

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THOUSAND OAKS ADOPTING AND CERTIFYING FINAL ENVIRONMENTAL IMPACT REPORT AND APPROVING A GENERAL PLAN AMENDMENT, ZONE CHANGE; SPECIFIC PLAN; DEVELOPMENT AGREEMENT; DEVELOPMENT PERMIT; AND PROTECTED TREE PERMIT FOR THE USE OF CERTAIN PROPERTY WITHIN SAID CITY AT 2150 WEST HILLCREST DRIVE. **(APN #667-0-113-075) [APPLICATIONS: 2021-70169-LU; 2022-70776-Z; 2022-70778-SP; 2022-70777-DAGR; 2022-70773-DP; 2022-70780-PTP and 2022-70774-EIR (LATIGO HILLCREST, LLC)]**

SECTION 1

WHEREAS, the applicant has filed with the City an application under the provisions of the City of Thousand Oaks Municipal Code requesting the following:

1. General Plan Land Use Element Amendment 2021-70169-LU: To amend the General Plan Land Use Element designation of Commercial to Commercial /Residential.
2. Zone Change 2022-70776-Z: To change the zoning designation of Neighborhood Commercial (C-3) to Specific Plan-24 (SP-24).
3. Specific Plan 2022-70778-SP: To adopt SP-24 to establish specific development standards for the subject development areas.
4. Development Agreement 2022-70777-DAGR: To create a binding contract that vests the rights of the applicant to a specific project, set forth the time period to construct the project, and specify public and private benefits and responsibilities related to the project.
5. Development Permit 2022-70773-DP: To allow the construction of a four-story mixed-use development encompassing 629,437 gross square feet (sf) of building area, that would contain 333 multi-family residential units (including 30 very low-income affordable units and three moderate-income affordable units), common areas and amenities, 5,300 gross square feet of commercial retail and

restaurant space above semi-subterranean parking structures containing a total of 462 structured parking spaces, and surface parking areas with a total of 119 parking spaces (581 total parking spaces).

6. Protected Tree Permit 2022-70780-PTP: To allow removal of 17 coast live oak (*Quercus agrifolia*) trees, as well as the encroachment into the protected zone of eight coast live oak (*Quercus agrifolia*) trees.

WHEREAS, pursuant to California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City prepared a Draft Environmental Impact Report (Draft EIR) for the project and following public review of the Draft EIR the City prepared a Final Environmental Impact Report (Final EIR) responding to public comments and refining the Draft EIR (2022-70774-EIR); and

WHEREAS, the City also prepared a Mitigation Monitoring and Reporting Program regarding implementation of mitigation measures specified in the EIR (MMRP) pursuant to the requirements of CEQA and the CEQA Guidelines; and

WHEREAS, on June 5, 2023, the Planning Commission of the City of Thousand Oaks conducted a duly advertised public hearing and recommended approval of the project to City Council; and

WHEREAS, pursuant to Section 9-4.2803(a)(1) of the Thousand Oaks Municipal Code, the matter was referred to City Council for a decision, and upon notice duly given as required by law, a public hearing was held by the City Council of the City of Thousand Oaks on June 20, 2023, at which time evidence, both oral and written, including the applicant's testimony, public input, City Staff Report and exhibits, were presented and received, and arguments were heard from all interested parties appearing in the matter; and

WHEREAS, a resolution is required to formalize City Council action pursuant to Section 9-4.2803(a)(1) of the Thousand Oaks Municipal Code and this resolution is adopted for that purpose and reflects the action of a majority of the members of the City Council.

SECTION 2

WHEREAS, pursuant to CEQA, City conducted environmental review of the project, prepared and duly processed an Environmental Impact Report ("The Latigo Hillcrest Project EIR"), consisting of a Draft EIR dated April 2023 and a Final EIR dated May 2023, and prepared an MMRP for implementation of mitigation measures specified in the EIR; and

WHEREAS, pursuant to CEQA (Public Res. Code, Section 21000 et seq.), the State CEQA Guideline (14 CCR Section 15000 et seq.) and the City of Thousand Oaks' Local CEQA Guidelines, the City of Thousand Oaks (City) is the lead agency for the Project, as the public agency with general governmental powers; and

WHEREAS, the City, as the lead agency, determined that an EIR would be prepared pursuant to CEQA in order to analyze all potential adverse environmental impacts of the Project; and

WHEREAS, the City issued a Notice of Preparation (NOP) of a Draft EIR on October 24, 2022 and circulated the NOP for a period of 30 days, pursuant to State CEQA Guidelines Sections 15082(a), 15103 and 15375; and

WHEREAS, pursuant to State CEQA Guidelines section 15082, the City solicited comments from potential responsible agencies, including details about the scope and content of the environmental information related to the responsible agencies area of statutory responsibility, as well as the significant environmental issues, reasonable alternatives and mitigation measures that the responsible agency would have analyzed in the Draft EIR; and

WHEREAS, approximately six written statements were received by the City in the response to the NOP, which assisted the City in narrowing the issues and alternatives for analysis in the Draft EIR; and

WHEREAS, a public scoping meeting was held on November 2, 2022, to familiarize the public with the Project and the environmental review process and receive input as the scope of the Draft EIR and issues of community concern; and

WHEREAS, the Draft EIR was completed and released for public review on April 6 and City initiated a 45-day public comment period by filing a Notice of Completion and Availability; and

WHEREAS, pursuant to Public Resources Code section 21092, the City also provided a Notice of Completion and Availability to all organizations and individuals who had previously requested such notice and published the Notice of Completion on April 6, 2023, in a newspaper of general circulation in the Project area. Pursuant to the City of Thousand Oaks Local CEQA Guidelines, the Notice of Availability was mailed to all residents and property owners with 500 feet of the Project. The Draft EIR was posted on the City's website, public counter and public libraries; and

WHEREAS, following the closure of the public comment period, all comments received on the Draft EIR during the comment period, the City's written responses to the significant environmental points raised in those comments were added to the Draft EIR to produce the Final EIR, and

WHEREAS, prior to taking action, the City Council has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including Final EIR, and all oral and written evidence presented to it during all the meetings and public hearing; and

WHEREAS, the Final EIR reflects the independent judgement of the City and is deemed adequate for purposes of making decisions on the merits of the Project; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, the Planning Commission, by adopted resolution, recommended that the City Council adopt and make the CEQA Findings and certify the Final EIR as legally adequate under CEQA and adopt the MMRP and incorporate its provisions as conditions of approval for each of the development applications associated with the project to the extent appropriate; and

WHEREAS, the City Council makes the following findings of fact and supporting approval of said 2022-70774-EIR:

1. 2022-70774-EIR was prepared in accordance with the requirements of CEQA, includes all comments received on the Draft EIR and the City's response thereto, reflects the independent judgement of the City of Thousand Oaks, and has been reviewed and considered by the City Council prior to making its decision.
2. Changes or alterations have been incorporated into the project through design or conditions that reduce potentially significant environmental impacts to a less than significant level, as identified in the Final EIR.
3. The Final EIR (2022-70774-EIR) identifies Biological Resources; Cultural, Tribal Cultural, and Paleontological Resources; Hazards and Hazardous Materials; and Noise as potential and less than significant impacts. Mitigation Measures have been imposed upon the project which will feasibly reduce or eliminate any potential adverse effects to less than significant levels. On the basis of Final EIR, the MMRP and any comments received, it is found that, as mitigated there is no substantial evidence that the project will have a significant effect on the environment.
4. An MMRP has been prepared for the project associated with this application and is incorporated herein by reference. The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures imposed as conditions of approval which are fully enforceable through fees, permit conditions, agreements or other measures. The MMRP

attached as Exhibit A and incorporated by reference describes the mitigation measures recommended by the EIR to reduce and avoid potential significant effects of the project, and adequately identifies the appropriate timing and enforcement details for each to ensure each mitigation measure is implemented.

5. 2022-70774-EIR 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 (a) adopt and make the CEQA Findings and certify the EIR as legally adequate under CEQA as to each development application associated with the project and (b) adopt the MMRP and incorporate its provisions as conditions of approval for project to the extent appropriate.
6. Based on all written and oral evidence and testimony in the record, the project EIR (a) complies with the requirements of CEQA and adequately identifies and considers all potential significant environmental effects of the General Plan Amendment; Zoning Change; Specific Plan; Development Agreement; Development Permit; Special Use Permit; and Protected Tree Permit, and (b) reflects the City's independent judgment and analysis.

SECTION 3

WHEREAS, the City Council of the City of Thousand Oaks, has given notice thereof as required by law, held a public hearing on the application of the City of Thousand Oaks with respect to the requested General Plan Amendment No. (LU) 2021-70169-LU, to change the General Plan land use designation of Commercial to Commercial/Residential; and

WHEREAS, the City Council has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing; and

WHEREAS, the finding of the City Council supporting approval of said 2021-70169-LU is as follows:

1. The General Plan amendment is consistent with the Thousand Oaks Land Use Element of the General Plan, as proposed to be amended, in that the subject property will be designated as Commercial/Residential Land Use category and located within the proposed SP-24, which are compatible with the goals and policies of the General Plan, as described in the findings below.

In response to the types of amendments which require voter approval described in Sec. 9-2.203(b):

2. The amendment will not affect any land area designated as “Existing Parks, Golf Courses, Open Space.” The site is currently designated as “Commercial’ and will be re-designated as “Commercial/Residential”.
3. On April 27, 2021, the City Council adopted Resolution No. 2021-006, “A Resolution of the City Council of the City of Thousand Oaks Declaring Intention to Consider an Amendment to the Land Use Element of the General Plan and Allowing Concurrent Processing of Entitlement Applications for Land Use Located at 2150 W Hillcrest Dr (LU 2021-70168/ RCA 2021-70169: Latigo Hillcrest LLC)”. As part of that Resolution, the City Council approved Residential Capacity Allocation (RCA) 2021-70168-RCA, allocating 246 residential dwelling units of Citywide Measure E residential capacity to Latigo Hillcrest and initiated LU 2021-70169, allowing staff to process the application to amend the Land Use Element of the General Plan. A time extension of these approvals was requested by the applicant and approved by the City Council on March 29, 2022.

Measure E units are only required to be allocated to sufficiently allow for the base density of the property (in this case, 30 du/acre). Any units added to the project due to activation of state density bonus law are not required to be contemplated by Measure E. Therefore, there is no increase or change in the maximum number of residential dwelling units which could be proposed from the existing condition.

4. The site has a current General Plan land use designation of Commercial. The proposed amendment would change the land use designation for the entire property to Commercial/Residential thereby, neither increasing nor decreasing the acreage designated as commercial. As such, the project does not produce a net increase in excess of the land areas so designated, or in excess of the dwelling unit per net acre density ranges shown on the Land Use Element of the City’s General Plan as of November 5, 1996 and no new commercial allocation is required.

SECTION 4

WHEREAS, the subject property is the site of a vacant building formerly occupied by Amgen (most recently known as Amgen Building 34) that has been vacant since 2021, 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 and 3 moderate-income affordable units) and 5,300 square feet of commercial restaurant space; and

WHEREAS, the Planning Commission of the City of Thousand Oaks, has given notice thereof as required by law, held a public hearing on the application of the City of Thousand Oaks, with respect to the requested Zone Change 2022-70736-Z, to change the zoning from “Community Shopping Center (C-3) to Specific Plan 24 (SP-24); and

WHEREAS, the Planning Commission has carefully considered all pertinent testimony and the staff report offered in the case as present at the public hearing, and

WHEREAS, the findings of the Planning Commission supporting approval of said 2022-70776-Z through City Council adoption of an ordinance prepared in accordance with the requirements of the TOMC, are as follows:

1. 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.
2. 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 EIR 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 5

WHEREAS, local governments are authorized by Government Code Section 65450 et seq., to prepare specific plans for the systematic implementation of the General Plan; and

WHEREAS, the specific plan application has been initiated and prepared to facilitate the development of a four-story mixed-use development comprised of 333 multi-family residential units (including 30 very low-income and 3 moderate-income affordable units) and 5,300 square feet of commercial restaurant space on approximately 8.28 gross acre parcel; and

WHEREAS, the Specific Plan implements the policies of the General Plan by providing an orderly, functional and compatible land use pattern to guide the future growth and development of Thousand Oaks and its planning area; ensuring that the type, amount, design, and pattern of all land uses through the City and planning area serve to protect and enhance the character and image of Thousand Oaks as a desirable community; and providing for an orderly pattern of future development and change throughout the City that will be both compatible with and beneficial to existing land uses and which will provide residents with a desirable urban environment in which to live, work, shop, and play; and

WHEREAS, the Specific Plan contains all the necessary elements required by section 65451 of the Government Code and Article 4 of the Thousand Oaks Municipal Code, and the Specific Plan was referred to all affected public agencies pursuant to sections 65453 and 65352 of the Government Code, and

WHEREAS, the Specific Plan was reviewed, studied, and found to be subject to the California Environmental Quality Act and an Environmental Impact Report has been prepared for the project in compliance with CEQA; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, the findings of the Planning Commission supporting approval of said 2022-70778-SP through City Council adoption of an ordinance prepared in accordance with the requirements of the TOMC, are as follows:

1. 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.

2. 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.
3. 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.
4. 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.
5. 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.
6. The proposed Specific Plan 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 6

WHEREAS, the findings of the City Council supporting approval of said 2022-70773-DP are as follows:

1. *The project is consistent with the Thousand Oaks General Plan and any applicable specific plan or redevelopment plan (TOMC Section 9-4.2803(c)(1)).*

The City of Thousand Oaks General Plan land use designation for the subject parcel is “Commercial” and has a corresponding zoning designation of Community Shopping Center (C-3). The land use designation and zoning designation are to be changed to “Commercial/Residential” and “SP-24” respectively. 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. The project consists of the construction of two buildings (which appear as six buildings above-ground) including 333 multi-family residential units (including 30 very low-income and 3 moderate-income affordable units), common areas and amenities, 5,300 gross square feet of commercial retail and restaurant space above semi-subterranean parking structures. As described in the table below, the development is consistent and would not conflict with City land use goals and policies of the General Plan:

General Plan Land Use Consistency

Applicable Land Use Goals and Policies	Consistency Analysis
General Land Use Development Goals and Policies	
<p>Goal: To provide the framework for a planned and unified community containing a balance of living, working, shopping, educational, civic, cultural, and recreational facilities.</p>	<p>Would not Conflict. The project is a mixed-use development that would provide multi-family dwelling units and general commercial space for retail stores and/or restaurants. The project would provide recreational features such as a pool, social roof decks, playground, dog play area, and barbeque area. The commercial spaces (suitable for retail or restaurant use) would be open to the public, as well as the outdoor open spaces proximate to those uses, providing public benefits, as well.</p>
<p>Goal: To provide and maintain a system of natural open space and trails.</p>	<p>Would not Conflict. The project would provide walking paths, gardens, terraces, and open space uses. The project's separate structures would be connected by various walking paths, breezeways and bridges. Existing or potential open space would not be disturbed by the project.</p>
<p>Goal: To develop appropriate additional tools enabling commercial, industrial and residential development to flourish in an efficient and compatible manner.</p>	<p>Would not Conflict. The project is a mixed-use development that would provide multi-family dwelling units and commercial to be available for retail stores and restaurants. The uses are integrated into the frontage area of the site, which is connected to West Hillcrest Drive, Rancho Conejo Boulevard, and internally via walking paths and breezeways on the street level.</p>
<p>Goal: To provide a high-quality environment, healthful and pleasing to the senses, which values the relationship between maintenance of ecological systems and the people's general welfare.</p>	<p>Would not Conflict. The development plans to landscape the project site around walkways and streets with various understory plants and oak trees. The project site contains 28 coast live oak trees, and 17 of these are proposed for removal. Replacement trees would be planted, in accordance with the TOMC and the City's Oak Tree Preservation and Protection Guidelines, resulting in at least three trees being planted for each removal.</p>

Applicable Land Use Goals and Policies	Consistency Analysis
<p>Policy: The City's unique natural setting will be a guide to its future physical shape. In general, development will occur in the low-lying areas with the natural hills and mountains being preserved in open space. A ring of natural open space will be created around the City. The City will support and encourage open space/greenbelt buffers around it, separating the City from adjoining communities.</p>	<p>Would not Conflict. The project site is currently General Plan-designated and zoned for commercial use. The project site is relatively flat and the site at ground level would essentially be flat following development. The project is over 1.5 miles from the nearest City of Thousand Oaks boundary line, and would not disturb the surrounding natural ring of open space around the City. The development would increase the connectivity of the area through walking paths and landscaping on the project site.</p>
<p>Policy: Through good design and the implementation of appropriate development tools, a freeway corridor image will be created making Thousand Oaks visually distinct from surrounding communities, retaining the special qualities of the landscape, viewshed and open space which originally attracted people to the area.</p>	<p>Would not Conflict. Since the project site is within 1,000 feet of the centerline of U.S. Highway 101, development is required to comply with the <i>Guidelines for Development within the Corridors of the Route 101 and 23 Freeways Corridor</i>, pursuant of Resolution No. 91-172. The project site development would not obstruct views of distant open space or scenic views, as no such views are available from the nearby freeway vantage points overlooking the site. Although there are no public viewsheds or corridors to be protected, such as views of distant natural features, open space, public parks, lakes, designated protected ridgelines, and any other designated types of scenic resource, the project has been designed to be sensitive to the existing topography and proximity to the highway. These design considerations include landscaping proposed along the project perimeter, protective screening of roof mounted mechanical equipment integrated into the building's overall design of wall and roof components, and the increased setback between the rear property line and the building adjacent to the freeway to allow for reduced visual impact. Architecturally, the proposed building design, materials, and landscaping complement existing uses as the color palette of browns and grays mimic the colors used in the adjacent commercial and residential developments.</p>
<p>Policy: Highly intensive land uses--major industrial and commercial centers--should be located in proximity to or within easy access of the Ventura Freeway corridor.</p>	<p>Would not Conflict. The project area is within 1,000 feet from the centerline of U.S. 101 and includes intensive commercial retail/restaurant and residential land uses. Project implementation would not obstruct the current easy access to the U.S. 101 corridor.</p>
<p>Policy: High density residential development will have a range of 15 to 30 dwelling units of any type per net acre and should be located primarily at sites accessible and close to major centers of activity and along the Ventura Freeway.</p>	<p>Would not Conflict. The project proposes a residential base residential density of 30 dwelling units per acre. A density bonus of 35% is granted so a total of 333 dwelling units would be constructed. The site is currently zoned C-3, which does not allow for residential use. The project would require a General Plan Amendment from Commercial to Commercial/Residential. The General Plan Update's alternate endorsed land use map would designate the site as mixed-use.</p>

Applicable Land Use Goals and Policies	Consistency Analysis
	<p>The maximum base density and unit cap for the Hillcrest Specific Plan has been carefully formulated and designed to the maximum allowable base density used in other areas of the City with the same land use, including the Commercial/ Residential Land Use Designation included in Specific Plan No. 20, which contains mixed-use developments, and the multifamily (R-3) zone of the General Plan, both of which allow 30 units per acre. This density would result in a unit cap of 246 dwelling units, also known as base density units, on a net area of 8.19 acres. The project will reserve 11% of the base density units (i.e., 28 units out of the bases of 246), for very low-income earners. By providing these affordable units, Section 65915 of the California Government Code allows a 35 percent density bonus of 87 bonus units, resulting in an overall allowance of 333 dwelling units (30 du/ac base density and 40 du/acre with density bonus).</p> <p>In addition, the project includes two very low-income units and three moderate income units which do not incur additional density bonus units.</p>
<p>Policy: The Commercial/Residential designation in the Land Use Element shall mean that either residential or commercial land uses may be permitted on land so designated, provided that a Specific Plan has been adopted for the land and that the proposed uses are consistent with the uses authorized by the Specific Plan.</p>	<p>Would not Conflict. The project is currently designated for Commercial use and zoned as C-3 and requires a general plan amendment from Commercial to Commercial/Residence. A General Plan Amendment and a Zone Change to Specific Plan 24 (Hillcrest Specific Plan) would allow for mixed-use development at the project site. Site development would be further prescribed the proposed Specific Plan.</p>
<p>Policy: Low profile and aesthetically designed signage shall be allowed for all developments; no billboards shall be allowed.</p>	<p>Would not Conflict. Signage from this project would be required to comply with Thousand Oaks Municipal Code Section 9-4.2308.</p>
<p>Policy: Aesthetics: As the City ages, it is important to maintain, improve and enhance the City's aesthetic appearance.</p>	<p>Would not Conflict. The project development maintains an existing 40 foot naturally landscaped berm. The project provides landscaped open space along the perimeter of the project site and incorporates fourth-story stepbacks and roof decks throughout. The Specific Plan that would be adopted will be consistent with guidelines to maintain, improve, and enhance City aesthetic appearance.</p>
<p>Policy: Strive to provide a balanced range of adequate housing for Thousand Oaks Planning Area residents in a variety of locations for all individuals regardless of age, income, ethnic background, marital status, physical or developmental disability.</p>	<p>Would not Conflict. The project would develop 333 multi-family dwelling units. The unit types within the mixed-use buildings include 180 one-bedroom units including 40 one-bedroom plus den units, 125 two-bedroom including two live/work units, and 28 three-bedroom units. "Building A" provides 5,300 sq. ft. of commercial space as well as 65 residential units. and 268 units are provided within the residential-use only building ("Building B"). Of the 333 residential units, 30</p>

