

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THOUSAND OAKS ADOPTING SPECIFIC PLAN NO. 24 (2150 WEST HILLCREST DRIVE), AND ITS ASSOCIATED ZONE CHANGE; AND AUTHORIZING THE LAND USES AND DEVELOPMENT STANDARDS IN SAID SPECIFIC PLAN (**APPLICANT: LATIGO HILLCREST LLC**)

The City Council of the City of Thousand Oaks does hereby ordain as follows:

Part I

Based upon the information contained in the Staff Report, exhibits, and public testimony given at a public hearing on June 20, 2023, the City Council approved this Specific Plan with the following findings:

WHEREAS, the Thousand Oaks Planning Commission held a noticed public hearing on June 5, 2023 and thereafter, recommended that City Council certify the Final Environmental Impact Report No. 2022-70774-EIR, and that the City Council approve General Plan Land Use Element Amendment (LU) 2021-70169-LU; Zoning Change (Z) 2022-70776-Z; Specific Plan (SP) 2022-70778-SP; Development Agreement (DAGR) 2022-70777-DAGR; Development Permit (DP) 2022-70773-DP; Special Use Permit (SUP) 2022-70779-SUP; and Protected Tree Permit (PTP) 2022-70780-PTP to regulate specific land uses and design standards for approximately 8.19 net acres of property located at 2150 West Hillcrest Drive; and,

WHEREAS, the zoning on the property is currently "Community Shopping Center (C-3)" and new designation would be "Specific Plan-24 (SP-24)" to facilitate the development of a four-story mixed-use development comprised of 333 multi-family residential units (including 30 very low-income affordable units and 3 moderate-income units) and 5,300 square feet of commercial restaurant space; and

WHEREAS, upon notice duly given, a hearing was held at the regular meeting of the City Council of the City of Thousand Oaks on June 20, 2023, at which time evidence, both oral and written, including a Staff Report and a Final Environmental Impact Report, were presented and received, and testimony was taken from all interested parties appearing in the matter; and

WHEREAS, an ordinance is required to formalize Council action pursuant to Section 65453 of the California Government Code, and this ordinance is adopted; therefore, for that purpose and reflects the action of a majority of the members of the City Council (voting ____ - ____) in rendering a decision on this matter following the public hearing at the regular meeting of June 20, 2023.

Part 2

NOW, THEREFORE, BE IT RESOLVED that pursuant to Government Code Sections 65453 and 65850, the City Council of the City of Thousand Oaks does hereby ordain as follows:

SECTION 1. The Final Environmental Impact Report No. 2022-70774-EIR is certified and approved, along with the corresponding General Plan amendment and development entitlements.

SECTION 2. 2022-70776-Z is hereby approved and found to be consistent with all Elements of the Thousand Oaks General Plan as proposed in Exhibit "A," based on the following findings:

- (a) The proposed zone change will re-designate approximately 8.28-acres of land from Community Shopping Center (C-3) to the Hillcrest Specific Plan– 24 (SP-24) in order to remain consistent with the subject property's General Plan Land Use Element designation, which will be Commercial/Residential, upon adoption by City Council. This designation permits commercial uses, residential uses, or a combination of both commercial and residential, in support of the General Plan goal "to provide the framework for a planned and unified community containing a balance of living, working, shopping, educational, civic, cultural and recreational facilities.". The proposed project includes commercial and residential development on the site. Further, the proposed project is consistent with the General Plan goals to provide opportunities "enabling commercial, industrial and residential development to flourish in an efficient and compatible manner." Therefore, the proposed specific plan is in alignment with Thousand Oaks General Plan goals and policies.
- (b) The proposed Zone Change has been reviewed for conformance with the provisions of the California Environmental Quality Act. For this application, the City is the Lead Agency and, on behalf of the Applicant, the City Council is being asked to certify the Final Environmental Impact Report that was prepared for the project. The Final EIR identifies where all areas listed as potentially significant have been mitigated to levels that are no longer significant, through the inclusion of mitigation measures, which the applicant shall comply with under the proposed conditions of approval.

