing: Prior to final occupancy clearance, installation or use of any required item or system, the Permittee must obtain approval of all necessary Fire Code permits.

Monitoring and Reporting: A copy of the approved Fire Code permits shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the requirements of the Fire Code permit are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the conditions of the Fire Code permit for the life of the development.

V. Ventura County Sheriff's Department Conditions

37. Window Displays

Purpose: To maintain a clear line of sight into and out of the market for law enforcement personnel.

Requirement: Nothing shall be affixed to any window of the market that blocks the view into or out of the business. Any display along a window shall not reach more than 48 inches above the ground.

Documentation: The Permittee shall maintain the Project site in compliance with Condition No. 1 and the approved plans for the Project.

Timing: The Permittee shall maintain the Project site in compliance with Condition No. 1 throughout the life of the Project.

Monitoring and Reporting: The Ventura County Sheriff's Department and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

38. Security Lighting

Purpose: To provide building security lighting.

Requirement: Install commercial lighting on all exterior sides of the building. Two lighting fixtures shall be attached to each outer wall. The lighting will be on during hours of darkness until the business closes for the evening.

Documentation: The Permittee shall submit two copies of a lighting plan to the Planning Division for review and approval, in consultation with the Ventura County Sheriff's Department.

Timing: The Permittee shall obtain the Planning Division's approval of the lighting plan prior to the issuance of a Zoning Clearance for use inauguration. The Permittee shall maintain the lighting as approved in the lighting plan for the life of the Project.

Monitoring and Reporting: The Ventura County Sheriff's Department and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

39. Security Camera

Purpose: To provide a crime deterrent as well as documentation of potential crime for law enforcement personnel.

Requirement: Install a fully operational video camera/recording system that continuously records throughout the market and all four sides of the area outside the business, including the parking area.

Documentation: The Permittee shall submit two copies of the security camera plan to the Planning Division for review and approval, in consultation with the Ventura County Sheriff's Department.

Timing: The Permittee shall obtain the Planning Division's approval of the security camera plan prior to the issuance of a Zoning Clearance for use inauguration. The Permittee shall maintain the security camera as approved in the plan for the life of the Project.

Monitoring and Reporting: The Ventura County Sheriff's Department and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

VI. Air Pollution Control District (APCD) Conditions

40. APCD Rules and Regulations

Purpose: To ensure that fugitive dust and particulate matter that may result from site preparation is minimized.

Requirement: The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust).

Documentation: The Lead Agency shall ensure compliance with the following provision:

- a. Fugitive dust throughout the site shall be controlled by the use of water or equivalent means. Water shall be applied to all unpaved areas and active portions of the construction site if fugitive dust is generated. Environmentally-safe dust control agents may be used in lieu of watering.

Timing: Throughout the refurbishment.

Reporting and Monitoring: The Lead Agency shall monitor dust control.

Exhibit 5 - City of Oxnard Email

Hood, Monica

From: Chris Williamson <Chris.Williamson@ci.oxnard.ca.us>
Sent: Tuesday, August 11, 2015 8:00 AM
To: Hood, Monica
Subject: City of Oxnard comments on PL 15-0111, use at 3170 Santa Clara Avenue

The Planning Division has reviewed the project application PL15-0111 and requests the following:

- 1) No on- or off-site alcohol sales without approval by the Oxnard Police Department and extensive neighborhood outreach.
- 2) No customer or employee parking in the park and ride lot on Ventura Blvd, just outside the property.
- 3) No billboard(s) on the property, or any freestanding signage.
- 4) A secure 6 ft chain link fence to be installed and locked at all times separating the use's parking lot from the remainder of the property, towards the freeway ramp.
- 5) Owner/operator to remove graffiti and trash with 24 hours.

Chris Williamson, AICP, Principal Planner
City of Oxnard Planning Division
214 South C Street Oxnard, CA 93030
805-385-8156

Live Long and Prosper !
FAX 385-7417
chris.williamson@ci.oxnard.ca.us