Applicable Land Use Goals and Policies	Consistency Analysis
	units are proposed to be designated as affordable to very low-income households at with an income less than 50% of the Ventura County average median income (AMI) category, which is currently set at \$62,7050, adjusted for a four-person household size, as published by the California Department of Housing and Community Development (HCD) and three units are proposed to be designated as affordable to moderate-income households at with an income less than 120% of the Ventura County AMI category, which is currently set at \$138,500, adjusted for a four-person household size, as published by HCD.
Policy: Promote the upgrading of substandard neighborhoods throughout the Planning Area to prevent costly and undesirable deterioration.	Would not Conflict. The project would upgrade the current site from an existing, unused office building and parking lot to a mixed-use project that would bring businesses and residents to the area.
2021 - 2029 Housing Element	
Goal 1: Provide a wide range of housing opportunities for persons of all income levels.	Would not Conflict. The project is a mixed-use development consisting of multi-family residential and commercial land uses. The project includes 30 very low-income dwelling units and three moderate-income units. The development would help meet the City's RHNA allocation for that category.
Goal 2: Provide housing opportunities for persons with special needs.	Would not Conflict. The project would set aside 30 very-low income housing units and three moderate-income units.
Open Space Element 2013 Update	
OS-15: Both within its Area of Interest, and in the larger regional setting, the City shall continue to support policies and programs (e.g., the Guidelines for Orderly Development) that encourage urban development to locate within cities and that preserve regional open space in order to preserve valuable elements of the natural environment, to protect agricultural land, and to guide urban form.	Would not Conflict. The project would demolish an existing office building and construct infill development within an urban setting. The proposed development would construct commercial and residential uses with walkways and recreational uses.
OS-31: Plan new developments to avoid direct and secondary impacts on valuable open space resources; including appropriate access control, location, and maintenance of fuel modification areas.	Would not Conflict. The redevelopment of the project site would bring new residential and commercial uses along with public and private open space zones amenities to an infill site. The project would not encroach, impact, or disturb any natural open space resources by placing buildings within 200 feet of these areas.
Circulation	

Applicable Land Use Goals and Policies	Consistency Analysis
<p>Policy: A variety of transportation modes should be encouraged.</p>	<p>Would not Conflict. The project development encourages alternate mode of transportation. There will be on-site electrical vehicle charging stations, bicycle parking spaces, and electric bicycle charging stations. Mixed use development also provides opportunities to live, shop, and eat without driving to other locations. Amenities the project provides such as social roof deck, playground, and garden areas would allow residents to have recreation options without driving to alternate locations.</p>
<p>Policy: A City-wide system of pedestrian and bicycle facilities that provide safe, continuous accessibility to all residential, commercial, and industrial areas, to the trail system and to the scenic bike route system shall be provided and maintained.</p>	<p>Would not Conflict. The project site is adjacent to recommended future Class II bicycle lanes and would include bicycle parking spaces and electric bicycle charging stations.</p>
<p>Policy: The City shall balance vehicular circulation requirements with aesthetic, pedestrian, bicycle, and equestrian needs which affect the quality of life.</p>	<p>Would not Conflict. The project structures and landscaping would meet aesthetic requirements. The project would include pedestrian and bicycle infrastructure.</p>
<p>Recreational, Parks, and Natural Open Space</p>	
<p>Policy: Neighborhood parks and open spaces should be located within walking distance of residential areas.</p>	<p>Would not Conflict. The project plans incorporate common and private open spaces including a playground for children and amenities for teen-aged residents and guests of residents. These spaces will be developed within the project, walking distance for future residents in the residential use area.</p>
<p>Policy: A multi-use system of equestrian, biking and hiking trails should be implemented to provide access between and within open space reserves.</p>	<p>Would not Conflict. The project site is not proximate to open space reserve areas. However, the site is adjacent to recommended future Class II bicycle lanes and the project would incorporate pedestrian and bicycle infrastructure, including indoor/outdoor bike parking with electric bicycle charging stations.</p>
<p>Noise Element</p>	
<p>Goal N-1: Achieve and maintain an environment in which noise- sensitive uses are not disturbed by noise that exceeds exposure guidelines in this Noise Element.</p>	<p>Would not Conflict. As discussed in the project noise study, the project’s noise and vibration impacts on other land uses (including sensitive receptors) would be less than significant with mitigation.</p>
<p>Policy N1-4. Prevention of Future Noise Conflicts. The City will strive to avoid future noise conflicts between land uses and noise sources or activities that would exceed the noise guidelines for noise sensitive land uses adopted in this Noise Element.</p>	<p>The project site is located adjacent to the vicinity of US 101, a major freeway, and proposes residences, which may be generally considered a freeway-noise-incompatible land use. As discussed in Latigo Hillcrest Project; Los Angeles County, California Noise and Vibration Study; Veneklasen Project No. 8119-002 by Veneklasen Associates dated January 27, 2023, the existing ambient noise levels on the project site range from 64 to 69 dB CNEL at four measurement locations. These exterior noise levels</p>

Applicable Land Use Goals and Policies	Consistency Analysis
<p>Goal N-2: Preserve quiet and diminish existing noise levels in areas of noise-sensitive uses to the extent reasonable and feasible while permitting development in accordance with the Land Use and Circulation Elements of the General Plan.</p>	<p>range from “conditionally compatible” to “normally incompatible”, but both categories are considered compatible, with a detailed acoustical analysis showing interior noise levels of 45 dB CNEL, assuming compliance with the California Building Code. Further, the buildings and planned landscaping would serve to attenuate freeway noise in many of the open space areas and walkways of the site.</p>
<p>Policy N-2.1 Consider Impact of Noise Increases in Quiet Areas. In evaluating projects for significant adverse environmental effects under the California Environmental Quality Act, the City will consider substantial increases in community noise level to be a potentially significant effect even if these increases do not result in a violation of the City’s guidelines for normally acceptable noise levels for noise-sensitive land uses.</p>	<p>Would not Conflict. The project is adjacent to the vicinity of US 101 and is not a quiet area. However, the buildings and planned landscaping would serve to attenuate freeway noise in many of the open space areas and walkways of the site.</p>
<p>Safety Element 2014 Update</p>	
<p>Goal S-1: Minimize the risk of loss of life, injury, damage to property, and economic and social dislocation resulting from fault rupture and seismically induced ground shaking.</p>	<p>Would not Conflict. The project is required to follow applicable building codes (TOMC and CALGreen) and would incorporate recommendations of the geotechnical report to ensure public safety and minimize risks, as discussed.</p>
<p>Policy S-1: Require site-specific geologic and engineering investigations as specified in the California Building Code (International Building Code with California amendments) and Municipal Code for proposed new developments and/or when deemed necessary by the City Engineer and/or through the CEQA process.</p>	<p>Would not Conflict. A preliminary site-specific Geotechnical Report was conducted based on available geotechnical information and published geological data. The project’s final geotechnical report is required to provide design recommendations, to be reviewed by the City Engineer, meeting county-wide and regulatory compliance.</p>
<p>Goal S-4: Minimize the risk of loss of life, injury, damage to property, and economic and social dislocations resulting from inundation by dam failure or floods.</p>	<p>Would not Conflict. Part of the project site is located in an area with 0.2 percent chance of flooding per year, but none of the site is within the zone of a one percent chance of flooding per year.¹</p>
<p>Goal S-6: Prevent the loss of life and property due to uncontrolled wildfire in the urban/wildland interface through the cooperation of the Ventura County Fire Protection District and property owners living in these areas.</p>	<p>Would not Conflict. The project site is not located along the urban/wildland interface and is not in a designated Very High Fire Hazard Severity Zone. The project development would be required to comply with the California Building Code and California Fire Code, along with procedural review by the City of Thousand Oaks and the Ventura County Fire Department, to prevent loss of life and property in wildfires.</p>
<p>Goal S-7: Protect life, property, and the environment from the effects of releases of hazardous materials into the air, land, or water.</p>	<p>Would not Conflict. The amount of transport, use, and/or storage of hazardous materials during project operation is dependent on the businesses/facilities that lease the commercial space of the proposed development, which is currently unknown, and may</p>

¹ Ventura County Public Works, FEMA Flood Hazard Map; Accessed on September 8, 2022 at: <https://vcwpd.maps.arcgis.com/apps/webappviewer/index.html?id=7e65cd9797524a3a97417a976c3b7a65>

Applicable Land Use Goals and Policies	Consistency Analysis
	<p>change throughout the years; however, the uses are not expected to generate, use, or transport hazardous materials in quantities large enough to become a significant threat to public well-being and the environment. If the commercial use development were to generate large enough quantities of hazardous materials, they would have to register with the Department of Toxic Substances Control as small quantity generators, then comply with all applicable regulations of storage and transport of hazardous materials under Resource Conservation and Recovery Act and other federal, state, or local laws and regulations. Businesses would also have to submit Hazardous Materials Business Plans to Certified Unified Program Agencies with regular updates. Compliance with all federal, state, and local regulations will minimize the effect of hazardous materials on public safety and environment. Any businesses generating enough large quantity of hazardous materials would also involve transport of those materials to the project site.</p>

2. The project complies with all applicable laws, regulations and policies, including the Thousand Oaks Municipal Code (TOMC Section 9-4.2803I(2)).

The design of the new mixed-use development complies with all applicable laws, regulations, and policies, including the SP-24, Architectural Design Guidelines for Commercial Projects (Res. No. 2005-011), and Precise Plan of Design Guidelines (Res. No. 2006-108) in that the building architecture is compatible with other structures in the vicinity, and will be a quality addition to the Rancho Conejo Bio-Tech Hub/ Gateway area.

The project is comparable in massing and scale to the Amgen facilities to the north and incorporates design elements such as color palette and material choices that are complementary to the surrounding uses while providing a modern design aesthetic. The development provides a transition from the commercial uses in the neighborhood to the lower-density residential neighborhood to the east by concentrating commercial elements of the development adjacent to the existing commercial property at the corner of Rancho Conejo Boulevard and W Hillcrest Drive. Although the new development is designed to be taller than the residential uses to the east, a landscaped parking lot provides a physical buffer between the new structures and the Linden Apartments residences. Specifically, the closest building is setback approximately 65 feet from the eastern property line and 85 feet from the closest residential building. In addition, the fourth story is setback another approximately 30 feet and the architectural design clearly differentiates between the first and upper floors using material changes and ground-floor patios to further reduce appearance of massing from the ground level.

Additionally, the project has also been reviewed by other City departments and agencies for conformance with applicable laws, regulations, and policies, and provided appropriate conditions of approval. Therefore, the project complies with all applicable laws, regulations, and policies.

3. *The project will not be detrimental to the public health, safety or general welfare (TOMC Section 9-4.2803(c)(3)).*

The project will not be detrimental to public health, safety, or general welfare because the project has been reviewed and approved by the Community Development Department, Public Works Department, Police Department, and the Ventura County Fire Department (VCFD). With the incorporation of the conditions set forth by these department and agencies, the project will not be detrimental to public health, safety, or general welfare as the granting of this permit:

- a. Will maintain the degree of compatibility of property uses that the Zoning Ordinance is intended to promote and preserve, considering the particular site, and uses on parcels within the zone in which the use is located; and,
- b. Will not result in a use which may reasonably be expected to become obnoxious, dangerous, offensive or injurious to the public health, safety or welfare, by reason of the emission of noise, smoke, dust, fumes, vibrations, odor or harmful or annoying substances: and,
- c. Will preserve the integrity and character of the zone in which the use will be located and the utility and the value of property in the zone and in adjacent zones; and,
- d. Will not become detrimental to the public interest, health, safety, convenience or general welfare.

As demonstrated in the environmental document (2022-70774-EIR) the project will not unreasonably interfere with the use and enjoyment of neighboring, existing, or future developments. Specifically, the project would not create traffic or pedestrian hazards because the project would utilize a network of roads and sidewalks that were designed to accommodate the vehicle and pedestrian traffic generated by this development and the existing development including the industrial, office and commercial uses to the north, west, and south, and the existing residential uses to the east. The project's operational noise is anticipated to be similar to and compatible with the adjacent residential development. With the Mitigation Measures required by 2022-70774-EIR and conditions of approval, construction noise will be reduced so the impact is less than significant. Therefore, the project will not be detrimental to the public health, safety, or general welfare.

4. *The project has been reviewed in conformance with the provisions of the California Environmental Quality Act (TOMC Section 9-4.2803(c)(4)).*

The proposed Development Permit 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 7

WHEREAS, the findings of the City Council supporting approval of said 2022-70780-PTP, as stated in (TOMC Section 9-4.4206(b)) as follows:

1. *The condition or location of the oak trees requires cutting to maintain or aid its health, balance, structure, or to maintain adequate clearance from existing structures.*

The subject scope of work does not include cutting to maintain or aid its health, balance, structure, or to maintain adequate clearance from existing structures.

2. *The condition of the tree(s) with respect to disease, danger of falling, proximity to existing structures, high pedestrian traffic areas such as parking lots, pedestrian walkways, interference with utility services, or is causing or is likely to cause substantial property damage based on sufficient evidence and/or documentation and said damage cannot be controlled or remedied through reasonable preservation and/or preventive procedures and practices.*

The subject scope of work does not include of removal or cutting of trees exclusively for the purpose of removing a condition hazardous to existing development. However, two of the trees proposed to be removed are noted to be in poor or very poor condition.

3. *A permit may be approved when necessary to remove, relocate, cut or encroach into the protected zone of an oak tree to enable the reasonable and conforming use of the subject property, which is otherwise prevented by the presence of the tree. Reasonable use of the property shall be determined in accordance with the Oak Tree Preservation and Protection Guidelines.*

Pruning of four of the 28 protected Coast Live Oak (*Quercus agrifolia*) trees onsite is proposed in order to maintain proper clearance over proposed sidewalks, outdoor patios, and driveways. Encroachment within the protected zone of eight protected Coast Live Oak (*Quercus agrifolia*) trees, including the pruning of four trees is

necessary to accommodate proposed improvements and grading activities associated with construction of the new mixed-use building and multi-family residential building. A City Tree Consultant inspected the subject trees and determined that proposed encroachment will not be detrimental to the health of the subject oak trees. Appropriate project conditions are in place to safeguard the oak trees, including installation of fencing around the protected zones and on-site monitoring by the applicant's consultant during all encroachment and pruning operations.

The removal of 17 other protected trees is necessary to allow adequate vehicular and pedestrian circulation and parking facilities, which were stated to be a City Council priority during the public hearing initiating the General Plan Amendment and allocating the residential capacity. Existing protected trees located along the public right-of-way were prioritized for preservation both with and without conditional encroachments.

4. Approval of the request is not contrary to or in conflict with the general purpose and intent of this chapter.

Approval is consistent with the intent of the Oak Tree Preservation and Protection Ordinance since the proposed removal of 17 Coast Live Oak (*Quercus agrifolia*) trees will be replaced in accordance with mitigation standards adopted by the Oak Tree Preservation and Protection Guidelines Resolution 2010-14.

The proposed tree replacement program would plant three trees for each tree removed, consisting of two 24-inch box and one 36-inch box trees in compliance with the City's Oak Tree Preservation and Protection Guidelines. The total number of replacement oaks required would be thirty-four 24-inch box trees and seventeen 36-inch box trees. The project plan set dated May 26, 2023 includes the conceptual location of 40 on-site replacement trees, a mix of 20 valley oak (*Quercus lobata*) and 20 coast live oak trees (*Quercus agrifolia*), all 36-inch box specimens. In addition, 11 Western Sycamore (*Platanus racemose*) are to be provided. Therefore, the applicant will either need to submit a new Replacement Tree Plan which complies with Resolution 2010-014, propose the planting of the trees at an off-site location for public benefit, subject to Community Development Director approval, or provide an in-lieu cash payment to the City's Open Space Conservation Fund used toward acquisition of open space, as prescribed by Resolution 2010-014. Similarly, if, during Building Safety review or construction it is determined that any of the proposed replacement trees are unable to be located on site, the Community Development Director may approve planting of the trees at an off-site location for public benefit or provide and in-lieu cash payment to the City's Open Space Conservation Fund used toward acquisition of open space, as prescribed by Resolution 2010-014.

Further, replacement trees have been strategically located around the perimeter of the subject property in order to provide a physical barrier between the residential structures and surrounding roadways. Such placement would provide visual screening to and from the roadways and reduce noise entering the site. Therefore, staff supports the proposed replacement tree layout. In addition, replacement trees included in the easement area along Rancho Conejo Boulevard complement the designated City Gateway area as required by Resolution No. 93-152.

With the inclusion of the recommended conditions, approval of this request will not be contrary to, or be in conflict with, the general purpose and intent of the Oak Tree Ordinance (Chapter 42 of Title 9 of the Municipal Code) and Oak Tree Preservation and Protection Guidelines, Resolution 2010-14.

In addition, the project is consistent with the Thousand Oaks General Plan, including the Conservation Element, in that conditions have been applied to the minimize impacts from encroachment within the protected zone of the eight protected Coast Live Oak (*Quercus agrifolia*) trees. With the inclusion of conditions, the proposed encroachment within the tree's protected zone is not likely to result in a decline in the health of the trees.

5. The project has been reviewed in conformance with the provisions of the California Environmental Quality Act.

The Protected Tree Permit request 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 8

WHEREAS, local governments are authorized by the Government Code Section 65864 et seq., to enter into development agreements with any person having legal and equitable interest in real property for the development of that property; and

WHEREAS, the Applicant and City have negotiated the terms of the Development Agreement ("Agreement"); and

WHEREAS, the Planning Commission has reviewed the terms of the Agreement, has conducted a public hearing on June 5, 2023, and believes that it will in the best interest of the City, and the best interest of the public, considered the recommendation of the Planning Commission, and considered all public testimony; and

WHEREAS, the findings of the Planning Commission supporting approval of said 2022-70777-DAGR through City Council adoption of an ordinance prepared in accordance with the requirements of the TOMC, are as follows:

As determined and recommended by the Planning Commission pursuant to TOMC Sec. 9-11.09 the development agreement:

1. *Is consistent with the objectives, policies, general land uses and programs specified in the General Plan and any applicable specific plan:*

Approval is consistent with the objectives, policies, general land uses and programs specified in the General Plan and SP-24, as described in the findings made above.

2. *Is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located;*

The Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located, as described in the findings made above.

3. *Is in conformity with public convenience, general welfare and good land use practice;*

The Development Agreement is in conformity with public convenience, general welfare and good land use practice, as described in the findings made above.

4. *Will [not] be detrimental to the health, safety and general welfare; and*

Approval will not be detrimental to the health, safety and general welfare, as described in the findings made above.

5. *Will [not] adversely affect the orderly development of property or the preservation of property values.*

Approval will not adversely affect the orderly development of property or the preservation of property values as the project will replace a vacant, underdeveloped commercial site with a new, mixed-use commercial and residential development which will bring amenities to both other residential uses and employees of existing commercial and industrial uses in the area.

6. *In addition, the City Council finds that none of the conditions described in California Code of Regulations, Title 14, Chapter 3, Section 15162 are present, including the following:*

- a. Approval of the Agreement does not propose substantial changes which will require major revisions to the approved EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects; and
- b. Approval of the Agreement does not create substantial changes with respect to the circumstances under which the project is being undertaken which would require major revisions to the EIR; and
- c. Approval of the Agreement does not reveal new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified.
- d. Approval of the Agreement merely implements the specific plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Thousand Oaks that based on substantial evidence contained within the record, the analysis in the agenda report, and the findings of fact above, and recommendation of the Planning Commission, the City Council hereby adopts and certifies Final Environmental Impact Report 2022-70774-EIR and approves the applications for 2021-70169-LU; 2022-70776-Z; 2022-70778-SP; 2022-70777-DAGR; 2022-70773-DP; and 2022-70780-PTP subject to conformance with the conditions set forth and attached hereto and made a part hereof. Except as otherwise expressly indicated, said conditions shall be fully performed and completed, or at the City's discretion, shall be secured by bank or cash deposit or other security satisfactory to the City Attorney before the use or occupancy of the property is commenced and before a Certificate of Occupancy is issued. The violation of any of the conditions of said permit shall be grounds for revocation by the City Council.

BE IT FURTHER RESOLVED, that the approval of 2021-70169-LU, 2022-70773-DP, and 2022-70780-PTP shall become effective only upon the effective date of the companion Zone Change (Z) 2022-70776-Z, Specific Plan (SP) 2022-70778-SP and upon the recordation of Development Agreement (DAGR) 2022-70777-DAGR, approving specific development standards in association with the development of the project.

This decision became final under Section 9-4.2803(a)(1) of the Thousand Oaks Municipal Code when the City Council voted on and rendered its decision at the end of the above-referenced public hearing. As stated on the City Council's written and posted agenda, all applicants, appellants, parties and persons affected by or having any interest in this matter should note that this final decision of the City Council, and any other City action on this entitlement application, is subject to a judicial review under Section 1094.5 of the California Code of Civil Procedure. Pursuant to California Code of Civil Procedure Section 1094.6, a judicial review of that decision must be filed within 90 days of that City Council decision. Other statutes, however, may shorten the statute of limitations, or may impose different filing requirements.

PASSED AND ADOPTED this XX day of XXX, 202X, by the following vote:

Ayes:

Noes:

Absent:

Kevin McNamee, Mayor
City of Thousand Oaks, California

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

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.

