

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THOUSAND OAKS CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT AND MITIGATION MONITORING AND REPORTING PROGRAM, APPROVING A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATIONS OF PROPERTY LOCATED AT 400 EAST ROLLING OAKS AND 355 WEST JANSS ROAD, AND APPROVING A DEVELOPMENT PERMIT, PARCEL MAP WAIVER, AND PROTECTED TREE PERMIT FOR THE USE OF CERTAIN PROPERTY WITHIN SAID CITY AT 400 EAST ROLLING OAKS [APPLICATIONS: 2022-70775-EIR, 2022-70587-LU, 2022-70733-Z, 2022-70732-DP, 2022-70736-PMW, 2022-70735-PTP; LOCATIONS: 400 EAST ROLLING OAKS, ASSESSOR'S PARCEL NUMBERS: 681-0-180-265, 681-0-180-275 AND 355 WEST JANSS ROAD, ASSESSOR'S PARCEL NUMBER (APN): 522-0-270-135; AND APPLICANTS: HCA HEALTHCARE – LOS ROBLES HOSPITAL]

SECTION 1

The City Council of the City of Thousand Oaks, California, DOES RESOLVE AS FOLLOWS:

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. Environmental Impact Report (EIR) 2022-70775-EIR (State Clearinghouse Number 2023040287): Consider the Final Environmental Impact Report (EIR), including Mitigation Monitoring and Reporting Program (MMRP) prepared in accordance with the California Environmental Quality Act (CEQA) for the subject project.
2. General Plan Amendment (GPA) 2022-70587-LU: To change the General Plan Land Use Designation from Neighborhood Very Low to Commercial Neighborhood for the property at 400 East Rolling Oaks Drive (APNs 681-0-180-265 and 681-0-180-275) to accommodate the commercial Cancer Center medical office building and change the Land Use Designation from Institutional to Neighborhood Low 1 (>2-4.5 units

per acre) for the property at 355 West Janss Road (APN 522-0-270-135).

3. Zone Change (Z) 2022-70733-Z: To allow a Zone Change from Rural Exclusive, 1 acre minimum (R-E) to Commercial Office/Height Overlay (C-O/C-O-H) with the Height Overlay, limited to the building footprint and at the finished floor levels as indicated in the plan materials, to allow a building to be up to 44-feet 2-inches tall for the property at 400 East Rolling Oaks Drive to accommodate the Cancer Center medical office building at a maximum building height of 44-feet 2-inches and change the zoning from Public, Quasi-Public, and Institutional Lands and Facilities Zone (P-L) to Residential Planned development-4.5 dwelling units per acre (RPD-4.5U) for the property at 355 West Janss Road.
4. Development Permit (DP) 2022-70732-DP: To allow the demolition of all improvements on the property and construction of an approximately 58,412 square foot (sf) medical office building that accommodates various cancer medical and patient services. The building height would range between 27 feet and 44 feet 2 inches at its highest point. Primary access would be off Rolling Oaks Drive and secondary access off Los Padres Drive with open and covered parking provided on the property. The project also includes the installation of hardscape, landscape, utilities, retaining walls, and associated grading on slopes steeper than 25 percent.
5. Parcel Map Waiver (PMW) 2022-70736-PMW: To merge two lots, commonly referred to as APNs 681-0-180-265 and 681-0-180-275, into one legal lot of record.
6. Protected Tree Permit (PTP) 2022-70735-PTP: To allow removal of 14 protected oak trees consisting of 11 coast live oak (*Quercus agrifolia*) trees, two holly oak (*Quercus ilex*) trees, and one valley oak (*Quercus lobata*) tree, and to plant replacement trees at a 3:1 ratio resulting in a total of 42 oak trees consisting of 26 24-inch box size and 16 36-inch box size oak trees being planted on site. Additionally, this PTP would allow encroachment within the protected zone of seven protected trees consisting of five coast live oak (*Quercus agrifolia*) trees, one valley oak (*Quercus lobata*) trees, and one toyon (*Heteromeles arbutifolia*).

WHEREAS, on April 21, 2022, a Notice of Application was posted on the subject property and mailed to all property owners within a 500-foot radius of the subject property;

WHEREAS, on October 26, 2023, an updated Notice of Application was posted on the subject property and mailed to all property owners within a 500-foot radius of the subject property;

WHEREAS, on February 26, 2024, Notice of Planning Commission (Commission) Public Hearing was published in the "VC Star," a newspaper of general circulation within the City of Thousand Oaks and was mailed to all property owners within a 500-foot radius of the subject property;

WHEREAS, on February 26, 2024, a Notice of Hearing sign was posted on the subject property; and

WHEREAS, the Commission, upon giving the required notice, did, on the 11<sup>th</sup> day of March, 2024, conduct a duly-advertised public hearing as prescribed by law to consider said application; and

WHEREAS, at the March 11, 2024, Commission public hearing, oral and written evidence, including a staff report, were presented and received, and comments and arguments were heard from all interested parties appearing in the matter.

WHEREAS, on March 12, 2024, a Notice of Hearing sign was posted on the subject property; and

WHEREAS, on March 12, 2024, Notice of City Council Public Hearing was mailed to all property owners of record within a 500- foot radius of the subject site; and

WHEREAS, on March 15, 2024, Notice of City Council Public Hearing was published in the "Acorn," a newspaper of general circulation within the City of Thousand Oaks; and

WHEREAS, the City Council, upon giving the required notice, did, on the 26<sup>th</sup> day of March 2024, conduct a duly advertised public hearing as prescribed by state law to consider said application; and

WHEREAS, at the March 26, 2024, City Council public hearing, oral and written evidence, including a staff report, were presented and received, and comments and arguments were heard from all interested parties appearing in the matter.

## SECTION 2

WHEREAS, pursuant to CEQA, City conducted environmental review of the project (consisting of a 2022-70775-EIR/2022-70587-LU/2022-70733-Z/2022-

70732-DP/2022-70736-PMW/2022-70735-PTP/LPC-2023-70008), prepared and duly processed an EIR ("Los Robles Comprehensive Cancer Center and the 355 West Janss Road General Plan Amendment and Zone Change Project" EIR), consisting of a Draft EIR dated December 2024 and a Final EIR dated March 2024, 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 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 April 11, 2023, and circulated the NOP for a period of 30 days (between April 11 and May 11, 2023), 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, a public scoping meeting was held on May 2, 2023, to familiarize the public with the Project and the environmental review process and receive input as to the scope of the Draft EIR and issues of community concern; and

WHEREAS, 23 written statements were received by the City in the response to the NOP consisting of six agency letters, seven written statements were received by private organizations and members of the public, and an additional ten written statements or verbal comments were received at the scoping meeting by members of the public, which assisted the City in narrowing the issues and alternatives for analysis in the Draft EIR; and

WHEREAS, the Draft EIR was completed and released for public review on December 22, 2023 and City initiated a 45-day public comment period (between December 22, 2023, and February 5, 2024) 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 (NOC) and Notice of Availability (NOA) to all organizations and individuals who had previously requested such notice and published the NOC on December 22, 2023, in a newspaper of general circulation in the Project area. Pursuant to the City of Thousand Oaks Local CEQA Guidelines, the NOA was mailed to all residents and property owners lying within 500 feet of the Project. The Draft EIR was posted on the City's website, public counter and public libraries; and

WHEREAS, 25 written statements were received by the City in response to the NOC and NOA during the 45-day public comment period consisting of one agency letter and 24 written statements by private organizations and members of the public; and

WHEREAS, the City prepared written response to comments following the closure of the public comment period for 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 Commission and City Council have 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 judgment 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; and

WHEREAS, the City Council supports adoption and certification of said 2022-70775-EIR, and makes the following findings of fact and recommends the following to City Council:

1. 2022-70775-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 (2022-70775-EIR) conducted an environmental analysis for each of the environmental factors outlined in Appendix G of the CEQA Guidelines, Environmental Checklist Form and identified the following environmental factors as:
  - a. No significant impacts: Agriculture and Forestry Resources; Geology and Soils; Hydrology and Water Quality; Mineral Resources; and Population and Housing.
  - b. Less than significant impacts: Aesthetics; Air Quality; Energy; Greenhouse Gas Emissions; Land Use and Planning; Public Services and Recreation; Transportation; and Utilities and Service Systems.
  - c. Potentially significant impacts without mitigation but less than significant with mitigation incorporated: Biological Resources; Cultural, Tribal and Historical Resources; Geology and Soils (Paleontological Resources); Hazards and Hazardous Materials; Noise; and Wildfire.

Mitigation Measures have been imposed upon the project which will feasibly reduce or eliminate any potential adverse effects to less than significant levels. Based on Final EIR, the Mitigation Monitoring and Reporting Program (MMRP) and any comments received, it is found that, there is no substantial evidence that the project will have a significant effect on the environment.

4. A 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, 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. 2022-70775-EIR has been reviewed for conformance with the provisions of the CEQA. 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. The City Council has reviewed and considered the information contained in the project Final EIR, and written and oral comments regarding environmental effects. The project EIR was prepared in accordance with the requirements of CEQA, includes all comments received on the EIR and the City's response thereto, reflects the independent judgment of the City of Thousand Oaks. Each of the following findings is supported by and elaborated in the CEQA Findings of Fact found in the Final EIR.
7. Based on all written and oral evidence and testimony in the record, the project Final EIR (a) complies with the requirements of CEQA and adequately identifies and considers all potential significant environmental effects of the General Plan Amendment, Zone Change; Development Permit; Parcel Map Waiver; and Protected Tree Permit, and (b) reflects the City's independent judgment and analysis.
8. The City Council adopts and makes the CEQA Findings and certifies the Final EIR as legally adequate under CEQA as to each development application associated with the project and adopts the MMRP and incorporates its provisions as conditions of approval for each of the development applications associated with the project to the extent appropriate.

### 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 General Plan Amendment No. 2022-70587-LU, to change the land use designations as described above in Section 1; 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 findings of the City Council supporting approval of General Plan Amendment 2022-70587-LU as shown in Exhibit "A" and Exhibit "B" are as follows:

1. *A proposed amendment to an element of the General Plan may be initiated in the following manner only: (a) By the adoption of a resolution of the Planning Commission setting the matter for study and hearing; or (b) By the adoption of a resolution of the Council requesting the Planning Commission to set the matter for hearing, report, and recommendation: (1) Upon its own motion; or (2) Upon the acceptance of a petition filed pursuant to the provisions of Article 3 of this chapter. In all cases where*

*an amendment to the General Plan is initiated, the Council or Planning Commission shall designate the area and/or subjects to be studied. (TOMC Section 9-2.202).*

On July 5, 2022, the City Council initiated a General Plan Amendment through the adoption of Council Resolution No. 2022-040, and the City Council authorized the concurrent processing of entitlement applications for the project requiring the Commission to make a recommendation to Council for the whole of the entitlement request.

2. *When the city or county has a planning commission authorized by local ordinance or resolution to review and recommend action on a proposed general plan or proposed amendments to the general plan, the commission shall hold at least one public hearing before approving a recommendation on the adoption or amendment of a general plan. (California Government Code Section 65353) The planning commission shall make a written recommendation on the adoption or amendment of a general plan. Code Section 65354).*

On March 11, 2024, the Commission held a public hearing to consider the requested General Plan Amendment and associated entitlement applications, where the Commission adopted Resolution No. 05-2024 PC recommending approval of the General Plan Amendment and concurrent entitlement applications, pursuant to the following findings:

The City Council considered the range of competing interests within the 2045 General Plan, and the City Council found the General Plan Amendment is consistent with the intent of the 2045 General Plan. The General Plan Amendment changes the General Plan Land Use Designation from Neighborhood Very Low to Commercial Neighborhood for the property at 400 East Rolling Oaks Drive (APNs 681-0-180-265 and 681-0-180-275) to accommodate the proposed commercial Cancer Center medical office building and changes the Land Use Designation from Institutional to Neighborhood Low 1 (>2-4.5 units per acre) for the property at 355 West Janss Road which is necessary to satisfy the “no net loss” rule established by Senate Bill (SB) 330. The land use designations of the subject properties are compatible with and do not frustrate, the 2045 General Plan's goals and policies, as described in the findings below.

#### 400 East Rolling Oaks Drive

The land use designation will be changed from Neighborhood Very Low to Commercial Neighborhood for the property. The Commercial Neighborhood land use designation will be consistent with the existing land uses in the near vicinity of 400 East Rolling Oaks. Properties to the north and northwest of 400 East Rolling Oaks Drive are already designated as Commercial Neighborhood, and these



properties already abut or are adjacent to properties with land use designations of Commercial Neighborhood, Neighborhood Rural, Neighborhood Very Low, Neighborhood High, and Parks, Golf Courses, and Open Space. These land uses have been found to be compatible with one another in terms of both physical development standards and allowed uses.

### 355 West Janss Road

The land use designation will be changed from Institutional to Neighborhood Low 1 for the property. The Neighborhood Low 1 land use designation will be consistent with the existing land uses in the near vicinity of 355 West Janss Road. Los Robles Hospital is located at 215 West Janss Road, and that property has an existing Institutional land use designation and immediately abuts properties with land use designations of Neighborhood Low 1 (north and east), Commercial Neighborhood (west), and is adjacent to properties with a Neighborhood Rural land use designation (south). Properties with the Neighborhood Low 1 land use designation in the area (north and west) abut or are adjacent to properties with a Parks, Golf Courses, and Open Space land use designation. These land uses have been found to be compatible with one another in terms of both physical development standards and allowed uses.

The project was reviewed for its consistency with the 2045 General Plan as part of the EIR process. Specifically, three tables specify how the project is consistent with General Plan Goals and Policies:

1. EIR Table 4.1-1 “Project consistency With Scenic Quality Policies and Zoning” (Section 4.1, Pages 4.1-11 through 4.1-25), and
2. EIR Table 4.8-1 “Project Consistency with General Plan – Cancer Center Site” (Section 4.8-1, Pages 4.8-6 through 4.8-8), and
3. EIR Table 4.8-2 “Project Consistency with General Plan – Janss Road Site” (Section 4.8-1, Pages 4.8-9 through 4.8-10)

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
<b>City of Thousand Oaks General Plan</b>	
<b>Conservation Element</b>	
Goal C-2: Minimize and mitigate the visual effects of new urban development on hillsides.	<b>Cancer Center Component:</b>  <b>Consistent.</b> The Cancer Center site is located adjacent to existing development to the north, west, and east, and a knoll to the south. As indicated in Figures 3-6a and 3-6b, the proposed medical facility would be similar in scale and style
Policy -2.1. Hillside areas. Employ site and architectural design techniques to blend development into the hillside terrain.	

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
	<p>to the existing medical complex located to north. The building would take advantage of the existing changes in topography on the Cancer Center site and would reduce apparent scale by notching into the existing slope/grade. Additionally, the site will provide 14 percent landscape coverage, providing enhanced perimeter landscape treatment and setbacks, and partial screening of the proposed building from U.S. 101. The scale, building materials, and colors reflected in the building design would be visually compatible with adjacent medical center development to the north and as a result, would create a harmonious visual scene.</p> <p><b>Janss Road Component:</b></p> <p><b>Consistent.</b> There is no proposed development at the Janss Road site at this time. Future development at the site would require review for consistency with this policy at the time a development application is submitted.</p>
<p>Policy 2.2. Slope development. Limit development on steep slopes (25% and over) and ridgelines.</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Portions of the Cancer Center site contain slopes with a 25% natural grade of greater. Slopes on the Cancer Center site greater than 25% are limited to the southern portion of the Cancer Center site behind the proposed Cancer Center building and along the eastern boundary of the Cancer Center site.</p> <p>While the Cancer Center component would include grading on slopes that are over 25% natural grade, and the development of the site would include construction of a tiered retaining wall along the southern</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
	<p>boundary (and segments of the eastern and western boundary). As shown in Figure 4.1-6, views of the graded area tiered retaining walls from Rolling Oaks Drive would be partially obstructed by the Cancer Center building and landscaping. Additionally, views would be brief as pedestrians and motorists travel along Rolling Oaks Drive and views of the retaining walls and altered slopes would be limited and would not result in a substantial effect to existing scenic quality. The Cancer Center does not propose manufactured slopes nor fill that would exceed 25 feet.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> The Janss Road site does not contain slopes with a 25% natural grade or greater.</p>
<p>Policy 4-1. Protected tree preservation. Continue to implement the City's Oak Tree and Landmark Tree Ordinances per the municipal code and the Oak Tree Preservation and Protection Guidelines.</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> As described in Section 4.3, implementation of the Cancer Center component would include the removal of 14 protected trees, and planting of 42 mitigation oak trees. The Applicant would be required to obtain a City of Thousand Oaks Protected Tree Permit as part of the Project and mitigate impacts per MM-BIO-9, which would include the replacement of trees at a 3:1 ratio. The Cancer Center site does not contain any Valley Oak habitat on site.</p> <p><b>Janss Road Component:</b></p> <p><b>Consistent.</b> It is reasonably foreseeable that future development at Janss Road site could result in removal of some of the protected oaks on site. However, review of plans for future development at the site will be required by the City and the project</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
	<p>applicant would be required to obtain a City of Thousand Oaks Oak/Landmark Tree Permit prior to construction and mitigate impacts per MM-BIO-9. The Janss Road site does not contain Valley Oak habitat.</p>
<p>Policy 9.1. Wetlands and riparian habitat. Preserve wetlands and riparian habitat by maintaining existing wetland and riparian buffers as open space to protect the community's water quality, biodiversity, and aesthetic value.</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> The Cancer Center development would avoid direct impacts to wetlands adjacent to the Cancer Center site. Indirect impacts would not occur due to compliance with the applicable regulations. See Section 4.3, Biological Resources for more details.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> The Janss Road site is currently a parking lot. No wetlands are present currently.</p>
Land Use Element	
<p>Policy 10.1. Public view corridors. Reaffirm and update adopted view sheds protection within the Ridgeline Study. Promote development practices that enhance and frame views of the mountains and ridgelines from view corridors along public rights of ways</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> The Cancer Center site is located adjacent to existing development to the north and east, and a knoll to the south. The proposed medical facility would be similar in scale and style to the existing medical complex located to north.</p> <p>Additionally, as described above in Threshold A, the Cancer Center Component would not be constructed within existing open space or substantially alter scenic resources near the Cancer Center site.</p> <p><b>Janss Road Component:</b></p> <p><b>Consistent.</b> The Janss Road site is currently developed as a parking lot. No development at the site is proposed at this time.</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
	As described above in Threshold A, the site is not located within existing open space and would not alter scenic resources near the site.
<b>Freeway Corridor Design Guidelines</b>	
<b>Section A- Site Planning</b>	
<p>(1) Buildings should be located on relatively level land between knolls or on moderate slopes They should not be placed on ridgelines conspicuous hilltops or steep hillsides where potential silhouetting and extensive grading impacts could result. The plotting of any structures shall consider adequate backdrop to blend into the natural surroundings with a minimum of visual impact</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> The Cancer Center is positioned on site to utilize the existing developed portion of the site that was previously graded and developed. Grading of steep hillsides for the Cancer Component would be primarily located in the southern portion of the site, away from U.S. 101.</p> <p>Further, as shown in Figure 4.1-4, views of the proposed building would be partially obstructed by the existing trees on site and intervening topography. Views of grading impacts would be obstructed from view of users of U.S. 101.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(2) Building footprints shall reflect an integration of design that joins the buildings with the natural terrain Extensive grading shall be avoided The site topography shall determine the form of architectural design</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> The Cancer Center building would be centered on a previously graded portion of the site. The building would take advantage of the existing changes in topography on the Cancer Center site and reduce apparent scale by notching into the existing slope/grade.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
(3) All structures shall avoid large straight blank facades visual interest in design shall be provided by stepping the buildings back and creating more open space between the buildings and the roadway in both horizontal and vertical directions	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> The Cancer Center façade would include multiple projections, planes, and features (e.g., windows, decorative ironwork, beams) that would break up the massing of the structure and add visual interest/avoid a monotonous visual experience. In addition, the building design incorporates a “porte-cochere” along its northern façade that creates the illusion of a greater setback from Rolling Oaks Drive.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(4) Building setbacks from the freeways and open spaces between buildings adjacent to the freeways shall be increased to allow for landscaping and reduced visual impact Distances shall be determined by viewshed site topography and configuration and architectural design of the proposed buildings.	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> The Cancer Center Component would provide a 20-foot front setback from property line to building along Rolling Oaks Drive, a 20-foot side setback from Los Padres Drive, and a 20-foot side setback from the property line along the east edge of the property. Additionally, the Cancer Center Component would provide 14 percent landscape coverage (approximately 17,000 SF) (as shown in Figure 3-7a and 7b), providing enhanced perimeter landscape treatment, further softening the visual impact of the Cancer Center component.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(5) Buildings shall be oriented at angles to the freeways to reduce the exposed facades visible from the roadway This shall also provide additional open space for innovative landscape designs and open up views to distant features	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> As shown in Figure 4.1-4, views of the proposed building would be partially obstructed by</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
	<p>the existing trees on site and intervening topography. The Cancer Center component would also provide enhanced perimeter landscape treatment as shown in Figure 3-7a and 7b of this EIR.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(6) Vehicle parking lots within the freeway view corridors shall be screened by utilizing combinations of earthen berms landscaping predominantly evergreen and innovative decorative wall designs to reduce the visual impact of rows of glittering automobiles Building placement can also serve as a method of screening parking lots</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> The Cancer Center would include vehicle parking surrounding the Cancer Center building. As shown in Figure 4.1-4, views of the proposed parking lot would be disrupted by the existing trees on site and intervening topography. Existing trees on site bordering the parking lot along the northern boundary of the Cancer Center site and the northeastern corner would remain on site. Additionally, the project would plant additional trees, shrubs, and boulders to reduce views of vehicles within the project parking lot from the roadway.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(7) Exterior lighting fixtures shall be designed and placed in such a manner as to prevent spillage of illumination beyond the boundaries of the project site</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Please refer to analysis under Threshold D.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p><b>Section B- Architectural Design</b></p>	
<p>(1) Building architecture shall make creative and innovative statements yet not appear as an imposition on the landscape Buildings must be designed at a scale</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> The Cancer Center site is located adjacent to existing</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
<p>and manner that is sensitive to the terrain reflecting an integration of architecture and topography</p>	<p>development to the north, west, and east, and a knoll to the south. The proposed medical facility would be similar in scale and style to the existing medical complex located to north. The building would take advantage of the existing changes in topography on the Cancer Center site and reduces apparent scale by notching into the existing slope/grade on the Cancer Center site. Additionally, as shown in Figures 3-7a and 7b, the site will provide 14 percent landscape coverage, providing enhanced perimeter landscape treatment and setbacks. The project would include a 20-foot side and front setback from property line to building along Rolling Oaks Drive and Los Padres Drive. The proposed Project also accommodates a 20-foot side setback and a 25-foot utility easement from the property line along the east edge of the property. Further, as shown in Figure 4.1-4, views of the proposed building would be partially disrupted by the existing trees on site and intervening topography.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(2) Building architecture shall incorporate the use of design articulation to break up building mass into smaller components The use of angled building corners sloping facades projecting and recessing of walls opening sections of the buildings and the integration of landscape elements will help to reduce a bulky appearance</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Please refer to guideline A(3) above. As shown in Figure 4.1-4, views of the proposed building would be partially disrupted by the existing trees on site and intervening topography and views from U.S. 101 would be limited to the clay roof tiles and small portion of the building's façade.</p> <p><b>Janss Road Component:</b></p>