SECTION 3. Specific Plan No. 24 is hereby approved and found to be consistent with all Elements of the Thousand Oaks General Plan as proposed in Exhibit "B", based on the following findings:

- (a) The proposed Specific Plan (SP-24) establishes development standards, allowed uses and policy guidelines for a mixed-use development. SP-24 is required as the TOMC does not currently include a zoning designation which allows for a mix of commercial and residential uses on the same site. Along with the allocation of 246 dwelling units of the Citywide Measure E capacity to SP-24, the mixed-use project with building frontage along Hillcrest Drive is consistent with all Elements of the Thousand Oaks General Plan.
- (b) The development standards and uses of the Specific Plan, along with the companion land use amendment, is consistent with all applicable Elements of the Thousand Oaks General Plan, including the Land Use Element designation of "Commercial/Residential" and with the General Plan goal, "to provide the framework for a planned and unified community containing a balance of living, working, shopping, educational, civic, cultural and recreational facilities." In addition, the Specific Plan and project will be consistent with the housing element to provide rental housing in the form of 30 very-low-income affordable units and 3 moderate-income units.
- (c) The proposed project and Specific Plan are unified by design. The specific plan specifies development standards with respect to building location, height, number of required parking spaces, allowed uses, and other development standards. Since these project details are specified in the specific plan, the project's standards are bound by SP-24, and are therefore, consistent.
- (d) The Specific Plan standards and proposed project are consistent with the City's Architectural Guidelines as conditioned in that the project design provides for vertical and horizontal building articulation and a variety of colors/materials.
- (e) The project is consistent with all applicable laws, regulations and policies, including the Thousand Oaks Municipal Code that allows for specific development standards through adoption of a specific plan.
- (f) The proposed Specific Plan has been reviewed for conformance with the provisions of the California Environmental Quality Act (CEQA). For this application, the City is the Lead Agency and, on behalf of the Applicant, the City Council is being asked to certify the Final Environmental Impact Report that was prepared for the project. The Final EIR identifies where all areas listed as potentially significant have been mitigated to levels that are no longer significant, through the inclusion of mitigation measures, which the applicant shall comply with under the proposed conditions of approval.

SECTION 4. The foregoing findings and determinations are based upon the following:

- (a) The Recitals set forth in this Ordinance, which are deemed true and correct;
- (b) The City's General Plan, as amended by General Plan Amendment 2021-70169-LU (City Council Resolution No. _____) prior to adoption of this Ordinance;
- (c) Resolution Nos. _____ for the Project entitlements, adopted by the City Council on June 20, 2023, and which Resolutions and exhibits are incorporated herein by reference as if set forth in full;
- (d) All City Staff reports (and all other public reports and documents) prepared for the Planning Commission and City Council, relating to the zone change, Specific Plan, and other actions relating to the Project;
- (e) All documentary and oral evidence received at public hearings or submitted to the City during the comment period relating to the zone change, Specific Plan, and other actions relating to the Project; and
- (f) All other matters of common knowledge to the Planning Commission and City Council, including, but not limited to the City's fiscal and financial status; City policies and regulations; reports, projections and correspondence related to development within and surrounding the City, State laws and regulations and publications.

SECTION 5. The City Council hereby approves the zone change and Specific Plan, attached hereto as Exhibits A and B, respectively, subject further to such minor, conforming and clarifying changes consistent with the terms thereof as may be approved by the City Manager, in consultation with the City Attorney to execution thereof, including completion of references and status of planning approvals, and completion and conformity of all exhibits thereto, and conformity to the General Plan, as amended, as approved by the City Council.

SECTION 6. The approval contained in Section 5 hereof is subject to and conditioned upon Resolution No. _____, adopted by the City Council approving the General Plan Amendment, becoming effective.

Part 3
(Uncodified)
Severability

If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this title; it being hereby expressly declared that this title, and each section, subsection, sentence, clause and phrase hereof, would have been prepared, proposed, adopted, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Part 4
(Uncodified)
Effective Date

This ordinance shall become effective on and after the thirty-first (31st) day following its adoption, provided, however, that if the actions referred to in Section 6 hereof are not effective on such date, then the effective date of this Ordinance shall be the date on which all of said actions become effective, as certified by the City Clerk

PASSED AND ADOPTED this XXth day of XXXX, 202X, by the following vote:

Ayes:

Noes:

Absent:

Kevin McNamee, Mayor
City of Thousand Oaks City Council

ATTEST/CERTIFY:

Laura B. Maguire, City Clerk

Date Attested: _____

APPROVED AS TO FORM:
Office of the City Attorney

Patrick J. Hehir,
Chief Assistant City Attorney

APPROVED AS TO ADMINISTRATION:

Andrew P. Powers, City Manager

Introduced: XXXX XX, 202X
Published: XXXX XX, 202XX
Ordinance No.: XXXX-NS

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the City of Thousand Oaks City Council on the date cited above.