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL FOR 2021-70169-LU, 2022-70776-Z, 2022-70778-SP, 2022-70773-DP, 2022-70780-PTP and 2022-70777-DAGR

**COMMUNITY DEVELOPMENT DEPARTMENT –
GENERAL PROJECT CONDITIONS**

STANDARD

1. **Land and Application** – The General Plan Amendment, Zoning Change; Development Permit; Specific Plan; Development Agreement; Development Permit; Protected Tree Permit; and Environmental Impact Report are adopted, granted or accepted for the land described in the application, any attachment thereto, and as shown on the submitted “Project Plan Set,” dated May 26, 2023.
2. **Scope of Permit Approval** – This permit is for a General Plan amendment from Commercial to Commercial/ Residential; a Zoning Change adopting Specific Plan-24 (SP-24); Development Agreement specifying development performance; and a Development Permit; along with a Protected Tree Permit, to allow demolition of the existing two-story commercial structure and construction of two new podium buildings comprised of: a four-story mixed-use development including 333 multi-family residential units (including 30 very low-income affordable units and three moderate income affordable units), common areas, and amenities and approximately 5,300 square feet of commercial space with alcohol consumption above semi-subterranean parking structures as well as the removal of 17 coast live oak (*Quercus agrifolia*) trees and encroachment into the protected zone of 11 coast live oak trees at 2150 W. Hillcrest Drive, as shown on project plans labeled “Project Plan Set” dated May 26, 2023, and the Oak Tree Report dated May 2023 unless conditioned otherwise herein.
3. **Approval Period** – The above referenced permits are granted for the period set forth in 2022-70777-DAGR.
4. **Compliance with Applicable Laws, Rules, and Regulations** – The applicant shall at all times comply with any and all local, city, county, state and federal laws, regulations and orders now in effect or which may hereafter be enacted pertaining to the approved modification or affecting the installation, operation or maintenance of the mixed-use development.
5. **Regulatory Agency Approval** – The requirements of all applicable regulatory agencies shall be met, and approval obtained, prior to gas release, Certificate of Occupancy, or as authorized by the City's Building and Safety Division. Copies of all required licenses shall be submitted to the Community Development Department.

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL FOR 2021-70169-LU, 2022-70776-Z, 2022-70778-SP, 2022-70773-DP, 2022-70780-PTP and 2022-70777-DAGR

6. **Payment of Fees** – Approval is subject to the applicant paying all fees and assessments to the City of Thousand Oaks, as required by the Municipal Code. The developer shall pay Quimby fees to Conejo Recreation & Park District (CRPD) in accordance with State law and the City’s ordinance.
7. **Impact Fees for Affordable Housing Units** - Per California Government Code Section 65915 and Section 65915.1, affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, shall not be imposed on a housing development's affordable units.
8. **Dedications/Reservations and Public Improvements** – With respect to dedications, reservations, construction of public improvements and fees as required by the project development conditions, the applicant is advised, pursuant to Government Code Section 66020, that the ninety (90) day protest period has commenced upon approval of the proposed improvement by the City.
9. **Condition Compliance** – All development on the subject property shall be constructed and thereafter maintained in accordance with the conditions of this permit.
10. **Project Changes/Modifications** – Changes to the project are subject to the requirements described in SP-24 and 2022-70777-DAGR. Minor changes to 2022-70773-DP or 2022-70780-PTP may be approved by the Community Development Department, provided such changes achieve substantially the same results and the project is still in compliance with the Municipal Code. Revised plans reflecting the minor changes and additional fees shall be required.
11. **Acknowledgment** – The applicant acknowledges that all aspects of this project are of special concern to and regulated by the City of Thousand Oaks, which has established specific criteria and standards concerning development within the City. Any change, modification, or alteration to improvements on the subject property shall first be approved by the City of Thousand Oaks. Any unauthorized changes may require future corrective work and may result in a City Code compliance effort.
12. **Unauthorized Changes** – The applicant acknowledges that the exterior treatment, location of structures and architectural features of the development are of special concern to, and regulated by, the City of Thousand Oaks, which has established criteria and standards concerning development within the City. Any substantial change, modification, or alteration to the architectural design, or in the exterior treatment of any

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL FOR 2021-70169-LU, 2022-70776-Z, 2022-70778-SP, 2022-70773-DP, 2022-70780-PTP and 2022-70777-DAGR

- building and structure, including building colors, materials, changes in walkways, doorways, window locations, or in the parking, landscaping and other related features, must first be approved by the City of Thousand Oaks prior to performing the work. Unauthorized change(s) or failure to comply with the conditions of this permit may require future corrective work and result in a City Code violation and appropriate action.
13. **Indemnification** – The applicant agrees to defend, indemnify and hold harmless the City, its agents, officials, and employees from any claim, action or proceeding against the City or its agents, officials or employees to attack, set aside, void or annul an approval of the City. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate fully in the defense.
 14. **Signed Acceptance of Conditions** – A signed Acceptance of Conditions affidavit shall be executed by the applicant and property owner, or his duly authorized representative, and shall be returned to the Community Development Department prior to the issuance of a building permit.
 15. **Other Applicable Permits** – All entitlements and conditions of approval associated with prior onsite development approved by the City of Thousand Oaks (OTP 1235, Z 1977-419, SUP 2001-1037, DP 1977-371 and Minor Modification Nos. 1 through 4, DP 1982-512 and Minor Modification Nos. 1 through 4, and SUP 2001-1037) are rescinded, voided and of no further effect. The property's Title Report is to be updated to remove references to Covenants, Agreements and Declarations required by the permits which are rescinded, voided and of no further effect.

ENVIRONMENTAL MITIGATION MEASURES

16. **Mitigation Compliance** – Prior to the issuance of any grading or building permit, the applicant shall submit a written report demonstrating that all mitigation measures imposed by the City to either reduce or avoid significant environmental impacts identified in the Environmental Impact Report (EIR) (2022-70774-EIR) have either been incorporated in the project design or undertaken as required. Final determination of compliance with imposed mitigation measures pursuant to the requirements of Section 21081.6 of the Public Resources Code shall in turn be subject to the review and approval of the Community Development Department.
17. **MM BIO-11 – Pre-Construction Bat Surveys** – No earlier than three days prior to ground or vegetation disturbing activities, and separately three days

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prior to demolition activities if occurring 14 days or more after ground or vegetation disturbing activities, a City-approved qualified biologist shall inspect the outside and inside of the vacant structure for sign of roosting bats, such as presence of guano or direct observations. A report of the bat survey results shall be submitted to the City for review and approval prior to ground and/or vegetation disturbance activities. If evidence of bat roosting is observed, building demolition shall not be allowed until a qualified biologist can verify that the roost is no longer active. Separate ground or vegetation disturbing activities may commence if determined appropriate by the biologist, with or without an avoidance buffer if found necessary. If necessary, bats may be evicted and building demolished following submittal and approval of a Bat Avoidance Plan by the California Department of Fish and Wildlife (CDFW).

18. **MM PAL-1 – Paleontological Monitoring Plan** – Prior to construction, a company qualified to provide paleontological monitoring should be engaged by the applicant to provide monitoring services. The paleontological monitoring team should examine the project geotechnical report, the final project grading plan, and the site schedule to determine what subsurface activities may require paleontological monitoring of project site grading. Spot-check monitoring may be used within older alluvial deposits, however, if fossils are identified in older alluvial material, or if deeper fossil-bearing rock formations are encountered, then fulltime paleontological monitoring should take place to the end of site grading.

The paleontological team will develop a construction phase paleontological monitoring plan (Monitoring Plan), which will include all available paleontological context for the project, including the Natural History Museum of Los Angeles County (NHM) record of findings, the geotechnical report, and the Phase I Cultural Resources Assessment, as well as guidelines on when spot-check and fulltime monitoring should be used, what the project discovery plan is for fossil resources, and what the communication plan is that should be followed in the case of discovery. The Monitoring Plan will also include a Worker Environmental Awareness Plan (WEAP) in order to educate grading and trenching teams on the purpose of monitoring and what paleontological monitors look for as to fossil resources. The WEAP training should discuss what actions should take place upon a fossil discovery.

19. **MM PAL-2 – Paleontological Monitoring** – The paleontological monitor will collect any fossil material that is uncovered through grading that is found within a disturbed context and can halt construction within 30-feet of a

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL FOR 2021-70169-LU, 2022-70776-Z, 2022-70778-SP, 2022-70773-DP, 2022-70780-PTP and 2022-70777-DAGR

potentially significant fossil resource if necessary. Fossils collected from a disturbed context or that do not warrant additional assessment can be collected, without the need to halt grading. If fossils are not present within the older alluvial or bedrock material, and the project conditions warrant reduced monitoring, then a weekly spot-check system of monitoring can be arranged by the compliance team with the construction manager. However, if fossils are encountered, which cannot be removed during grading and that the monitor believes will need further assessment, then the project "discovery" protocol will be followed. Discovery situations that do not lead to further assessment, survey, evaluation, or data recovery can be described in the monitor's daily Monitoring Report.

All fossils recovered that may be of importance to California paleontology, will be cleaned, analyzed, and described within a final project Monitoring Report, which will be submitted to the NHM at the end of the project. All materials will be curated at the NHM or placed on public display by the owner. If important fossils are found during monitoring, a Curation Plan will be needed that is reviewed by the lead agency prior to the publication of the Monitoring Report. The costs of the Monitoring Report, the Curation Plan, and the processing, analysis, and curation of all fossils will be the responsibility of the applicant.

20. **MM PAL-3 – Fossil Discovery Protocol** – If fossil materials are encountered by the project grading or trenching crews when the worksite is not being monitored, either because the project is not within sensitive rock units or because spot-check monitoring is taking place, then a Fossil Discovery Protocol should be followed by the grading/trenching team.

If potentially significant fossil materials are encountered during project grading within native soils or original context, then all work in that area shall be halted or diverted away from the discovery to a distance of 30-feet until a senior paleontologist can evaluate the nature and/or significance of the find(s). If the senior paleontologist confirms that the discovery is potentially significant, then the lead agency and the applicant will be contacted and informed of the discovery. Construction will not resume in the locality of the discovery until consultation between the senior paleontologist, the applicant, the lead agency, and any other concerned parties (such as additional regulatory agencies), takes place and reaches a conclusion approved by the lead agency.

If a significant fossil resource is discovered during earth-moving, complete avoidance of the find is preferred. However, if the discovery cannot be

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- avoided, further survey work, evaluation tasks, or data recovery of the significant fossil resource may be required by the lead agency. The lead agency may also require additional site monitoring based on the nature of the discovery. All costs for site monitoring, discovery assessment, discovery evaluation, or data recovery of will be the responsibility of the Applicant. Any reports generated by the discovery event will be submitted to the NHM at the conclusion of the project.
21. **MM HAZ-1 – Soil Vapor Testing** – Due to the project being in close proximity to two open cleanup sites as Recognized Environmental Conditions (RECs) with a potential Vapor Encroachment Condition (VEC), although the possibility of hazardous material migrating beneath the project site from the RECs is considered low, limited soil vapor testing in the areas of proposed buildings intended for human occupancy shall be required at the project site. The results of the soil vapor testing will be used to evaluate if potential VECs exist and whether engineer controls (vapor barrier) are needed for the proposed redevelopment of the project site.
 22. **MM NOI-1 – Construction Barrier** – A 12-foot-high barrier shall be placed at the eastern boundary of the project site during construction to reduce the construction noise levels at the residences by 14 dBA to 62 dBA. The resulting predicted mitigated construction noise level of 62 dBA is close to the measured ambient noise levels and will temporarily increase the ambient noise level by approximately 2 to 4 dBA at the residences to the east, as shown on Table 6 of the EIR Noise and Vibration Study (Veneklasen 2023).
 23. **MM NOI-2– No Impact Pile Drivers** – In order to avoid impacts to vibration-sensitive uses north of the project site, impact pile drivers shall not be used on site and alternative equipment and methods (such as cast-in-drilled-hole (CIDH) piles) shall be used to construct the deep foundation system for the proposed project buildings.
 24. **MM NOI-3 – Construction Equipment Limitations at the Eastern Boundary** – In order to assure avoidance of potential building damage impacts, no more than two units of powered construction equipment shall be used at the same time within 20 feet from any residence on the east side of the site.

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BUILDING SAFETY AND CONSTRUCTION

25. **Final Plans** – Prior to the issuance of a building permit, final site, grading, floor, elevation and roof plans shall be submitted for the review and approval of the Community Development Department. Said plans shall incorporate any design change and other requirement as conditioned herein.
26. **Approval Inclusion** – The following shall apply:
 - a. This approval, in its entirety as adopted, shall be included in the initial plan-check submittal that is submitted to the Building Division. The approval and conditions shall be copied directly onto plan sheets and included as part of the project plans throughout the plan-check process and shall be part of the project plans for which building permits are issued.
 - b. All agreements, development standards, use allowances contained in SP-24 and 2022-70777-DAGR shall apply to this approval.
27. **Final Detailed Grading, Paving and Drainage Plan Submittal** – Prior to issuance of a grading permit, a final detailed grading, paving and drainage plan demonstrating compliance with all imposed conditions of this Development Permit shall be submitted for review and approval by the Community Development and Public Works Departments.
28. **Certified As-Built Grading** – Prior to issuance of a building permit, a rough grading completion certification on the City standard form, shall be prepared and signed by the applicant’s Civil Engineer and submitted to the Public Works Department. Said certificate shall state that the graded pad design and pad elevations are consistent with the pad elevation and grading details shown on the conceptual grading plan, and grading plan/exhibits labeled “Project Plan Set,” date stamped May 26, 2023.
29. **Construction/Security Fencing** – Prior to the issuance of a grading/ building permit, the applicant shall install a temporary five (5) foot high chain-link fence within the limits of the proposed development area. Said fencing shall be provided for purposes of maintaining security, as well as containing trash and debris on-site. The fence shall remain in place during all phases of construction and shall be maintained until no longer needed for trash and debris control as determined by the Community Development Department. The applicant shall be responsible for pick-up of trash and debris on a weekly basis during building construction operations.

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30. **Preconstruction Meeting** – Prior to issuance of a grading permit, the applicant shall coordinate with the Community Development and Public Works Departments including, a preconstruction meeting at the job site to review field conditions, project conditions, methods and procedures, individual and City department responsibilities associated with the project. Members attending this meeting shall include but not be limited to City department representatives, City landscape consultant/arborist, owner or designated project coordinator, architect, project consultants, project landscape consultant general contractor and other representatives associated with the project. The meeting shall be arranged no sooner than one (1) week prior to commencement of work.
31. **Archaeological Discovery Protocol** – If buried materials of potential archaeological significance are accidentally discovered within an undisturbed context during ground disturbance, then all work in that area shall be halted or diverted away from the discovery to a distance of 50-feet until a qualified senior archaeologist can evaluate the nature and significance of the find(s). A project communication plan will be followed, and the Lead agency (City of Thousand Oaks) will be immediately notified of the discovery.

Ground disturbance shall not resume in the locality of the discovery until consultation between the senior archaeologist, the Lead agency, the applicant's representative, and all other concerned parties, takes place and reaches a conclusion acceptable to the City of Thousand Oaks. If a significant archaeological resource is discovered during ground disturbance, complete avoidance of the find is preferred. However, further survey work, evaluation tasks, or fossil recovery of the significant resource by a qualified archaeologist may be required by the Lead agency if the resource cannot be avoided. This work shall be conducted, and paid for, by the applicant. In response to the discovery of significant archaeological resources, the Lead agency may also add additional conditions, which may include archaeological monitoring.

Any monitoring, assessment, evaluation, fossil recovery, or other reports that are generated as a response to the discovery of a significant archaeological resource shall be submitted to the lead agency for review and final curation as part of the project record. All such documents associated with the discovery of archaeological resources will be transmitted to the Natural History Museum of Los Angeles County at the end of project construction.

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32. **Inadvertent Discovery of Human Remains** – The inadvertent discovery of human remains is always a possibility during ground disturbances; State of California Health and Safety Code Section 7050.5 addresses these findings. This code section states that in the event human remains are uncovered, no further disturbance shall occur until the County Coroner has made a determination as to the origin and disposition of the remains pursuant to California Health and Safety Code (PRC) Section 5097.98. The coroner must be notified of the find immediately, together with the City and the property owner.

If the human remains are determined to be prehistoric, the coroner will notify the California Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials and an appropriate re-internment site. The lead agency and a qualified archaeologist shall also establish additional appropriate mitigation measures for further site development, which may include additional archaeological and Native American monitoring or subsurface testing.

33. **Tier 4 Final Grading Equipment** – Heavy-duty diesel-powered construction equipment used on-site shall be equipped with Tier 4 Final or better diesel engines as proposed. The City of Thousand Oaks shall verify and approve all pieces within the construction fleet that would not meet Tier 4 Final standards per the VCAPCD Guidelines. Equipment engines shall be maintained in good condition and in proper tune as per manufacturer's specifications.

An exemption from these requirements may be granted by the City in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reduction in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the City, the applicant shall be required to demonstrate that at least two construction fleet owners/operators in Ventura County, or more, at the discretion of the Community Development Director, were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Ventura County.

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34. **Construction Progress** – Once permits have been issued to commence work on the improvements, it is the applicant's/owner's responsibility to diligently pursue completion per all conditions, requirements and as represented on the approved plans. Reasonable progress shall occur on a continual basis until completion to the satisfaction of the Community Development Director. Work shall not be discontinued for a period exceeding 30 days, without acceptable cause. The intent is to have the project completed in a timely fashion to prevent a potential blight from partially completed construction.
35. **Phasing** – The project shall be graded and constructed in a single phase as specified and in accordance with the parameters contained in the recorded Development Agreement (2022-70777-DAGR).
36. **Hours of Construction** – All grading and construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday with no construction activity permitted on Sunday. Construction workers and vehicles shall not be permitted to congregate in the residential neighborhood or onsite before and after the construction hours authorized herein. Likewise, warming of equipment engines shall not be permitted outside the allowable construction hours.
37. **Condition Execution** – Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance, unless stated otherwise herein. Deviation from this requirement shall be permitted only by written consent of the Community Development Director or designee.
38. **Occupancy** – No final inspection or final occupancy permit shall be granted until construction and landscaping are complete in accordance with the approved plans and the conditions required herein.
39. **Exporting/Importing Earth Materials** – Any exporting or importing of earth material and debris shall be authorized by permit issued by the Public Works Department. The developer shall comply with an approved haul route to and from the project site and shall coordinate the hauling of this material with the Public Works and Community Development Departments to minimize traffic disruptions and disturbances to the project area. The exporting and importing of any earth materials to new sites within the

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- jurisdiction of the City of Thousand Oaks shall be subject to the review and approval by the Planning Commission unless such sites have previously been approved for development with an active entitlement, and said grading is in accordance with Public Works Department approved plan for the project.
40. **APCD Permit** – The applicant shall obtain all necessary clearances from the Ventura County Air Pollution Control District (APCD) prior to beginning any construction activity.
 41. **City's Recycling Program** – The project's owner shall participate in the City of Thousand Oaks recycling program, which collects cardboard, plastics, glass and mixed paper and shall attempt to use post-consumer building materials (recycled products) whenever possible in the construction of the project.
 42. **Demolition of Structures Containing Asbestos** – APCD Rule No. 62.7 (Asbestos – Demolition and Renovation) shall be complied with by the applicant for all demolition activities.
 43. **Dust Prevention** – In order to prevent excessive amounts of fugitive dust, all materials excavated (on-site) shall be controlled for with Ventura County Air Pollution Control District methods, which includes adherence to Rule 50 (Opacity) that sets opacity standards on the discharge from sources of air contaminants. This rule would apply during construction of the proposed project, specifically grading activities, Rule 55 (Fugitive Dust) that requires dust generators to implement control measures to limit the amount of dust from vehicle track-out, earth moving, bulk material handling, and truck hauling activities, and Rule 55.2 (Street Sweeping Equipment) that requires the use of PM₁₀ efficient street sweepers for routine street sweeping and for removing vehicle track-out pursuant to Rule 55. The project is to comply with the City of Thousand Oaks Water Conservation Ordinance Requirements. Level 4 Conservation Measures prohibit potable water use for dust suppression unless approved through a City waiver. For more information see: <https://www.toakswater.org/conservationstages>.
 44. **Rodent Control** – The applicant shall submit a rodent control plan to the Community Development Department prior to the issuance of any building permit, which shall include measures to protect adjacent and nearby properties from any rodent displacement during the project demolition and construction activities.

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45. **Parking/Materials Storage During Construction** – All construction equipment, materials, and related contractor vehicles shall be located on-site during all phases of development.
46. **Nesting Bird Survey** – If project activities (i.e. demolition, grading, construction, landscaping, tree encroachment, pruning and/or removal, etc.) occur between February 1st and September 1st, a breeding bird survey is required to be conducted and active nests shall be avoided with a minimum buffer distance as determined by a qualified biological monitor. To prevent disturbance of any active nests, a 300-foot radius for raptors and 100-foot radius for all other bird species is required until all juveniles have fledged, or the nest is abandoned.
47. **Air Filtration Requirements** – Prior to issuance of a certificate of occupancy the project must demonstrate compliance with California's Building Energy Efficiency Standard (24 CCR, Part 6, Subchapter 7, Section 150.0) which limits particulate infiltration by installing and maintaining air filtration systems equal to or exceeding the identified filter efficiencies as defined by the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2. For the two ground-floor dwelling units closest to the 101 Freeway exit ramp, advanced HEPA filtration is required, as specified by the Recommended Practice (IEST-RP-CC001.7) published by the Institute of Environmental Sciences and Technology (IEST). All other filtration devices provided must meet the minimums laid out in the Latigo Hillcrest Mixed-Use Project Freeway Health Risk Assessment dated January 2023. The leasing office shall provide notification/disclosure to all future residents of the project site of the potential risk from the I-101 freeway related to the increased risk of exposure to diesel particulates from the freeway when windows/doors are open and when outside at the recreation areas.

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**COMMUNITY DEVELOPMENT DEPARTMENT –
CONDITIONS FOR 2022-70773-DP**

BUILDING FORM AND ARCHITECTURAL DESIGN

48. **Revised Building Colors/Materials and Elevations** – The proposed design of the building shall be constructed substantially as depicted on the building elevations and perspectives as shown in exhibits labeled Project Plan Set dated May 26, 2023, except for the following:

- a. The addition of an architectural treatment at the parapet of the third floor on specific corners or specific fourth floor facades as approved by the Community Development Director.
- b. Provision of heavy-gauge, decorative screening material for garage openings.
- c. Provision of trellis or other shade structures over common roof-top decks and patios as permitted by the Building Safety Division and Fire Department to provide greater roof articulation.
- d. Window frames shall be made of aluminum, fiberglass, wood, or manufactured wood; or another material with a wood grain texture finish on the following facades:
 - i. Building A facing West Hillcrest Drive;
 - ii. Building A and B facing Rancho Conejo Boulevard and the commercial property in between the subject property and Rancho Conejo Boulevard;
 - iii. Building A and B facing the internal street bisecting the property, parallel to Hillcrest Drive;
 - iv. Building A and B facing the Linden Apartments to the east of the subject property.