**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
	<p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(3) Proper siting of buildings allowing open sections within buildings or among groups of buildings shall provide some form of visual relief and maintain views of distant features</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> As shown in Figure 4.1-4, views of the proposed building would be partially disrupted by the existing trees on site and intervening topography and views from U.S. 101 of the Cancer Center would be limited. The Cancer Center site would include a parking lot along the northern border of the project boundary which would provide additional distance between U.S. 101 and the Cancer Center building. Further the Cancer Center component would include landscaping along the northern boundary.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(4) Building roof architecture shall be designed in a manner that is sensitive to both building and terrain Exposure of large expansive roof areas shall be avoided</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> The Cancer Center building would have mansard roofing broken up with canopy roofs which would provide variation in the roofline. As shown in Figure 4.1-4, views of the proposed building would be limited to the roofing and a small portion of the building's façade due to existing trees on site and intervening topography. Further, the building would take advantage of the existing changes in topography on the Cancer Center site and reduces apparent scale by notching into the existing slope/grade.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
(5) Roof designs shall maintain a proportional relationship to the scale and shape of the building walls. Sloped roofs are encouraged and will depend upon the site topography to avoid creating an imposing structure. The use of roof overhangs in proportion to wall heights is encouraged to integrate the building with the terrain by providing a lower perceived horizontal structure. Such designs are necessary to achieve greater effective shadow treatment to enhance the building architectural facade and provide a perceived	<b>Cancer Center Component:</b> <b>Consistent.</b> Please refer to guideline B (4). <b>Janss Road Component:</b> <b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.
(6) Exposure of roof mounted mechanical equipment will not be permitted. Protective screening shall be integrated into the building's overall design of wall and roof components.	<b>Cancer Center Component:</b> <b>Consistent.</b> Mechanical equipment on the roof would be screened by the varying roofline and mansard roofing. <b>Janss Road Component:</b> <b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.
(7) Upper floor levels on multi-story buildings should be stepped back from their base to open up the view corridor both horizontally and vertically.	<b>Cancer Center Component:</b> <b>Consistent.</b> As described above, the building would take advantage of the existing changes in topography on the Cancer Center site and reduces apparent scale by notching into the existing slope/grade. <b>Janss Road Component:</b> <b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.
(8) The roofs of buildings which are constructed on land sloping up or down from the freeway shall be parallel to the natural topography in order to protect the line-of-sight within the view corridor. Projecting elements above roof lines shall be minimized and shall be integrated into the building's overall design.	<b>Cancer Center Component:</b> <b>Consistent.</b> Please see Guideline A(2) and B(4). <b>Janss Road Component:</b> <b>Not applicable.</b> Janss Road Component is not located within Freeway Design Corridor.
(9) Selective use of taller buildings (height overlays) will be considered only where there is sufficient visual backdrop and where important open views are not blocked.	<b>Cancer Center Component:</b> <b>Consistent.</b> As concluded below, inconsistency with height regulations within the C-O zone

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
	<p>would be assessed by the Planning Commission prior to approval of the proposed height to ensure the Cancer Center is harmonious with the purpose of the C-O and compatible with surrounding development. Further, as concluded under Threshold A, the Cancer Center component would not result in a significant impact to a scenic vista.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(10) Building designs, exterior colors and materials shall be selected so that they blend and integrate with the surrounding natural and man-made setting, consistent with the City's image.</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Building materials would consist of smooth-finish stucco, concrete masonry, glass windows, and composite metal paneling. The proposed medical facility would be similar in scale and style to the existing medical complex located to north. The building would take advantage of the existing changes in topography on the Cancer Center site and reduces apparent scale by notching into the existing slope/grade. Additionally, as shown in Figure 3-7a and 7b, the site will provide 14 percent landscape coverage, providing enhanced perimeter landscape, and softening the visual impact of the building.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(11) Exterior surface materials shall be of a non-glare finish, pursuant to the Precise Plan of Design. Windows shall be designed and oriented to minimize the relative characteristics of the glass onto the freeway.</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> As discussed below under Threshold D, the Cancer Center would not introduce a</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
	<p>substantial amount of glare to the site.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(12) Where development is proposed in areas adjacent to existing land uses, building design, scale, use of material, color and landscaping characteristics shall complement the existing uses.</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Please refer to Guideline B(10).</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(13) Building identification (signs) shall be selected in compliance with the City's Municipal Sign Ordinances, in particular that which pertain to the freeway corridor. Signs shall be designated to compliment the building's architecture and not impose a visual impact. Criteria for signage shall include letter design, color, overall sign area in proportion to setback distances, illumination, sign area ration to wall or fascia surfaces, and consistency in size and location with existing signs in the area.</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> The Cancer Center component would submit a Sign application to ensure that the Cancer Center Component signage would be compliant with the City's Municipal Sign Ordinances. Approval of a Sign application would be submitted and issued following an approval of the Project.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(14) Site planning and architectural treatment of buildings shall be employed to precent the visual exposure of service bays, storage material, trash enclosures and loading and unloading activities from the freeway corridors.</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> As shown in Figure 4.1-4, views of the proposed building would be limited to the roofing and a small portion of the building's façade. Service bays, storage material, trash enclosures and loading and unloading activities would not be visible from U.S. 101.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
(15) Exterior illumination of structures shall be kept to a minimum and located primarily at building entrances and landscape features. Lighting should be indirect and recessed.	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> As discussed below under Threshold D, the Cancer Center would not introduce a substantial amount of light and glare to the site or surrounding areas.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(16) Illumination from within buildings should be controlled by window design location and tinting Window glass should be designed to control spillage of light from interior spaces.	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> As discussed below under Threshold D, the Cancer Center would not introduce a substantial amount of light and glare to the site or surrounding areas.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<b>Section C- Walls, Barriers, Berms</b>	
(1) Where barrier screening for visual or noise mitigation is necessary such treatment shall consist of a combination of decorative walls undulating berms of various heights and innovative use of combined evergreen and deciduous landscape plant materials	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> As part of implementation of MM-NOI-1, the project contractor would install temporary noise abatement on the site boundary fencing during construction of the Cancer Center component. No other noise or visual mitigation is proposed as part of the Cancer Center component.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(2) Long and linear wall sections shall be avoided These elements should be staggered by methods that provide both horizontal and vertical relief and landscaped with clusters of native plant materials Use of various	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Retaining walls would be located in the northeast corner of the Cancer Center site and along</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
combinations of wall material is encouraged to achieve a greater aesthetic effect	<p>the southern project boundary. The retaining walls would be tiered, providing vertical relief to the visual impact of the walls. Further landscaping such as larger trees would be placed around the project site perimeter, adjacent to the retaining walls.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(3) Vines and/ or other clinging plant material shall be used to visually accent where space may preclude the use of other larger plants,	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> As shown in Figures 3-7a and 7b. the site will provide 14 percent landscape coverage, which will include the planting of trees, shrubs, ground cover, and other landscaping elements.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(4) Planted earthen berms shall take precedence over construction of walls to emphasize the natural setting	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Please see Guidelines C(2).</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(5) Screen walls shall consist of decorative materials that integrate and compliment the building's architecture.	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Please see Guidelines C(1).</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(6) All manufactured berms shall incorporate grading techniques which emphasize a natural condition Manufactured slopes shall consist of undulating contours of various slope ratios Use of boulders and other natural native rock material is encouraged	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> The Cancer Center is positioned on site to utilize the existing developed portion of the</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
	<p>site that was previously graded and developed, however grading on site would still be required. Retaining walls would be located in the northeast corner of the project site and along the southern project boundary. The retaining walls would be tiered, providing vertical relief to the visual impact of the walls. The retaining walls would be angled to mimic the existing topography on site. Further landscaping such as larger trees, scrubs, and boulders would be placed around the project site perimeter, adjacent to the retaining walls.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<b>Section D- Landscape Planting</b>	
<p>(1) Landscaping shall be used to complement and enhance building architecture not to camouflage poor building design</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> As shown in Figures 3-7a and 7b, the site will provide 14 percent landscape coverage, which will include the planting of trees, shrubs, ground cover, and other landscaping elements. Landscaping on site is designed to soften the visual impact of the Cancer Center and enhance building design.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(2) Landscaping shall be used to soften the visual impact of buildings walls grading and other site improvements.</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Please see Guideline C(2).</p> <p><b>Janss Road Component:</b></p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
	<p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(3) The type of plant material height and massing of vegetation should not dominate building structures but complement them.</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Project landscaping would consist of a variety of landscaping elements such as larger trees, scrubs, and groundcover. These elements will be scattered throughout the Cancer Center site and will not substantially block views of the building.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(4) Plants shall be used which offer variety of color shape and species with an emphasis on drought tolerant native plant materials Plant selection shall also include an appropriate ratio of evergreen to deciduous for interest.</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Please see Guidelines D(3). Discretionary approval of the Project would include a Landscape Plan Check for landscape conformance review. Additionally, as required in MM-BIO-8, invasive plant species are not permitted in the landscaping plan,</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
<p>(5) The planting of Oak trees should be implemented wherever possible to aid in the establishment and reinforcement of the City's image. This image can be further enhanced by the selective night time lighting of signature oak trees</p>	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> While the Cancer Center component would include the removal of some oak trees, with the implementation of MM-BIO-9, the Oak trees on site would be replaced. Additionally, the landscape plan includes Oak trees.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>



**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
(6) Height of landscape planting should be controlled to maintain views of ridgelines and other scenic features from the freeways	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> As shown in Figure 4.1-4, views of the proposed building would be limited to the roofing and a small portion of the building's façade. The building's roofline is well below the views of ridgeline within Los Padres Open space. As discussed under Threshold A, the Cancer Center component would not result in significant impacts to scenic resources.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(7) Solid rows of landscaped screening along continuous sections of the roadway should be avoided Designs of plant materials should vary to provide interest avoiding straight rows of trees or other vegetation	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Please see Guideline D(3).</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(8) Alternate groupings of plants and open spaces to frame and preserve distant views	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Please see Guideline D(3) and D(6).</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(9) Monotonous repetitions in plant spacing should be avoided the number and distance between adjoining plants should be varied	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Please see Guideline D(3).</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
(10) Vegetation shall be planted behind and in front of buildings to soften hard edges of architectural design	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Please see Guideline D(3) and D(6).</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>
(11) For in-fill projects, the selection of landscape material shall match of be compatible with established roadside and/ or surrounding vegetation.	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Project landscaping would consist of larger trees, including oak species, shrubs, and groundcover. The planting plan addressing project impacts to sensitive on-site vegetation, and also provides for site coverage in a comparable manner as existing adjacent medical facilities.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> Janss Road Component is not located within a Freeway Design Corridor.</p>

**Table 4.8-1. Project Consistency with General Plan – Cancer Center Site**

Applicable Land Use Goals or Policies	Would the Project conflict?
<b>General Development Policies</b>	
Policy 1.1 Overall City structure. Establish a clearly defined urban pattern of development and open space by expanding and diversifying the employment uses in the City with a focus on biotech, high tech, research and development, and office uses.	<b>Would not Conflict:</b> The Project would develop a new medical office building on a property near other medical office buildings to the north. The Project would maximize employment opportunities by entitling a Cancer Center that is responsive to market needs and which will add high quality jobs to the Cancer Center site.
Policy 1.3 Balance character and infill. Maintain community character while promoting infill development that brings needed housing, amenities, and jobs to the City.	<b>Would not Conflict.</b> The Project would develop a medical office building on a property near other medical office buildings to the north. The scale of the new medical office building and the existing medical office buildings and apartments are similar.
Policy 10.1 Public View Corridors. Reaffirm and update adopted view sheds protection within the Ridgeline Study. Promote development	<b>Would not Conflict:</b> Since the Cancer Center site is within 1,000 feet of the centerline of U.S. Highway 101, development is required

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
practices that enhance and frame views of the mountains and ridgelines from view corridors along public rights of way.	to comply with the Guidelines for Development within the Corridors of the Route 101 and 23 Freeways Corridor. As discussed in Section 4.1, Aesthetics, impacts would be less than significant.
<b>Additional Goals and Policies</b>	
Goal LU-11: Power existing and new buildings with clean energy.	<b>Would not Conflict.</b> Refer to Section 4.6, Greenhouse Gas Emissions with regard to the Project's proposed and required sustainable features.
Healthcare: Goal CFS-14: Ensure access to quality health and mental healthcare and social services that support all stages of living in Thousand Oaks.	<b>Would not Conflict:</b> The Project would provide a state-of-the-art Cancer Center that consolidates various cancer services, cancer medical equipment, and patient service-related functions within a single comprehensive cancer treatment facility located adjacent to the existing Thousand Oaks Surgical Hospital (TOSH) to allow for improved patient convenience, efficiency, and quality of care.
Air Quality: Goal C-10: Achieve and maintain air quality that protects public health, safety, and welfare for those who live or work in the City and for visitors.	<b>Would not Conflict.</b> Refer to Section 4.2, Air Quality, and Section 4.6, Greenhouse Gas Emissions; impacts with regard to air quality and GHG emissions would be less than significant.
Conservation: Policy 2.2: Protected tree preservation. Continue to implement the City's Oak Tree and Landmark Tree Ordinances per the Municipal Code and the Oak Tree Preservation and Protection Guidelines.	<b>Would not Conflict.</b> As detailed in Section 4.3, Biological Resources, impacts to oak trees would be less than significant with the incorporation of mitigation measure (MM)-BIO-10 through MM-BIO-13.
Conservation: Goal C-9: Minimize disturbance of wetlands and riparian habitat.	<b>Would not Conflict.</b> As detailed in Section 4.3, Biological Resources, impacts to wetlands would be less than significant.
Conservation: Policy 2.2. Slope development. Limit development on steep slopes and ridgelines.	<p><b>Cancer Center Component:</b></p> <p><b>Consistent.</b> Portions of the Cancer Center site contain slopes with a 25% natural grade or greater. Slopes on the Cancer Center site greater than 25% are limited to the southern portion of the Cancer Center site behind the proposed Cancer Center building and along the eastern boundary of the Cancer Center site.</p> <p>While the Cancer Center component would include grading on slopes that are over 25% natural grade, and the development of the</p>

**Table 4.1-1 Project Consistency With Scenic Quality Policies and Zoning**

Policy	Discussion
	<p>site would include construction of a 9-foot-high tiered retaining wall along the southern boundary (and segments of the eastern and western boundary). As shown in Figure 4.1-6, views of the graded area tiered retaining walls from Rolling Oaks Drive would be partially obstructed by the Cancer Center building and landscaping. Additionally, views would be brief as pedestrians and motorists travel along Rolling Oaks Drive and views of the retaining walls and altered slopes would be limited and not result in a substantial effect to existing scenic quality. The Cancer Center does not propose manufactured slopes nor fill that would exceed 25 feet.</p> <p><b>Janss Road Component:</b></p> <p><b>Not applicable.</b> The Janss Road site does not contain slopes with a 25% natural grade or greater.</p>

**Table 4.8-2. Project Consistency with General Plan – Janss Road Site**

Applicable Land Use Goals or Policies	Would the Project conflict?
<b>Land Use Element Goals</b>	
Goal LU-3: Promote a diversity of housing types for Thousand Oaks residents through all stages of life.	<b>Would not Conflict.</b> The Project would allow the capacity for a future project to develop residential units on a property near other residential uses to the south.
<b>Land Use Element Policies</b>	
Policy 1.3 Balance community character. Maintain community character while promoting infill development that brings needed housing, amenities, and jobs to the City.	<b>Would not Conflict.</b> The Project would allow the capacity for a future project to develop residential units on a property near other residential uses to the south.
Policies 3.1 Diversity of housing. Promote a diversity of housing types in locations throughout the City, specifically in neighborhood areas that contain goods and services, parks and open space, and public schools in a walkable setting.	<b>Would not Conflict.</b> No residential development is proposed as part of the Project. However, compliance with local regulation would require any future development to be consistent with the general plan policies in effect at the time of complete submittal. Public schools, parks and open space and services are in a walkable distance from the Janss Road site. It can currently be assumed that the development would consist of up to nine

**Table 4.8-2. Project Consistency with General Plan – Janss Road Site**

Applicable Land Use Goals or Policies	Would the Project conflict?
	single-family detached and/or attached homes to further diversify the housing stock found throughout the City.
<b>Additional Policies</b>	
Air Quality: Goal C-10: Achieve and maintain air quality that protects public health, safety, and welfare for those who live or work in the City and for visitors	<b>Would not Conflict.</b> Refer to Section 4.2, Air Quality, and Section 4.6, Greenhouse Gas Emissions. As detailed there, the Project's impacts with regard to air quality and GHG emissions would be less than significant.
Conservation: Policy 2.2: Protected tree preservation. Continue to implement the City's Oak Tree and Landmark Tree Ordinances per the Municipal Code and the Oak Tree Preservation and Protection Guidelines.	<b>Would not Conflict.</b> As detailed in Section 4.3, Biological Resources, impacts to oak trees would be less than significant with the incorporation of MM-BIO-10 through MM-BIO-13.

As seen in the above tables, the project is consistent with the General Plan. The project was reviewed for its effect on physical design on the environment, and mitigation measures have been incorporated into the project's conditions of approval. Therefore, the project is consistent with the goals and policies of the City's General Plan.

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

- a. The amendment will not affect any land area designated as "Existing Parks, Golf Courses, Open Space." The sites are currently designated as "Neighborhood Very Low" and "Institutional" and will be re-designated as "Commercial Neighborhood" and "Neighborhood Low 1".
- b. On July 5, 2022, the City Council adopted Resolution No. 2022-040, "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 for Land Located at 400 East Rolling Oaks Drive and 355 West Janss Road and Allowing Concurrent Processing of Entitlement Applications for Contemplated Development of the Land Located at 400 Esat Rolling Oaks Drive (LU 2022-70587: Hospital Corporation of America)". As part of that Resolution, the City Council found the amendment is consistent with Measure E (Municipal Code Sec. 9-2.203 and Sec. 9-2.204) because it will not increase the Citywide

residential or commercial capacity above that which existed on November 5, 1996, when Measure E was adopted.

- c. With the adoption of the 2045 General Plan on December 5, 2023, Measure E units were incorporated into the base land uses. Therefore, there is no increase or change in the maximum number of residential dwelling units which could be proposed from the existing condition as the proposed General Plan Amendment does not increase or decrease the residential capacity allowed by the land uses.

The Housing Crisis Act of 2019 (HCA), or SB 330, was passed by the California Legislature in October 2019 to help address California's housing shortage. The HCA included amendments to the State's Housing Accountability Act (HAA), Planning and Zoning Law, and Permit Streamlining Act, setting new provisions statewide for the review and approval of housing development projects by local jurisdictions.

Among other requirements, the HCA generally prohibits local jurisdictions from "downzoning" or reducing the residential development capacity of a site where housing is currently an allowed use. Specifically, Government Code Section 66300(b)(1)(A) precludes a local jurisdiction from changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property that would individually or cumulatively reduce the site's residential development capacity below what was allowed under planning and zoning regulations as they existed on January 1, 2018. The HCA provides two exceptions from this downzoning prohibition: when a jurisdiction obtains approval of a proposed housing moratorium ordinance from the State's Department of Housing and Community Development (HCD) (Government Code Section 66300(b)(1)(B)(ii)), or when a jurisdiction concurrently changes the development standards, policies, and conditions applicable to another parcel or parcels within the jurisdiction to ensure that there is no net loss in residential capacity for the jurisdiction (Government Code Section 66300(i)). The City utilized the second exception on July 5, 2022, when the City Council approved the Applicant's request to initiate a General Plan Amendment to change the land use categories for both the site at 400 East Rolling Oaks Drive and 355 West Janss Road as well as authorized concurrent processing of legislative actions and

project entitlements for the project located at 400 East Rolling Oaks Drive.

To allow the development of the Cancer Center component of the Project, the Cancer Center site's General Plan land use designation is to be changed from Neighborhood Very Low to Commercial Neighborhood, and its zoning designation is to be changed from Rural-Exclusive (R-E-1AC) to Commercial Office (C-O). These changes will reduce the residential development capacity of the Cancer Center site by nine dwelling units, triggering the application of the HCA's no net loss provision. The City is complying with the requirements of HCA by concurrently changing the development standards, policies, and conditions applicable for the Cancer Center site's downzoning to another parcel to ensure no net loss of residential development capacity occurs in the City.