EXHIBIT "A"

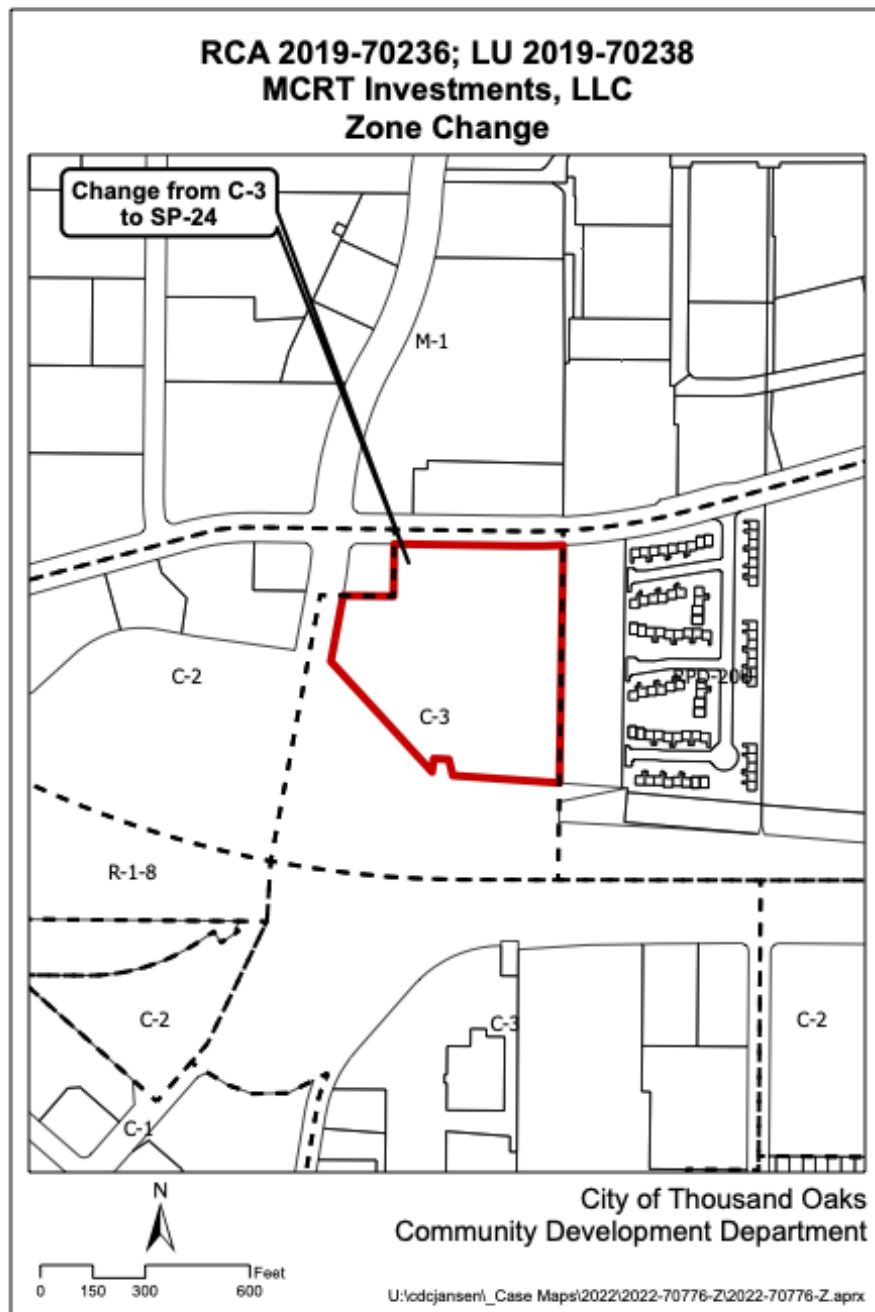


EXHIBIT “B”

SPECIFIC PLAN NO. 24

(Specific Plan will be attached upon project approval. See Attachment #4)