The remainder of window frames may be dark bronze or similar color vinyl. Actual material samples must be provided prior to submittal of building permits to allow review and approval by the Community Development Department.

- e. Provision of metal awnings on all elevations on windows located on the third floor as follow:
 - i. Elevation “A” North on the portion of the building between the tower element and front entrance to commercial component.
 - ii. Elevation “B” South along the residential units on the portion of the building projecting forward.

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- iii. Elevation “C” North along all the portions of the building projecting forward except on the portions of the building where the elevation incorporates fiber cement siding and brick veneer.
 - iv. Elevation “D” South, Building A+B Elevation “E” West, Building A Elevation “E” West, Building B Elevation “F” West, Building A+B Elevation “F” East, Building A Elevation “F” Building B Elevation “F” East, Building A Elevation “F: East, and Building B Elevation “F” East across all the sections of the building projecting forward.
 - f. Incorporation of brick veneer on all buildings, including sub buildings 1 through 4, as reviewed and approved by the Community Development Department.
49. **Color and Materials Board** - All exterior materials and colors shall match or be upgraded from those depicted on the exhibits labeled “Project Plan Set,” date stamped May 26, 2023 and as conditioned, subject to review and approval of the Planning Division of the Community Development Department. Changes to materials which are not comparable or better must be approved by the Planning Commission. Prior to the issuance of a building and/or grading permit, a final color and materials sample board, including, but not limited to, specific materials and paint manufacturer colors, shall be submitted for the review and approval by the Community Development Department. The applicant shall indicate the type of finish on the revised plans and materials and colors sample board.
50. **Front, Side, and Rear Yard Setbacks** – All structural and landscape setback requirements from property line shall be provided as depicted on the submitted project plan set, as described in SP-24, and as follows:

Building First Floor, Fourth Floor, and Landscape Buffer Setbacks	
Building A:	
Front(North):	40' Minimum First Floor
	70' Minimum Fourth Floor Setback (Except at Northeast Corner Building Entry)
Left(West):	60' Minimum
	5' Required Min. Landscape Setback Along Driveway/Parking
Right(East):	100' Minimum
	10' Required Min. Landscape Setback Along Driveway/Parking

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Building B:	
Rear(South):	15' Minimum First Floor Building
	40' Minimum Average Fourth Floor Setback
Left (West):	20' Minimum First Floor Building
	85' Minimum Average Fourth Floor Setback
	5' Required Min. Landscape Setback Along Driveway/Parking
Right (East):	63' Minimum First Floor Building And
	100' Minimum Average Fourth Floor Setback
	10' Required Min. Landscape Setback Along Driveway/Parking

51. **Building Heights** – The maximum building heights shall be provided as shown on the elevation plans as shown in the Project Plan Set dated May 26, 2023. The absolute maximum height at any point is 55 feet.
52. **Façade Articulation** – Façade articulation, including setbacks, material offsets as well as significant, major, and minor massing breaks shall be provided as show in the Project Plan Set dated May 26, 2023 and SP-24. The maximum building length is 325 feet.
53. **Residential Window Area** – A minimum of 36% of residential windows must be inset a minimum of two-inches and include a wood-look trim or brick header as shown in the Project Plan Set date stamped May 26, 2023.
54. **Storefront Window Area** – A minimum of 65% of the commercial storefront façade provided shall have transparent window area and minimum three-inch recess as shown in the Project Plan Set date stamped May 26, 2023.
55. **Mixed-Use Façade Transparency** – The façade facing Hillcrest Drive shall have a minimum of 50% transparency on the ground floor and at least 35%, combined, on all levels above the ground floor.
56. **Residential Direct Outdoor Primary Access** – Primary entrances to first-floor residential units with direct access to the outside shall be provided as shown on plans date stamped May 26, 2023. If final grading plans allow additional residential units to gain direct outdoor access, that should be provided.
57. **Emergency Exit/Service Doors** – All exterior emergency exit and service doors as viewed from public streets shall be decorative and located in recessed vestibules of sufficient depth to accommodate the installation of overhead recessed security light fixtures. Other doors not viewed from

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public streets may be illuminated by either the same method or by the installation of decorative architectural light fixtures. Said doors shall be operated from the inside with appropriate approved hardware and shall be alarmed. No exposed hardware including door latches shall be permitted on the exterior surface of any door. Any access from the exterior shall be limited to key activated hardware locks only. All such doors shall be painted or treated a color to match the adjacent exterior finish of the building or as approved herein. Design and location of all doors shall be subject to review and approval by the Community Development and Police Departments.

58. **Flat Roof Areas** – Flat roof areas and parapet walls exposed to view from surrounding areas shall be color-coded to blend with the exterior wall finishes, subject to the review and approval of the Community Development Department.
59. **Exterior Trash Enclosures** – Exterior trash enclosures shall consist of solid masonry walls plastered to match the building's exterior with metal gates set in metal frames and shall be protected with a solid overhang roof structure subject to review by the Community Development Department and Public Works Departments. Trash enclosure areas shall be designed in accordance with the City's adopted trash area design criteria. Trash enclosures will be constructed to have outside visibility to reduce the possibility of camping or sleeping in the area. Prior to the issuance of a building permit, the developer is to provide a signed letter from the City's solid waste service provider to the Community Development Director and Public Works Director confirming the trash enclosure has been designed consistent with their operational needs. Prior to the issuance of a building permit, the final design and locations for trash enclosure areas shall be submitted for review and approval by the Community Development and Public Works Departments.

During the project's operational phase, exterior trash enclosures shall be kept closed and locked during non-business hours to discourage, loitering, illegal dumping and theft.

60. **Outside Storage** – No outside open storage of any kind shall be permitted on the site, including recycled materials, packaged materials or materials within containers. There shall be no outside containers for the purposes of storing items, such as cargo containers, unless otherwise approved through an evaluation process set by the Community Development Department Director including any necessary noticing requirements and documents deemed required by the Director.

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61. **Roof Access** – Access to the building roof shall only be from the interior of each building and shall be secured with appropriate hatches and be locked at all times. Exterior ladders are prohibited. Design, location and security requirements of said access shall be subject to approval of the Community Development Department and the Police Department.
62. **Downspouts** – Downspouts shall be avoided or concealed within the building walls at specific feature corner elements, such as the commercial/retail corner and brick lobby towers or any façade viewable from Hillcrest Drive or Rancho Conejo Boulevard. Any downspout not concealed within the building walls must be painted to match the wall behind.
63. **Roof-Mounted Mechanical Equipment** – All roof-mounted mechanical equipment, including air conditioning, roof fans and any other similar equipment, as well as roof ladder protrusions, shall be located within the mechanical equipment enclosures as depicted on “Project Plan Set,” date stamped May 26, 2023. Said equipment shall be screened from public view including Hillcrest Drive, Rancho Conejo Boulevard, 101 Freeway, and from properties adjacent to and within the project site. Roof screening treatment shall be designed in a manner that is integrated with the building design.
- Prior to issuance of a building permit, final detailed cross-section drawings, studies, equipment manufacturer’s catalogue cuts, brochures, specifications and specific exhibits and roof equipment locations shall be submitted for the review and approval of the Community Development Department. After installation if any roof mounted equipment is visible from public view, additional screening will be required. The design and extent of said screening shall be subject to the review and approval of the Community Development Department.
64. **Surface-Mounted Mechanical Equipment** – All surface-mounted mechanical equipment, including transformers, terminal boxes or meter cabinets, shall be screened by landscaping or enclosed by solid decorative masonry walls or stucco wood frame and solid wood gates of a material which is integrated into the character and materials of the project and/or surrounding landscaping design subject to the review and approval of the Planning Division of the Community Development Department and other City utility providers.
65. **Utility Lines** – All new utility service lines shall be installed underground.

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66. **Backflow Device** – Any proposed backflow device shall be screened from public view, subject to review and approval by the Community Development and Public Works Departments.

PARKING, ACCESS, AND DRIVEWAY

67. **Required Parking** – A minimum of 486 residential parking spaces, 43 commercial spaces, and 52 “surplus” parking spaces shall be provided for the project, as shown on site within “Project Plan Set,” date stamped May 26, 2023. A 10% reduction of required surplus spaces may be permitted upon review and approval of the Community Development Department. The commercial and residential parking shall be spatially distinct and independent of each other. All parking spaces and driveway aisles shall be designed in accordance with Section 9.4-2404 of the Municipal Code and SP-24. Any minor change to parking or future development on the subject property shall be reviewed and evaluated by the Community Development Department. Any substantial change may require the filing of a modification application to be considered by the Planning Commission.

68. **Building B Parking Garage Design** – The floor level above the parking structure shall not exceed six (6') feet above finished grade for more than fifty (50%) percent of the perimeter and shall not exceed twelve (12') feet above finished grade at any point, as shown on site within “Project Plan Set,” date stamped May 26, 2023.

Any exposed elevations of the below-grade parking structure shall be designed to reflect architectural compatibility with existing or proposed structure. The above-grade, visible portions of the exterior elevations of the below-grade parking structure shall be designed to minimize the use of blank facades through the combined use of appropriate architectural treatment such as heavy textured concrete, planters, openings, indentations, and projections of exterior walls to provide visual interest. At least 20% of the daylighting portion of the garage, must consist of windows or other openings.

69. **Parking Striping** – All parking spaces shall be identified with double four inch (4") wide stripes at sixteen inches (16") on center as specified in Section 9-4.2404(a)(2) of the Thousand Oaks Municipal Code.
70. **Multi-Family Residential Compact Parking** – Maximum permitted compact parking spaces shall not exceed thirty-five percent (35%) parking spaces based on the total parking requirements as indicated under Section

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- 9-4.2404(d)(1)(i). No overhang compact parking space shall be permitted within five feet (5') of any vertical obstruction.
71. **Commercial Compact Parking** – Maximum permitted compact parking spaces shall not exceed twenty-five percent (25%) parking spaces based on the total parking requirements as indicated under Section 9-4.2404(d)(1)(iii). No overhang compact parking space shall be permitted within five feet (5') of any vertical obstruction.
72. **Parking Stall Dimensions** – The dimensions and design of all standard (non-compact or ADA) parking stalls shall be installed as required in Article 24, Chapter 4, of Title 9 of the Thousand Oaks Municipal Code. Parking stall lengths for stalls that overhang a landscape planter shall be reduced from twenty (20') feet to a depth of eighteen (18') feet to allow the remaining two (2') feet to be converted to landscaping. Overhang parking design shall consist of parking stalls measuring eighteen feet (18') in depth and shall overhang a minimum six foot (6') wide planter or sidewalk when adjacent to residential property. A width of nine feet (9') shall be required for all parking spaces.
73. **Parking Stall Clearance** - Parking spaces located adjacent to walls must be at least one foot wider to accommodate door opening clearance and vehicle maneuverability. Parking located adjacent to columns within a parking structure also must be one foot wider except for columns placed within four feet of the front or back of a stall.
74. **Parking Overhang/Path of Travel** – Where head-in parking spaces are located adjacent to a path of travel, the minimum path of travel sidewalk width shall not be less than seven (7') feet to accommodate a minimum clear sidewalk width of four (4') feet, allowing three (3') feet for the parking overhang.
75. **Loading Zone** – Two loading docks, one for commercial uses and one for residential use at Building A, are to be provided and maintained. At least one loading dock shall be provided shall be not less than twelve (12') feet in width by twenty-five (25') feet in depth by fourteen (14') feet in height pursuant to TOMC Section 9-4.2405.
76. **Temporary Parking Area** – A designated temporary parking area to accommodate pick-up and/or drop-off activities by delivery and rideshare companies, (i.e. DoorDash, Uber, Lyft, Relay Rides, etc.) is proposed along the roadway located between the two buildings. Appropriate curb

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designations and signage indicating the hours of operation shall be provided to ensure this area is utilized for these short-term uses and not for the parking of vehicles. All signage is subject to review and approval by the Public Works and Police Departments.

77. **Parking Restriction** – No parking space shall be utilized for overnight storage of vehicles, other than tenant vehicles.
78. **Parking Management Program** – Prior to occupancy of the project, a Parking Management Program shall be designed and submitted to ensure that proper parking assignments for tenants, guests, and employees are established within the parking structure and designated exterior spaces, as well as address timing and procedures for moving activities and moving-related vehicles/vans for all residential, commercial tenants and live/work units.

All parking stalls within below-grade parking structures shall be designed for the use of owners, tenants, and employees only.

As part of the Parking Management Program, the applicant shall provide appropriate signage and develop an action plan to prevent parking from spilling off-site onto adjacent locations and prevent residential use of exterior parking spaces intended for the commercial operations on the site. Said program shall be subject to the review and approval by the Community Development, Public Works and Police Departments.

79. **Pedestrian-Friendly Roadway Design** – The roadway located between Building A and Building B shall utilize cast in place concrete with enhanced finish (such as topcast and sawcut patterning) and bollards as shown on the plans dated May 26, 2023. Final materials and design shall be subject to review and approval by the Community Development, Public Works, and Fire Departments.
80. **Decorative Sidewalk Treatment** – The use of decorative material such as rock, tiles, pavers, cast in place concrete with enhanced finish, or similar patterned material shall be provided at the pedestrian entrance(s) to each building, including but not limited to the pedestrian access between Hillcrest Drive and the commercial uses, as well as between Rancho Conejo Boulevard and the nearest sidewalk. The materials and colors shall be submitted to the Community Development Department for review and approval prior to issuance of building permits. The installation and materials shall comply with ADA and Title 24 disabled access requirements for path-of-travel areas.

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81. **Pedestrian Walkways** – The applicant shall utilize a decorative and contrasting surface material and/or color, such as cast in place concrete with enhanced finish, for the pedestrian walkways throughout the site as depicted within the “Project Plan Set,” date stamped May 26, 2023 prior to issuance of building permits. The installation and materials shall comply with ADA and Title 24 disabled access requirements for path-of-travel areas.
82. **Driveway Entrances** – The project’s two-way driveway aisle entrances from Hillcrest Drive shall be composed of decorative paving materials (such as at-grade cast-in-place concrete with enhanced finish), subject to the review and approval by the Community Development and Public Works Departments.
83. **Driveway and Parking Lot Grades** – The driveway and parking lot shall be designed as depicted on grading within “Project Plan Set,” date stamped May 26, 2023. All parking lot areas shall have a maximum gradient slope of 2.5% and parking spaces shall have a maximum cross-slope of 2%. All driveways including exterior and interior shall have a slope no greater than 7% and each ramp in the parking garage shall not exceed a maximum of 10% gradient as specified under Section 9-4.2405(a) of the Municipal Code unless otherwise approved by the Community Development and Public Works Departments.

LANDSCAPING

84. **Parking Lot Shade Coverage** – The applicant shall provide fifty (50%) percent shade coverage in all surface parking areas within fifteen (15) years per Landscape Guidelines Resolution No. 2007-116.
85. **Parking Lot Finger Planters** – A tree shall be planted at the ends of each finger planter per Landscape Guidelines Resolution No. 2007-116 as depicted within the “Project Plan Set,” date stamped May 26, 2023.
86. **Parking Lot Screening** – A combination forty-two (42") high decorative headlight screen wall and undulated berming is required anywhere parking spaces face the street and is not already sufficiently screened by existing topography or landscaping, as shown by a cross section detail on the final landscape or grading plans. Said wall shall be decorative and incorporate the design and materials utilized on the main building. A flat shoulder shall be provided from the end of the parking stalls and on both sides of the screen wall to allow room for car overhang and the installation of

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landscaping in front of the wall. Specific design of mounding and screen wall including landscaping planting shall be subject to the review and approval of the Community Development Department and the Public Works Department prior to the issuance of a grading and building permit.

87. **Added Landscaping for Compact Parking and Parking Structure** – The project shall provide an additional twenty-five square feet (25 s.f.) of on-site landscaped area, above the minimum amount required, for each compact parking stall which is located outside of the parking garage. In addition, the project shall provide a minimum 5 feet of landscaping anywhere the garage daylights.
88. **Garage Screening** – At least 50% of the total linear above-grade garage frontage must be covered by landscaping within fifteen (15) years unless otherwise recommended or required by the Community Development Department, including the Building Division.
89. **Landscape Design Compliance/Approval** – All landscaping and irrigation improvements shall be designed and installed in accordance with the City's Guidelines and Standards for Landscape Planting and Irrigation (Resolution No. 2007-116). All landscape plans shall demonstrate compliance with the State of California Model Water Efficiency Landscape Ordinance (MWEL0).

Complete landscape and irrigation plans reflecting compliance with all imposed conditions of project entitlements shall be submitted and receive final decision prior to the issuance of any grading permit and building permits. Said plans shall be subject to review and approval by the Community Development and Public Works Departments.

The location of light fixtures shall be shown on the landscape plans to ensure no conflict occurs between placement of trees/shrubs and light fixtures and to avoid plant growth interference with the level of illumination. The use of reclaimed water for landscaping where available is encouraged.

90. **Landscaping and Irrigation** – Landscaping shall be designed using xeriscaping techniques; i.e. drought-tolerant low water-using plants and as allowed in SP-24. The use of lawn, grasses, and turf shall be minimized. Landscape irrigation systems shall likewise be designed using low-output sprinklers and/or drip automatic timed controls.
91. **Landscape Planters** – All landscape planters and fingers shall be planted with shrubs, trees and flowers subject to the review and approval of the Community Development Department. Trees planted on the podium will be

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- installed in either raised planters constructed of masonry or cast in place concrete, or in depression cast into the podium deck as depicted within the "Project Plan Set," date stamped May 26, 2023. A minimum of 42" of soil depth and minimum horizontal dimension of 2 times the root ball must be provided unless otherwise approved by the City landscape consultant and Building Division.
92. **Landscaping Material Selection** – All new landscaping treatment shall consist of combinations of minimum fifteen (15) gallon, twenty-four inch (24"), thirty-six inch (36") and forty-eight inch (48") box size deciduous and evergreen trees as well as five (5) and fifteen (15) gallon shrubs. Larger size trees may be required to complement the building's facades. The type of landscaping material shall be selected in a manner that blends with existing landscaping treatment in the area. The specific size, number and species of plant materials used shall be included on the landscape plans subject to review and approval by the Community Development Department.
93. **Final Landscape Plans** – The submitted preliminary landscape plan is approved in concept only. Prior to the issuance of a grading and building permit, final construction landscape and irrigation plans reflecting compliance with all imposed conditions of project entitlements shall be submitted under separate permit for review and approval by the Community Development Department through a Landscape Plan Check application. Any landscape and irrigation improvements shall be designed and installed in accordance with the City's Guidelines and Standards for Landscape Planting and Irrigation Plans (Resolution No. 2007-116).
94. **Public Exterior Space and Common Amenity Space** – Potted landscaping and built-in tree wells shall be provided within the exterior public space and common amenity areas as shown on the conceptual landscape plan dated May 26, 2023. Said plant materials shall be incorporated on the required final landscape plan.
95. **Rancho Conejo Boulevard Gateway Area** – The landscaped easement provided along Rancho Conejo Boulevard must comply with Resolution No. 93-152. Informational signage describing the protected species in the area should be provided on site. Final plans are subject to review and approval by the Community Development and Public Works Departments.
96. **Manufactured Slope Height** – No manufactured slope shall exceed twenty-five (25') feet in height. Prior to the issuance of a grading permit a final grading plan shall be submitted for review reflecting compliance with this requirement.

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97. **Rounded Manufactured Slopes/Contoured Grading Techniques** – All manufactured slopes shall include rounded top sections and shall incorporate contour grading techniques to blend with the adjacent terrain, except where slopes terminate into retaining walls.

FENCES, AND WALLS

98. **Existing Chainlink Fencing** – Any existing chainlink fencing shall be removed, but may be re-used as temporary construction fencing and repositioned in order to preserve and protect on-site oak and/or landmark trees as determined by the Project’s Tree Consultant and the Community Development Department.
99. **Wall/Fence/Gate Design** – All walls, fences, and gates shall be constructed of decorative material(s) that match the materials and style of the primary buildings. Final detailed drawings of all walls and fencing including elevations, material selections and site plan locations shall be submitted prior to the issuance of any building permit, subject to review and approval of the Community Development and Public Works Departments. Chain link fencing is not approved for any wall, fence or gate.
100. **Screen Walls or Hedge** – The existing precast concrete panel screen wall along the eastern property boundary shall be repaired anywhere it is damaged, a decorative cap detail shall be provided along the entirety of the wall, and the wall must be repainted to match the new development prior to final occupancy. Prior to the issuance of a grading permit, such design shall be submitted for review and approval by the Community Development and Public Works Department.
101. **Retaining Walls** – All retaining walls shall be constructed of a decorative masonry material with a decorative cap that match the materials and style of the primary buildings. All retaining walls shall be limited to a maximum exposed height of six (6’) feet, unless otherwise authorized by the Community Development and Public Works Departments for purposes of lessening the amount of grading without negatively impacting public views of the property. In no case shall retaining walls exceed twelve (12) feet. All retaining walls shall incorporate the design and materials utilized on the buildings and be softened by the installation of landscaping adjacent to the wall. Where such walls are exposed to public view, pilasters and/or horizontal articulation of varying depths shall be provided to break up a long linear monotonous appearance. The design and location of all retaining walls shall be subject to review and approval of the Community Development and Public Works Departments.