The Applicant owns the Janss Road site, which is currently subject to a General Plan land use designation of Institutional and a zoning designation of Public, Quasi-public, and institutional Lands and Facilities. To accommodate the nine-unit reduction in residential development capacity associated with the General Plan and zoning designation changes at the Cancer Center site and to achieve compliance with the HCA, the Janss Road site's General Plan designation will be changed to Neighborhood Low 1 and its zoning designation to Residential Planned Development, maximum 4.5 dwelling units per acre. The new General Plan and zoning designations for the Janss Road site would establish a residential development capacity of nine dwelling units at this property.

The land use changes stated above will meet the no net loss in residential capacity requirements of Government Code Section 66300(i)(1).

**Table 1 – Current and Future Residential Capacity**

	Address	Area <sup>1</sup>	Current Designation	Current Residential Capacity	New Designation	New Residential Capacity
<i>Sending/ Project Property</i>	400 East Rolling Oaks Drive	4.74 Acres	Neighborhood Very Low (1-2 Units/Acre)	9 Units	Commercial Neighborhood	None
<i>Receiving Property</i>	355 West Janss Road	2.145 Acres	Institutional	None	Neighborhood Low (2-4.5 Units/Acre)	9 Units

Although a specific housing project is not required by SB330 or any other State law to be proposed at the Janss Road site at this time, the Final EIR nevertheless conservatively analyzed and disclosed the foreseeable potential environmental impacts of a nine-unit future residential development at that location. Environmental analysis of a potential residential development at the Janss Road site at this early stage is consistent with CEQA's requirements to study the potential for foreseeable impacts at the earliest possible opportunity.

- d. The amendment is consistent with Measure E (Municipal Code Sec. 9-2. 203 and Sec. 9- 2. 204) because it will not increase the Citywide residential or commercial capacity above that which existed on November 5, 1996, when Measure E was adopted.

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

The General Plan Amendment 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 certifies 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 conditions of approval.

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<sup>1</sup> 2045 General Plan: Dwelling Units Per Acre (DU/AC): The term density is used for residential uses and refers to the population and development capacity of residential land. Density within the General Plan is described in terms of dwelling units per gross acre of land (du/ac), which consists of total land area, including areas dedicated for future public uses, such as infrastructure facilities, parks, streets and rights-of-way. Existing streets, whether dedicated right-of-way or in easement are not included in gross acre of land.



## SECTION 4

WHEREAS, the subject property at 400 East Rolling Oaks Drive is now vacant with a surface parking lot, foundations, and landscaping remaining from the former Young Set Club daycare facility, the site has been vacant since 2018, and;

WHEREAS, the zoning on the subject property at 400 East Rolling Oaks Drive is currently "Rural Exclusive, 1 acre minimum (R-E)" and the new zoning would be "Commercial Office/Height Overlay (C-O/C-O-H)" with the Height Overlay, limited to the building footprint and at the finished floor levels as indicated in the plan materials, to allow a building to be up to 44-feet 2-inches tall for the property at 400 East Rolling Oaks Drive to accommodate the Cancer Center medical office building at a maximum building height of 44-feet 2-inches; and

WHEREAS, the subject property at 355 West Janss Road is now a surface parking lot with landscaping associated with the Los Robles Hospital, and;

WHEREAS, the zoning on the subject property at 355 West Janss Road is currently "Public, Quasi-Public, and Institutional Lands and Facilities Zone (P-L)" and the new zoning would be "Residential Planned development-4.5 dwelling units per acre (RPD-4.5U)" to be consistent with the Land Use Designation of Neighborhood Low 1 (>2-4.5 units per acre) and SB 330; and

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 Zone Change 2022-70733-Z to allow a Zone Change as described above in these recitals; 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 findings of the City Council approval of said Zone Change 2022-70733-Z application are as follows:

- 1. A proposed change of the boundaries of a zoned area, or a proposed change of zone classification, or a proposed amendment to the provisions of this chapter may be initiated as follows: (a) By the adoption of a resolution by the Council requesting the Commission to set the matter for hearing, report, and recommendation; (b) By the adoption of a resolution by the Commission setting the matter for hearing and study; and (c) By filing with the Community Development Director a verified application of a change of zone classification by the owner of the property, by a person with a power of attorney from the owner, or by the attorney-at-law of the owner. If the applicant complies with all the*

*provisions of this article, the Community Development Director shall set the matter for public hearing. (TOMC Section 9-4.2902).*

On July 5, 2022, the City Council initiated a General Plan Amendment through the adoption of Council Resolution No. 2022-040, and the City Council authorized the concurrent processing of entitlement applications, including the Zone Change 2022-70733-Z application, for the project requiring the Commission to make a recommendation to Council for the whole of the entitlement request.

2. *In all cases of proposed zone changes and amendments initiated by verified applications, the Commission shall forward to the Council by resolution, those applications for which the Commission recommends the adoption of an ordinance by the Council. In the case of applications for which the Commission recommends a denial and which the Commission does not recommend the adoption of an ordinance, a resolution setting forth such determination shall be forwarded to the City Council. The action of the Commission shall become final following such denial, unless: (1) The applicant files, no later than five (5) days after the Planning Commission files its resolution with the City Council, a written application with the City Clerk requesting that the matter be set for a public hearing before the Council; and (2) The party filing such application submits a filing fee in an amount prescribed by Council resolution. (TOMC Section 9-4.2914(b)).*

The Commission findings for recommending approval of said Zone Change 2022-70733-Z application, adopted by Resolution No. 05-2024 PC, are as follows:

- a. *The project is consistent with the Thousand Oaks General Plan and any applicable specific plan or redevelopment plan.*

As described above in SECTION 3 (2022-70587-LU) Finding 2, the whole of the project has been found to be consistent with the 2045 General Plan and TOMC, and those findings are incorporated by reference into this finding.

#### *400 East Rolling Oaks Drive*

The Zone Change will re-designated approximately 4.74 net acres of land at 400 East Rolling Oaks Drive from Rural Exclusive, 1 acre minimum (R-E) to Commercial Office/Height Overlay (C-O/C-O-H) with the Height Overlay, limited to the building footprint and at the finished floor levels as indicated in the plan materials, to allow a building to be up to 44-feet 2-

inches tall at said property in order to remain consistent with the subject property's General Plan Land Use Element designation, which will be Commercial Neighborhood, upon adoption by City Council. This designation accommodates a variety of neighborhood-serving retail, offices and service activities designed to serve the daily needs of residents, in support of the General Plan Healthcare Goal "CFS-14: Ensure access to quality health and mental healthcare and social services that support all stages of living in Thousand Oaks." The project includes the development of a Cancer Center medical office building on the site which would consolidate multiple oncology and medical related functions in a single campus. Furthermore, the Cancer Center's location adjacent to the Thousand Oaks Surgical Hospital (TOSH) will directly facilitate the effective provision of these services.

Within the City, a total of 15 properties have a C-O zone, all 15 C-O properties abut or are located across the street from properties with residential zoning (R-E, R-1, R-3, RPD, HPD, Ventura County – R-O). Consistent with the purpose of the C-O zone<sup>2</sup>, and in practice, the C-O zone acts as a transition space between higher intensity uses (P-L, C-1, C-2, C-3, C-4, CPD, M-1), open space (O-S), and/or Route 101 and residential uses.

The C-O zoning would be consistent with the existing zoning in the near vicinity of 400 East Rolling Oaks. Properties to the north and northwest of 400 East Rolling Oaks Drive are already zoned as C-O and P-L (Public, Quasi-Public, and Institutional), and these properties already abut or are adjacent to properties with zoned C-O, P-L, O-S (Open Space), RPD (Residential Planned Development), and R-O (Ventura County – Single-Family Estate).

The subject property abuts open space to the south, apartments to the west, single family homes to the east, and the TOSH and associated medical offices on the opposite side of East Rolling Oaks Drive to the north. In addition, the building footprint is approximately 630 feet from the nearest single-family residence to the south, approximately 350 feet from the

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<sup>2</sup> TOMC Section 9-4.1101. Purpose (C-O) "To provide a method by which land located in or adjacent to residential areas may be designed and developed as a unit for professional and limited commercial offices, and to produce a professional and limited commercial office development which will be compatible and harmonious with the existing or potential development of adjacent residential or other areas, and to foster professional and limited commercial office developments which meet high standards of open space, the concentration of buildings, parking facilities, landscaping, and pedestrian and vehicular circulation, Commercial Office Zones (C-O) are established to provide suitable alternative locations for offices and services of a professional, clerical, or administrative nature."

nearest single-family residence to the east, and approximately 175 feet from the nearest apartment unit to the west. Finally, no development is proposed on the southerly portion of the property, which will maintain a reasonable buffer from the adjacent 20-acre open space parcel owned by the Conejo Open Space Conservation Agency (COSCA). As such, the existing medical office building uses are found to be compatible with surrounding residential and open space uses.

The C-O/C-O-H zoning of the property would allow a medical office building to function in a similar manner to the medical office buildings to the north and northwest. As the existing medical office buildings have been found to be compatible with the existing surrounding developments, the medical office building of similar scale and operational characteristics is also found to be compatible with the adjacent uses, including the TOSH and medical office buildings to the north and east, residential uses to the west, the open space to the south, and the residences further to the south.

The Height Overlay (C-O-H) is to be limited to the building footprint and at the finished floor levels as indicated in the plan materials, to allow a building to be up to 44-feet 2-inches tall. The site will be graded and the finished grade will be set into existing grade between approximately 0 to 10 feet and additional fill will be placed on the south side of the building resulting in the building appearing to be 16-feet shorter as viewed from the south elevation compared to other elevations. The Height Overlay will result in a building's height being similar to the existing apartments to the west and similar to or less than the medical office buildings to the north.

The C-O/C-O-H zone is compatible with the surrounding zones (C-O, P-L, R-3, RPD, Ventura County R-O, and O-S) in terms of both physical development standards and allowed uses. By transferring the residential capacity to the 355 West Janss Road Site, the action also satisfies the requirements under SB 330 of no net loss in residential capacity.

### *355 West Janss Road*

The Zone Change will re-designated approximately 2.145 net acres of land at 355 West Janss Road from Public, Quasi-Public, and Institutional Lands and Facilities Zone (P-L) to Residential Planned development-4.5 dwelling units per acre

(RPD-4.5U) in order to remain consistent with the subject property's General Plan Land Use Element designation, which will be Neighborhood Low 1 (>2-4.5 units per acre), upon adoption by City Council. This designation accommodates low density, single-family neighborhoods between 2 and 4.5 dwelling units per acre, in support of the General Plan Land Use Goal "LU-3: Promote a diversity of housing types for Thousand Oaks residents through all stages of life." There is currently no development concept or project proposed for the property at 355 West Janss Road at this time.

The RPD-4.5U zoning would be consistent with the existing zoning in the near vicinity of 355 West Janss Road. Los Robles Hospital is located at 215 West Janss Road, and that property has an existing P-L zoning and immediately abuts properties that are zoned R-1 (north and east), C-O and C-1 (west) and is adjacent to properties zoned RPD (south). Properties with an RPD/HPD zone in the area (north and west) abut or are adjacent to properties that are zoned O-S.

These zones have been found to be compatible with one another in terms of both physical development standards and allowed uses.

#### *400 East Rolling Oaks Drive & 355 West Janss Road*

These subject sites are not located within any applicable specific plan or redevelopment plan. Therefore, the Zone Change is in alignment with 2045 General Plan goals and policies and meets this finding.

#### *b. The project is compliant with the Housing Crisis Act.*

To comply with SB 330, City is concurrently changing the development standards, policies, and conditions applicable to another parcel or parcels within the jurisdiction to ensure that there is no net loss in residential capacity for the jurisdiction (Government Code Section 66300(i)). The City initiated said process on July 5, 2022, when the City Council approved the Applicant's request to initiate a General Plan Amendment to change the land use categories for both the site at 400 East Rolling Oaks Drive and 355 West Janss Road as well as authorized concurrent processing of legislative actions and project entitlements for the project located at 400 East Rolling

Oaks Drive. City Council now authorizes the development of the Cancer Center component of the Project, the Cancer Center site's General Plan land use designation is to be changed from Neighborhood Very Low to Commercial Neighborhood, and its zoning designation is to be changed from Rural-Exclusive (R-E-1AC) to Commercial Office (C-O). These changes will reduce the residential development capacity of the Cancer Center site by nine dwelling units, triggering the application of the HCA's no net loss provision. The City is complying with the requirements of HCA by concurrently changing the development standards, policies, and conditions applicable for the Cancer Center site's downzoning to another parcel to ensure no net loss of residential development capacity occurs in the City. The Applicant owns the Janss Road site, which is currently subject to a General Plan land use designation of Institutional and a zoning designation of Public, Quasi-public, and institutional Lands and Facilities. To accommodate the nine-unit reduction in residential development capacity associated with the General Plan and zoning designation changes at the Cancer Center site and to achieve compliance with the HCA, the Janss Road site's General Plan designation will be changed to Neighborhood Low 1 and its zoning designation to Residential Planned Development, maximum 4.5 dwelling units per acre. The new General Plan and zoning designations for the Janss Road site would establish a residential development capacity of nine dwelling units at this property. The City Council approves the land use changes as stated above which will meet the no net loss in residential capacity requirements of Government Code Section 66300(i)(1).

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

The 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 certifies 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 conditions of approval.

## SECTION 5

WHEREAS, the findings of the City Council approval of Development Plan 2022-70732-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 400 East Rolling Oaks Drive (APNs 681-0-180-265 and 681-0-180-275) is "Neighborhood Very Low" and has a corresponding zoning designation of Rural Exclusive, 1 acre minimum (R-E). The land use designation and zoning designation are to be changed to "Commercial Neighborhood" and "Commercial Office/Height Overlay (C-O/C-O-H) with the Height Overlay, limited to the building footprint and at the finished floor levels as indicated in the plan materials, to allow a building to be up to 44-feet 2-inches tall" respectively.

The project consists of the demolition of all improvements on the property and construction of an approximately 58,412 square foot (sf) medical office building that accommodates various cancer medical and patient services. The building height would range between 27 feet and 44 feet 2 inches at its highest point. Primary access would be off Rolling Oaks Drive and secondary access off Los Padres Drive with open and covered parking provided on the property. The project also includes the installation of hardscape, landscape, utilities, retaining walls, and associated grading on slopes steeper than 25 percent.

As described above in SECTION 3 (2022-70587-LU) Finding 2, the whole of the project has been found to be consistent with the 2045 General Plan and TOMC, and those findings are incorporated by reference into this finding. Therefore, the project is consistent with the goals and policies of the City's General Plan. The project is not subject to a specific plan or redevelopment plan.

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

The design of the Cancer Center complies with all applicable laws, regulations, and policies, including the C-O/C-O-H zone, City's

Architectural Design Guidelines for Construction and Development of Residential, Industrial, and Institutional Projects (Resolution No. 2023-061), and Freeway Corridor Design Guidelines (Resolution No. 91-172) in that the building architecture is compatible with other structures in the vicinity.

Specifically, the Cancer Center would consist of an approximately 58,412 sf medical office building would consolidate multiple oncology and medical related functions in a single campus.

The Cancer Center has been designed in compliance with all TOMC C-O/C-O-H development standards as shown in the staff report's "Table 2 – Consistency with C-O/C-O-H Development Standards" and "Table 4 – Consistency with Parking Standards".

The project's architectural design is a Mission Revival style. The building's shape (rectangle), stories (2 stories), height (23 feet 5 inches to 44 feet 2 inches), and size (58,412) are similar to and compatible with the nearby medical office buildings to the north and northwest and the apartments to the west.

The building provides architectural interest through gabled and hipped roof forms, a shed-roofed/covered walkway along the first-floor's north, west, and east elevations, and a porte-cochere at the main entry. The exterior walls of the building are earth-toned colors primarily consisting of off-white, light-browns, and tan. The overall structure would be composed of a combination of walls with a sandblasted texture, metal wood-look beams, decorative ceramic wall tile, and recessed anodized aluminum storefront doors and windows (similar to the nearby medical office buildings and TOSH) primarily with clear glazing. The roof material consists of clay tiles, and building walls contain trim and architectural details such as corbels. These colors and materials blend with the surrounding terrain and built environment on the adjacent medical office buildings and TOSH to the north and northwest, the apartments to the west, and the single-family residences to the south.

The building design and materials comply with the City's Architectural Design Guidelines for Construction and Development of Residential, Industrial, and Institutional Projects (Resolution No. 2023-061) and the Freeway Corridor Design Guidelines (Resolution No. 91-172) as described in the staff report and as conditioned in this Resolution.

The project complies with Code requirements for landscape setbacks including: a) front, rear and side yard setbacks; b) 10% minimum



landscaped area in the parking lot area; and additional required landscaping for compact vehicle spaces.

The City Council finds that the project complies with all applicable laws, regulations and policies, including the Thousand Oaks Municipal Code, and the project's architectural design is compatible with surrounding development and complies with the standards of the City's Architectural Design Guidelines for Construction and Development of Residential, Industrial, and Institutional Projects (Resolution No. 2023-061) and the Freeway Corridor Design Guidelines (Resolution No. 91-172). The vehicular and pedestrian circulation layout has been conceptually reviewed and found to be in compliance with the TOMC, Building Code, Fire Code, and ADA standards.

The grading plans identify the property's slope and where grading will encroach into 25% and steeper natural terrain. The majority of the encroachments (the yellow areas) are on the east and south sides of the building and are required to construct the drive aisle, level parking spaces, and associated circulation and to provide Fire Department access to the rear of the building as well as parking lot improvements consistent with the TOMC and Fire regulations.

It is the City's policy to limit grading encroachments into 25% and steeper natural terrain unless there is significant justification to do so. In this instance, portions of the hillside area on the east side of the property were previously disturbed with large quantities of sand to accommodate recreational improvements associated with the Young Set Club activities and a Southern California Edison easement area with transmission poles and overhead lines. A combination of rounded contour grading techniques and retaining walls with landscaping are designed to visually blend the natural, existing, and project slopes. The City Council supports the encroachment into 25% and steeper terrain as the graded areas are not visually prominent, and the grading involves the use of contour grading techniques to visually blend the disturbed and natural terrain.

Additionally, to achieve the grading approach as described in the prior paragraph, the retaining walls will be constructed primarily along the southern and eastern property lines. The retaining walls will utilize a tiered approach to both break up the height of the retaining walls and to introduce landscaping to soften the walls. The tiered walls will range in height from approximately 7 feet 4 inches to a maximum of 12 feet. The City Council supports the retaining walls to exceed a maximum height of 6 feet up to a maximum of 12 feet as shown on the plans for purposes of complying with TOMC and Fire regulations, and to reduce the amount

of grading without negatively impacting public views of the property. As conditioned, all retaining walls and exposed components on the project site are required to incorporate the design and materials from the building to unify the Project's design.

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, including the Thousand Oaks Municipal Code.

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 departments 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 (2022-70775-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 that were designed to accommodate the vehicle traffic generated by this development and the existing

development including the residential, commercial, office, institutional, and open space uses in all directions. The project has been conditioned to construct sidewalks along the project site's northern frontage to enhance pedestrian connections to the surrounding area. Traffic impacts were independently reviewed by the City's Traffic Engineering Division who concluded that the project will not have a significant impact on existing traffic patterns or vehicle miles traveled. The applicant will be required to pay the Citywide traffic mitigation fee to help contribute towards the cost of future improvements at the intersections identified in the City's Traffic Impact Mitigation Fee Nexus Study. As identified in the environmental document, the project's noise is anticipated to be similar to and compatible with the surrounding residential, commercial, office, institutional, and open space uses development.

Therefore, the City Council finds the project will not be detrimental to the public health, safety, or general welfare with the incorporation of Mitigation Measures required by 2022-70775-EIR and conditions of approval.

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 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 certifies 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 conditions of approval.

## SECTION 6

WHEREAS, the findings of the City Council approval of Parcel Map Waiver PMW 2022-70736-PMW are as follows:

1. *The proposed division complies with all requirements as to area, improvements and design, floodwater drainage control, appropriate improved public roads, wastewater facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act and this Code," per TOMC Sec. 9-3.302(b).*

The lot merger will merge two parcels into one parcel to accommodate the development of a Cancer Center medical office building. The subject site is made up of two legal parcels with a combined size of

approximately 4.74 net acres and 4.92 gross acres located at the southeast corner of Rolling Oaks Drive and Los Padres Drive, contiguous to each other.

The larger lot comprised the site of the prior daycare center facility, while the smaller lot was designated as a public road easement.

Parcel 2 was originally considered in 1973 as part of an extension for a road easement for East Rolling Oaks Drive. However, after study and public testimony, Haaland Drive was constructed in lieu of extending East Rolling Oaks Drive to the east, and therefore the road easement is no longer needed for that purpose. In order to develop the site, the two parcels must be merged into one parcel of record.

As provided under Subdivision Map Act Sec. 66412(d) (hereafter referred to as "Map Act"), the Lot Merger is excluded from the provisions of the Map Act since: 1) the waiver is between four or fewer existing adjoining parcels; 2) land would be taken from one parcel and added to another; and 3) a greater number of parcels that originally existed is not created.

According to Map Act Section 66412(d) and Zoning Ordinance Section 9-3.302, the City may only determine whether the parcel resulting from the waiver conforms to local zoning and building ordinances. The standards of these ordinances are fixed in this case, and the waiver's conformance with them is determined through objective measurement.

The lot resulting from the lot merger is compliant with all development standards of the C-O/C-O-H zone, including a minimum lot area of 20,000 square feet and a minimum lot width of 100 feet of street frontage.

The lot resulting from the lot merger would not alter floodwater drainage control, public roads, wastewater facilities, or water supply availability; however, the larger parcel that would be created would provide opportunity for development with appropriately sized floodwater drainage control. As identified in the environmental document, the project site has adequate access to public roads, wastewater facilities, water supply availability.