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LIGHTING

102. **Site Illumination** – Site illumination within the project shall be designed in a manner that is uniform in design and appearance. Parking lot illumination shall be designed in accordance with the City’s parking lot standards as identified in the City’s Building and Security Ordinance No. 1395-NS. Review and approval of such lighting shall be processed under a separate permit. Special design features within these fixtures shall include flat lens and shielding devices to avoid an over-intensification of illumination, to direct the illumination in a downward direction (full cut-off) and to eliminate any spillover of light into adjacent properties and past the centerline of public streets.

All pole lighting utilized shall not exceed 14’ in height and shall be provided with concrete pedestals finished to complement the earthtone colors of the buildings as shown on site within “Project Plan Set,” date stamped May 26, 2023. All pedestals shall be painted the same color which shall complement one of the main wall colors of the buildings, subject to the review and approval of the Community Development Department. Where pedestrian walkways occur, the height of these fixtures may be reduced in proportion to human scale.

Use of bollard type lighting for safety adjacent to driveways is also encouraged for pedestrian traffic circulation. All lighting attached to these features shall be decorative, oriented in a downward direction, and downward shielded. Prior to issuance of a parking lot electrical permit, a photometric analysis and light fixture catalogue cuts and specifications shall be submitted to the Planning and Building Divisions for review and approval.

103. **Photometric/Light Fixture Catalogues and Specifications** – All exterior lighting shall be processed under a separate permit. Prior to the issuance of any electrical and building permits for exterior lighting, a photometric analysis prepared by a registered Electrical Engineer and accompanied by light fixture catalogues, brochures and specifications shall be submitted for review and approval by Building and Planning Divisions of the Community Development Department, as well as review by the Police Department.
104. **Light Spillover** – Light spillover may not occur outside property boundaries where the property abuts a residential use or past the centerline of public streets.

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105. **Restriction of Light Poles** – Light poles are prohibited at the ends of the landscape fingers as the end of landscape fingers are intended be planted with trees to allow their canopies to cover drive aisles and parking spaces and to reduce the likelihood of a vehicle colliding with a light pole. The location of a light pole located within a landscape finger is to be coordinated effort between a landscape architect and a photometric engineer. Deviations from this prohibition shall be permitted only be written consent of the Community Development Director or designee.
106. **Decorative Lighting Above Public Area** – Low intensity lighting may be provided above and across the public exterior space.
107. **Lighting on Roof Top Terrace** – No roof illumination shall be permitted except as otherwise needed to comply with building security requirements. The design and location of such fixtures shall be subject to review and approval of the Community Development Department prior to the issuance of a building permit. The rooftop areas shall be illuminated with wall sconces and shall not extend beyond the height of the parapet. Additionally, the rooftop areas may be illuminated subject to the following:
 - a. Cut-off shields shall be installed/maintained on each side of the light fixtures visible from the parapet wall perspectives;
 - b. Motion sensors shall be installed to limit operation of the lighting to times activity is detected on the rooftop areas. Lighting shall be off when no activity is on the rooftop; and
 - c. Stand-alone light standards shall not exceed 10'-0" in height.
108. **Wall Lighting** – Wall-pac type light fixtures at building entrance doors, loading areas, and outdoor areas within public view area shall not be permitted. Lighting may be provided by decorative downward shielded light fixtures, recessed in a downward direction from projecting canopies, recessed doorways, and window openings. Decorative architectural light fixtures shall be installed on the building walls. Light fixture cut sheets shall be submitted for review and approval by the Planning Division. Architecturally designed fixed pendant and bracket light fixtures are permitted. The use of such lighting shall be designed to create a uniform illumination generally in a downward direction and not create illumination hot spots on adjacent surfaces.
109. **Light Source** – The use of low-pressure sodium illumination; bright white, high intensity LED; or metal halide lighting is prohibited.

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SIGNS

110. **All Signs** – All site and building signage shall be designed to meet the Architectural Guidelines for Commercial Projects (Res. No. 2005-011), Precise Plan of Design Guidelines (Res. No. 2006-108), as well as Title 9, Chapter 4, Article 23 of the Municipal Code and SP-22. The design, color and location of all site and building signs as well as address numbers shall be processed under separate permits. Prior to the issuance of any sign permits, detailed plans shall be submitted for the review and approval of the Community Development Department.

111. **City Gateway Sign** – The City Gateway sign located within the easement along Rancho Conejo Boulevard shall be replaced as stated within 2022-70777-DAGR and as reviewed and approved by the Community Development Department, Public Works Department, and City Manager’s office. Applicant, or applicant’s designated contractor shall work with City staff in good faith to prepare specifications for the new Gateway sign including, but not limited to, the sign materials, dimensions, specific location in the easement along Rancho Conejo Boulevard, and sign copy. The Gateway sign shall be constructed and approved by City before City’s Building Official, or designee, approves the Project for occupancy.

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AMENITIES

112. **Private Storage** – A minimum of 56 cubic feet of private enclosed storage area per unit, must be provided in garages, carports or patio areas must be provided as shown on the plans dated May 26, 2023.
113. **Child-Appropriate Play Areas** – The project must provide at least one open space area within the development designed for use by children. Such play area must:
- a. Have a minimum dimension of fifteen feet (15') in any direction unless otherwise approved by the Community Development Director, and a minimum area of six hundred (600) square feet.
 - b. Play equipment for children under the age of five (5) must be included in child play areas.
 - c. The play area must be visible to as many units as possible to provide casual surveillance.
 - d. The play area must be separated from traffic and any adjacent streets or parking lots with a fence or other barrier at least four feet (4') in height.
 - e. Seating for adults that are accompanying younger children must be provided.
114. **Public Exterior Space** – The public space located in front of Building A shall utilize decorative paver stones as shown on the plans dated May 26, 2023. The outdoor area shall incorporate potted plant materials throughout this area. The size, type, and location shall be identified on the formal landscape plan check review, subject to the review and approval by the Community Development Department.
115. **Maintenance of Common Facilities** – All improvements within common areas of the project including lighting, landscaping, fences, walls, buildings and other related features shall be properly maintained in accordance with conditions of this permit as well as all applicable ordinances and shall not be altered in any manner without prior approval of the City. Any alteration, removal, abandonment or discontinuance without prior City approval shall constitute a violation of the Development Permit and conditions and shall be sufficient grounds for a Code Compliance action.
116. **Common On-Site Recreational Amenities for Residents** – The applicant shall provide common on-site recreation amenities for the exclusive use by the residents and/or their guests, which include a swimming pool and associated courtyard with seating areas, interior amenity/fitness room, roof

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terraces and seating courtyard area as shown on the site, floor and conceptual landscape plans in the Project Plan Set dated May 26, 2023.

117. **Common On-Site Recreational Amenities for Guests of Residents** – The applicant shall provide common on-site outdoor public amenities for guests of the project consisting of seating, public art, water feature(s), gardens and roof terraces as shown on the site, floor and conceptual landscape plans in the Project Plan Set dated May 26, 2023.
118. **Private Useable Open Space** – Each residential unit must have direct access to adjoining private open space reserved for the exclusive use of residents of the dwelling unit and their guests. Private open space for each unit must be a minimum of 50 square feet with a minimum dimension of six feet. The overall amount of private open space for the project shall be no less than an average of 88 square feet per unit, as shown in the Project Plan Set dated May 26, 2023.

COMMERCIAL USES

119. **Notice to Tenants** – The management of the property shall include, as an addendum to all tenant leases, disclosure of the hours of operation for the commercial tenants, including the work/live units, and advisement of the potential for alcoholic beverage consumption and/or live entertainment on the site.
120. **Outdoor Dining Area Limitation** – Outdoor dining areas shall be subject to all requirements as specified in Section 9– 4.2523 of the Thousand Oaks Municipal Code except that no parking spaces are required for the first 500 square feet (8 tables with 4 chairs each) of outdoor dining per commercial unit. Any outdoor dining area in excess of 500 square feet, 1 space per 100 square feet is required (as required by SP 24).
121. **Outdoor Dining Enclosure** – Outdoor dining areas shall be reviewed in conjunction with any proposed future restaurants and the applicant shall submit a sample of the enclosure materials and colors for review and approval by the Community Development Department prior to installation.
122. **Advertising Prohibited on Furniture for Outdoor Dining Areas** – Tables, chairs and/or umbrellas within any outdoor customer dining area shall be consistent in materials with the design requirements for the shopping center and shall not contain any advertising or signs.

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123. **Outdoor Dining Furniture** – The design, colors, and materials of the furniture proposed for the outdoor customer seating area shall be subject to the review and approval of the Community Development Department. The applicant shall submit cut sheets and/or brochure information for review and approval by the Community Development Department.
124. **Path of Travel** – A minimum four (4) foot wide path of travel shall be maintained for pedestrian and disabled access circulation to and within any proposed outdoor customer seating area.
125. **Storefront Window Display Area** – Product display and product display window areas shall comply with the following standards:
 - a. The bottom of any window or product display window may not be more than three and one-half feet above the adjacent sidewalk.
 - b. Product display windows must have a minimum height of four feet and be internally lit.
126. **Commercial Operations** – Commercial-only use areas must include direct service to customers on site and may not include those businesses which only serve off-site customers through delivery services. All on-site commercial operations shall provide services from the tenant space to the public. No “delivery-only” operations are permitted.
127. **Delivery Hours** – Deliveries for the commercial uses shall be limited to the hours of 7:00 A.M. to 7:00 P.M., seven days a week. Should any verified complaint of a nuisance occur as a result of delivery hours and/or operations, the City may add or modify a project condition to change the delivery hours and/or operation to mitigate the nuisance.
128. **Truck Deliveries** – Delivery vehicle engines shall be turned off during loading/unloading activities. Signage expressing this condition of approval shall be posted at commercial and residential loading areas.
129. **Work/Live Units** – The Community Development Director shall determine the appropriateness of all uses within the designated work/live unit. Other business operations requiring interpretation as a permissible use shall be considered by the Community Development Director through an appropriate permit process. The designated work/live units as shown on the Project Plan Set dated May 26, 2023 shall comply with the following:
 - a. The work portion of the tenant space shall be limited to the designated work area within the unit and exclusively operated by the

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- occupant of the living area portion of the unit. No additional employees are permitted.
- b. The commercial uses shall be restricted to business and professional offices with individual client programs, including, but not limited to, attorneys, insurance agents, accountants, design professionals, and similar uses with low volume customer traffic.
 - c. The following commercial uses are not permitted:
 - i. Any business involving medical, dental, physical therapy, or surgical use that requires additional parking other than allowed under this special use permit; or
 - ii. Any use that causes noise and/or vibration not typical of the ambient levels in the residential area.
 - d. Exterior signage shall be limited to one on– building non– illuminated sign that shall be centered horizontally and vertically above the tenant space entrance.
 - e. The work/live units shall not be combined or otherwise modified to increase the unit size.

AFFORDABLE HOUSING

130. **Affordable Housing Covenant** – Approval of this residential project is subject to execution of an Affordable Housing Covenant entered into between the Applicant and City of Thousand Oaks. Said Affordable Housing Covenant shall incorporate the following conditions and is subject to approval by the City Attorney and Community Development Director.
- a. Affordable Housing Covenant shall be recorded prior to final building permit issuance. Covenant shall be recorded to provide notice to any future owners.
 - b. The Affordable Housing Covenant shall require 33 units as affordable units. 30 units will be preserved at the very-low-income level of 50% of the Ventura County average median income and three units will be preserved at the moderate income level of 120% of the Ventura County average median income.
 - c. Applicant agrees to execute an Affordable Housing Covenant with City that provides for the on-going affordability of these 33 restricted units for 55 years from the date the units initially become available for lease.
 - d. The City may extend affordable period if owner does not comply with Affordable Housing Covenant.
 - e. Affordable units must be comparable in exterior appearance and overall quality of construction to market-rate dwelling units in the

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same residential development. The design and appearance of the affordable units shall be compatible with the design of the market-rate units.

- f. Affordable units shall be proportional, in number of bedrooms and gross floor area of habitable space to the market rate units.
- g. Affordable units must be dispersed throughout the mixed-use and residential use buildings of the development in a manner acceptable to the City.
- h. The Affordable Housing Covenant shall be in compliance with the latest California State requirements.

The Affordable Housing Covenant shall be reviewed and approved by the Community Development Department and City Attorney's office prior to the issuance of a grading permit.

**COMMUNITY DEVELOPMENT DEPARTMENT-
CONDITIONS FOR 2022-70780-PTP**

- 131. **Land and Application** – The Protected Tree Permit is granted for the land described in the application and any attachments thereto and as indicated on the Tree Location Map and part of the Protected Tree Report, dated May 4, 2023 prepared by Trees, etc.
- 132. **Scope of Permit Approval** – The Protected Tree Permit is granted to allow the following:
 - Removal of 17 Coast Live Oak (*Quercus agrifolia*) trees (Tree Nos. 1– 6, 15, 16, and 18– 26); and
 - Encroachment into the protected zones of eight Coast Live Oak (*Quercus agrifolia*) trees (Tree Nos. 7,8,10,13,14,17,27 and 28)
- 133. **Preservation of Existing Oak and Landmark Trees** – The preservation of three coast live oak trees, identified as trees numbered 9, 11, and 12 in the Protected Tree Report, is authorized under this permit. Appropriate work methods and monitoring are required as described in the Protected Tree Report dated May 2023, prepared by Trees, Etc.
- 134. **Oak Tree Replacement** – The applicant shall provide two 24– inch box and one 36– inch oak replacement tree for each Coast Live Oak (*Quercus agrifolia*) tree removed. In addition, if any of the eight trees which are to be encroached upon die within five years of the encroachment, they shall be replaced at the above ratio. A total of 51 mitigation trees are required for the project as proposed:
 - A. 34 twenty– four (24”) inch box specimens, and

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B. 17 thirty– six (36”) inch box specimens.

20 Coast Live Oak (*Quercus agrifolia*) and 20 Valley Oak (*Quercus lobata*) trees are to be provided onsite per the conceptual landscape plan dated May 2023. Depending on nursery availability and project site size limitations, if different sized trees are proposed for installation, an alternate proposal (considering size, quantity, tree type and site) shall be reviewed and approved by the City of Thousand Oaks Community Development Director during plan check.

Prior to the Certificate of Occupancy being issued, if all of the replacement trees cannot fit on the developed project site, the applicant shall instead either plant the replacement oak trees on public property such as designated open space area, public parks, etc., subject to Community Development Director approval; or provide an in-lieu cash payment to the City’s Open Space Conservation Fund equal to the total current cost of similar tree species acquisition, transport, planting and a 5– year tree maintenance fee for all required 34 24– inch– box size trees and 17 36– inch– box size trees and subtract the verified costs of the protected trees which were planted on the property. The Community Development Director may require fewer trees to be planted off– site or a smaller in– lieu fee if the developer plants and maintains larger box– size sycamore or oak trees on the project site than required by the City of Thousand Oaks Oak Tree Preservation regulation.

The Community Development Director shall coordinate any off– site tree planting locations with the Conejo Open Space Conservation Agency (COSCA) and replacement trees shall be placed on COSCA property or as agreed to by the Director of the Community Development Department. Any in– lieu fee approved by the Community Development Director in association with COSCA shall be made prior to the Certificate of Occupancy being issued for the final building.

135. **Mitigation Oak and Landmark Tree Location Map** – Prior to issuance of a grading permit, the applicant shall submit a mitigation tree location map demonstrating the location of the replacement trees.
136. **Oak Tree Preservation and Protection Guidelines Compliance** – All construction activities to or near an oak tree shall conform and abide by the City of Thousand Oaks, Oak Tree Preservation and Protection requirements as specified in Article 42, Chapter 4 of Title 9 of the Thousand Oaks Municipal Code and Resolution No. 2010– 014.

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137. **Removal of Tree Debris** – Pursuant to Resolution No. 2010-014, all portions of the 17 Coast Live (*Quercus agrifolia*) Oak trees approved for removal, as well as any deadwood from the on-site protected trees shall be removed from the site and disposed of legally. Additionally, the stumps shall be completely removed to a minimum of four inches below grade and the hole filled with soil.
138. **Pre– Construction Meeting** – Pursuant to Resolution No. 2010-014, a pre-construction meeting shall be held between all contractors (including grading, tree removal/pruning, builders) and the ISA-Certified Arborist. The ISA-Certified Arborist shall instruct the contractors on tree protection practices and answer any questions. All equipment operators and spotters, assistants, or those directing operators from the ground shall provide written acknowledgment of having received tree protection training. This training shall include information on the location and marking of protected trees, the necessity of preventing damage, and the discussion of work practices that will accomplish such.
139. **On-Site Work Monitoring** – Pursuant to Resolution No. 2010-014, all work described in this permit shall be monitored by the applicant’s Tree Consultant and it shall be the responsibility of the applicant to contact the consultant and arrange for the successful completion of these conditions. The applicant is required to provide written notice to the following parties at least 48 hours prior to beginning any work within the protected zone of any preserved tree: the City’s Community Development Department, the City’s Oak Tree Consultant, the Applicant’s Oak Tree Preservation Consultant.
140. **Root Protection** – Pursuant to Resolution No. 2010-014, where structural footings are required and roots will be impacted, the footing(s) shall be bridged, and the roots protected. All such roots shall be covered with a layer of plastic cloth and two to four inches of Styrofoam matting, or other protective measure as approved by permit, prior to pouring the footing.

In addition, pursuant to the Oak Tree Report dated May 2023:

- A. Any excavation below the “approved” CAL- OSHA/OSHA depth may be done with acceptable machinery. If any roots are encountered, especially those of one inch diameter and larger, it is recommended that all footings within the protected zones be of “post type” rather than of “continuous type” to lessen potential root damage.

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- B. If saved roots must stay exposed for longer than one day, or if the day is hot, then the roots shall be wrapped in burlap or similar to be kept moist.
141. **Root Preservation** – During excavation if an oak and/or landmark tree root over two inches (2") in diameter is encountered, the applicant shall immediately contact Planning Division of the Community Development Department to schedule a field inspection to determine if it is appropriate to cut the root(s) or whether the improvements need to be redesigned and/or relocated to avoid root damage to ensure preservation of the trees.
142. **Protective Fencing, Flagging and Signage for Onsite Oak Trees** – Pursuant to Resolution No. 2010-014, an International Society of Arboriculture (ISA) Certified Arborist shall be retained to oversee that all remaining trees that will not be relocated or removed shall be preserved and protected in place. Prior to any grading or construction activities, the applicant and the applicant's Tree Consultant shall confirm with the Community Development Department that required signage and protective chain-link fencing (or other material satisfactory to City of Thousand Oaks planning staff) measuring a minimum of five feet (5') in height shall be placed at the protected zones (approximately 15 feet from the trunk or 5 feet outside the dripline, whichever is greater, of each tree or edge of canopy for cluster of trees) or construction limits for all on-site and off-site protected trees in accordance with the Oak and Landmark Tree Preservation and Protection requirements.

Additionally, signs must be installed on the fence in four locations (equidistant) around each tree. The size of each sign must be a minimum of two (2') feet by two (2') feet square and must contain the language contained in the Protected Tree Report dated May 2023.

143. **Mitigation Tree Maintenance** – An irrigation system designed for "dryscape" planting shall be installed for successful oak establishment, which generally involves a drip-system irrigation for managing water distribution near the oak trees and does not include watering during summer months when natural rainfall would not be abundant. Maintenance shall include leaving the leaf-litter build-up or a 3-inch layer of mulch under the canopies of the oak trees to promote healthy tree growth and root development.

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- In the event a mitigation trees dies or is otherwise removed, each dead or removed tree shall be replaced with 2-24" box and 1-36" box oak trees of the same Genus and species.
144. **Oak and Landmark Tree Maintenance** – The continued maintenance of all on-site oak and landmark trees is the responsibility of the property owner. All oak trees shall be maintained in accordance with the Oak Tree Preservation and Protection Guidelines Resolution 2010-14.
 145. **Use of Hand Tools** – Unless otherwise authorized by the Community Development Director, all work, other than the tree removals, within the protected zones of oak and landmark trees shall be performed with hand tools only and performed under direct supervision of the applicant’s oak tree consultant.
 146. **Excavation in Protected Zones** – All excavation and construction activity within the protected zone of the existing oak and landmark trees shall be performed with the use of hand tools only, in accordance with the Oak Tree Preservation and Protection Guidelines Resolution, No. 2010– 14, and observed in progress by the applicant’s oak tree consultant.
 147. **Storage of Materials** – No storage of materials is permitted within the protected zones of any oak and landmark trees.
 148. **Irrigation/Landscaping Encroachments** – All plans for landscaping beneath a protected tree shall be submitted for the review and approval of the Community Development Department.
 149. **Drainage** – Positive drainage shall be provided to direct run-off away from any protected tree.
 150. **Lighting Encroachments** – No lighting system shall be installed within the protected zone of any oak tree or landmark tree except as otherwise authorized by the Community Development Department.
 151. **Herbicides** – No herbicides shall be used within one hundred feet (100') of the dripline of any oak and landmark tree.
 152. **Billing by City Oak and Landmark Tree Consultant** – The applicant shall be billed on a real time basis for any work performed by the City’s oak and landmark tree consultant in conjunction with the Oak Tree Permit.

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153. **Written Certification** – The applicant’s oak/landmark tree consultant shall certify in writing that all conditions of the Oak Tree Permit have been met and that protective measures, to ensure the preservation of the subject oak trees, have been properly implemented. A final inspection by the City’s Oak and Landmark Tree Consultant, paid for by the applicant, shall be performed upon receipt of certification and prior to final inspection for building occupancy.