Therefore, the project complies with all requirements as to area, improvements and design, floodwater drainage control, appropriate improved public roads, wastewater facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act and this Code.

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

The Parcel Map Waiver 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 certifies 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 conditions of approval.

## SECTION 7

WHEREAS, the findings of the City Council approval of Protected Tree Permit 2022-70735-PTP are 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 (TOMC Section 9-4.4206(b)(1)).*

Per the applicant's Protected Oak Tree Arborist Report, dated August 22, 2023, and prepared by Evergreen Arborist Consultants, Inc., Michael Green, Registered Consulting Arborist No. 602, 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 (TOMC Section 9-4.4206(b)(2)).*

Per the applicant's Protected Oak Tree Arborist Report, dated August 22, 2023, and prepared by Evergreen Arborist Consultants, Inc., Michael Green, Registered Consulting Arborist No. 602, 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 as the site is vacant. However, 1 tree is identified in poor condition (Coast Live Oak #97) and located immediately next to the public right-of-way, and 2 of the trees to be removed are noted to be dead (Coast Live Oaks #76 & #79).

A City Tree Consultant has inspected the subject protected trees, reviewed the tree report provided by the applicant's consultant and concurs that the tree impacts are necessary to allow site preparation and grading activities for the building and associated site improvements.

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 (TOMC Section 9-4.4206(b)(3)).*

The tree removals are necessary to allow site preparation and grading activities for the building and associated site improvements. Of the 14 protected trees to be removed:

- 7, consisting of 5 trees located along Los Padres Drive (Coast Live Oaks #29, #31, #32, & #33; Holly Oak #30) and 2 located within the southern portion of the site (Valley Oak #34; Coast Live Oak #35), are within an area to be graded for parking and circulation improvements. If these trees were not removed, the project would not comply with parking or circulation requirements.
- 5 are located within the drive aisle of the building (Coast Live Oaks #77, #78, #80, #81, & #82), and are to be removed for the project to comply with circulation requirements.
- 2 are located along Rolling Oaks Drive (Holly Oak #96; Coast Live Oak #97) within an area to be graded for drive aisle or utility improvements.

The City's Oak Tree Consultant took into consideration the feasibility of transplanting the oak trees approved for removal; however, transplanting was not recommended for this specific project due to the significant root loss that would occur to these trees, sloping topography, and the uncertainty that the trees will survive even if appropriate care is taken during the pre- and post-transplanting process.

The City's Tree Consultant has inspected the subject protected trees, independently reviewed the tree report provided by the applicant's consultant and concurs that the tree impacts are necessary to allow site preparation and grading activities for the building and associated site improvements.

4. *Approval of the request is not contrary to or in conflict with the general purpose and intent of this chapter (TOMC Section 9-4.4206(b)(4)).*

As described above in SECTION 3 (2022-70587-LU) Finding 2, the whole of the project has been found to be consistent with the 2045 General Plan and TOMC, and those findings are incorporated by reference into this finding. Therefore, the project is consistent with the goals and policies of the City's General Plan.

The approval of this request will not be contrary to or in conflict with the general purpose and intent of the Oak Tree Ordinance, Landmark Tree Ordinance or the Oak Tree Preservation and Protection Guidelines (Res. No. 2010-014) as the 14 removals are necessary to allow reasonable use of the property and as the project has been conditioned to replace each oak tree approved for removal with two (2) 24" box oak trees and one (1) 36" box oak tree in compliance with the City's Oak Tree Preservation and Protection Guidelines.

In this case, the removal of 14 protected oak trees results in the project being conditioned to plant 42 oak trees, consisting of 26 24-inch box size and 16 36-inch box size oak trees, on site. The landscape plan identifies a total of 45 coast live oak and valley oak trees to be planted on the project site exceeding the required number of replacement trees.

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, the City Council supports the replacement tree layout.

If, during Building Safety review or construction it is determined that any of the 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.

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

The Protected Tree 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 certifies 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 conditions of approval.

NOW, THEREFORE, BE IT RESOLVED that based on substantial evidence contained within the record, the analysis in the staff report, the Findings of Fact available in the Final EIR, and, having considered the Final EIR and associated MMRP, the City Council adopts and certifies the Final Environmental Impact Report 2022-70775-EIR prepared for the project and approves 2022-70587-LU, 2022-70732-DP, 2022-70736-PMW, and 2022-70735-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 Commission or City Council.

PASSED AND ADOPTED this 26<sup>th</sup> day of March 2024, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Al Adam, Mayor  
City of Thousand Oaks City Council

ATTEST/CERTIFY:

\_\_\_\_\_  
Laura B. Maguire, City Clerk

Date Attested: \_\_\_\_\_

APPROVED AS TO FORM:  
Office of the City Attorney

\_\_\_\_\_  
Patrick J. Hehir, Chief Assistant City Attorney



APPROVED AS TO ADMINISTRATION:

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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 FOR 2022-70587-LU, 2022-70733-Z, 2022-70732-DP, 2022-70736-PMW, AND 2022-70735-PTP**

**GENERAL**

1. **Approval Inclusion** – This approval, in its entirety as adopted, shall be included in the initial plan-check submittal that is submitted to the Building Safety 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.
2. **Condition Compliance** – The conditions set forth in this Resolution shall run with the land and shall remain in force for the duration of the life of the Project. All conditions of 2022-70587-LU, 2022-70733-Z, 2022-70732-DP, 2022-70736-PMW, and 2022-70735-PTP, and any other modification shall apply to this approval, unless otherwise modified herein.
3. **Compliance with Applicable Laws, Rules, and Regulations** – The applicant shall 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 medical office building or affecting the installation, operation or maintenance of said facility. Violation of any of those laws in connection with the use authorized herein will be cause for initiation of revocation proceedings.
4. **Regulatory Agency Approval** – The requirements of all applicable regulatory agencies shall be met and approval obtained prior to issuance of an occupancy permit. Copies of all required licenses shall be submitted to the Community Development Department.
5. **Dedications/Reservations/Fees and Public Improvements** – With respect to fees, dedications, reservations and construction of public improvements as required by the project development conditions, the applicant is advised pursuant to Government Code Section 66020, that a 90-day protest period has commenced upon approval of the development conditions by the City.
6. **Payment of Fees** – Approval is subject to the applicant paying all fees and assessments to the City of Thousand Oaks, School District, Conejo Recreation and Parks District, Ventura County Fire Prevention District, and any other agency requiring fees related to the subject development as required by the Municipal Code and established by City Council.

7. **Non-residential Development Linkage Fee** – Prior to the issuance of any building permits, the applicant shall pay the required Nonresidential Development Linkage Fee for the project pursuant to Section 9-10.409 of the Municipal Code per the linkage fee rate established by the City Council Resolution in effect at the time.
8. **City / County / Agency / Other Fees** – All Police, Fire Department, School District Fees and any other fees identified in the Standard Conditions, Resolution No. 95-20, shall be paid prior to the issuance of any building permits. Notification in writing by these agencies confirming payment shall be submitted to the Community Development Department.
9. **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 changes, modifications, or alterations 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.
10. **Signed Acceptance of Conditions** – A signed Acceptance of Conditions affidavit shall be executed by the applicant and property owner, or their duly authorized representative, and shall be returned to the Planning Division of the Community Development Department prior to the issuance of a grading and building permit associated with 2022-70732-DP, 2022-70736-PMW, and 2022-70735-PTP.
11. **Authorized Project Changes/Modifications** – Minor changes to 2022-70732-DP, 2022-70736-PMW, and 2022-70735-PTP may be approved by the Community Development Department through the appropriate entitlement process provided such changes achieve substantially the same results and the project is still in compliance with all applicable development standards in the Thousand Oaks Municipal Code. Revised plans reflecting the minor changes and additional fees shall be required. Any substantial changes will require the filing of a major modification application.
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 building and structure, including building colors, materials, changes in walkways, doorway, 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 shall 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 that is brought to attack, set aside, void, or annul an approval of the City issued as related to the project for which the applicant is applying. The City shall promptly notify the applicant of any such claim, action, or proceeding and the City shall cooperate fully in the defense.
14. **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.
15. **Occupancy** – No final inspection or occupancy permit shall be granted until construction and landscaping are complete in accordance with the approved plans and the conditions, per phase, required herein.

## ENVIRONMENTAL FEES

16. **Fish and Wildlife Fee and County Filing Fee** – On the basis of the evaluation of the Initial Study prepared by the lead agency under the provision set forth in the CEQA Guidelines Section 15063, it is hereby declared that there is evidence before the agency that the project will have the potential for an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code. Therefore, the applicant shall submit to the City, applicable filing fees (“Environmental Impact Report” and “County documentary handling fee” payable to Ventura County in conjunction with the filing of a Notice of Determination for the project.

## ENVIRONMENTAL MITIGATION MEASURES

17. **(M) Mitigation Compliance** – Applicant agrees to comply with all mitigation measures outlined in Environmental Impact Report No. 2022-70775-EIR. 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 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.

## BIOLOGICAL RESOURCES

18. **(M) MM-BIO-1: Coastal California Gnatcatcher Protocol Survey and Permitting (Cancer Center site).** Prior to the issuance of a grading permit for the project, the applicant will retain a FESA section 10(a)(1)(A)-permitted biologist to conduct a protocol level survey for the coastal California gnatcatcher. The surveys will be conducted per the USFWS protocols (USFWS 1997) and will be conducted during the breeding season of the species (March 15 through June 30). Six surveys will all be conducted at least one week apart within the suitable habitat on the Project site. The adjacent private parcels will be surveyed from the Project site using binoculars. Results of the surveys will be submitted in a report to the USFWS and City. If the results of the survey are negative for coastal California gnatcatcher, then the suitable habitat on the Project site is considered not occupied and no further mitigation regarding the species is required.

Compensatory Habitat Mitigation: If coastal California gnatcatcher is found to be occupying the suitable habitat on site, then the applicant will consult with the USFWS on the need for permitting for the species under FESA. The Project does not have a federal nexus (i.e., impacts to waters of the U.S.), so it is expected that Section 10 of FESA would be the permitting pathway and an HCP would need to be developed. The 1.78 acres of suitable habitat (coastal sage scrub) will require a minimum of 1:1 replacement of in-kind habitat that is occupied by the species in the vicinity of the Project site. Since there are no available mitigation banks in the Project vicinity, a City-approved property containing at least 1.78 acres of suitable coastal California gnatcatcher habitat would be purchased within the Conejo Valley. The property would have a conservation easement placed on it, with the Conejo Open Space Conservation Agency or similar entity holding the conservation easement. The applicant would fund an endowment for the management of the property in perpetuity. The establishment of the conservation area is expected to be done in conjunction with the HCP process with USFWS, both of which must be completed prior to issuance of a grading permit for the Project.

Nesting Season Avoidance: If coastal California gnatcatcher is found to be occupying the suitable habitat on site, then all vegetation removal must

occur from July 1 to March 14 to avoid the direct take of nests with eggs or young.

19. **MM-BIO-2 Biological Monitoring (Cancer Center site).** Prior to the issuance of a grading permit, the Applicant shall submit the qualifications of potential Biological Monitor(s) to the City for review and approval. The Applicant shall then retain the City-approved Biological Monitor(s) during Project construction to monitor construction activities and to ensure compliance with all mitigation measures. The Biological Monitor shall be present on site during all vegetation removal and each day prior to the commencement of grading activities. The Biological Monitor shall be responsible for conducting a pre-construction clearance survey and any wildlife (common or special-status) shall be relocated to City-approved areas. Pre-construction clearance surveys shall be conducted prior to construction of each new phase of the development. The Biological Monitor shall monitor to ensure that wildlife do not become entrapped in excavation or trenching areas. Safeguards shall be implemented during daytime periods of non-activity and overnight, such as a placing a platform over trenches, flush with the ground surface; installing escape ramps in trenches; or installing exclusionary fencing. Should relocation of any trapped wildlife be required, construction shall be halted until the Biological Monitor arrives on site and clears the work area (in compliance with all applicable permits and authorizations).

Daily monitoring reports shall be prepared by the Biological Monitor that at a minimum document the results of any surveys conducted, wildlife relocations, construction activities performed, compliance issues observed, corrective actions taken, and include photos. The monitoring reports shall be made available to the City Community Development Department.

20. **MM-BIO-3 Nesting Birds (Cancer Center site and Janss Road site).** Project construction shall be conducted in compliance with the conditions set forth in the Migratory Bird Treaty Act and California Fish and Game Code with methods approved by the California Department of Fish and Wildlife to protect active bird/raptor nests. Vegetation removal shall occur during the non-breeding season for nesting birds (generally late September to early March) and nesting raptors (generally early July to late January) to avoid impacts to nesting birds and raptors. However, if the Project requires that work be initiated during the breeding season for nesting birds (March 1–September 30) and nesting raptors (February 1–June 30), in order to avoid direct impacts on active nests, a pre-construction survey shall be conducted by a City-approved Biologist for nesting birds and/or raptors within 3 days prior to clearing or disturbance of any vegetation. The survey will be conducted within 300 feet for nesting birds and within 500 feet for

nesting raptors and coastal California gnatcatcher. If the Biologist does not find any active nests within or immediately adjacent to the impact areas, the vegetation clearing/construction work shall be allowed to proceed. If the City-approved Biologist finds an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted, the Biologist shall delineate an appropriate buffer zone around the nest depending on the sensitivity of the species and the nature of the construction activity. Any nest found during survey efforts shall be mapped on the construction plans, which will be included in the report(s) documenting the survey(s) that will be submitted to the City within three days of the completion of the survey. The active nest shall be protected until nesting activity has ended. To protect any nest site, the following restrictions to construction activities shall be required until nests are no longer active, as determined by the City-approved Biologist: (1) clearing limits shall be established within a buffer around any occupied nest (the buffer shall be 100–300 feet for nesting birds and 300–500 feet for nesting raptors and California gnatcatcher), unless otherwise determined by a qualified Biologist and (2) access and surveying shall be restricted within the buffer of any occupied nest, unless otherwise determined by the City-approved Biologist. Encroachment into the buffer area around a known nest shall only be allowed if the Biologist determines that the proposed activity would not disturb the nest occupants. Construction can proceed when the Biologist has determined that fledglings have left the nest, or the nest has failed.

21. **MM-BIO-4 Bat Roost Avoidance (Cancer Center site and Janss Road site).** Prior to the issuance of a grading permit, the Applicant shall submit the qualifications of the biologist(s) to the City for review and approval. The City-approved biologist shall conduct a pre-construction bat habitat assessment of mature trees marked for potential removal. Potential for roosting shall be categorized by 1) potential for solitary roost sites, 2) potential for colonial roost sites (10 bats or more). If the potential for colonial roosting is determined, those trees shall not be removed during the bat maternity roost season (March 1 – July 31). Trees potentially supporting colonial roosts outside of maternity roost season, and trees potentially supporting solitary roosts may be removed via a two-step removal process, whereby some level of disturbance (such as trimming of lower branches) (at the direction of the City-approved biologist) is applied to the tree on day one to allow bats to escape during the darker hours, and the roost tree shall be removed two days later (i.e., there shall be no less or more than two nights between initial disturbance and the grading or tree removal). The trees will be dropped slowly under the supervision of the City-approved biologist and documented in the Biological Monitor's daily monitoring report (see MM-BIO-2).

22. **MM-BIO-5 Crotch Bumble Bee Pre-Construction Surveys.** A pre-construction survey for Crotch bumble bee shall be conducted within the construction footprint prior to the start of ground-disturbing construction activities occurring during the Crotch bumble bee nesting period (February 1 through October 31). The survey shall ensure that no nests for Crotch bumble bee are located within the construction area. The pre-construction survey shall include 1) a habitat assessment and 2) focused surveys, both of which will be based on recommendations described in the "Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species," released by the California Department of Fish and Wildlife (CDFW) on June 6, 2023, or the most current at the time of construction.

The habitat assessment shall, at a minimum, include historical and current species occurrences; document potential habitat on site including foraging, nesting, and/or overwintering resources; and identify which plant species are present. For the purposes of this mitigation measure, nest resources are defined as abandoned small mammal burrows, bunch grasses with a duff layer, thatch, hollow trees, brush piles, and man-made structures that may support bumble bee colonies such as rock walls, rubble, and furniture. The habitat assessment will be repeated prior to February 1 in each year ground-disturbing activities will occur to determine if nesting resources are present within the impact area. If nesting resources are present in the impact area, focused surveys will be conducted.

The focused survey will be performed by a biologist with expertise in surveying for bumble bees and include at least three (3) survey passes that are not on sequential days or in the same week, preferably spaced two to four weeks apart. The timing of these surveys shall coincide with the Colony Active Period (April 1 through August 31 for Crotch bumble bee). Surveys may occur between 1 hours after sunrise and 2 hours before sunset. Surveys will not be conducted during wet conditions (e.g., foggy, raining, or drizzling) and surveyors will wait at least 1 hour following rain. Optimal surveys are when there are sunny to partly sunny skies that are greater than 60° Fahrenheit. Surveys may be conducted earlier if other bees or butterflies are flying. Surveys shall not be conducted when it is windy (i.e., sustained winds greater than 8 mph). Within non-developed habitats, the biologist shall look for nest resources suitable for bumble bee use. Ensuring that all nest resources receive 100% visual coverage, the biologist shall watch the nest resources for up to five minutes, looking for exiting or entering worker bumble bees. Worker bees should arrive and exit an active nest site with frequency, such that their presence would be apparent after five minutes of observation. If a bumble bee worker is detected, then a



representative shall be identified to species. Biologists should be able to view several burrows at one time to sufficiently determine if bees are entering/exiting them depending on their proximity to one another. It is up to the discretion of the biologist regarding the actual survey viewshed limits from the chosen vantage point which would provide 100% visual coverage; this could include a 30- to 50-foot-wide area. If a nest is suspected, the surveyor can block the entrance of the possible nest with a sterile vial or jar until nest activity is confirmed (no longer than 30 minutes).

Identification will include trained biologists netting/capturing the representative bumble bee in appropriate insect nets, per the protocol in U.S. National Protocol Framework for the Inventory and Monitoring of Bees. The bee shall be placed in a clear container for observation and photographic documentation if able. The bee will be photographed using a macro lens from various angles to ensure recordation of key identifying characteristics. If bumble bee identifying characteristics cannot be adequately captured in the container due to movement, the container will be placed in a cooler with ice until the bumble bee becomes inactive (generally within 15 minutes). Once inert, the bumble bee shall be removed from the container and placed on a white sheet of paper or card for examination and photographic documentation. The bumble bee shall be released into the same area from which it was captured upon completion of identification. Based on implementation of this method on a variety of other bumble bee species, they become active shortly after removal from the cold environment, so photography must be performed quickly.

If Crotch bumble bee nests are not detected, no further mitigation would be required. The mere presence of foraging Crotch bumble bees would not require implementation of additional minimization measures because they can forage up to 10 kilometers from their nests. If nest resources occupied by Crotch bumble bee are detected within the construction area, no construction activities shall occur within 100 feet of the nest, or as determined by a qualified biologist through evaluation of topographic features or distribution of floral resources. The nest resources will be avoided for the duration of the Crotch bumble bee nesting period (February 1 through October 31). Outside of the nesting season, it is assumed that no live individuals would be present within the nest as the daughter queens (gynes) usually leave by September, and all other individuals (original queen, workers, males) die. The gyne is highly mobile and can independently disperse to outside of the construction footprint to surrounding open space areas that support suitable hibernacula resources.

A written survey report will be submitted to the City and CDFW within 30 days of the pre-construction survey. The report will include survey methods,

weather conditions, and survey results, including a list of insect species observed and a figure showing the locations of any Crotch bumble bee nest sites or individuals observed. The survey report will include the qualifications/resumes of the surveyor(s) and approved biologist(s) for identification of photo vouchers, detailed habitat assessment, and photo vouchers. If Crotch bumble bee nests are observed, the survey report will also include recommendations for avoidance, and the location information will be submitted to the California Natural Diversity Database (CNDDDB) at the time of, or prior to, submittal of the survey report.

If the above measures are followed, it is assumed that the project shall not need to obtain authorization from CDFW through the California Endangered Species Act Incidental Take Permit process. If the nest resources cannot be avoided, as outlined in this measure, the project applicant will consult with CDFW regarding the need to obtain an Incidental Take Permit. Any measures determined to be necessary through the Incidental Take Permit process to offset impacts to Crotch bumble bee may supersede measures provided in this CEQA document and shall be incorporated into the habitat mitigation and monitoring plan.

In the event an Incidental Take Permit is needed, mitigation for direct impacts to Crotch bumble bee will be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the project, or as otherwise determined through the Incidental Take Permit process. Mitigation will be accomplished either through off-site conservation or through a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank, and lands are conserved separately, a cost estimate will be prepared to estimate the initial start-up costs and ongoing annual costs of management activities for the management of the conservation easement area(s) in perpetuity. The funding source will be in the form of an endowment to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount will be established following the completion of a project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record will consider all management activities required in the Incidental Take Permit to fulfill the requirements of the conservation easement(s), which are currently in review and development.