BUILDING SAFETY DIVISION

154. **Bicycle Parking** – In accordance with the 2022 California Green Building Standards Code, Section 5.106.4, the number of short-term bicycle parking facilities shall be equivalent to 5% of proposed vehicle parking. The number of long-term bicycle parking facilities shall be equivalent to an additional 5% of proposed vehicle parking. The configuration and location of all bicycle parking facilities shall be as review and approved by the City Planning Division. The bicycle parking shall be designed to provide two (2) points of contact on the bicycle, be supported upright, and cause no stress onto tires. All provided bicycle parking shall be able to accommodate a standard U-lock.
- A. Short-term bicycle parking spaces are to be provided on site near the front entrance. Bicycle parking should be located along the natural desire lines of travel from the bikeways to the facility entrance, in well-lit areas visible from the front entrance and public areas, in the nature of a bicycle corral or racks. Bicycle parking shall be located outside of pedestrian walkways, loading areas, landscape planters, etc. Where feasible, bicycle-parking areas should be covered.
 - B. Long-term bicycle parking spaces shall be convenient from the street and shall be provided in one or more of the following configurations:
 - i. Covered, lockable enclosures with permanently anchored racks for bicycles;
 - ii. Lockable bicycle rooms with permanently anchored racks; or
 - iii. Lockable, permanently anchored bicycle lockers.
 - C. The applicant shall submit a bicycle parking plan to be reviewed and approved by the Chief Building Official, Traffic Engineering representative in the Engineering Services Division, and the Community Development Director (or his/her appointee). All bicycle parking shall comply with AASHTO, NACTO, or APBP standards, as permitted by the California Building Code.
155. **Title 24 Compliance** – All requirements of California Uniform Building Code, Title 24, California Code of Regulations, shall be met. A set of plans,

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at a scale not less than one inch equal to ten feet (1"=10') shall be submitted to the Community Development Department displaying all exterior physically disabled accessibility requirements, including point elevations and details. Prior to the issuance of building permits, the accessibility requirements for the exterior shall be approved by the Building Division for disabled access compliance.

156. **Path of Travel** – The path of travel from the accessible parking spaces to the building entrances shall meet the current standards of the California Uniform Building Code.
157. **Interior Design Approval** – The accessibility requirements for the interior of the proposed buildings will be reviewed when construction documents are submitted for plan check to the Building Division.

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PUBLIC WORKS DEPARTMENT

GENERAL

158. **Plan Format** – All plans submitted to the Public Works Department shall be on 24 inch by 36-inch sheet size, using city standard title block and as-built/record plans submitted as part of the closure and acceptance of the project shall be on 4 mil Mylar.
159. **Standard Plates** – The City of Thousand Oaks Public Works Road Design and Construction Standards and Standard Plates, adopted May 15, 2018 in Resolution No. 2018-024 shall be used as the principal criteria for the design of development plans. It shall be the responsibility of the applicant to maintain a copy of the latest edition of said Plates available to all parties utilizing said Plates for construction purposes. The Standards establish uniform criteria, polices, standard and procedures for the design and construction of City roads, drainage facilities and appurtenances. The design engineer shall review the methods and procedures contained in the Road Standards, where not considered applicable, the design engineer shall request an exception from these standards in writing to be approved by the City Engineer. Said Road Standards are available for download at <http://www.toaks.org/departments/public-works/engineering-traffic/road-design-and-construction-standards>.
160. **Updating of Existing Improvement Drawings** – All existing improvement drawings in the Department's possession for water and wastewater which are affected by the subject project will be updated by the City to reflect the new improvements associated with this project. This work shall be considered as part of the project final process, and subject to a change order fee.
161. **Base Topography Map** – The grading plan for this project must be prepared utilizing topography which has been plotted by photogrammetric methods or survey data compiled no longer than two years prior to the date of submittal of the grading plan, and must be on current City datum. The name of the firm which prepared the topography and the date(s) on which the data was compiled or obtained must be shown on the plan. Topography must be presented in 1" = 40' or larger (closer) scale and must extend a minimum of 100 feet outside the limits of the property proposed for development. Any deviation from this condition must be approved by the City Engineer.

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162. **Mandatory Organics Recycling** – The applicant/owner is hereby notified that California State law requires businesses, schools, hospitals, restaurants, government buildings and other commercial properties to begin separating and recycling their organic waste (food waste, yard waste, food-soiled paper). Effective January 2017, businesses generating 4+ cubic yards per week of organic waste shall implement the above-stated separation requirements. Effective January 2019, businesses generating 4+ cubic yards per week of combined trash and organics waste shall implement the above-stated separation requirements.
163. **Title Report** – A copy of the applicant’s preliminary title report for the subject property, dated within 1 year of the entitlement application, shall be submitted to the Public Works Department for review prior to grading plan-check or the issuance of any Building or Grading Permits.
164. **Inspection Hours** – The applicant is advised that City Hall is closed on alternating Fridays, and as such, inspection services are not available on those particular dates. The applicant shall schedule any and all grading, stormwater, encroachment, paving and utility work requiring City inspection accordingly. A schedule of City Hall hours may be obtained from City Hall or at the City’s website www.toaks.org.
165. **Survey Monuments** – The Applicant shall be fully responsible for the preservation of all survey monuments to the satisfaction of the City Engineer. Prior to the start of construction and prior to the disturbance or destruction of any existing survey monument, all monuments shall be located and referenced with minimum of four (4) ties by the Applicant’s Land Surveyor. A corner record or record of survey shall be filed with and approved by the County Surveyor showing monuments that will be disturbed or destroyed, along with the reference monuments or marks and bearings or azimuth and distances to the location of the monument to be disturbed or destroyed. Documentation shall be provided to the City that the surveying has been completed.

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WATER AND WASTEWATER

166. **Water Service Requirements** – Prior to, or concurrent with, submittal of improvement plans to the City, the applicant shall submit a letter to the City from the California American Water Service Company indicating that the applicant has made the necessary financial and administrative arrangements with said Water Company to receive water service.
167. **Location of Water Meter Boxes** – Water meter boxes may not be located within driveways. It is the responsibility of the applicant and his engineer to properly coordinate and locate all water service lateral locations such that there is a single, unbroken/unrepaired service line between the main in the street and the meter box to each residence or building. In the event the configuration of the proposed buildings are revised and the meter box is then situated in a driveway, the applicant shall abandon the existing service by excavating the service at the main, closing the corporation stop, severing the service lateral approximately 12 inches beyond the corporation stop, folding and crimping this remaining portion of the service lateral and soldering the crimped pipe together. The remainder of the lateral may be abandoned in place, but the meter box must be removed and the area returned to a condition acceptable to the water purveyor. If existing service laterals are relocated, the lateral shall be abandoned at the main per the method described above. The applicant’s engineer shall process a change order and pay any applicable charges for said change order.
168. **Fire Water Service** – The applicant shall install a new separate fire water service line to the building, along with associated double detector check valve to protect the domestic water supply. Applicant is encouraged to contact the County of Ventura’s Environmental Health Division for details pertaining to the selection, installation and testing of the double detector check valve assembly.
169. **Concrete Pads Around Fire Hydrants** – Regardless of whether a fire hydrant is located within the parkway between the curb and sidewalk (where detached sidewalks are required), or behind the sidewalk (where monolithic sidewalks are required), or within commercial areas, the applicant shall install a 4-inch (minimum) thickness concrete pad around each fire hydrant which extends a minimum of 18 inches beyond the barrel of the fire hydrant in all directions. Where detached sidewalks are installed, the pad shall be rectangular, extend from the back of the curb to the sidewalk and be 48 inches wide. A detail for said concrete pad shall be shown on all water plans for all water purveyors within the City of Thousand Oaks. The hydrant and

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concrete pad must be located within a specific easement, right-of-way, or public service easement shown on the tract map or dedicated by separate instrument dedicated to or usable by the respective water purveyor and the Ventura County Fire Protection District, or by other means acceptable to the Public Works Department.

170. **Rancho Conejo Blvd. Irrigation Service** – Applicant shall provide a separate irrigation service to provide water for the landscaped area adjacent to Rancho Conejo Boulevard. Location and size of the irrigation service to be approved by the City prior to installation.
171. **Separate Irrigation Meter / Over 5,000 SF Landscaping**– Pursuant to State Assembly Bill No. 1881 (AB 1881), if this project contains more than 5,000sf of irrigated landscape, a fully separate water meter for irrigation and landscaping is required. Said irrigation meter will require all water permit fees to be paid, each service lateral and meter box installed and approved by the City Public Works Inspector, and the appropriate backflow device(s) installed, tested and certified (by an approved independent testing firm hired by the applicant) prior to the installation of the irrigation meters by the Department. The City may lock off the angle meter stop at the meter until the applicant has accomplished all of the above. Any taking of irrigation water without being metered through a water meter is a violation of the Municipal Code Section 10-2.514, punishable in fines up to \$1,000 per day for each day of illegal taking.
172. **Separate Irrigation Meter / Between 1,000 and 5,000 SF Landscaping**– Pursuant to Section 5-304 of the 2010 California Green Building Standards Code, if this project contains between 1,000sf and 5,000sf of irrigated landscape, a fully separate water meter, or a submeter, for irrigation and landscaping is required. Installation of a separate irrigation meter will require all water permit fees to be paid, each service lateral and meter box installed and approved by the City Public Works Inspector, and the appropriate backflow device(s) installed, tested and certified (by an approved independent testing firm hired by the applicant) prior to the installation of the irrigation meters by the Department. The City may lock off the angle meter stop at the meter until the applicant has accomplished all of the above. Any taking of irrigation water without being metered through a water meter is a violation of the Municipal Code Section 10-2.514, punishable in fines up to \$1,000 per day for each day of illegal taking.
173. **Usefulness of Existing Water Laterals** – Where there are existing water laterals serving the subject property and it is the desire of the applicant to

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reuse these laterals as part of the proposed project, the applicant must demonstrate to the satisfaction of the Department that the lateral(s) are in acceptable condition (no broken pipe, no root intrusion, etc.). These laterals must be made of copper; all poly services must be abandoned at the main under Department inspection and the meter boxes removed.

174. **Revision to Wastewater Design and Construction Standards – for Cleanouts and Slopes of Mains:** the end of all mains shall terminate in a manhole rather than a cleanout, regardless of the downstream length to the next manhole. The minimum slope for wastewater mains shall be 1 percent where the main has less than 10 residences connected to said main. In streets with grades of less than 1.5 percent, the engineer shall attempt to attain the maximum slope possible on wastewater mains in those streets.

For manholes: Standard Plates 17 through 20 are modified to provide that all joints between the barrel sections/riser shafts and/or cone sections shall be wrapped around the exterior circumference of the shafts with “Rub-R-Neck” and joints sealed with “Ram-Neck” mastic joint sealer (both as manufactured by the Henry Company Sealants Division, 1277 Boyles Street, Houston, Texas 77020) or approved equal. Manholes shall be negative pressure tested as specified in ASTM Designation C 1244-93. Steps shall not be installed in the manholes.

For manhole frame and covers: The Alhambra A-1254 frame and cover specified on Standard Plate 17 shall have a cover diameter of 26¼ inches, along with lettering conforming to Section 3.10 of the City’s “Wastewater Design and Construction Standards”. A note shall be shown on the title sheet of the wastewater plans indicating the last two revisions mentioned above for manhole construction.

175. **Procedure for Determination of Wastewater Fees –** Prior to issuance of a building permit for this project, applicant shall submit a plumbing plan and a listing of proposed fixture units for the subject project to the Public Works Department for determination of a "preliminary" wastewater connection fee estimate. The plan and listing will be reviewed for apparent correctness only and the applicant shall pay the wastewater connection fee based on this "preliminary" estimate at the time a building permit is issued. The final fee amount to be paid by the applicant will be based on the actual numbers and types of plumbing fixture units installed as determined by City staff from a field count made of the project building(s) before certificate of occupancy is granted. Any difference between the actual/field verified fixture unit count and the total amount paid will be reimbursed to the applicant. If additional

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connection fees are due, these shall be paid by the applicant to the City upon request. Any existing fixture units for which fees have been previously paid on the parcel will act as a credit against the amount to be paid.

176. **Wastewater Service** – There is an existing 8-inch wastewater lateral serving the subject property. The applicant shall pay applicable wastewater connection charges to the City of Thousand Oaks prior to or concurrent with issuance of a building permit. The applicant is strongly encouraged to contact the Public Works Department to calculate the total required fees.
177. **Restaurant/Cafeteria Grease Interceptor/Trap** – The applicant shall install a grease interceptor (sized as required by the City's Building and Safety Division) to collect and treat oil and grease wastes from any restaurant use prior to discharge to the wastewater system.

DEVELOPMENT ENGINEERING

178. **Encroachment Permit** – Where any construction occurs within public right-of-way, an encroachment permit shall be obtained, plan check and inspection fees paid, an approved traffic control submitted, and bond/security posted (if required) prior to initiating construction of any improvements.
179. **Public Improvement Bond, Dedication, Guarantee** – Developer shall furnish to the City, a sufficient bond to guarantee the faithful performance and payment of labor and materials for all public improvements required to be constructed under this entitlement. The public improvements shall be offered to the City for public use and accepted by the City Engineer upon satisfactory completion.

Said improvements shall be guaranteed by the Developer after acceptance by the City Engineer for a period of one year, during which time said improvements shall continue to have security in place with the City of at least ten percent of the original posted bond during the guarantee period. At the conclusion of the one-year guarantee, City shall re-inspect said public improvements and Developer shall without delay, repair, replace or reconstruct any defective work or materials to the satisfaction of the City Engineer and at no cost to the City.

At any time during the actual construction or during the guarantee period, the Developer fails or refuses to complete said work, surety agrees to take over and complete the work and the improvements which were guaranteed.

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If the guarantee posted is any other form than a paper bond from a surety company, City may make demand on such guarantee and complete said work to the satisfaction of the City Engineer and at no cost to the City.

180. **Annexation to Lighting and Landscape District** – In order to mitigate the impacts of this project and to have this project pay its fair share of maintenance costs for existing and future street lighting and landscape improvements that provide a benefit to the property, the applicant is hereby notified, consents to and agrees that the real property subject to this entitlement will be annexed into the City’s Lighting and Landscape Assessment District No. 79-2 at the next annual renewal of the District (typically June of each year). Said annexation will occur only if the City has given final approval to this entitlement. Prior to recording the final map or the issuance of any subsequent City permit needed for this project, whichever event occurs first, the applicant shall sign an annexation pre-submittal form, as provided by the City, agreeing to the unconditional annexation of the real property to said District. Applicant shall also post with the City a cash deposit or other security, as approved by the City, that could equal up to 2 years of maintenance costs for the property, based on City’s estimate of all expenses associated with the improvements for the period City deems appropriate, in order to guarantee funding for maintenance by City of lighting and landscape improvements that provide a benefit to the property. Said deposit or security shall remain in a separate City fund until such time as the property is annexed into said District. Until said annexation is complete, City shall draw on a yearly basis those amounts necessary for maintenance of said improvements. The balance of funds remaining at the time of annexation, not including any accrued interest, shall be refunded to the applicant. If annexation is not accomplished, said funds shall be used at City’s discretion to pay for maintenance of said improvements. Upon receipt of ballot(s) transmitted by the City in accordance with annexation proceedings, the applicant shall not oppose the assessment or the assessment formula for the subject property (as calculated in accordance with Article XIID of the California Constitution), said ballot(s) shall be signed and returned to the City prior to the scheduled public hearing, per the instructions outlined on the ballot(s). An annual assessment may be placed on the tax rolls by the City. The applicant, and/or applicant’s successor in interest, heirs or assigns shall be responsible to pay all applicable charges for annexation of said property to said District.
181. **No Known Easement Conflicts** – The Department has reviewed available map records and has determined there are no known conflicts with existing easements. The applicant is encouraged to confirm these findings by

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reviewing the subject property's title report prior to starting the proposed construction.

182. **Underground Conduits** – Pursuant to the City Council policy and Resolution No. 91-174, adopted on July 23, 1991, the applicant shall install a minimum two-inch diameter conduit capable of carrying coaxial or fiber optic cable suitable for carrying health and safety features such as fire alarm, water meter reading, telecommunications, etc. Said conduit shall be continuous and placed behind the sidewalk or curb within a public service easement or within a public right-of-way, where applicable. Pull boxes shall be placed at alternate property lines of all lots. The conduit and pull boxes shall be of materials approved by the Public Works Department. The conduits and pull boxes shall be dedicated to the City. The architecture and technical specifications of the conduit system shall be subject to the review and approval of the City Engineer. A 1"=100' scale plan shall be prepared under the direction of a Registered Engineer and shall be submitted to the City Engineer for review prior to approval of the final map or improvement plans. The plan shall include details and general notes, and shall be part of the plan set.
183. **Noise Abatement Prior to Commencement of Working Hours** – On grading and construction projects where residential units are located within 100 feet of the boundaries of the proposed work, the contractor may not start up any vehicles or any gas- or diesel-powered equipment prior to the start of approved working hours, cause any other construction related noise, or allow employees or subcontractors to keep their vehicles running while parked.
184. **Hauling of Imported or Exported Materials** – In the event this project will require either the importing or exporting of earth to or from the project site, prior to issuance of a grading permit the applicant shall submit a written plan to the Department for review and approval. Said plan shall detail the quantity of earth to be imported or exported, the location from which or to which the earth will be removed or taken, the proposed haul routes to be used, the size and numbers of the trucks to be used, the proposed hours of operation (times of day, days of the week, and estimated number of days), the estimated number of round trip truck movements, the proposed methods to be utilized to keep the haul route clear of any dirt dropped along the route, and any other information as may be required by the Department.
185. **Grading Permit and Soils Certification** – The applicant shall prepare and submit final grading plans, improvement plans, erosion control plans, BMP

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- improvement plans, geotechnical soils reports, supporting hydrology and hydraulic calculation reports, title report, and other items as required by the City Engineer in order to obtain a grading permit in accordance with the requirements of the City's Grading Ordinance. Applicant shall also prepare and submit detailed erosion control plans for both phases of land development; the pre-grading / site stabilization phase, as well as the post grading / building construction phase. The grading and improvement plans submitted to the City for plan-check shall at a minimum indicate all topography, proposed improvements, drainage features, water/wastewater connections and laterals, existing easements, interface with adjacent properties, storm drain and drainage systems, and street improvements. All submittals shall include the completed public and private improvement cost estimate worksheets, the required plan-check and inspection fees, and the posting of the required grading bond prior to the start of any construction. After the grading is complete, the applicant shall submit a building pad compaction report and a rough grading certificate from the soils engineer prior to issuance of a building permit. Grading bonds shall be exonerated after satisfactory completion of the project punch-list items, which are generated after the applicant's engineer provides a submittal of the final Record (as-built) Drawings.
186. **On-site Run-off** – On-site storm water shall be intercepted within the project boundaries in approved pick-up structures, treated and retained and/or conveyed to the nearest public street or existing storm drain system to the maximum extent practicable, as approved by the City Engineer (M.C. 7-3.09 and 7-3.21).
187. **On-Site Drainage Design** – Project design shall use the City of Thousand Oaks "Master Plan of Drainage" (2007) for the purpose of establishing on-site storm flows. The project lies within subarea 648B of said Master Plan, with $Q_{10} = 2.32$ cfs/acre and $Q_{100} = 3.72$ cfs/acre. The CFS-per-acre unit discharge in the Master Plan shall be used when preparing the Q_{10} (developed) discharge flows and for the detention calculations up through Q_{100} .
188. **On-Site Drainage** – Project design and engineering plans shall show drainage flows to street and/or yard drains and elevations.
189. **Drainage Study** – The applicant's engineer shall prepare a hydraulic/hydrology analysis for the project. The study shall include, but is not limited to addressing offsite tributary flows, retention/detention, inlet hydraulics and storm drains and appurtenances intended to convey and treat project storm

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discharges. The focus of the study is to ensure the existing conveyances possess sufficient capacity to pass the Q10 (developed) and to demonstrate that no new flooding will occur adjacent to or upon the property during a Q100 event as a result of development. The study shall be subject to the review and approval of the City Engineer prior to grading permit issuance.

190. **On-site Ribbon Gutters** – The City prohibits the use of ribbon gutters and encourages the use of graded parking lots with perimeter curb and gutter to convey flow away from pedestrian pathways. Parking lot and drive drainage shall conform to this standard. The use of ribbon gutters will only be considered under special circumstances as determined by the Public Works and Community Development Directors (MC 9-4.2405).
191. **Parking Structure Drainage** – The City prohibits the discharge of pressure-washing effluent, antifreeze and motor oils into either the wastewater system or storm drain system. Inasmuch as these are the anticipated discharges from the interior of the parking structure, the applicant shall incorporate a blind sump containment area within the parking structure designed to capture and store such discharges. Provisions shall be provided for periodic pump-out of the blind sump via tanker truck with disposal in conformance with all local, state and federal regulations. The roof and other surfaces of the parking structure directly exposed to rainfall may be drained and discharged in accordance with NPDES design parameters for a normal, rainfall-exposed surface parking lot.
192. **Building Pad Protection** – The project engineer must provide analysis to demonstrate building pad protection from Q100 flows. On-site discharges (including roofs, etc.) shall be detained behind a wall, graded barriers or curb, and metered through a weir or other controlling device, constraining discharge to the Q10 developed condition for the tributary area. Applicants' engineer must prepare calculations to support this design. Said calculations must be approved by the City Engineer (M.C. 4-7.01).
193. **Detention of Onsite Storm Flows** - The applicant's engineer shall prepare a hydraulic/hydrology analysis for the site and design onsite catch basin(s) and conveyances which will pass only the Q10 (developed) flows into the public storm drain system. All flows in excess of Q10 (developed) up to and including Q100 (developed) must be detained on-site. A simplified detention method is available for this site.
194. **Driveway Construction** – The proposed driveway shall be constructed per Plate No. 6-1 and 6-5 of the Road Standards. An encroachment permit shall

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- be obtained, plan check and inspection fees paid, and security posted (if required) prior to initiating construction of said driveway improvements.
195. **Street Improvements** – The applicant shall remove and replace any damaged sidewalk, curb and gutter on Thousand Oaks Boulevard adjacent to the property perimeter. Onsite sidewalk and driveway design shall transition to existing sidewalk configuration along the property frontage, as approved by the City.
 196. **On-site Improvement / Paving Permit** – The applicant shall submit for and obtain an on-site paving and improvement permit. An approved pavement section from the registered soils engineer of record shall accompany the permit application, along with payment of plan check and inspection fees, prior to initiating the construction of on-site parking, paving, and/or drainage improvements (M.C. 9-4.2405).
 197. **Alternate Paving Materials** – To the extent practicable, the applicant shall incorporate porous paving, interlocking pavers, or other recognized means to encourage the capture, conveyance, and vegetative-contact based treatment of runoff from the proposed parking areas to the satisfaction of the City Engineer.
 198. **Geotechnical Investigation** – It is vital that the geotechnical engineer for this project has thoroughly reviewed the proposed Best Management Practices (BMP's) and concurs with their design. Special attention should be given to the property's grading history, presence and location of groundwater, and ability to sustain soil saturation that may result from the proposed infiltration BMP's. As part of the grading plan-check review, the applicant shall provide the Department with the geotechnical report responding to the subject concerns and findings with regard to probable soil saturation and infiltration BMPs' feasibility.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

199. **NPDES Permit Compliance** – Development shall be undertaken in accordance with conditions and requirements of the Ventura Countywide Stormwater Quality Management Program, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS004002. The project shall employ NPDES best management practices in accordance with the latest applicable version of the Countywide Stormwater Program "Technical Guidance Manual" and the California Stormwater Quality Association

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(CASQA) “BMP Handbooks” and/or other approved reference documents cited in Permit No. CAS004002 (M.C. 7-8.302).