23. **MM-BIO-6 Least Bell's Vireo Focused Survey (Cancer Center site).** A City-approved Biologist shall conduct two focused surveys for least Bell's vireo no earlier than 3 days prior to the beginning of grading or any other type of ground disturbance. The results of the survey shall be submitted to

- the City prior to commencement of work. If any least Bell's vireo nests are found, the Biologist shall implement a default 500-foot minimum avoidance buffer. The breeding habitat/nest site shall be fenced and/or flagged in all directions. The nest will be monitored by the Designated Biologist, who will monitor the noise level generated by construction activities at the 500-foot avoidance buffer limits for one hour. If the noise level exceeds 60 dBA Leq1 at 500 feet from the active nest, the buffer will be expanded until the dBA falls below that level. This area shall not be disturbed until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, and the young will no longer be impacted by the project, as determined by the Biologist. If a lapse in project-related work of 5 days or longer occurs, another survey shall be required before project work can be reinitiated with the results submitted to the City.
24. **MM-BIO-7 Demarcation of Disturbance Limits (Cancer Center site).** Prior to commencement of earthwork for each phase of Project construction, the construction limits shall be clearly demarcated (e.g., installation of flagging or temporary high visibility construction fence), as recommended by the City-approved Biological Monitor. All construction activities including equipment staging and maintenance shall be conducted within the marked disturbance limits to prevent inadvertent disturbance to sensitive vegetation communities outside the limits of work. The flagging shall be maintained throughout construction.
25. **MM-BIO-8 Invasive Species Prevention (Cancer Center site).** The Project shall not include invasive plant species listed in the California Invasive Plant Council (Cal-IPC) inventory in project landscaping palettes. Project landscape palettes shall be reviewed and approved by the Community Development Director or their designee to ensure that invasive plant species are excluded. In addition, to prevent the spread of invasive plant species during construction and until the establishment of common landscaped areas associated with the project, the following measures shall be implemented:
- a. A Workers Environmental Awareness Training (WEAT) program will be prepared that will include invasive species prevention measure implemented by the project. The WEAT will include descriptions of the common invasive plants known in the region. The WEAT will also include descriptions of sensitive resources known to occur in the Project site and the procedures to follow should a sensitive resource be encountered.
  - b. All mobile vehicles and construction equipment shall be washed prior to entering the Project site in an upland location where any seed material from invasive species will be contained and not carried onto

the Project site. Logs of the washing will be submitted monthly to the City.

- c. Following the completion of grading activities, for those areas of the Project site that are graded but not yet developed/landscaped, the City-approved Biological Monitor shall conduct monthly spot checks to prevent the introduction or establishment of invasive plant species onto the graded areas (see MM BIO-4). If invasive species are identified, the Biological Monitor shall remove the plants with hand tools or weeding equipment to prevent propagation.
- d. All vegetative material removed from the Project Footprint shall be transported in a covered vehicle and will be disposed of at a certified disposal site.

26. **MM-BIO-9 Landscaping Plan (Cancer Center site).** Prior to the issuance of the first grading permit, the Applicant shall prepare a landscaping plan submit the landscaping plan to the City for review and approval. The landscaping plan shall include, but not be limited to, the following:

- a. Plant species list shall include scientific name, common name, plant container size, and quantities.
- b. Invasive plant species (designated by the California Invasive Plant Council) shall not be included in the landscaping plan as they could establish off-site and have negative impacts to the adjacent habitats.
- c. Non-native milkweeds shall not be included in the landscaping plan as they could establish off-site and have negative impacts to the adjacent habitats.
- d. Plant layout shall indicate the location of the plant species.
- e. Planting notes shall include irrigation and plant installation requirements such as mulch requirements.
- f. Where native species are required, the species shall be regionally appropriate native species of the region (locally indigenous native species).

27. **MM-BIO-10 Oak Tree Removal and Replacement (Cancer Center site and Janss Road site).** A total of 28 24-inch box size and 17 36-inch box size oak trees shall be planted and depicted on the landscape architect's planting plan. If different sized oak trees are proposed for installation or an alternate mitigation site is identified, the proposed size, quantity, and site shall be approved by the City of Thousand Oaks Community Development Director. Trees shall be installed per ISA tree planting specifications under the direction and supervision of an ISA Certified Arborist. Installed trees shall be monitored by an ISA Certified Arborist for the first 5 years after installation. The ISA Certified Arborist shall submit an annual report documenting tree species, diameter, height above grade, measured

dripline, appearance and health conditions, physical description, and photographs of each tree.

28. **MM-BIO-11 Tree Protection Prior to Construction (Cancer Center site and Janss Road site).** An ISA Certified Arborist shall be retained to oversee implementation of the following:

- a. **Fencing:** All remaining trees that will not be relocated or removed shall be preserved and protected in place. Trees within approximately 15 feet of proposed construction activity shall be temporarily fenced with chain link or other material satisfactory to City planning staff throughout grading and construction activities. The fencing shall be installed 5 feet outside of the dripline of each tree (or edge of canopy for cluster of trees), be 4 feet tall, and staked every 6 feet. For trees located south of the project site and within 15 feet of construction limits, fencing may be installed closer to the trees and within the tree protection zone (TPZ) for trees that are otherwise protected by the existing retaining wall to the south of the project site. The fenced area shall be considered the TPZ unless proximate construction requires temporary removal.
- b. **Flagging:** Above ground tree parts that could be damaged by construction equipment (e.g., low limbs, trunks) shall be flagged with red ribbon prior to the start of construction.
- c. **Pre-Construction Meeting:** 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 acknowledgement of their receiving 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.

29. **MM-BIO-12 Tree Protection and Maintenance During Construction (Cancer Center site and Janss Road site).** An International Society of Arboriculture (ISA) Certified Arborist shall be retained to oversee implementation of the following:

- a. **Equipment Operation and Storage:** Heavy equipment operation and storage shall be avoided tree protection zone (TPZ). Operating heavy machinery around the root zones of trees will increase soil compaction, which decreases soil aeration and subsequently reduces water penetration in the soil. All heavy equipment and vehicles shall, at minimum, stay out of the fenced TPZ, unless where

specifically approved in writing and under the supervision of an ISA Certified Arborist or as provided by the approved landscape plan.

- b. **Storage and Disposal:** Do not store or discard any supply or material, including paint, lumber, concrete overflow, etc. within the tree protection zone. Remove all foreign debris within the tree protection zone; it is important to leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrients. Avoid draining or leakage of equipment fluids near retained trees. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. Keep equipment parked at least 50 feet away from retained trees to avoid the possibility of leakage of equipment fluids into the soil. The effect of toxic equipment fluids on the retained trees could lead to decline and death.
- c. **Grade Changes:** Grade changes, including adding fill, are not permitted within the TPZ without special written authorization and under the supervision of an ISA Certified Arborist or as provided by the approved landscape plan. Lowering the grade within this area will necessitate cutting main support and feeder roots, jeopardizing the health and structural integrity of the tree(s). Adding soil, even temporarily, on top of the existing grade will compact the soil further and decrease both water and air availability to the trees' roots.
- d. **Moving Construction Materials:** Above ground tree parts that could be damaged (e.g., low limbs, trunks) shall be flagged with red ribbon prior to the start of construction, per MM-BIO-3. If contact with the tree crown is unavoidable, the conflicting branch(es) shall be pruned using ISA standards under the direction and supervision of an ISA Certified Arborist.
- e. **Root Pruning:** Except where specifically approved in writing, all trenching shall be outside of the fenced tree protection zone. Roots primarily extend in a horizontal direction forming a support base to the tree similar to the base of a wineglass. Where trenching is necessary in areas that contain tree roots, roots shall be pruned the roots using a Dosko root pruner or equivalent and under the direction and supervision of an ISA Certified Arborist. All cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. The trench shall be made no deeper than necessary.
- f. **Irrigation:** In the event that root pruning is necessary, trees that have been substantially root pruned (30% or more of their root zone) will require irrigation for the first 12 months. The first irrigation shall be within 48 hours of root pruning. They shall be deep watered every 2 to 4 weeks during the summer and once a month during the winter (adjust accordingly with rainfall). One irrigation cycle shall thoroughly soak the root zones of the trees to a depth of 3 feet. The soil shall

dry out between watering; avoid keeping a consistently wet soil. Designate one person to be responsible for irrigating (deep watering) the trees. Check soil moisture with a soil probe before irrigating. Irrigation is best accomplished by installing a temporary above ground micro-spray system that will distribute water slowly (to avoid runoff) and evenly throughout the fenced protection zone but never soaking the area located within 6 feet of the tree trunk, especially during warmer months.

- g. **Pruning:** Trees shall not be pruned until all construction is completed. This will help protect the tree canopies from damage. All pruning shall be completed under the direction of an ISA Certified Arborist and using ISA guidelines. Only dead wood shall be removed from tree canopies.
- h. **Washing:** During construction in summer and autumn months, wash foliage of trees adjacent to the construction sites with a strong water stream every two weeks in early hours before 10:00 a.m. to control mite and insect populations.
- i. **Inspection:** An ISA Certified Arborist shall inspect the 26 preserved trees on a monthly basis during construction. A report comparing tree health and condition to the original, pre-construction baseline shall be submitted following each inspection. Photographs of representative trees are to be included in the report on a minimum annual basis.

30. **MM-BIO-13 Tree Maintenance After Construction (Cancer Center site and Janss Road site).** Once construction is complete the fencing may be removed, and the following measures shall be performed to sustain and enhance the vigor of the preserved trees:

- a. **Mulch:** Provide a 4-inch mulch layer under the canopy of trees. Mulch shall include clean, organic mulch that will provide long-term soil conditioning, soil moisture retention, and soil temperature control.
- b. **Pruning:** The trees will not require regular pruning. Pruning shall only be done to maintain clearance and remove broken, dead, or diseased branches. Pruning shall only take place following a recommendation by an ISA Certified Arborist and performed under the supervision of an ISA Certified Arborist. No more than 20% of the canopy shall be removed at any one time. All pruning shall conform to ISA standards.
- c. **Watering:** The natural trees that are not disturbed shall not require regular irrigation, other than the 12 months following substantial root pruning. However, soil probing shall be necessary to accurately monitor moisture levels. Especially in years with low winter rainfall, supplemental irrigation for the trees that sustained root pruning and

any newly planted trees may be necessary. The trees shall be irrigated only during the winter and spring months.

- d. **Watering Adjacent Plant Material:** All plants near the trees shall be compatible with water requirements of said trees. The surrounding plants shall be watered infrequently with deep soaks and allowed to dry out in-between, rather than frequent light irrigation. The soil shall not be allowed to become saturated or stay continually wet. Irrigation spray shall not hit the trunk of any tree. A 60-inch dry-zone shall be maintained around all tree trunks. An aboveground micro-spray irrigation system is recommended over typical underground pop-up sprays.
- e. **Washing:** Periodic washing of the foliage is recommended during construction but no more than once every 2 weeks. Washing shall include the upper and lower leaf surfaces and the tree bark. This shall continue beyond the construction period at a less frequent rate with a high-powered hose only in the early morning hours. Washing will help control dirt/dust buildup that can lead to mite and insect infestations.
- f. **Spraying:** If the trees are maintained in a healthy state, regular spraying for insect or disease control shall not be necessary. If a problem does develop, an ISA Certified Arborist shall be consulted; the trees may require application of insecticides to prevent the intrusion of bark-boring beetles and other invading pests. All chemical spraying shall be performed by a licensed applicator under the direction of a licensed pest control advisor.
- g. **Inspection:** All trees that were impacted during construction within the TPZ shall be monitored by an ISA Certified Arborist for the first 5 years after construction completion. The ISA Certified Arborist shall submit an annual report, photograph each tree, and compare tree health and condition to the original, pre-construction baseline.

## CULTURAL RESOURCES

- 31. **MM-CUL-1 Worker Environmental Awareness Program (WEAP).** Prior to the start of construction activities, all construction personnel and monitors shall be trained regarding identification and treatment protocol for inadvertent discoveries of cultural resources (archaeological and tribal) and human remains. A basic presentation and handout or pamphlet shall be prepared in order to ensure proper identification and treatment of inadvertent discoveries of cultural resources and human remains. The purpose of the Workers Environmental Awareness Program (WEAP) training is to provide specific details on the kinds of materials that may be identified during ground disturbing activities and explain the importance of and legal basis for the protection of human remains and significant cultural



resources. Each worker shall also be trained in the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground disturbing activities. These procedures include but are not limited to work curtailment or redirection, and the immediate contact of the site supervisor and archaeological monitoring staff. WEAP attendance requirement shall be stated on all Project site plans intended for use by those conducting the ground disturbing activities.

32. **MM-CUL-2 Retention of an On-Call Qualified Archaeologist.** Prior to commencement of any grading activity on-site, the Applicant and/or subsequent responsible parties shall retain a Qualified Archaeologist, meeting the Secretary of the Interior's Standards, and with experience in California prehistoric and historic resources (experience within Project area preferred), to complete the following: compose a Cultural Resource Discovery Management Plan (Plan), respond to inadvertent discoveries identified during project implementation, and manage archaeological monitoring if required. The purpose of the Plan is to outline a program of treatment and mitigation in the case of an inadvertent discovery of cultural resources during ground-disturbing phases and to provide for the proper identification, evaluation, treatment, and protection of any cultural resources in accordance with CEQA throughout the duration of the Project. Existence and importance of adherence to this Plan shall be stated on all Project site plans intended for use by those conducting the ground disturbing activities.
33. **MM-CUL-3 Inadvertent Discovery Clause.** In the event that potential archaeological resources (sites, features, or artifacts) are exposed during ground disturbing, all construction work occurring not less than 50 feet of a cultural resource discovery and 100 feet of a human remains discovery shall immediately stop and the qualified archaeologist that has been retained on call must be notified immediately to assess the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under the CEQA, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work (e.g., preparation of an archaeological treatment plan, testing, data recovery, or monitoring) may be warranted if the resource cannot be feasibly avoided. If the discovered archaeological resource is determined to be Native American in origin, the Tribe/s traditionally and culturally affiliated with geographic area of the project site shall be contacted.

In the event that human remains are inadvertently encountered during construction activities, the remains and associated resources shall be treated in accordance with state and local regulations that provide requirements regarding the discovery of human remains, including

- California Health and Safety Code Section 7050.5, California Public Resources Code Section 5097.98, and CEQA Guidelines Section 15064.5(e). In accordance with these regulations, if human remains are found, the County Coroner must be immediately notified of the discovery. No further excavation or disturbance of the Project site or any nearby (no less than 100 feet) area reasonably suspected to overlie adjacent remains can occur until the County Coroner has determined if the remains are potentially human in origin. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she is required to notify the NAHC that shall notify those persons believed to be the most likely descendant. The most likely descendant shall determine, in consultation with the property owner, the disposition of the human remains. Existence and importance of adherence to this clause shall be stated on all Project site plans intended for use by those conducting the ground disturbing activities.
34. NOTE: These measures have been developed to mitigate any potential impacts to unknown archaeological resources, as previously defined, or human remains within the Cancer Center site. As previously mentioned, since the current Project does not include any ground disturbance within the Janss Road site, there are no impacts anticipated to result from current Project implementation. However, if a future project proposed on the Janss Road site includes ground disturbance, subsurface testing would be required to determine whether the resource extends into the Janss Road site, meets the criteria of a historical resource or unique archaeological site pursuant to CEQA Guidelines Section 15064.5 or demonstrates evidence or potential evidence of the presence of human remains and either archaeological resources, as previous defined, or human remains have the potential to be impacted.
35. **MM-CUL-4 Paleontological Resources Impact Mitigation Program (PRIMP).** Prior to commencement of any grading activity on-site, the applicant shall retain a qualified paleontologist per the Society of Vertebrate Paleontology (SVP) (2010) guidelines. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the Project. The PRIMP shall be consistent with the SVP (2010) guidelines and should outline requirements for preconstruction meeting attendance and worker environmental awareness training, where monitoring is required within the Project site based on construction plans and/or geotechnical reports, procedures for adequate paleontological monitoring and discoveries treatment, and paleontological methods (including sediment sampling for microvertebrate fossils), reporting, and collections management. The PRIMP shall also include a statement that any fossil lab or curation costs (if necessary due to fossil recovery) are the responsibility

of the Project applicant or proponent. The qualified paleontologist shall attend the preconstruction meeting and a qualified paleontological monitor shall be on-site during all rough grading and other significant ground-disturbing activities (including augering) in previously undisturbed, fine-grained Pleistocene alluvial deposits. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find.

## HAZARDS AND HAZARDOUS MATERIALS

36. **MM-HAZ-1 Phase I Environmental Site Assessment (ESA) for Janss Road site.** A Phase I ESA shall be conducted in accordance with ASTM Standard E-1527-21 (or a more recent version of ASTM E-1527) prior to change of land use or issuance of a demolition, grading, or building permit where ground disturbance is required. Recognized environmental conditions identified in the Phase I ESA shall be investigated through completion of a Phase II ESA in accordance with ASTM Standard 1903-19 (or a more recent version of ASTM 1903). The Phase II ESA shall compare sampling results to regulatory screening levels (RWQCB ESLs, EPA RSLs, and DTSC-SLs) based on the proposed land use (i.e., residential, commercial, industrial) as well as construction worker safety requirements. If concentrations exceed current screening levels, the applicant may be required to provide additional data (i.e., further sample collection) and/or a human health risk assessment to the City to demonstrate protection of human health prior to the issuance of a permit. If concentrations exceed current screening levels or if the increased human health risk estimate exceeds one in a million, the City shall consult a regulatory agency (e.g., Ventura County Environmental Health, RWQCB, or DTSC) prior to the issuance of permits to determine an appropriate plan of action for remediation or mitigation related to the potential hazards. Written confirmation from the overseeing regulatory agency shall be provided to the City documenting that the existing environmental contamination will not significantly impact the health and safety of construction workers, adjacent sensitive receptors, future occupants, or future land uses on the site, and that protections or remediation completed are adequate to ensure future activities and land uses will not be subject to a health risk at the site. Alternatively, the regulatory agency review may indicate that safety standards cannot be assured, which may result in denial of the permit application.

## NOISE

37. **MM-NOI-1 Construction Noise Reduction – Cancer Center site.** The following measures shall be implemented by the construction contractor to reduce Project construction noise exposures as predicted in this EIR and as received by nearest existing off-site residential receptors west and east of the Project site to levels less than 10 dBA over the pre-project outdoor daytime ambient sound environment.
- a. The project contractor shall schedule construction phases to avoid concurrent operation of construction equipment from multiple phases at nearest horizontal distances to an off-site noise-sensitive receiver.
  - b. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained engine exhaust mufflers.
  - c. Based on feasibility and/or practicality, contractor shall apply the following on-site equipment noise control and sound abatement methods:
    - i. shutting off idling engines of vehicles and stationary engine-driven equipment when not in use;
    - ii. orient operating stationary equipment so that audibly or measurably louder cabinet surfaces or penetrations (e.g., air intake or discharge vents) are facing away from nearest off-site noise-sensitive receptors; and
    - iii. apply factory-approved enclosures, vent shrouds, and other equipment-mounted features to attenuate (via dissipative acoustical absorption, sound path occlusion or redirection, etc.) noise emission.
  - d. During the site demolition, grading, building construction, and paving phases of the Project, the contractor shall install a minimum 12-foot-tall temporary noise barrier (e.g., vertical installation of adjoining plywood sheeting, a frame-suspended outdoor acoustical blanket, or other materials/assembly that demonstrates a minimum of sound transmission class [STC] 25) along an extent of the Project boundary between the construction activity of concern and the off-site noise-sensitive receptor of interest. The barrier shall feature the following:
    - i. No open gaps between the ground surface and the barrier bottom edge;
    - ii. No gaps or cracks between adjoining vertical barrier element edges (e.g., overlap plywood sheeting or acoustical blanket flaps);
    - iii. As depicted in Exhibit 4.9-1, the horizontal extent of an installed linear barrier, with a midpoint at a perpendicular distance (PD) from the midpoint of the construction zone width (CZW), should be equal to the width of the construction zone plus four times the perpendicular distance between the noise

source and barrier plane (i.e., linear barrier extent = CZW+4PD). As illustrated in Exhibit 4.9-2, one or both ends of the barrier may instead be turned inward up to ninety degrees towards the construction zone or noise source, creating an “L” or “C”-shaped barrier layout with less total length than CZW+4PD, so long as angle “alpha” between the ray connecting the vertical edge position with the construction zone centroid and the plane of the barrier parallel to the construction zone is held constant. Either barrier layout per this guidance should thus minimize flanking around the vertical edges and help preserve noise reduction performance.

- e. In combination with application of a temporary barrier per MM-NOI-1-iv, the cumulative hours on site within a typical 8-hour daytime construction period during which an operating piece of construction equipment may operate at the indicated closest distance to an off-site noise-sensitive receptor shall be limited as follows for each of the four construction phases:
  - i. **Demolition** – no more than 5 hours each for the excavator and dozer, operating as close as 75 feet to the nearest off-site noise-sensitive receptor.
  - ii. **Grading** – no more than 6 hours each for the excavator, front-end loader, and backhoe, operating as close as 125 feet to the nearest off-site noise-sensitive receptor; no more than 2 hours each for the dozer and tractor, operating as close as 75 feet to the nearest off-site noise-sensitive receptor.
  - iii. **Building Construction** – no limitation on equipment operating hours at the closest distance of 180 feet to the nearest off-site noise-sensitive receptor.
  - iv. **Paving** – no more than 6 hours each for the concrete mixer truck and roller, operating as close as 75 feet to the nearest off-site noise-sensitive receptor; no more than 4 hours for the paver operating as close as 75 feet to the nearest off-site noise-sensitive receptor; no more than 7 hours for the front-end loader operating as close as 75 feet to the nearest off-site noise-sensitive receptor.

For the remaining hours of an 8-hour daytime construction work shift, the above-listed equipment may operate on site but at least three times the indicated distance.

- i. At the representative first-day of each project construction phase, or under similar conditions that are indicative of normal on-site construction activity for that phase, a noise level monitor shall be deployed on the receiver side of an installed project on-site temporary noise barrier to measure and

document that off-site noise exposure levels attributed to project construction activity of concern at a sample western and eastern off-site sensitive receptor is in conformance with the 10 dBA increase-over-ambient noise level threshold when compared to a sample measured baseline condition without project construction activity occurring.

The construction noise model prediction worksheets attached herein include predictive sound propagation calculations for both non-mitigated and mitigation scenarios associated with off-site receptors ST1 and ST2 and present by phase what would be expected to reduce aggregate construction noise level (as an 8-hour Leq) to no more than 10 dB greater than the measured samples of outdoor baseline or pre-project sound environment for the western off-site receptors represented by ST1 and ST2 as studied herein. These predictions include incorporation of mitigation measures as described in MM-NOI-1 above.

38. **MM-NOI-2 Construction Noise Reduction – Janss Road site.** The following measures shall be implemented by the construction contractor to reduce Project construction noise exposures as predicted in this EIR and as received by nearest existing off-site residential receptors west and east of the Project site to levels less than 10 dBA over the pre-project outdoor daytime ambient sound environment.
- a. The project contractor shall schedule construction phases to avoid concurrent operation of construction equipment from multiple phases at nearest horizontal distances to an off-site noise-sensitive receiver.
  - b. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained engine exhaust mufflers.
  - c. Based on feasibility and/or practicality, contractor shall apply the following on-site equipment noise control and sound abatement methods:
    - i. shutting off idling engines of vehicles and stationary engine-driven equipment when not in use;
    - ii. orient operating stationary equipment so that audibly or measurably louder cabinet surfaces or penetrations (e.g., air intake or discharge vents) are facing away from nearest off-site noise-sensitive receptors; and
    - iii. apply factory-approved enclosures, vent shrouds, and other equipment-mounted features to attenuate (via dissipative acoustical absorption, sound path occlusion or redirection, etc.) noise emission.
  - d. During the site demolition, grading, building construction, and paving phases of the Project, the contractor shall install a minimum 8-foot-tall temporary noise barrier (e.g., vertical installation of adjoining

plywood sheeting, a frame-suspended outdoor acoustical blanket, or other materials/assembly that demonstrates a minimum of sound transmission class [STC] 20) along an extent of the Project boundary between the construction activity of concern and the off-site noise-sensitive receptor of interest. The barrier shall feature the following:

- i. No open gaps between the ground surface and the barrier bottom edge;
  - ii. No gaps or cracks between adjoining vertical barrier element edges (e.g., overlap plywood sheeting or acoustical blanket flaps);
  - iii. As depicted in Exhibit 4.9-1, the horizontal extent of an installed linear barrier, with a midpoint at a perpendicular distance (PD) from the midpoint of the construction zone width (CZW), should be equal to the width of the construction zone plus four times the perpendicular distance between the noise source and barrier plane (i.e., linear barrier extent =  $CZW + 4PD$ ). As illustrated in Exhibit 4.9-2, one or both ends of the barrier may instead be turned inward up to ninety degrees towards the construction zone or noise source, creating an “L” or “C”-shaped barrier layout with less total length than  $CZW + 4PD$ , so long as angle “alpha” between the ray connecting the vertical edge position with the construction zone centroid and the plane of the barrier parallel to the construction zone is held constant. Either barrier layout per this guidance should thus minimize flanking around the vertical edges and help preserve noise reduction performance.
- e. At the representative first-day of each project construction phase, or under similar conditions that are indicative of normal on-site construction activity for that phase, a noise level monitor shall be deployed on the receiver side of an installed project on-site temporary noise barrier to measure and document that off-site noise exposure levels attributed to project construction activity of concern at a sample western and eastern off-site sensitive receptor is in conformance with the 10 dBA increase-over-ambient noise level threshold when compared to a sample measured baseline condition without project construction activity occurring.

The construction noise model prediction worksheets attached herein include predictive sound propagation calculations for both non-mitigated and mitigation scenarios associated with off-site receptor ST4 and present by phase what would be expected to reduce aggregate construction noise level (as an 8-hour Leq) to no more than 10 dB greater than the measured samples of outdoor baseline or pre-project sound environment for the off-site receptor represented by ST4 south of Janss Road as studied herein.

These predictions include incorporation of mitigation measures as described in MM-NOI-1 above.

39. **MM-NOI-3 Mechanical Equipment Noise Abatement.** Because heating, ventilation, and air conditioning (HVAC) equipment can generate noise that could affect surrounding sensitive receptors and because the details, specifications, and locations of this equipment is not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans prior to final approval to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the commencement of construction, the acoustical specialist shall certify in writing to the City that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.

## WILDFIRE

40. **MM-WF-1 Pre-Construction Requirements.** Vegetation management shall be conducted prior to the start of construction and throughout all construction phases. Existing flammable vegetation shall be reduced by 50% on vacant portions of the project site upon commencement of construction. Firebreaks and fuel modification shall be implemented in accordance with Appendix J, Fire Protection Plan, and approved by VCFD.

Prior to bringing lumber or combustible materials onto the site, site improvements within the active development area shall be in place, including utilities, operable fire hydrants, an approved, temporary roadway surface, and fuel modification zones established. These features shall be approved by VCFD prior to combustibles being brought on site.

To limit the risk of fire ignitions, the Project shall comply with the following risk reducing measures:

- a. All new power lines shall be underground for fire safety. Temporary construction power lines may be allowed in areas that have been cleared of combustible vegetation.
- b. No Smoking will be allowed on site except in designated safe smoking areas which include cleared area with no combustible vegetation or materials and approved butt receptacles (noncombustible containment of cigarette butts).
- c. Minimize combustible and flammable materials storage on site.
- d. Store any combustible or flammable materials that need to be on site away from ignition sources and native vegetation.



- e. Parking areas shall be cleared of all grass and brush by a distance of at least 10 feet.
- f. Keep evacuation routes free of obstructions.
- g. Label all containers of potentially hazardous materials with their contents and stored in the same location as flammable or combustible liquids.
- h. Perform "hot work" according to fire safe practices in a controlled environment and with fire suppression equipment at the job site. A fire watch person (Fire Patrol), with extinguishing capability (e.g., fire extinguishers), should be in place for all 'Hot Work' activities during construction. Ensure hot work adheres to the guidelines provided.
- i. Dispose of combustible waste promptly and according to applicable laws and regulations.
- j. Report and repair all fuel leaks without delay.
- k. Extension cords shall not be relied on if wiring improvements are needed, and overloading of circuits with multiple pieces of equipment shall be prohibited.
- l. Turn off and unplug electrical equipment when not in use.
- m. Direct contractors on site to restrict use of chainsaws, chippers, vegetation masticators, grinders, drill rigs, tractors, torches, and explosives to outside during Red Flag Warnings. When the above tools and equipment are used, water trucks (4,000-gallon capacity) equipped with hoses, shovels, Pulaski's, and McLeod's shall easily be accessible to personnel.
- n. When an evacuation has been called, all site personnel will gather at the designated assembly area and the Site Safety Officer will account for all personnel. Once all personnel are accounted for, the vehicles will safely convoy from the site to safe zones, which are generally areas off-site away from the threat.
- o. Contractor shall monitor for erosion, document issues, and take corrective actions to minimize erosion during vegetation removal. Construction crew members and contractors shall use caution to avoid causing erosion or ground (including slope) instability or water runoff due to vegetation removal, vegetation management, maintenance, landscaping, or irrigation. Standard federal, state, and local regulations for erosion control and erosion control best practices shall be implemented.

**41. MM-WF-2. A Fully Irrigated Landscape, Planted with Drought-tolerant, Fire-resistive Plants.** A fully irrigated landscape, planted with drought-tolerant, fire-resistive plants shall be implemented in accordance with VCFD Fire Hazard Reduction Program Plant Reference Guide. No undesirable, highly flammable plant species shall be planted, as listed in the VCFD Prohibited Plant List. The landscaping shall be routinely maintained and

shall be watered by an automatic irrigation system that will maintain healthy vegetation with high moisture contents that would minimize ignition by embers from a wildfire. The landscape plan shall be submitted to VCFD for review and approval before construction may commence.

42. **MM-WF-3. Building Materials.** The east side of the proposed structure, which achieves up to approximately 85 feet of on-site fuel modification and is adjacent to naturally vegetated open space areas, shall be constructed with code exceeding dual pane dual tempered glass windows. The east side of the proposed structure shall also include 5/8-inch Type X fire rated gypsum sheathing applied behind the exterior covering or cladding (stucco or exterior siding) on the exterior side of the framing, from the foundation to the roof for a facade facing the open space and naturally vegetated areas. 5/8-inch Type X fire rated gypsum sheathing is required to be manufactured in accordance with established ASTM standards defining type X wallboard sheathing as that which provides not less than one-hour fire resistance when evaluated in specified building assemblies and has been tested and certified as acceptable for use in a one-hour fire rated system. CertainTeed Type X Gypsum Board has a Flame Spread rating of 15 and Smoke Developed rating of 0, in accordance with ASTM E 84, (UL 723, UBC 8-1, NFPA 255, CAN/ULC-S102); UL classified for Fire Resistance (ANSL/UL 263; ASTM E119) and listed under UL File No. CKNX.R3660 (CertainTeed, 2021).

## MITIGATION MONITORING PLAN

43. **Mitigation Monitoring Program** – The Mitigation Monitoring Program in the Final Environmental Impact Report (2022-70775-EIR) is hereby adopted. Prior to the issuance of a grading 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 Final Environmental Impact Report have either been incorporated in the project design or have been or will be undertaken as required. Final determination of compliance with imposed mitigation measures pursuant to the requirements of Section 21081.6 of the Public Resource Code shall in turn be subject to the review and approval of the Community Development Department.
44. **Mitigation Compliance** – Prior to the issuance of any 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 Final Environmental Impact Report (2022-70775-EIR) have either been incorporated in the project design or undertaken as required. Final determination of compliance with imposed

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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.

**COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2022-70732-DP**

**GENERAL**

45. **Land and Application** – The Development Permit is adopted, granted or accepted for the land described in the application, any attachment thereto, and as shown on the submitted “Project Plan Set,” dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024, pursuant to the following conditions.
46. **Scope of Permit Approval** – the demolition of all improvements on the property and construction of an approximately 58,412 square foot (sf) medical office building that accommodates various cancer medical and patient services. The building height would range between 27 feet and 44 feet 2 inches at its highest point. Primary access would be off Rolling Oaks Drive and secondary access off Los Padres Drive with parking provided on the property. The project also includes the installation of hardscape, landscape, utilities, and associated grading on slopes steeper than 25 percent. The Project shall be constructed substantially as shown on project plans labeled “Project Plan Set,” dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024, unless conditioned otherwise herein.
47. **Approval Period/Use Inauguration** – The Development Permit is granted for a three (3) year period of time from City Council final project effectuation (30 days after the Zone Change 2022-70733-Z’s second reading) ending May 9, 2027, at which time said permit shall expire unless the use authorized herein has been inaugurated in accordance with Section 9-4.2812(c) of the Thousand Oaks Municipal Code. The applicant may request time extensions of this period as permissible by Section 9-4.2812(e) of the Thousand Oaks Municipal Code by filing a Minor Modification application prior to the expiration date.
48. **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.

**OPERATIONAL RESTRICTIONS**

49. **Medical Services** – The primary use of the building is permitted for medical services including, but are not limited to, radiation oncology, medical oncology, surgical oncology, radiology and imaging services, as well as

## COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2022-70732-DP

patient-centric services including a nurse navigator, genetic counseling, emotional counseling, financial support, and immune therapy.

50. **Hours of Operation** – The project shall be limited to customer service operations between the hours of 8:00 A.M. to 5:00 P.M. Monday through Sunday. Medical staff without patients being present may work on the property outside these hours.
51. **Delivery Hours** – All deliveries shall take place between the hours of 8:00 A.M. to 5:00 P.M. Monday through Friday.
52. **Interior Activities** – All use activities shall occur within the interior of the building.

### GRADING

53. **APCD Permit** – The applicant shall obtain all necessary clearances from the Air Pollution Control District (APCD) prior to beginning any grading on-site. Verification shall also be provided to the City.
54. **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>

55. **Project Grading** – All gradients within the parking lot shall comply with the provisions of Section 9-4.2405(a) of the Thousand Oaks Municipal Code, unless otherwise authorized herein. All parking lot areas shall have a maximum gradient slope of 2.5% and parking spaces shall have a maximum cross-slope of 2%. Access driveways serving the site shall be limited to a maximum seven percent (7%) gradient with approved transitions. Deviation

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from these requirements shall be permitted only by written consent of the Community Development Director and Public Works Director or designees.

56. **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
57. **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 builder shall comply with an approved identified haul route to and from the project 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 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.
58. **Grading Adjacent to Public Streets (Resolution No. 79-270) Compliance** - All grading adjacent to Rolling Oaks Drive and Los Padres Drive shall be designed in compliance with Resolution No. 79-270 and Resolution 91-172, and shall be constructed substantially as shown on project plans labeled "Project Plan Set," dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024, unless conditioned otherwise herein.
59. **Grading Within 25% Slope Terrain** – Grading encroachment within twenty-five percent (25%) and steeper sloping terrain is permitted only to satisfy California Building Code requirements for building wall setback as depicted and as shown on project plans labeled "Project Plan Set," dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024, unless conditioned otherwise herein.
60. **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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61. **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.
62. **Manufactured Slope Landscaping** – In accordance with the City's Grading Ordinance, all manufactured slopes shall be landscaped with drought resistant native plant materials including tree clusters and ground cover and provided with a permanent irrigation system throughout. The landscaping and an irrigation system shall be installed within six (6) months following the completion of grading. Prior to issuance of a grading permit, landscaping and irrigation plans shall be submitted for the review and approval of the Community Development Department.
63. **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 Engineering consultant 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 in the grading plan/attachments dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024.
64. **Utility Lines** – All new utility service to the site shall be installed underground.

**BUILDING SETBACKS**

65. **Building Setbacks** – All building setbacks shall be provided as depicted on the Exhibits, labeled "Project Plan Set," dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024.

DEVELOPMENT STANDARD (C-O)	REQUIRED	PROPOSED	COMPLIES
<b>Setbacks (ft.)</b>			
<b>Front Setback (north – along Rolling Oaks Drive)</b>	A minimum setback of 20 feet from the property line adjacent to a street.	Front = ~100 feet from the property line along Rolling Oaks Drive to the closest corner (northwest) of the proposed building.	Yes
<b>Front Setback (west – along Los Padres Drive)</b>	A minimum setback of 20 feet from the property line	Front = ~90 feet from the property line along Los Padres Drive to the closest corner	Yes

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	adjacent to a street.	(southwest) of the proposed building.	
<b>Side Setback (east)</b>	5 feet, except 30 feet when abutting R zone.	Side = ~85 feet from the eastern property line.	Yes
<b>Rear Setback (south)</b>	20 feet minimum from the rear property lines.	Rear = ~180 feet from the nearest rear property line to the closest corner (southeast) of the proposed building.	Yes

### BUILDING HEIGHT

66. **Building Height** – As measured from the building’s finished floor, the maximum building height shall not exceed 44’ 2”, as shown in the exhibits labeled “Project Plan Set,” dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024.

### ARCHITECTURAL DESIGN

67. **Architectural Building Design** – The architectural design depicted in the attachments labeled “Project Plan Set,” dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024, are approved in concept. Prior to the issuance of a building permit, fully dimensioned and detailed architectural drawings shall be submitted for review and approval by the Community Development Department, with all elevations coordinated with color, materials, and architectural form to achieve design harmony and continuity.
68. **Building Wall Treatment** – The building walls shall incorporate architectural treatment to create a visually interesting appearance as viewed from the surrounding properties and scenic corridors. The treatment shall include, but is not limited to, incorporating decorative finish materials, vertical and horizontal variation, and recessed storefront and window glazing. The design shall comply with the building elevation plans as shown in the exhibits labeled “Project Plan Set,” dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024.
69. **Window Recess** – Windows must be recessed at a minimum depth of at least three inches (3”) from glass face to wall edge around the windows if there is no trim.



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70. **Window Divided-Lites/Mullions** – Divided-lite windows, where utilized, must consist of true/full divided-lites or simulated divided-lites, in accordance with the following standards:
- Muntins or grids must project at least three-eighths of an inch (3/8") from the glass surface.
  - Muntins or grids must be used on both the exterior and interior of the glass.
  - For simulated divided-lites, spacers must be used between panes.
71. **Window Materials** – Windows frames must be made of aluminum, fiberglass, wood, or manufactured wood; or another material with a wood grain texture finish.
72. **Window Glazing** – Opaque, spandrel, reflective, and mirrored window glazing is prohibited, except as shown on project plans labeled "Project Plan Set," dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024.
73. **Window Shutters** – Shutters, where utilized, must be proportionately sized to the height and width of the window. Shutter materials must be consistent with the project's exterior building colors/materials and not be of a faux material.
74. **Exterior Building Colors and Materials** – All exterior materials and colors depicted on the attachments labeled "Project Plan Set" dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024, are approved in concept only. Prior to the issuance of a grading permit, a final color and materials sample board, including, but not limited to, specific materials and paint manufacturer colors, shall be submitted for 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. The following materials and colors are approved in concept, unless otherwise noted:
- Concrete Masonry Unit (CMU)
    - CMU-1:
      - Manufacturer: Orco - or approved equal
      - Product Series: 3" Veneer System ORCO Burnished Veneer
      - Color: Wheat MW w/ BC
      - Location: Building Columns Base
    - CMU-2:
      - Manufacturer: Orco - or approved equal
      - Product Series: 3" Veneer System ORCO Burnished Veneer

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3. Color: Wheat MW w/ BC
  4. Location: Building Columns Base
- b. Exterior Walls (EIFS & DEFS)
- i. EIFS-1: EIFS System:
    1. Manufacturer: Dryvit - or approved equal
    2. Product Series: Outsulation Plus MD System
    3. Color: Match 472ST Captain, Pastel; Base, Stratatone
    4. Texture: Sandblast NTX
    5. Sealant Color: Match EIFS
  - ii. EIFS-2: EIFS System:
    1. Manufacturer: Dryvit - or approved equal
    2. Product Series: Outsulation Plus MD System
    3. Color: Match 105 Suede
    4. Texture: Sandblast NTX
    5. Sealant Color: Match EIFS
  - iii. DEFS-1: Direct Applied EIFS System:
    1. Manufacturer: Dryvit - or approved equal
    2. Product Series: Cement Board MD
    3. Color: Match EIFS-1
    4. Texture: Match EIFS-1
    5. Location: Exterior ceiling
- c. Thermal/Moisture Protection (JS & MTL)
- i. JS-1: Joint Sealant:
    1. Manufacturer: Dow Corning - or approved equal
    2. Product Series: Dowsil 758 Silicone Weather Barrier Sealant
    3. Color: Match EIFS-1
    4. Location: Varies
  - ii. MTL-1: Metal Column Cover:
    1. Manufacturer: Centria - or approved equal
    2. Product Series: Column Cover 3000
    3. Color: 154 Dark Bronze
    4. Location: Canopy Columns
  - iii. MTL-2A: Metal Wood-look Beams:
    1. Manufacturer: Armstrong - or approved equal
    2. Product Series: Custom Exterior Aluminum Vertical Beam
    3. Color: Match WDC-2
    4. Location: Exterior decorative wood-look beams at patio
  - iv. MTL-2B: Metal Wood-look Beams:
    1. Manufacturer: Armstrong - or approved equal

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2. Product Series: Custom Exterior Aluminum Vertical Beam
3. Color: Match WDC-2
4. Location: Exterior decorative wood-look beams at roof
- v. MTL-2C: Metal Wood-look Beams:
  1. Manufacturer: Armstrong - or approved equal
  2. Product Series: Custom Exterior Aluminum Vertical Beam
  3. Color: Match WDC-2
  4. Location: Exterior decorative wood-look beams W-flange cladding
- d. Finishes – Exterior Paint (XPT)
  - i. XPT-1
    1. Manufacturer: Sherwin-Williams - or approved equal
    2. Product Series: Coating System
    3. Color: Match AMF-2
    4. Location: Exterior HM metal doors
  - ii. XPT-2
    1. Manufacturer: Sherwin-Williams - or approved equal
    2. Product Series: Coating System
    3. Color: Match AMF-2
    4. Location: Gate
  - iii. XPT-3
    1. Manufacturer: Sherwin-Williams - or approved equal
    2. Product Series: Sherwin-Williams
    3. Color: Match WDC-2
    4. Location: Trash Enclosure Wood
- e. Architectural Metal Finishes – (AMF)
  - i. AMF-1
    1. Manufacturer: Sherwin-Williams - or approved equal
    2. Product Series: Coating System
    3. Color: 399C9041, 439Z8466M Coil, Fluoropon Classic II, Wells Bronze
    4. Location: Infill Metal Panel, HM Coatings, Sheet Metal Flashing
  - ii. AMF-2
    1. Manufacturer: Sherwin-Williams - or approved equal
    2. Product Series: Coating System
    3. Color: 399D0329, Fluoropon Classic II, Anodized Wells Bronze
    4. Location: Punched Windows, Curtain Wall Window Mullions Railings
  - iii. AMF-20

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1. Manufacturer: Sherwin-Williams - or approved equal
  2. Product Series: Sherwin-Williams
  3. Color: SW6255 Morning Fog
  4. Location: Shadow Boxes
- f. Decorative Wall Tile – (DWT)
- i. DWT-1
    1. Manufacturer: Daltile - or approved equal
    2. Product Series: Artcrafted Gazed Ceramic, 4x4
    3. Color: Cotto AC27 – V3
    4. Location: Decorative Exterior Wall Accent
- g. Metal Fabrication – Railings (R)
- i. R-1
    1. Manufacturer: Kane Innovations - or approved equal
    2. Product Series: Contemporary Picket
    3. Color: Match AMF-2
    4. Location: Patio Guardrails
  - ii. R-2
    1. Manufacturer: Kane Innovations - or approved equal
    2. Product Series: Contemporary Picket
    3. Color: Match AMF-2
    4. Location: Site Stairs with handrails
  - iii. R-2
    1. Manufacturer: Kane Innovations - or approved equal
    2. Product Series: Contemporary Picket Face Mounted
    3. Color: Match AMF-2
    4. Location: Juliet Balcony Guardrail
- h. Openings – Glazing (AGS, CMP & GL)
- i. AGS-1: Aluminum Glazing System
    1. Manufacturer: Kawneer - or approved equal
    2. Product Series: 1600 Wall
    3. Color: AMF-02
    4. Location: Aluminum Framed Storefront Entrances
  - ii. AGS-10: Aluminum Glazing System
    1. Manufacturer: Kawneer - or approved equal
    2. Product Series: 2250 IG
    3. Color: AMF-02
    4. Location: Aluminum Framed Window
  - iii. GL-1: Glazing
    1. Manufacturer: Vitro - or approved equal
    2. Product Series: Solarban 90 Starphire
    3. Color: Vision
    4. Location: Exterior Glazing