200. **MS4 Stormwater Retention Requirements** – The project meets the thresholds requiring stormwater treatment and site retention specified in the Ventura County NPDES Municipal Stormwater Permit (MS4) and 2011 Technical Guidance Manual (TGM). The project shall design, construct and maintain treatment and retentive catchments that will capture, treat and retain all rainfall runoff from disturbed and directly connected impervious areas affected by the project. The design shall function for all first-flush rainfall events as prescribed in the TGM, including drawdown and elimination of the captured runoff within 72-hours of the rainfall event. Drawdown may typically be achieved via groundwater recharge/percolation or vegetative irrigation/ evapotranspiration. Treatment of the site’s pollutants of concern is preferably addressed through vegetative contact and other natural biological processes. Further details and design requirements are available at www.vcstormwater.org.
201. **BMP Sizing Requirements** – Prior to issuance of a grading/paving permit, the project’s engineer shall prepare analyses to demonstrate that the proposed Best Management Practices (BMP’s) for stormwater treatment will mitigate pollutants of concern. The analyses shall include calculations demonstrating that the selected BMP’s must satisfy one of the following sizing criteria:
- Treat the storm flow equivalent to ten percent (10%) of the 50-year peak flow; or
 - Treat the volume of annual runoff (based upon the unit storage water quality volume) to achieve 80 percent or more volume treatment by the method recommended in the “*California Stormwater Best Management Practices Handbook – Industrial / Commercial (1993)*” and the “*Ventura Countywide Stormwater Quality Management Program Technical Guidance Manual for Stormwater Quality Control Measures (2002)*.”
202. **Permanent Stormwater Facilities** – Parking and associated drive areas, material storage and handling areas, delivery areas, loading docks and outdoor work areas shall be designed to minimize degradation of stormwater quality. Best Management Practices, such as oil/water separators, sand filters, landscaped areas for infiltration, basins or approved equals, shall be installed to mitigate pollutants, to the maximum extent practicable, from discharging to the storm drain system. The design

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must be submitted to the Public Works Department for review and approval prior to the issuance of a paving permit.

203. **SQUIMP Parking Lot Design Provisions** – To minimize the offsite transport of pollutants from parking surfaces (such as heavy metals, oils, grease, and hydrocarbons), the following design criteria are required:
- Reduce impervious land coverage of parking areas
 - Infiltrate runoff before it reaches the storm drain
 - Treat runoff before it reaches the storm drain system

The maintenance of all associated source control (prevention) and treatment control best management practices shall be assured.

204. **Site Erosion / Pollutant Runoff Control** – The applicant shall design and install all required erosion control measures to prevent the migration of soil, pollution or debris onto the public right-of-way or storm drains during the construction and grading operations. Said erosion control plans shall be in accordance with the California Stormwater Quality Association, Stormwater Best Management Practice Handbook for Construction (latest edition), and submitted to the Department for review and approval prior to issuance of any paving, grading or encroachment permits. All erosion control measures shall be subject to modification by the Department, as field conditions warrant.

205. **Inlet Labels** – All on-site drain inlets, whether newly constructed or existing, shall be labeled “Don’t Dump - Drains to Creek” in accordance with City requirements prior to final acceptance.

206. **Trash/Recycling Areas** – The applicant proposes chutes and trash receptacles for on-site trash and recyclable collection. Bins within trash enclosure spaces shall be afforded a 9’0” interior soffit clearance and means to keep bins separated and easily accessed for trash deposits and disposal. Trash and/or recycling areas shall be covered and shall be designed in accordance with the City’s latest Refuse Enclosure Space Requirements. Receptacles for trash, recyclables, and organics recycling shall be available within each enclosure. All litter/waste material shall be kept in leak proof containers. Area(s) shall be paved with impermeable material and include zero-slope upon interior slabs. No other area shall drain onto these areas. The trash enclosure and/or recycling area(s) shall not drain to the storm drain system nor the sanitary sewer, shall not have a hose-bib or other water supply, and all cleaning shall be performed using dry cleanup methods. The trash enclosures and their placement shall be designed to accommodate the above considerations, as well as access

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requirements of the City's waste hauler. Compactor units that are self-contained and watertight may remain exposed to rainfall provided the surrounding area is frequently inspected and cleaned.

207. **Landscaped Areas / Roof Drains** – Landscaped areas shall be designed with efficient irrigation to reduce runoff and promote surface filtration and minimize the use of fertilizers and pesticides which can contribute to urban runoff pollution. Unless otherwise recommended in the soils report, on-site stormwater discharges (including roof drains if applicable) shall be directed toward landscaped areas. Applicant may employ pervious landscaping design, rainfall capture pocket-planters, and other L.I.D. techniques and measures to the maximum extent practicable.
208. **Stormwater Pollution Prevention Plan and Notice of Intent (SWPPP)** – Prior to the issuance of any grading permit and/or the commencement of any clearing, grading or excavation for all projects that disturb over 1 acre, the applicant/owner shall submit a Notice of Intent (NOI) to the California State Water Resources Control Board, Storm Water Permit Unit, in accordance with the NPDES Construction General Permit (No. 2009-009-DWQ including amendments). The applicant/owner shall provide the City with a WDID number or proof of the NOI submittal. The applicant/owner shall comply with all additional requirements of this General Permit including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall be prepared by a certified QSD, fully comply with RWQCB requirements and contain specific BMPs to be implemented during project construction to reduce erosion and sedimentation to the maximum extent practicable. A copy of the adopted SWPPP shall be maintained in the construction site office at all times during construction and the site superintendent shall use the plan to train all construction site contractors in site Best Management Practices prior to starting work on the site. At a minimum, the following BMPs and requirements shall be included:
- A. Pollutant Escape: Deterrence
 - B. Pollutant Containment Areas
 - C. Pollutant Detainment Methods
 - D. Sediment control and capture
 - E. Erosion Control / Dust Control
 - F. Recycling/Disposal
 - G. Hazardous Materials Identification and Response
209. **Maintenance** – All areas of the property shall be maintained free of litter and debris. Parking and other paved areas shall be dry-swept routinely. All storm drains and related facilities shall be cleaned before each rainy season

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and as needed to ensure proper functioning. All landscaping shall be maintained with efficient irrigation to reduce run-off, promote filtration, and reduce the use of fertilizers and pesticides.

210. **Deed Restriction Regarding Best Management Practices (BMPs)** – Prior to issuance of occupancy, the applicant/owner shall record a Stormwater Covenant and Deed Restriction, requiring all property owners and their successors in interest to assume all duties and responsibilities for ongoing maintenance of all onsite permanent stormwater BMP's, including, but not limited to, maintenance of all Best Management Practice and any and all equipment which is required for implementation of Best Management Practices. Contained within the Covenant and Deed Restriction must be a description of the BMP's that are being provided as part of the project, a description of the inspection and maintenance requirements and procedures, and a site map indicating the location of the BMP's to be maintained. The draft language and contents included in the Covenant and Deed Restriction shall be submitted to the City Attorney's Office and Public Works Department for review and approval prior to issuance of building/paving/grading permits (MC 7-8.401(c)).

SUSTAINABILITY

211. **Trash Hauler Approval** – Prior to issuance of a trash enclosure building permit, the applicant shall provide a letter from Athens Services, the City's trash hauler, indicating they have reviewed the project plans and that the enclosure locations and orientation as shown are acceptable to their company for purposes of trash and recyclables access for collection vehicle pick up. Contact Athens Services at (805) 852-5264, or visit their Sustainability Center at 2251 East Thousand Oaks Boulevard.
212. **Construction/Demolition Debris Recycling Plan** – Prior to the issuance of a demolition permit (where the site contains existing structures or facilities) or of a grading/building permit, the applicant shall submit a Construction and Demolition (C&D) Debris Recycling Plan to the Sustainability Department for review and approval.

The applicant must divert a minimum sixty-five percent (65%) of all C&D waste materials generated from the project. The C&D Debris Recycling Plan shall indicate the proposed means of disposition of all C&D waste materials, including but not limited to, asphalt, concrete, wood, drywall, brush and vegetation, landscaping materials, lights, piping, concrete block, metal, and the like, which will be recycled, reused, salvaged, and /or delivered to a landfill. The Recycling Plan must also include estimated weights of the materials, list of proposed recycling/disposal facilities, and select an

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authorized hauling company to be used. For a list of authorized waste haulers and/or to complete and submit a C&D Debris Recycling Plan go to ThousandOaks.WasteTracking.com.

213. **Solid Waste, Recycling and Organics Collection** – Covered 3-bin enclosures are required for the collection of solid waste, recycling, and organics (food waste). The design of the enclosure must be large enough to accommodate collection containers for source-separated solid waste, organic waste, and recyclable materials.

Refer to the City's revised waste ordinance (November 16, 2021) governing the enclosures' locations, specific sizing, configuration, and clearances. Trash enclosures can be located inside parking garages, but the solid waste hauler must have access to parking garages or locked gates without restriction or prior notification. Waste service shall be located no further than 250 feet away from the structure for commercial spaces and 150 feet away from the furthest residential door.

Waste, Recycling and Organics collection containers should be included in each building for use by the occupants to segregate their materials. Organics containers should be located in break rooms, kitchens, or other locations where food is commonly consumed.

Locations with preparation areas like Kitchens or Cafés should have organics collection containers included in the back of house and in the front of house if the occupants dispose of finished food and packaging materials.

214. **Bulky Item Collection** – Multi-family projects must provide a covered location for occupants to place bulky items for collection by the authorized hauler. Access door(s) and egress walkways shall be clearly shown that is adequate to accommodate King-size mattresses and sofas (84" length and 40" depth).
215. **Operational Recycling Plan** – Prior to occupancy, in accordance with the City's Enclosure Space Regulations, each applicant and/or owner must submit a Recycling Plan pertaining to operational solid waste management after occupancy. A completed Recycling Plan form must be submitted for review and approval by the Public Works Department. A Certificate of Occupancy cannot be issued by the Community Development Department until the form is completed and processed by the Public Works Department.

216. **Potable Water and Landscape** –

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- Engineered slopes - reliance on vegetation to provide erosion control should be minimized. Plants that are used should provide effective erosion control with one day per week irrigation using potable water for extended periods (months or years).
- Turf - State law and City Ordinance prohibit non-functional turf in commercial developments. Please replace the turf with an alternate groundcover, such as California native grasses, UC Verde Buffalo Grass or non-invasive Kurapia. If the developer proposes turf as part of the project, please include an explanation of why it is "functional turf" and request a waiver from the Sustainability Division. Low flow irrigation systems are required for new groundcover installations.

TRAFFIC

217. **Traffic Mitigation Fees** – The applicant acknowledges that the subject development will impact traffic and agrees to provide for the mitigation by depositing with the City of Thousand Oaks the appropriate non-refundable fees no later than prior to the issuance of building permits.

218. **Sight Distance** – Adequate vehicular and pedestrian sight visibility shall be provided at all intersections of public streets and private driveways in accordance with the criteria specified within Plate 3-10. The improvement plans for all projects shall demonstrate compliance with this plate (and a means to execute on-going maintenance to guarantee preservation of sight visibility).

Stopping sight distance shall be the principal criteria in determining the appropriate location of on or off site improvements. It is especially critical that mature landscaping be considered in evaluating visibility, not just the barren ground. Stopping sight distance less than the minimum criteria as specified within Plate 3-10 shall be reviewed and approved by the Planning Commission, if determined necessary by the City Engineer or the Community Development Department. Where applicable, CC&R's shall require continued compliance with this condition and the requirements contained within Plate 3-10.

219. **Traffic Control Signs** – Control signs for regulation, warning and guidance of traffic shall be installed as required by the Department of Public Works. These shall include stop signs, speed signs, turn prohibition and one-way signs, pedestrian and school crossing signs, curve and hill warnings, not a through street signs, parking signs, bicycle route signing, together with pavement striping, road symbols and street name signs as required.

220. **Signs and Striping** – Prior to occupancy, all signs and striping shall be installed, and prior to final acceptance, the city may require the applicant to

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add traffic safety devices, such as signing and striping, the need for which are not apparent at time of plan approval, but which are warranted due to actual field condition. The applicant shall install the traffic safety devices prior to final acceptance.

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VENTURA COUNTY FIRE PROTECTION DISTRICT

221. **Fire Department Clearance** – Applicant shall obtain VCFD Form #610 "Requirements for Construction" prior to obtaining a building permit for any new structures or additions to existing structures.
222. **Building Plan Review** – Building plans of all A, E, I, H, R-1, R-2 or R-4 occupancies shall be submitted, with payment for plan check, to the Fire District for review and approval prior to obtaining a building permit. This review is concurrent with Building and Safety review. Plans (Architectural, Mechanical, Electrical, Plumbing, and dedicated fire service utility with design to finish above grade) shall be submitted directly to VCFD Fire Prevention.
223. **Fire-Flow Verification** – Applicant shall verify that the water purveyor can provide the required fire-flow requirements by having them fill out VCFD Form #625, Fire-Flow Verification.
224. **Access Road Width, Private Roads/Driveways** – Private roads shall comply with Public Road Standards.
- Access road width of 36 feet shall be provided for residential use with parallel parking permitted on both sides.
 - Access road width of 32 feet shall be provided for residential use with parallel parking permitted on one side.
 - Access road width of 24 feet shall be required with no on-street parking permitted.
 - Aerial Ladder Fire Apparatus Access, Multi-Family, Commercial or Industrial Buildings or portions of buildings or facilities with perimeter eave lines exceeding 30 feet in height above the lowest level of fire department access shall require an approved aerial ladder fire apparatus access roads and driveways. Aerial fire apparatus access roads and driveways shall have a minimum clear width of 30 feet. Overhead utility and power lines shall not be located within the aerial ladder fire apparatus access roads and driveways. At least one of the required access routes meeting this condition shall be located a minimum of 15 feet and a maximum of 30 feet parallel to one side of the buildings, as approved by the Fire District. Buildings exceeding 50,000 sq. ft. shall have the required access route along a minimum of two sides. Parking shall be prohibited along the required width of the access roads and driveways. Landscaping and other improvements between the required access and the buildings shall

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not interfere with aerial ladder fire apparatus operations, as approved by the Fire District.

225. **Mitigation to Aerial Fire Apparatus Access Roads**– The fire code official is authorized to reduce the required width to not less than 24 feet when all the following are provided.
- Automatic fire sprinklers are installed throughout the structure in accordance with NFPA 13.
 - Fire sprinkler standpipes are provided on all floors and through to the roof.
 - Two or more roof access points are provided through 2-hour fire rated stairs separated a distance not less than half of the diagonal of the structure.
226. **Ground Ladder Access** – Access around the building shall be provided to allow for laddering the building, at a maximum 75-degree angle, to reach emergency escape and rescue openings below the fourth story above the grade plane. A three (3) foot clear working space shall be provided around the ladder at ground level.
227. **Construction Access** – Prior to combustible construction, a paved all-weather access road / driveway suitable for use by a 20-ton Fire District vehicle shall be installed at locations approved by the Fire District.
228. **Construction Access Utilities** – Prior to combustible construction, all utilities located within the access road and the first lift of the access road pavement shall be installed. A minimum 20-foot clear width shall remain free of obstruction during any construction activities within the development once combustible construction starts.
229. **Turning Radius** – The access road shall be of sufficient width to allow for a 40-foot centerline turning radius at all turns in the road.
230. **Vertical Clearance** – All access roads / driveways shall have a minimum vertical clearance of 13 feet 6 inches (13' 6"). Clear of building to sky.
231. **Turnarounds** – Approved turnaround areas for fire apparatus shall be provided when dead-end Fire Department access roads / driveways exceed 150 feet. Turnaround areas shall not exceed a 5% cross slope in any direction and shall be located within 150 feet of the end of the access road / driveway. Turnaround areas shall not be used for parking and shall be kept free of obstructions at all times. Turnaround areas shall be posted as Fire Lanes in accordance with Fire District Fire Lane Standards.

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232. **Parking Prohibited** – The property owner(s) are hereby advised that parking on access roads / driveways and fire department turnarounds is prohibited.
233. **Access Point(s) on Roads** – Roads shall be provided such that any portion of the exterior walls, at grade level, of a building or structure, is not more than 150 feet from a road as measured by an approved route around the exterior of the building. Exception: The distance shall be permitted to be extended to 250 feet when the building is protected by an automatic fire sprinkler system in accordance with NFPA 13 and provided with an approved access walkway leading from the road to the exterior openings around the structure.
234. **Site Access** – Two (2) means of ingress/egress shall be provided to the development in accordance with Fire District access standards.
235. **Access Road Certification** – That the access road(s)/driveway(s) shall be certified by a registered civil engineer as having an all-weather surface in conformance with Public Works and / or Fire District standards. This certification shall be submitted to the Fire District for review and approval prior to occupancy.
236. **Fire Lanes** – Prior to construction the applicant shall submit two (2) site plans to the Fire District for approval of the location of fire lanes. Prior to occupancy, all fire lanes shall be posted “NO PARKING-FIRE LANE-TOW AWAY” in accordance with California Vehicle Code, the International Fire Code and current VCFPD Fire Lane Standards. All signs and or Fire Lane markings shall be within recorded access easements.
237. **Access Road Gates** – Any gates to control vehicle access are to be located to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of 15 feet in each direction shall be provided for separate entry / exit gates and a minimum 20 for combined entry / exit gates. If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure (battery back-up), shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.
238. **Walkways** – Approved walkways shall be provided from all building openings to the public way or fire department access road / driveway.

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239. **Walk and Pedestrian Gates** – If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure (battery back-up), shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.
240. **Address Numbers (Commercial, Industrial, Multi-family buildings)** – Building address numbers, a minimum of ten inches (10") high, shall be installed prior to occupancy, shall be of contrasting color to the background, and shall be readily visible at night. Brass or gold-plated numbers shall not be used. Where structures are set back more than 150 feet from the street, larger numbers will be required so that they are distinguishable from the street. In the event a 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 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.
241. **Address Directory** – An address directory shall be provided at all entrances to the project at locations approved by the Fire District. Design shall be in accordance with Fire District Addressing Standards. Directory plans shall be submitted to the Fire Prevention Division for review and approval prior to installation.
242. **Accessory Room Door Labeling** – All accessory room doors shall be labeled on the doors indicating use of the room (i.e., Electrical Room, Riser Room, Fire Alarm Panel Inside, Storage Room, Janitor, Roof Access, etc).
243. **Knox Device** – Exterior access doors leading to fire sprinkler riser rooms and alarm control panels shall be provided with a Knox Box for emergency access.
244. **Door Swing** – All exit doors shall swing in the direction of travel (outwards) when leaving the building.
245. **Panic Hardware** – All exit doors shall be provided with panic hardware when serving A, E, I occupancies with an occupant load of 50 or more persons.

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246. **Egress Aisle Clearance** – All required egress aisles shall be maintained clear of obstructions at anytime.
247. **Emergency Lighting and Exit Signs** – All emergency lights and exit signs shall be maintained in an operable condition at all times.
248. **Emergency Planning and Preparedness** – The owner / applicant and all occupants of buildings shall comply with the Fire Department requirements for Evacuation Plans, Drills and training as indicated under The International Fire Code, Chapter 4 “Emergency Planning and Preparedness”, and CCR Title 19 Sec 3.09. All required records and documentation shall be available for review by the Fire Department upon request.
249. **Fire Hydrant Plan** – Prior to construction, the applicant shall submit plans to the Fire District for placement of fire hydrants. On plans, show existing hydrants within 500 feet of the development. Indicate the type of hydrant, number and size of outlets.
250. **Fire Hydrant(s) Required** – Fire hydrant(s) shall be provided in accordance with current adopted edition of the International Fire Code, Appendix C and adopted amendments. On-site fire hydrants may be required as determined by the Fire District.
251. **Fire Hydrant Design (Commercial, Industrial, Multi-family buildings)** – Fire hydrants shall be installed and in service prior to combustible construction and shall conform to the minimum standard of the City of Thousand Oaks Water Works Manual and the following.
- a. Each hydrant shall be a 6-inch wet barrel design and shall have (1) 4 inch and (2) 2 ½ inch outlet(s).
 - b. The required fire flow shall be achieved at no less than 20-psi residual pressure.
 - c. Fire hydrants shall be set back in from the curb face 24 inches on center.
 - d. No obstructions, including walls, trees, light and signposts, meter, shall be placed within three (3) feet of any hydrant.
 - f. A concrete pad shall be installed extending 18 inches out from the fire hydrant.
 - g. Ground clearance to the lowest operating nut shall be between 18 to 24 inches.
252. **Hydrant Location Markers** – Prior to occupancy of any structure, blue reflective hydrant location markers shall be placed on the access roads in

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accordance with Fire District standards. If the final asphalt cap is not in place at time of occupancy, hydrant location markers shall still be installed and shall be replaced when the final asphalt cap is completed.