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- iv. GL-2: Glazing
  - 1. Manufacturer: Vitro - or approved equal
  - 2. Product Series: Solarban 90 Starphire with Shadow Box
  - 3. Color: Vision, Metal color AMF-20
  - 4. Location: Exterior Glazing
- v. CMP-1: Composite Metal Panel
  - 1. Manufacturer: Kawneer - or approved equal
  - 2. Product Series: Skimcoat Plaster
  - 3. Color: AMF-1
  - 4. Location: Infill Metal Panel within aluminum framed system Glazing
- i. Openings – Wall Louvers (WL)
  - i. WL-1
    - 1. Manufacturer: Airolite - or approved equal
    - 2. Product Series: SCH401
    - 3. Color: Match AMF-2
    - 4. Location: Louvers in PVC parapet
  - ii. WL-2
    - 1. Manufacturer: Airolite - or approved equal
    - 2. Product Series: K6772
    - 3. Color: Match DEFS-1
    - 4. Location: Louvers in soffits
- j. Exterior Porcelain Flooring (PP & XPFT)
  - i. PP-1: Exterior Porcelain Pavers
    - 1. Manufacturer: Tile Tech - or approved equal
    - 2. Product Series: Wood Rustic Series
    - 3. Color: Rustic Gray
    - 4. Location: Roof Garden
  - ii. XPFT-1: Exterior Porcelain Floor Tile
    - 1. Manufacturer: American Clean - or approved equal
    - 2. Product Series: Minimum
    - 3. Color: Textured Finish for Exterior Use
    - 4. Location: Exterior Ceramic Tile Floor
  - iii. XPFT-2: Exterior Porcelain Floor Tile
    - 1. Manufacturer: Daltile - or approved equal
    - 2. Product Series: Emerson Wood EP06
    - 3. Color: Herringbone Pattern; Install, Exterior Stepwise Technology
    - 4. Location: Exterior Ceramic Tile Inset
- k. Roof (RT)
  - i. RT-1: Roof Tile

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1. Manufacturer: Gladding McBean & Co.
  2. Product Series: Cordova
  3. Color: Blended Red
  4. Location: Clay Roof Tile
75. **Architectural Design Guidelines** – All applicable provisions of the City's Design Guidelines for Construction and Development of Residential, Industrial, and Institutional Projects (Resolution No. 2023-061) shall be applicable to this project.
76. **Roof Overhangs** – When roof overhangs are provided, the roof overhangs must have a minimum depth of at least two (2') feet. This does not apply to the shed roof covering the walkway on the west, north, and east elevation.
77. **Final Floor Plans** – The project is approved in concept only with respect to the building floor plans for the building. Prior to the issuance of a building permit, detailed floor plans shall be submitted for review and approval by the Community Development Department.
78. **Medical Office Building Common Amenities** – Prior to issuance of a building permit, the applicant shall submit to the Community Development Department a common area amenities plan which specifies the amenities, including but not limited to seating, which are to be found within common areas adjacent to the building for the exclusive use by employees and guests.
79. **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 public streets or publicly accessible open space 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.
80. **Flat Roof Areas** – The flat roof areas and parapet walls exposed to view from surrounding areas shall be color-coded to blend with the exterior building wall color subject to the review and approval of the Community Development Department.

81. **Roof Access** – Access to the roof shall be internalized and shall be secured with appropriate hatches and locked at all times when not in use. Design, location, and security requirements of said access shall be subject to approval of the Community Development and Police Departments.

## SCREENING

82. **Screening** – All exterior trash, recycling, storage utility boxes, service poles, ventilation systems, electric and gas meters, fire sprinkler valves, backflow preventers, generators, and transformers must be screened from public view either with landscaping, fencing or integrated into the design of the primary of accessory structure.
83. **Downspouts** – The downspouts on the exterior of the buildings shall be concealed within the building walls subject to the review and approval of the Community Development Department.
84. **Roof-Mounted Mechanical Equipment** – All roof-mounted mechanical equipment, including air conditioning, roof fans and any similar equipment, shall be located within the mechanical equipment enclosures or obscured by roofing elements as depicted on “Project Plan Set,” dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024. Prior to issuance of building permits, a complete study of the roof-mounted equipment shall be conducted to demonstrate that all roof-mounted equipment will be screened by the building parapet as seen from within the public right-of-way at Rolling Oaks Drive’s northern edge, Los Padres Drive’s western edge, and Highway 101. 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.
85. **Surface-Mounted Mechanical Equipment** – All surface-mounted mechanical equipment, including transformers, terminal boxes or meter cabinets, shall be screened from public view by landscaping or decorative enclosure to match the materials and colors of the new building, subject to review and approval by the Community Development and Public Works Departments.
86. **Backflow Device** – Any proposed backflow device shall be screened from public view by landscaping and or solid fencing or walls, subject to review and approval by the Community Development and Public Works Departments.

87. **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 visibly 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 the City's solid waste service provider's operational needs. Prior to the issuance of a building permit, an additional letter shall be provided by the development's medical waste service provider that specifies facilities have been provided to appropriately secure waste affiliated with medical facilities and the facilities have been designed consistent with the medical waste service provider's 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.

88. **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.

## ACCESS AND CIRCULATION

89. **Driveway Access** – The site may be served by driveway access off Rolling Oaks Drive (primary access) and Los Padres Drive (secondary access) as shown on the Exhibits labeled "Project Plan Set," dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024. Said driveways shall be designed in accordance with the City's driveway standards, unless otherwise modified herein.
90. **On-Site Traffic Control and Calming** – Prior to issuance of any Building Permit, the applicant shall submit a Traffic Control and Traffic Calming plan



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demonstrating measures within onsite drive aisles and circulation areas. Measures shall include, but not limited to, signs, striping, and speed bumps. Said measures shall be designed and shown on a signing and striping plan. The location and type of device(s) shall be designed and installed to the satisfaction of the Community Development and Public Works Directors.

91. **Driveway** – All driveway areas shall be limited to a maximum fifteen percent (15%) grade and shall be constructed in accordance with Section 9-4.2404(c)(1)(v) of the Thousand Oaks Municipal Code and Plate 6-1 of the City's Road Improvement Standards regarding grade transitions. The drive aisle shall have a minimum pavement width as authorized by the Fire Department. The design of the driveway and transitions are subject to review and approval of Community Development and Public Works Departments.
92. **Decorative Paving** – Decorative paving material such as rock, tiles, pavers or similar patterned material shall comply with ADA and Title 24 disabled access requirements for paths of travel subject to review and approval by the Community Development Department. Decorative paving material shall be provided at driveway entrances. The final design of this decorative paving treatment shall be subject to review and approval by the Community Development Department prior to installation.
93. **Decorative Sidewalk Treatment** – The use of decorative material such as rock, tiles, pavers or similar patterned material shall be provided at the main pedestrian entrance(s) to the building. The specific material(s) shall comply with ADA and Title 24 disabled access requirements for paths of travel subject to review and approval of the Community Development Department.

## PARKING

94. **Required Parking** – A minimum of 225 parking spaces shall be provided on the project site based upon the floor area uses as indicated in the Exhibits, labeled "Project Plan Set," dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024. A total 233 parking spaces are provided on-site. All parking spaces and driveway aisles shall be designed in accordance with Section 9.4-2404 of the Municipal Code. On-site Electric Vehicle charging parking spaces can be included in the required parking count of the project. 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. Required parking was calculated on the following uses designated for the building.

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Use	Square Feet	Parking Ratio*	Required Parking
<b>Medical, dental, surgical and physical therapy offices</b>	44,811 SF (Net)	1 for every 200 square feet of gross floor area. <sup>3</sup>	225
	58,497 SF (Gross)		
<b>Total Required</b>			225
<b>Total Provided</b>			233

95. **Compact Parking** – Maximum permitted compact parking spaces shall not exceed twenty-five percent (25%) parking spaces, for a total of 59 compact spaces, based on the total parking requirements as indicated under Section 9-4.2404(d)(1). No overhang compact parking space shall be permitted within five feet (5') of any vertical obstruction.
96. **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 Municipal Code.
97. **Parking Design** – 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. A width of nine feet (9') shall be required for all parking spaces.
98. **Parking Overhang/Path of Travel** – Where 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.
99. **Loading Zone** – Loading docks are to be provided and maintained. Each loading dock shall be provided pursuant to TOMC Section 9-4.2405. The loading docks shall provide a total of two loading spaces, and each loading zone shall not be less than 12 feet in width by 50 feet in depth by 14 feet in height.

<sup>3</sup> **Sec. 9-4.2403(d)(1)** New multi-tenant buildings. For the purpose of calculating parking space requirements for multi-tenant nonretail business, professional offices and other similar uses, approved under this Title after August 22, 1997, the square footage described in subsections (26) and (28) of Section 9-4.2402(c) shall mean only the building's gross leasable floor area. For the purpose of this calculation, "gross leasable floor area" shall mean the area within the total dimensions on each floor as measured from the outside walls, but excluding the interior common areas used for corridors, lobbies, stairways, common restrooms, elevator or mechanical shafts, and for any unmanned electrical or mechanical rooms. In order to qualify as a "corridor" under this section, the area shall be a shared interior circulation hallway or common walkway feature more than five (5') feet in width with permanent walls on both sides that are constructed from floor to ceiling.

100. **Parking Restrictions** – No parking spaces shall be utilized for overnight storage of vehicles. The storage of recreational vehicles and boats on the subject property is prohibited.
101. **Required Bicycle Parking** – In accordance with the 2022 California Green Building Standards Code, Section 5.106.4, short-term bicycle parking facilities equivalent to 5% of proposed vehicle parking and an additional long-term bicycle parking facilities equivalent to 5% of proposed vehicle parking shall be provided.

The configuration and location of all bicycle parking facilities shall be reviewed and approved by the City Planning Division. Bicycle parking area dimensions and location shall be a paved area at least 6' x 1' – 6" for each required bicycle parking space. The bicycle parking shall be designed to provide 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 front entrances. 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 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:
  - A. Covered, lockable enclosures with permanently anchored racks for bicycles;
  - B. Lockable bicycle rooms with permanently anchored racks; or
  - C. 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.

Staff shall review all construction documents prior to building permit issuance to ensure that the bicycle rack has been provided and is not in conflict with the applicable development standards for building in the C-O zone.

102. **Transportation Demand and Trip Reduction Standards and Measures** – A Transportation Demand Management (TDM) program shall be prepared by the property owner and company that will occupy the building. The TDM

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program shall include, but not be limited to, all of the following standards and measures as required by the Thousand Oaks Municipal Code Section 9-4.4003, with an intent to further reduce VMT within the City. Prior to the release of final occupancy permit and subsequent business licenses affiliated with the property, the TDM program must be submitted to the City for review and approval by the Community Development Director and Public Works Director.

The property owner and company that will occupy the building shall jointly provide calculations or information for determining the number of employees expected to work 400 East Rolling Oaks Drive. If the developer is unable to provide sufficient information to accurately determine the expected number of employees, then an estimate shall be made which may be subject to verification by the City at a later date. A typical calculation to estimate the number of employees shall be based on: the number of parking spaces required as determined in Thousand Oaks Municipal Code (TOMC) Section [9-4.2402](#) title entitled, Parking Space Required; assume one employee per parking space; and the “employee parking area” factors listed under TOMC Section [9-4.4002\(i\)](#).

Compliance with this criteria shall be provided on the site or floor plans for each entitlement request.

- a. Nonresidential development projects capable of holding 50 employees or more shall provide all of the following measures:
  - i. A bulletin board, display case or kiosk displaying transportation information located where the greatest number of employees are likely to see it. Information displayed shall include, but is not limited to, the following: current map routes and schedules for public transit routes serving the site; ridesharing promotional material supplied by commuter-oriented organizations; telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency; Dial-A-Route and local transit operators; bicycle route and facility information, including regional and local bicycle maps and bicycle safety information; and a listing of facilities and services available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site.
  - ii. All proposed public, private streets or driveways that serve as the main access from project buildings to the exterior street system shall include sidewalk facilities per City standards for pedestrians and bike routes.
  - iii. In cases involving multiple tenants, a bulletin board/display case shall be provided by each tenant, or it shall be provided

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at a common area acceptable to the Public Works and Community Development Departments.

- b. Nonresidential development projects capable of holding 100 employees or more shall provide all of the measures required for nonresidential development projects capable of holding 50 employees and all of the following additional measures:
  - i. Not less than ten percent of “employee parking area” (employee parking area shall be calculated from TOMC Section [9-4.4002\(i\)](#) and TOMC Section [9-4.2402](#)) shall be located as close as is practical to the employee entrance(s), and shall be reserved for use by carpool/vanpool vehicles, without displacing handicapped and customer parking needs. This preferential carpool/vanpool parking area shall be identified on the site plan for the applicable entitlement. A statement that preferential carpool/vanpool spaces for employees is available and a description of the method for obtaining such spaces must be included on the required transportation information board. Spaces will be signed and striped. Additional carpool/vanpool spaces shall be provided as demand warrants. The following minimum spaces shall be provided in any case: at least one space for projects of 50,000 gross square feet to 100,000 gross square feet and two spaces for projects over 100,000 gross square feet will be signed and/or striped for carpool and/or vanpool vehicles.
  - ii. Preferential parking spaces reserved for vanpools must be accessible to vanpool vehicles. Adequate turning radii for vanpool vehicles shall be provided. Parking space dimensions in vanpool parking areas shall be a minimum nine feet by 20 feet.
  - iii. Bicycle racks or other secure bicycle parking shall be provided near building entrances to accommodate four bicycles per the first 50,000 gross square feet of nonresidential development and one bicycle per each additional 50,000 gross square feet of nonresidential development. Calculations which result in a fraction of 0.5 or higher shall be rounded up to the nearest whole number. A bicycle parking facility may also be a fully enclosed space or locker accessible only to the owner or operator of the bicycle, which protects the bike from inclement weather. Specific facilities and location (e.g., provision of racks, lockers or locked bike room) shall be per the requirements of the Public Works and Community Development Departments imposed as conditions on each entitlement request.
  - iv. Safe and convenient bicycle access shall be provided from the external circulation system (e.g., from public access bike

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paths, bike lanes, and/ or bike routes) to bicycle parking facilities on-site. Safe access shall be provided so as to minimize conflicts with other vehicles and pedestrians as determined by the Public Works Department.

- c. Nonresidential development projects capable of holding 150 employees or more shall provide all of the measures required for nonresidential development projects capable of holding 50 and 100 employees and all of the following additional measures:
  - i. A safe and convenient zone if feasible and appropriate as determined by the Public Works and Community Development Departments in which vanpool and carpool vehicles may deliver or board their passengers. Passenger loading areas should be located as close as possible to the building entrance and should be designated in a manner that does not impede vehicular circulation in the parking area. A passenger loading zone or van turn-out area may be required to accomplish this requirement. In the case of multiple-tenant developments, more than one passenger loading zone may be required and the location and number of vanpool/carpool passenger loading zones shall be distributed in a manner acceptable to the Public Works and Community Development Departments.
  - ii. Sidewalks or other designated pathways following, to the greatest extent feasible, direct and safe routes from the external (public or private) pedestrian circulation system to each, and between each building in the development.
  - iii. If determined necessary by the Public Works and Community Development Departments to mitigate project impacts, bus stop improvements shall be provided. Appropriate bus service improvements as determined by the Public Works Director include bus turnouts, bus pads (thickened pavement structural section where bus travels or stops), bus shelters, bus benches, bus stops, bus lighting, etc. When locating bus stops and or planning building entrances, entrances should be designed to provide safe and efficient access to nearby transit stations and/ or stops as determined by the Public Works Director and the Community Development Director.
  - iv. Development design shall incorporate, to the extent feasible as determined by the Public Works Director and the Community Development Director, showers, changing rooms, lockers, etc., for employees who bicycle, jog or walk to work.
  - v. Development design shall incorporate an eating area and shall incorporate to the extent feasible as determined by the Departments of Public Works and Community Development cafeterias, eating establishments, ATMs, day care facilities,

gyms, and other facilities which will reduce the need for mid-day driving. The requirement of this subparagraph will be deemed to be satisfied if the developer enters into a written agreement with a neighboring project to mutually share approved TDM facility or facilities such as eating areas, cafeterias, eating establishments, ATMs, day care facilities, and gyms.

## LANDSCAPING

103. **Landscaping Material Selection** – All new landscaping treatment shall consist of a minimum combination of twenty-four-inch (24") box size and thirty-six inch (36") box size or larger deciduous and evergreen trees to help screen the building's facades. All shrubs shall consist of a minimum of five (5) and fifteen (15) gallon containers. The type of landscaping material shall be accomplished 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.
104. **Manufactured Slope Landscaping** – In accordance with the City's Grading Ordinance (TOMC Section 7-3.24), all manufactured slopes shall be landscaped with drought resistant native plants materials including tree clusters and ground cover and provided with a permanent irrigation system throughout. Landscaping and an irrigation system shall be installed 6 months following the completion of grading for the project. Prior to the issuance of a grading permit, landscaping and irrigation plans shall be submitted under separate permit for review and approval by the Community Development and Public Works Departments.
105. **Parking Lot Shade Coverage** – The applicant shall provide 50 percent shade coverage in parking lot areas within 15 years. Carports, which incorporate landscaping, may be used to provide 50 percent shade coverage in parking lot areas.
106. **Lighting Standards in Planter Areas** – Parking lot lighting standards shall be shown on the landscape plans and located in a manner to avoid conflict with proposed trees.
107. **Final Landscape Plans** – The submitted preliminary landscape plan is approved in concept only. Prior to the issuance of a grading or building permit, final construction landscape and irrigation plans reflecting compliance with all imposed conditions of project entitlements shall be submitted under a 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 Nos. 2006-108 and 2007-116), the Forestry Master Plan Thousand Oaks West Regional Character Design Guidelines, the Ventura County Fire Department's Prohibit Plant List and associated standards and guidelines, the Ventura County Fire Department's Ordinance 32 Chapter 49 Requirements for Wildland-Urban Interface Fire Areas, and in compliance with the State of California Model Water Efficiency Landscape Ordinance (MWELO) standards and city ordinance prohibiting non-functional turf in commercial and multifamily areas. The final landscape plan shall incorporate all landscape areas, including added areas as conditioned herein, including MM-BIO-8 (Invasive Species Prevention), MM-BIO-9 (Landscaping Plan), MM-BIO-10 (Oak Tree Removal and Replacement), MM-BIO-11 (Tree Protection Prior to Construction), MM-BIO-12 (Tree Protection and Maintenance During Construction), and MM-BIO-13 (Tree Maintenance After Construction).

Prior to the issuance of a grading permit, complete landscape and irrigation plans reflecting compliance with all imposed conditions of project entitlements shall be submitted under a separate permit for review and approval. Said plans shall be subject to review and approval by the Community Development and Public Works Departments. The location of light fixtures, including standards, shall be shown on the landscape plans to ensure no conflict occurs between the 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.

Prior to the approval of the building permit, a licensed landscape architect is to provide a signed and stamped letter to the Community Development Director confirming the landscape plan has been designed consistent with the above-referenced standards and conditions of this permit. Prior to the issuance of a certificate of occupancy for the final building, an independent auditor or licensed landscape architect is to provide a signed and stamped letter to the Community Development Director confirming the landscape plan has been installed consistent with the approved landscape plan.

108. **Maintenance of Off-Site Landscape Planters** – The applicant shall enter into a landscape maintenance agreement with the Public Works Department to maintain the landscaping in the public right-of-way along Rolling Oaks Drive and Los Padres Drive between the property line and back of sidewalk. Said off-site planter area shall be planted with trees, shrubs and groundcover and shall be integrated with the adjacent on-site landscaped area. The landscape design shall be subject to the review and



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approval of the Community Development Department and Public Works Department.

109. **Permanent Maintenance of Landscaping** – The approved landscaping shall be permanently maintained for the life of the project and in accordance with Section 1-6.01(e) (Public Nuisances) of the Thousand Oaks Municipal Code. Any redesign or alteration of project landscaping shall be subject to approval of the Community Development Department and shall be accomplished through the filing of a Landscape Plan Check application, provided such alteration is consistent with all City codes, policies, and project entitlement conditions.

### WALLS, FENCES, AND SIDEWALKS

110. **Wall Treatment** – Any proposed screening wall, garden wall or retaining wall shall be decorative in appearance with similar, enhanced, or complementary materials and colors to those used on the proposed building, with appropriate relief methods (including pilasters and decorative cap). Final detail drawings reflecting design, materials selections and locations shall be submitted prior to the issuance of any building permit, subject to the review and approval by the Community Development Department.
111. **Walls and Fencing** – Fences and walls shall have a maximum exposed height of six feet. Where a solid fence or wall is provided, it shall be designed with both sides articulated, and with similar, enhanced, or complementary materials and colors to those used on the proposed building. Perimeter fencing utilized along a public street or public open space must be constructed of decorative iron, steel, or pre-painted welded steel. Security fencing, such as electrical, barbed wire, razor wire or fences with sharp pointed features are prohibited. All fences and walls designed for screening purposes must be of solid material. Chain link fencing with or without slats is prohibited. If a gate is to be used to screen the transformer, the gate and enclosure shall be solid to conceal the interior area from public view. Said gate shall be decorative in appearance with similar, enhanced, or complementary materials and colors to those used on the proposed building and is subject to review and approval by the Planning Division of the Community Development Department.
112. **Healing Garden Patio Wall Design** – The exterior patio walls and railings shall be limited to a maximum exposed combined height of seven feet (7'). Up to 60% of the exterior patio wall may be a solid masonry element or landscape planter and the remaining height is to be a glass or an open railing system or landscaping with architectural qualities.