253. **Water System Plans** – Plans for water systems supplying fire hydrants and / or fire sprinkler systems and not located within a water purveyor’s easement, shall be submitted to the Fire District for review and approval prior to issuance of grading and/or building permits or signing of Mylar plans, whichever is first. Plans shall reflect only dedicated private fire service lines and associated appurtenances. Plans shall be construction drawings in accordance with the Ventura County Fire Code and applicable NFPA Standards and shall terminate above grade. Plan shall be design and submitted with the appropriate fees in accordance with VCFPD Standard 14.7.2.
254. **Fire Sprinklers** – All structures shall be provided with an automatic fire sprinkler system in accordance with current VCFPD Ordinance at time of building permit application.
255. **Fire Protection System Plans** – Plans for all fire protection systems (sprinklers, dry chemical, hood systems, etc.) shall be submitted, with payment for plan check, to the Fire District for review and approval prior to installation. Note: Fire sprinkler systems with 20 or more heads shall be supervised by a fire alarm system in accordance with Fire District requirements.
256. **Fire Alarm System** – A fire alarm system shall be installed in all buildings in accordance with California Building and Fire Code requirements.
257. **Fire Sprinkler System Maintenance** – The building fire sprinkler system shall be serviced and maintained in a proper working order at all times. Required maintenance inspections and service personnel shall be in accordance with CCR Title 19, and VCFPD Ordinance. Service and maintenance records shall be maintained on-site and available for review by the Fire Department upon request.
258. **Five-Year Fire Sprinkler Report** – A current Five-Year Fire Sprinkler System certification shall be maintained at all times in accordance with CCR Title-19 and VCFPD requirements. The required Five-Year Report shall be submitted to the Fire Department prior to expiration of the previous Five-Year certification.

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259. **Fire Alarm Certification** – The building fire alarm system shall be serviced and maintained in a proper working order at all times. Required maintenance inspections and service personnel shall be in accordance with NFPA 72. Service records shall be maintained on-site and available for review by the Fire Department upon request.
260. **Fire Extinguishers** – Fire extinguishers shall be installed in accordance with the International Fire Code. The placement of extinguishers shall be subject to review by the Fire District.
261. **Phasing Plan** – Applicant shall submit a phasing plan to the Fire Department for review and approval prior to construction.
262. **Fire Code Permits** – Applicant and/or tenant shall obtain all applicable Operational Fire Code Permits prior to occupancy or use of any system or item requiring an operational permit in accordance with Section 105 of the California Fire Code.

POLICE DEPARTMENT

263. **Door Security Hardware** – Exterior double doors shall have an astragal constructed of steel or aluminum a minimum of .125” thick, which will cover the opening between the doors. The attachment of the astragal shall comply with all applicable provisions of the Fire Code. Exterior, outward opening single doors shall have the appropriate type of latch guard installed so as to prevent the violation of the latch and strike. The latch guard shall be a minimum of .125” thick and extend a minimum of six inches above and below the door latch or deadbolt. Doors utilizing rim and cylinder locks shall have heavy-duty cylinder guards installed. All outward opening exterior doors shall have hinges equipped with non-removable hinge pins or a mechanical interlock (set screws) to prevent removal of the door from the outside by removing the hinge pins.
264. **Lighting** – Weather and breakage resistant covers shall protect all exterior lighting. Exterior lighting fixtures will be fully enclosed to minimize tampering and breakage. After hours exterior lighting shall provide sufficient illumination to allow viewing of the exterior of the buildings, all pedestrian walkways and parking areas (**ABOVE AND BELOW GROUND**). Interior after hours lighting is also highly recommended. The use of metal halide fixtures or Light-Emitting Diode (LED) is preferred over high-pressure sodium fixtures, since metal halide and LEDs provide superior illumination and color rendition. Adequate lighting is to be provided in the natural drainage area on the north side of the property. The photometric will be provided to the police department for review and approval.
265. **Landscaping** – Landscaping shall not cover, nor partially cover any exterior door or window. Landscaping, including trees, will not be placed directly under any overhead lighting that could cause loss of light at ground level. All landscaping will be kept trimmed in order to provide an unobstructed view of the parking areas and building from adjacent streets. The standard CPTED (Crime Prevention through Environmental Design) landscaping rules of “two foot / six foot” shall apply to the property (No shrubbery shall be higher than 2 feet and lower the tree canopy shall not grow below 6 feet). This will reduce concealment areas and keep the area well-lit during darkness hours.
266. **Address Numbers** – Wall mounted address numbers shall be a minimum of ten inches in height, be of a highly contrasting color to the background on which they are attached, and shall be illuminated from dusk to dawn by a permanent, dedicated light source.

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Address numbers shall be mounted in a prominent, non-obstructed location on all sides of the building. All individual unit numbers shall be a minimum of 4" in height, and will display the address at the main entrances and in an area which will be clearly visible from the main roadways in the complex.

267. **Utility Rooms And Enclosures** – All exterior utility rooms and enclosures containing electrical and telephone equipment shall be kept locked at all times.
268. **Trash Enclosures** – Exterior trash enclosures shall be kept closed and locked during non-business hours to discourage, loitering, illegal dumping and theft. Trash enclosures will be constructed to have outside visibility to reduce the possibility of camping or sleeping in the area.
269. **Video Surveillance System** – Will be required for a 360-degree view around the facility. Additionally, video surveillance with the same below listed parameters will be required for all roof deck areas including that for the public and stairwell areas. The video surveillance feed will be made immediately available to the Thousand Oaks Police Department upon request in the event of a major emergency or incident. A phone number to the Security Company or video surveillance provider will be provided to the Thousand Oaks Police Department upon completion of the project. The surveillance system will be HD quality, have night vision capabilities and be able to retain video data for no less than 30 days.
270. **Stairwells** – Stairwells leading to additional floors in the enclosed public and non-public areas will either have (1) mirrors, (2) an open stairs concept, (3) half-wall concept or (4) any combination of the aforementioned, to allow the traveler to view up or down to the next floor for the purposes of an increased field of view and reduced blind spots.

Additionally, any stairwell or doors leading from the public area to any office area is to be accessed by key-fob, key, punch code or other control device as to restrict access from the general, non-residing public. This includes all exterior doors on the perimeter of the residential portion of the project. The doors will have emergency access via a "Knox Box" or similar security device. A generic code for door access will also be provided to Sheriff's Dispatch at 805-654-9511 if coded. Any code changes need to be provided to Sheriff's Dispatch ASAP.

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271. **Parking Structures** – Install a digital, color, CCTV security camera system on each level of the parking structures. Cameras shall cover the parking areas as well as the pedestrian and vehicular egress and ingress points. Cameras shall provide good image quality during all hours of operation. It shall be a requirement that a minimum of the past 72 hours of recorded activity be retained by staff and be available upon request by the Police Department. The interior staircases shall be of the open construction variety in order to minimize blind spots and areas of concealment. Security mirrors shall be placed in the stairwells and parking structure interior.

- All exterior openings in the structure's walls shall be secured with decorative metal grids to minimize unauthorized pedestrian entry. The concrete flooring of the structure shall be rough swirled to prevent skateboarding, rollerblading, etc.
- For the safe movement of vehicles and pedestrians, lighting levels should be evenly distributed to provide uniform illumination of the entire parking area. Care should be given to prevent the casting of glare and spillover lighting outside of the structure. The applicant shall comply with the following lighting requirements in the proposed parking structure:
 - A minimum five-foot candles at the floor level shall be provided on interior driving aisles, at all times.
 - The roof parking area shall have a minimum maintained one-foot candle at floor level during hours of darkness.
 - Interior parking spaces at barrier and railings shall have a minimum maintained one-foot candle at floor level at all times.
 - Stairways, ramps and exits shall have a minimum maintained ten-foot candle at floor level at all times.
- The lighting for the parking structure shall be controlled by photocell and shall remain on during hours of darkness and diminished lighting.
- It is recommended that the interior walls and ceiling of the parking structure be painted with a light, reflective color to maximize lighting efficiency.
- All entrances to the parking structure shall be posted with signs indicating the structure is under 24-hour video surveillance. All driveway entrances shall be posted with appropriate signs per 22658(a) of the California Vehicle Code to assist in removing abandoned vehicles on the property.

272. **Underground Parking** – For the residents, will have a motorized gate to limit free and unrestricted access from persons not having business at the location. The garage area will have emergency access to the gate via a “Knox Box” or similar security device. A generic code for gate access will

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also be provided to Sheriff's Dispatch at 805-654-9511. Any code changes need to be provided to Sheriff's Dispatch immediately.

273. **Intrusion Alarm Systems** – If an intrusion (burglary) alarm system is used, it shall be an addressable, silent or audible system monitored by a U.L. approved central station. Minimum conditions for the intrusion alarm shall be as follows: any magnetic contacts used on windows or pedestrian doors shall be capable of allowing the door or window to open a minimum of one- and one-half inches without activating the alarm. Magnetic contacts on any garage-type door, rolling overhead door, sliding or rolling gate, etc. shall be capable of allowing the door or gate to open a minimum of three inches before activating the alarm.

The alarm system shall be equipped with a back-up battery capable of a minimum duration of 24 hours. Motion and glass break detectors shall be, at minimum, dual technology devices. Any interior alarm shall be individually zoned, and the central monitoring station shall notify the Police Department which zones have been activated and the location of those zones. Audible alarms shall automatically reset a maximum of 15 minutes after activation. Non-residential push button devices used to activate hold-up alarms shall be dual action. Keypad activation of a hold-up or duress alarm shall require an entry code a minimum of 2 digits higher than the normal activation code. Automatic dialers or direct connects to the Police Department are prohibited. The applicant shall submit plans for the alarm system to the Police Department Crime Prevention Bureau for review and approval prior to installation.

274. **Security Alarm Systems** – If a security alarm system is used, any magnetic contacts used on windows or pedestrian doors shall be capable of allowing the door or window to open a minimum of one- and one-half inches without activating the alarm. Magnetic contacts on any garage-type door, rolling overhead door, sliding or rolling gate, etc. shall be capable of allowing the door or gate to open a minimum of three inches before activating the alarm. The alarm system shall be equipped with a back-up battery capable of a minimum duration of 24 hours. Motion and glass break detectors shall be dual technology devices. Any interior alarm shall be individually zoned, and the central monitoring station shall notify the Police Department which zones have been activated and the location of those zones. Audible alarms shall automatically reset a maximum of 15 minutes after activation. Non-residential push button devices used to activate hold-up alarms shall be dual action. Keypad activation of a hold-up or duress alarm shall require an entry code a minimum of 2 digits higher than the normal activation code. The alarm system for the storage buildings may

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- terminate and be monitored in the manager's office when the office is occupied, but must be monitored by an alarm company central station at all other times. Automatic dialers or direct connects to the Police Department are prohibited. The applicant shall submit plans for the alarm system to the Police Department for review and approval prior to installation.
275. **Emergency Access** – The business will have emergency access for the police and fire department to the main gate or entrance / exit doors via a "Knox Box" or similar security device. A generic code for gate access should also be provided to Sheriff's Dispatch at 805-654-9511. Any code changes need to be provided to Sheriff's Dispatch ASAP.
276. **Mailboxes** – If a cluster box is used, it shall be placed in an area conducive to surveillance.
277. **Signs** – Any signs displayed must be far enough back from the street as to not impede with visibility to traffic. The street address shall be prominently displayed on the sign to assist first responders with identifying the facility.
278. **Parking** – In order to facilitate parking concerns, the developer shall post signs at each entrance to the parking lot indicating the California Vehicle Code will be enforced.
279. **Other Security Concerns** – The business will correct any safety or security concerns upon written notice by the Thousand Oaks Police Department.

Exhibit A
Mitigation Monitoring and Reporting Program (MMRP)

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM
LATIGO HILLCREST DEVELOPMENT PROJECT

This Mitigation Monitoring and Reporting Program (MMRP) provides a list of Mitigation Measures (MMs) from the Environmental Impact Report applicable to the project, and provides the Required Action/Responsible Party, Timing, Responsible Review Agency, and a column for notations related to Compliance Verification. This MMRP is a living document through the time periods outlined for each measure.

MITIGATION MEASURE	ACTION REQUIRED / RESPONSIBLE PARTY	TIMING	RESPONSIBLE REVIEW AGENCY	COMPLIANCE VERIFICATION (INITIALS/ DATE/ COMMENTS)
BIOLOGICAL RESOURCES				
MM BIO-1 – Pre-Construction Bat Surveys No earlier than three days prior to ground or vegetation disturbing activities, and separately three days prior to demolition activities if occurring 14 days or more after ground or vegetation disturbing activities, a City-approved qualified biologist shall inspect the outside and inside of the vacant structure for sign of roosting bats, such as presence of guano or direct observations. A report of the bat survey results shall be submitted to the City for review and approval prior to ground and/or vegetation disturbance activities. If evidence of bat roosting is observed, building demolition shall not be allowed until a qualified biologist can verify that the roost is no longer active. Separate ground or vegetation disturbing activities may commence if determined appropriate by the biologist, with or without an	Conduct bat surveys / Applicant’s Qualified Consultant	No earlier than three days prior to ground or vegetation disturbing activities, and separately three days prior to demolition activities if occurring 14 days or more after ground or vegetation disturbing activities	City of Thousand Oaks Department of Community Development	

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avoidance buffer if found necessary. If necessary, bats may be evicted and building demolished following submittal and approval of a Bat Avoidance Plan by the California Department of Fish and Wildlife (CDFW).				
CULTURAL, TRIBAL CULTURAL AND PALEONTOLOGICAL RESOURCES				
<p>MM PAL-1 – Paleontological Monitoring Plan</p> <p>Prior to construction, a company qualified to provide paleontological monitoring should be engaged by the applicant to provide monitoring services. The paleontological monitoring team should examine the project geotechnical report, the final project grading plan, and the site schedule to determine what subsurface activities may require paleontological monitoring of project site grading. Spot-check monitoring may be used within older alluvial deposits, however, if fossils are identified in older alluvial material, or if deeper fossil-bearing rock formations are encountered, then fulltime paleontological monitoring should take place to the end of site grading.</p> <p>The paleontological team will develop a construction phase paleontological monitoring plan (Monitoring Plan), which will include all available paleontological context for the project, including the Natural History Museum of Los</p>	<p>Review geotechnical report, the final project grading plan, and the site schedule to determine what subsurface activities may require paleontological monitoring of project site grading / Applicant's Qualified Paleontological Monitor</p> <p>Perform spot-check monitoring within older alluvial deposits and if fossils are identified, start fulltime monitoring and develop a Monitoring Plan / Applicant's Qualified Paleontological Monitor</p>	<p>Review of reports/plans: Prior to construction (review reports/plans)</p> <p>Monitoring (and Preparation of Monitoring Plan if applicable): During project grading</p>	<p>City of Thousand Oaks</p>	

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<p>Angeles County (NHM) record of findings, the geotechnical report, and the Phase I Cultural Resources Assessment, as well as guidelines on when spot-check and fulltime monitoring should be used, what the project discovery plan is for fossil resources, and what the communication plan is that should be followed in the case of discovery. The Monitoring Plan will also include a Worker Environmental Awareness Plan (WEAP) in order to educate grading and trenching teams on the purpose of monitoring and what paleontological monitors look for as to fossil resources. The WEAP training should discuss what actions should take place upon a fossil discovery.</p>	<p>Conduct WEAP Training / Applicant's Qualified Paleontological Monitor</p>			
<p>MM PAL-2 – Paleontological Monitoring</p> <p>The paleontological monitor will collect any fossil material that is uncovered through grading that is found within a disturbed context, and can halt construction within 30-feet of a potentially significant fossil resource if necessary. Fossils collected from a disturbed context or that do not warrant additional assessment can be collected, without the need to halt grading. If fossils are not present within the older alluvial or bedrock material, and the project conditions warrant reduced monitoring, then a weekly spot-check system of monitoring can be arranged</p>	<p>Collect any fossil material uncovered during grading, and halt work within 30-feet of a significant fossil resource and follow appropriate discovery protocol / Applicant's Qualified Paleontological Monitor</p> <p>Prepare a final project Monitoring Report and a Curation Plan and curation, if</p>	<p>During project grading</p>	<p>City of Thousand Oaks Community Development Department</p>	

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<p>by the compliance team with the construction manager. However, if fossils are encountered, which cannot be removed during grading and that the monitor believes will need further assessment, then the project “discovery” protocol will be followed. Discovery situations that do not lead to further assessment, survey, evaluation, or data recovery can be described in the monitor’s daily Monitoring Report.</p> <p>All fossils recovered that may be of importance to California paleontology, will be cleaned, analyzed, and described within a final project Monitoring Report, which will be submitted to the NHM at the end of the project. All materials will be curated at the NHM or placed on public display by the owner. If important fossils are found during monitoring, a Curation Plan will be needed that is reviewed by the lead agency prior to the publication of the Monitoring Report. The costs of the Monitoring Report, the Curation Plan, and the processing, analysis, and curation of all fossils will be the responsibility of the applicant.</p>	<p>applicable, in coordination with the NHM / Applicant’s Qualified Paleontological Monitor</p>			
<p>MM PAL-3 – Fossil Discovery Protocol</p> <p>If fossil materials are encountered by the project grading or trenching crews when the worksite is not being monitored, either because the project is not within sensitive rock units or</p>	<p>Outreach to the Paleontological Monitor if fossil materials are encountered when the Monitor is not present / Applicant’s</p>	<p>During project grading or trenching</p>	<p>City of Thousand Oaks Community Development Department</p>	

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<p>because spot- check monitoring is taking place, then a Fossil Discovery Protocol should be followed by the grading/trenching team.</p> <p>If potentially significant fossil materials are encountered during project grading within native soils or original context, then all work in that area shall be halted or diverted away from the discovery to a distance of 30-feet until a senior paleontologist can evaluate the nature and/or significance of the find(s). If the senior paleontologist confirms that the discovery is potentially significant, then the lead agency and the applicant will be contacted and informed of the discovery. Construction will not resume in the locality of the discovery until consultation between the senior paleontologist, the applicant, the lead agency, and any other concerned parties (such as additional regulatory agencies), takes place and reaches a conclusion approved by the lead agency.</p> <p>If a significant fossil resource is discovered during earth-moving, complete avoidance of the find is preferred. However, if the discovery cannot be avoided, further survey work, evaluation tasks, or data recovery of the significant fossil resource may be required by the lead agency. The lead agency may also require additional site monitoring</p>	<p>Construction Contractor</p> <p>Halt all work in the area of potentially significant fossil materials and within 30-feet until a Senior Paleontologist can evaluate the discovery and if significant, inform the City of Thousand Oaks and Applicant / Applicant's Construction Contractor Applicant's Qualified Paleontological Monitor</p>			

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based on the nature of the discovery. All costs for site monitoring, discovery assessment, discovery evaluation, or data recovery of will be the responsibility of the Applicant. Any reports generated by the discovery event will be submitted to the NHM at the conclusion of the project.				
HAZARDS AND HAZARDOUS MATERIALS				
MM HAZ-1 – Soil Vapor Testing Due to the project being in close proximity to two open cleanup sites as Recognized Environmental Conditions (RECs) with a potential Vapor Encroachment Condition (VEC), although the possibility of hazardous material migrating beneath the project site from the RECs is considered low, limited soil vapor testing in the areas of proposed buildings intended for human occupancy shall be required at the project site. The results of the soil vapor testing will be used to evaluate if potential VECs exist and whether engineer controls (vapor barrier) are needed for the proposed redevelopment of the project site.	Conduct soil vapor testing to investigate potential vapor encroachment conditions and if vapor control is needed for redevelopment / Applicant's Qualified Consultant	Prior to demolition and construction activities	City of Thousand Oaks Department of Building and Safety	
NOISE AND VIBRATION				
MM NOI-1 – Construction Barrier A 12-foot-high barrier shall be placed at the eastern boundary of the project site during construction to reduce the construction noise levels at the residences by 14 dBA to 57 dBA. The resulting predicted mitigated construction noise level of	Place a 12-foot-high barrier at the eastern boundary during demolition and construction activity / Applicant's Construction	Prior to demolition and construction activities	City of Thousand Oaks Department of Building and Safety	

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57 dBA is close to the measured ambient noise levels and will temporarily increase the ambient noise level by approximately 1 to 2 dBA at the residences to the east, as shown on Table 6 of the EIR Noise and Vibration Study (Veneklasen 2023).	Contractor			
MM NOI-2 – No Impact Pile Drivers In order to avoid impacts to vibration-sensitive uses north of the project site, impact pile drivers shall not be used on site and alternative equipment and methods (such as cast-in-drilled-hole (CIDH) piles) shall be used to construct the deep foundation system for the proposed project buildings.	Use alternative equipment and methods in place of impact pile drivers / Applicant’s Construction Contractor	During construction activities	City of Thousand Oaks Department of Building and Safety	
MM NOI-3 – Construction Equipment Limitations at the Eastern Boundary In order to assure avoidance of potential building damage impacts, no more than two units of powered construction equipment shall be used at the same time within 20 feet from any residence on the east side of the site.	Use no more than two units of powered construction equipment within 20 feet of any residences to the east / Applicant’s Construction Contractor	During construction activities	City of Thousand Oaks Department of Building and Safety	

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