113. **Retaining Walls** – All retaining walls shall be constructed of a decorative masonry material with a decorative cap. All retaining walls shall be limited to a maximum exposed height of seven feet six inches (7'6") to twelve feet (12') as shown on the submitted "Project Plan Set," dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024, pursuant to the following conditions. In no case shall retaining walls exceed 12 feet (12'). 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.
114. **Parking Lot Screen Wall** – The parking row adjacent to Rolling Oaks Drive and Los Padres Drive shall be screened from public view by a combination screen wall, undulated berm, and / or "solid" screen shrub mass a minimum of 36 inches high to mitigate vehicle headlight glare and to screen the undercarriage of cars. Said wall shall be decorative incorporating the design and materials utilized on the buildings. 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 landscaping in front of the wall. Additional landscaping in lieu of the screen wall may be approved if it can be demonstrated that the parking lot can be adequately screened. 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.
115. **Screen Walls** Screening walls facing Rolling Oaks Drive and Los Padres Drive shall incorporate articulation and include a decorative cap. Such articulation may include landscaping hedges, pilasters, varying wall depths, etc. 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.
116. **Perimeter Wall/Fence Design** – All perimeter walls and fencing shall mitigate parked vehicle headlight glare into adjacent properties. Final detailed drawings of all perimeter 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.

117. **Wall/Fence/Gate Design** – 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.
118. **Construction/Security Fencing** – Prior to the issuance of a grading/building permit, the applicant shall install a temporary 5-foot-high chain-link fence around the project boundary. 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 primarily during building construction operations.

## LIGHTING

119. **Site Illumination** – The project's site illumination shall be designed in a manner that is uniform in design and appearance. Lighting fixtures shall be architectural appropriate to the project. Lighting 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 lighting shall be consistent with the intent of the lighting as shown on the Exhibits labeled "Project Plan Set," dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024.
120. **Photometric Analysis** – 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, and 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. The photometric analysis shall specify brightness (footcandles and lumens) and color (Kelvin and LED color temperatures). Prior to issuance of a certificate of occupancy for the final building, a registered Electrical Engineer is to provide a signed and stamped letter to the Community Development Director confirming the exterior lighting has been installed consistent with the approved photometric plan.
121. **Energy Efficient Lighting** – The applicant shall utilize LED and natural lighting for interior spaces rather than less efficient types of light wherever possible. For exterior areas, the use of metal halide and LED fixtures are

preferred over high-pressure sodium fixtures, since they provide superior illumination and color rendition; however, use of bright white, high intensity LED or metal halide lighting is prohibited.

122. **Non-occupied Hours Lighting** – During non-occupied hours, exterior building mounted/canopy lighting and exterior parking lighting are to be automatically dimmed, at a minimum, to 20% and 30% respectively unless the Police Department directs for exterior lighting to be brighter to provide sufficient illumination to allow viewing of the exterior of the buildings and parking areas.
123. **Wall Lighting** – Building walls may be illuminated by decorative architectural lights but not by any wall-pack type light fixtures. Wall lighting may be permitted to enhance the building design or to meet security requirements only and not as a means to illuminate the site. 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. 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 or glare on adjacent or nearby surfaces. Catalogue cut sheets and specifications for all exterior lighting shall be submitted for the review and approval prior to installation by the Community Development Department.
124. **Roof Lighting** – 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:
  - l. Cut-off shields shall be installed/maintained on each side of the light fixtures visible from the parapet wall perspectives;
  - m. 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
  - n. Stand-alone light standards shall not exceed the height of the parapet.
125. **Pedestrian Lighting** – Pedestrian walkways may be illuminated by bollard lighting or by light poles reduced in height proportion to human scale.

126. **Decorative Lighting Above Public and Common Areas** – Low-intensity lighting may be provided above and across any public and common exterior spaces provided the lighting does not interfere with Fire access requirements.
127. **Parking Lot Lighting** – 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 utilizing decorative light fixtures and shall not exceed 14 feet in height above finished grade level. 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 public streets.

All light poles shall be located within landscaped areas, three feet from parking surfaces with 24-inch-high concrete pedestals. All pedestals shall be painted the same color which shall match 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.

128. **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.

## NOISE

129. **Noise Control** – Proposed medical office building operations, including emergency generators and loading docks, shall be designed to comply with the Thousand Oaks 2045 General Plan Noise Element. Idling of trucks and

## COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2022-70732-DP

other equipment is prohibited. The loading docks shall include power sources for vehicles and other equipment to eliminate need for idling. An acoustical report addressing exterior noise sources and showing compliance with the City's noise regulations, shall be submitted during plan check for review and approval by the Planning Division and Building and Safety Division of the Community Development Department.

### SIGNS

130. **Signage** – Any proposed sign shall comply with the requirements of the City's Sign Ordinance Section 9-4.2308 (Commercial and Industrial zones) and City Council Resolution 2005-11 (Architectural Design Review Guidelines). The size, design, color and location of any proposed signs as well as address numbers shall be processed under separate sign permit applications, subject to the review and approval by the Community Development Department. A sign program application shall be submitted for review and approval by the Community Development Department prior to the issuance of building permit for the first building.
131. **Monument Signs** – Monument signs shall conform with the definition found in TOMC Sec. 9-4.2303. Monument signs shall be designed in accordance with the standards contained TOMC Sec. 9-4.2308(ah)(3). The sign area for all monument signs shall not exceed one square foot of sign area for each two lineal feet of street frontage (Rolling Oaks Drive and Los Padres Drive). The sign area for each monument sign shall not exceed 32 square feet. The overall monument feature shall not exceed six feet in height or eight feet in length and shall contain high quality metal letters pin mounted to the wall. The design of the monument sign(s) shall complement the architecture of the buildings by using similar colors, materials, and design features to achieve a coordinated project appearance.

### ACCESSIBILITY

132. **Plan Check/Building Permit Submittal** – Prior to the issuance of building permits, the accessibility requirements for the exterior shall be approved by the Building Division for Disabled Access Compliance.
133. **Title 24 Compliance** – All requirements of California Uniform Building Code, Title 24, California Code of Regulations, shall be met. A set of plans, 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.

134. **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.
135. **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.

## **BUILDING & SAFETY**

136. **Design in Accordance with the Building Code Effective at the Time of Building Permit Application Submittal** – Project is to be designed in accordance with current California Building Code Standards and City of Thousand Oaks Municipal Code local amendments effective at the time of building permit application submittal to the Building Division. The current California Code edition adopted by the City of Thousand Oaks is 2022.
137. **Demonstrate Compliance with Building Code** – The project consists of a new, approximately 58,000 square-foot, two story medical office building and related site work. The design will be required to demonstrate compliance with the allowable building area, number of stories and building height as indicated in the building code based on the Type of Construction, Occupancy category and the setbacks from the adjacent buildings/ property lines or easements.
138. **Provide Analysis for Fire Related Items** – Project will provide:
  - a. Fire resistance rating requirements for exterior walls based on Type of Construction.
  - b. Depending upon classification from the Ventura County Fire Department, the building may need to show compliance with the requirements of Chapter 7A from the California Building Code for exposure to High Fire Hazard Area.
  - c. Provide fire rated separation walls and horizontal assemblies as required.
139. **Egress Plan** – Provide egress plan for the whole building per chapter 10 of the California Building Code.
140. **Accessibility Requirements** – Provide design to show compliance with chapter 11B of the California Building Code.
141. **Energy design** – Show compliance with Part 6 California Energy Code.

- 142. **Green Building design** – Show compliance with Part 11 California Green Building Standards.
- 143. **Engineering requirements** – Provide engineering design to substantiate the structural integrity of the building based on the local Building Code and site specific seismic and wind parameters. Provide a Geotechnical Investigation Report to substantiate the foundations for the proposed structure.

## CONSTRUCTION

- 144. **Construction Phasing** – The project will be constructed in a single phase.
- 145. **Biological Surveys** – Consistent with MM-BIO-1 and BIO-3, if project activities (i.e. demolition, grading, construction, landscaping, and/or tree removal, etc.) occur between February 1 and September 30, a breeding bird survey is required to be conducted and active nests shall be avoided. Consistent with MM-BIO-4, if project activities (as described in this condition) occur between March and July 31, a bat roost survey is required to be conducted and active roosts shall be avoided. Consistent with MM-BIO-5, if project activities (as described in this condition) occur between February 1 and October 31, a Crotch bumble bee survey is required to be conducted and active nests shall be avoided. Minimum buffer distances shall be implemented as determined by a qualified biological monitor. See MM BIO-1, BIO-3, BIO-4, and BIO-5 for additional details.
- 146. **Rodent Control** – The applicant shall submit a rodent control plan to the Community Development Department prior to the issuance of any grading permit or building permit, which shall include measures to protect adjacent and nearby properties from any rodent displacement during the project demolition phase, construction activities, and operational phase. The rodent control plan is to specify the use of anticoagulant rodenticides is to be a last option of rodent control consistent with City Council Resolution 2015-015.
- 147. **Parking/Materials Storage During Construction** – A parking and materials storage plan shall be submitted to the Planning Division for review and approval prior to the issuance of grading permits. The intent of this requirement is to ensure construction crew parking does not negatively impact properties in the area. The applicant is to identify areas on-site for construction worker parking and material staging.
- 148. **Construction Outreach** – Prior to the start of construction, the applicant shall invite all residents of the Rolling Oaks Homeowners Association and the Los Robles apartments at 300 Rolling Oaks Drive, and the property managers of 325, 351, 375, 401, & 415 East Rolling Oaks & 425 Haaland



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Drive to a pre-construction meeting to review the construction schedule and hours, the construction safety plan, construction equipment and material storage locations, utility interruption protocols, parking management, and distribution of construction superintendent and developer contact information.

149. **Pre-construction Meeting** – Prior to issuance of grading permits or building permits, whichever occurs first, the applicant shall coordinate with the Community Development and Public Works Departments, a pre-construction 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, owner or designated project coordinator, architect, project consultants, general contractor, monitors (including, but not limited to, arborists, biologists, archaeologists), and other representatives associated with the project. The meeting shall be arranged no sooner than one (1) week prior to commencement of work.
150. **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.
151. **Hours of Construction/Construction Parking** – All grading and construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction activities shall be permitted on Sunday or holidays recognized by the City of Thousand Oaks. There shall be no congregation of construction workers, construction related vehicles, or warming of equipment engines in the vicinity of the project site outside of the established hours of construction.

**COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2022-70736-PMW**

152. **Land and Application** – The Parcel Map Waiver is granted for the land described in the application, and any attachments thereto, and as described on the submitted legal description labeled “Legal Description” Exhibits “A” and “B”, dated November 3, 2023, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024.
153. **Scope of Permit Approval** – The Parcel Map Waiver is granted to allow the merger of two parcels of record, into one lot, as described the on submitted legal description labeled “Legal Description” Exhibits “A” and “B”, dated February 29, 2024, attached to the Planning Commission staff report dated March 11, 2024, and attached to the City Council staff report dated March 26, 2024, and subject to the following conditions.
154. **Approval Period/Map Recordation** – The Parcel Map Waiver is approved for a 36-month period of time from City Council final project effectuation (30 days after the Zone Change 2022-70733-Z’s second reading) ending May 9, 2027, at which time said map shall expire unless a Notice of Merger has been recorded. The applicant may request a two-year time extension of this period, as allowed by Section 9-3.704(b) of the Thousand Oaks Municipal Code, by filing a minor modification application with the Community Development Department prior to the expiration date.
155. **Recordation of Lot Merger Documents** – Prior to building permit issuance, the property owner shall complete final recordation of the Map Waiver (Lot Merger) approved by the City of Thousand Oaks, Case No. 2022-70736-PMW, and file the recordation documents with the Planning Division.
156. **Notice of Merger** – A Notice of Merger shall be signed by the property owner of the subject properties and submitted for review and approval of the Community Development Department and Public Works Department for subsequent recordation in the Office of the Ventura County Recorder. Upon recordation, a copy of the recorded Notice of Merger shall be submitted to the Community Development Department.
157. **Approval Contingency** – This Parcel Map Waiver approval is required to be recorded prior to the issuance of a Certificate of Occupancy pursuant to Development Permit 2022-70732-DP.

**COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2022-70735-PTP**

158. **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 Demolition Plans and Horizontal Control and Paving Plans, as part of the Protected Oak Tree Arborist Report, dated August 22, 2023, and prepared by Evergreen Arborist Consultants, Inc., Michael Green, Registered Consulting Arborist No. 602.
159. **Scope of Permit Approval** – The Protected Tree Permit is granted to allow removal of 14 protected oak trees consisting of 11 coast live oak (*Quercus agrifolia*) trees, two holly oak (*Quercus ilex*) trees, and one valley oak (*Quercus lobata*) tree, and, consistent with MM-BIO-10 (Oak Tree Removal and Replacement) to plant replacement trees at a 3:1 ratio resulting in a total of 42 oak trees consisting of 26 24-inch box size and 16 36-inch box size oak trees being planted on site. Additionally, this PTP would allow encroachment within the protected zone of protected trees consisting of five coast live oak (*Quercus agrifolia*) trees, one valley oak (*Quercus lobata*) trees, and one toyon (*Heteromeles arbutifolia*) tree indicated on the Demolition Plans and Horizontal Control and Paving Plans, as part of the Protected Tree Report, dated August 22, 2023, and prepared by Evergreen Arborist Consultants, Inc., Michael Green, Registered Consulting Arborist No. 602, for the demolition of the existing improvements and development of a new two-story, medical office building and related site improvements.
160. **Approval Period** – The Protected Tree Permit is granted in conjunction with 2022-70732-DP, 2022-70736-PMW, 2022-70735-PTP, and Environmental Impact Report 2022-70775-EIR and shall expire with these permits.
161. **Removal of Trees and Debris** – All portions of the 11 coast live oak (*Quercus agrifolia*) trees, two holly oak (*Quercus ilex*) trees, and one valley oak (*Quercus lobata*) tree, are approved for removal, as well as, any deadwood from the on-site and off-site protected trees shall be removed from the site and disposed of legally. Additionally, the stumps shall be completely removed to a minimum of two (2") inches below grade and the hole filled with soil.

162. **Protected Tree Replacement** – In accordance with the Oak and Landmark Tree Preservation and Protection requirements, the 11 coast live oak (*Quercus agrifolia*) trees, two holly oak (*Quercus ilex*) trees, and one valley oak (*Quercus lobata*) tree are to be replaced.

Consistent with MM-BIO-10 (Oak Tree Removal and Replacement), all protected Oak trees shall be replaced consistent with the Thousand Oaks Oak Tree Ordinance and the Oak Tree Preservation and Protection Guidelines under a Type “C” Oak Tree Permit. Oak tree replacement shall be at a 3:1 ratio for total of resulting in a total of 42 oak trees consisting of 26 24-inch box size and 16 36-inch box size oak trees being planted on site, consisting of coast live oak (*Quercus agrifolia*), holly oak (*Quercus ilex*), or Valley Oak (*Quercus lobata*). 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.

163. **Irrigation/Landscaping Encroachments** – All plans for landscaping beneath a protected tree shall be submitted for the review and approval of the Community Development Department.
164. **Drainage** – Positive drainage shall be provided to direct run-off away from any protected tree.
165. **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.
166. **Oak and Landmark Tree Preservation and Protection Guidelines Compliance** – All construction activities on or near a protected tree shall conform and abide by the City of Thousand Oaks, Oak and Landmark Tree Preservation and Protection requirements as specified in Article 42 of Chapter 4 of Title 9 of the Municipal Code.
167. **Pre-Construction Meeting** – Consistent with MM-BIO-11: (Tree Protection Prior to Construction), 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.

168. **On-Site Work Monitoring/Certification/Field Inspection** – Consistent with MM-BIO-12 (Tree Protection and Maintenance during Construction) an International Society of Arboriculture (ISA) Certified Arborist shall inspect the twenty-six (26) preserved trees on a monthly basis during construction. A report comparing tree health and condition to the original, pre-construction baseline shall be submitted following each inspection. Photographs of representative trees are to be included in the report on an annual basis at minimum. 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. Additionally, the applicant's Tree Consultant shall submit a Letter of Certification within fourteen (14) days of completion to the Community Development Department, stating that all work was accomplished in accordance with the Revised Tree Report for this project, except as deleted or modified by conditions of this permit. Upon receipt of the Letter of Certification, Staff shall schedule a field inspection.
169. **Protective Fencing, Flagging and Signage for On-site and Off-site Oak Trees** – Consistent with MM-BIO-11: (Tree Protection Prior to Construction), 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. The fencing shall be staked every six feet (6'). In addition, aboveground tree parts that could be damaged by construction equipment (e.g., low limbs, trunks, roots protruding from the soil) shall be flagged with red ribbon prior to the start of construction. Fencing and flagging shall remain in place throughout grading and construction activities. The fenced area shall be considered the tree protection zone (TPZ) unless proximate construction requires temporary removal. Installation of said fencing and flagging shall be reviewed and approved by the Planning Division of the Community

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2022-70735-PTP

Development Department. It shall be the responsibility of the applicant to maintain all protective fencing and flagging in a good condition throughout the development period. The fencing and flagging shall be removed upon completion of construction and upon authorization from the Community Development Department, Planning Division.

170. **Use of Hand Tools** – Unless otherwise authorized by the Community Development Director, all work 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 and landmark tree consultant.
171. **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.
172. **Root Pruning.** – Consistent with MM-BIO-12 (Tree Protection and Maintenance During Construction) an International Society of Arboriculture (ISA) Certified Arborist shall be retained to oversee that, except where specifically approved in writing, all trenching shall be outside the fenced TPZ. Where trenching is necessary in areas that contain tree roots, roots shall be pruned using a Dosko root pruner or equivalent and under the direction and supervision of an ISA-Certified Arborist. All cuts shall be clean and sharp to minimize ripping, tearing, and fracturing of the root system. The trench shall be made no deeper than necessary.
173. **Root Preservation** – During excavation for new construction, if a protected tree root over two inches (2") in diameter is encountered, the Planning Division of the Community Development Department shall be immediately contacted to conduct 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.
174. **Irrigation.** – Consistent with MM-BIO-12 (Tree Protection and Maintenance during Construction) an International Society of Arboriculture (ISA) Certified Arborist shall be retained to oversee that tree specific irrigation is provided in the event that substantial root pruning (30% or more of their root zone) occurred. The first irrigation shall be provided within 48 hours of root pruning. Trees with substantial root pruning shall be deep watered every 2 to 4 weeks during the summer and once a month during the winter (adjust accordingly with rainfall). One irrigation cycle shall thoroughly soak the root zones of the trees to a depth of 3 feet. The soil shall dry out between watering to avoid keeping a consistently wet soil. One person shall be

- designated as responsible for irrigating (deep watering) the trees. Soil moisture shall be checked with a soil probe before irrigating. Irrigation is best accomplished by installing a temporary aboveground micro-spray system that will distribute water slowly (to avoid runoff) and evenly throughout the fenced protection zone but never soaking the area located within 6 feet of the tree trunk, especially during warmer months.
175. **Grade Changes.** – Consistent with MM-BIO-12 (Tree Protection and Maintenance During Construction) an International Society of Arboriculture (ISA) Certified Arborist shall be retained to oversee that grade changes, including adding fill, are not permitted within the TPZ without special written authorization and under the supervision of an ISA-Certified Arborist or as provided by the approved landscape plan.
176. **Branch Pruning.** – Consistent with MM-BIO-12 (Tree Protection and Maintenance During Construction) an International Society of Arboriculture (ISA) Certified Arborist shall be retained to oversee that trees shall not be pruned until all construction is completed. All pruning shall be completed under the direction of an ISA-Certified Arborist and using ISA guidelines. Only dead wood shall be removed from tree canopies. All pruning activity shall be performed under the guidance of the applicant's tree consultant.
177. **Equipment Operations and Materials Storage** – Consistent with MM-BIO-12 (Tree Protection and Maintenance During Construction) an International Society of Arboriculture (ISA) Certified Arborist shall be retained to oversee that there shall be no storage of equipment or materials within the protected zones of any protected tree. Heavy equipment operation shall be avoided around the trees. All heavy equipment and vehicles shall, at minimum, stay out of the fenced tree protection zone (TPZ), unless specifically approved in writing and under the supervision of an ISA-Certified Arborist or as provided by the approved landscape plan
178. **Storage and Disposal** – Consistent with MM-BIO-12 (Tree Protection and Maintenance During Construction) an International Society of Arboriculture (ISA) Certified Arborist shall be retained to oversee that storage or discarding of any supply or material, including paint, lumber, concrete overflow, and other materials, shall not occur within the TPZ. All foreign debris within the TPZ shall be removed; however, it is important to leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrients. Draining or leakage of equipment fluids near retained trees shall be avoided. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. Equipment shall be parked at least 50 feet away from retained trees to avoid the possibility of leakage of equipment fluids into the soil.

179. **Moving Construction Materials.** – Consistent with MM-BIO-12 (Tree Protection and Maintenance During Construction) an International Society of Arboriculture (ISA) Certified Arborist shall be retained to oversee that care shall be taken when moving equipment or supplies near the trees, especially overhead. Damaging the tree(s) shall be avoided when transporting or moving construction materials and equipment and working near the trees (even outside the fenced TPZ). Above ground tree parts that could be damaged (e.g., low limbs, trunks) shall be flagged with red ribbon prior to the start of construction, per MM-BIO-3 (Nesting Birds). If contact with the tree crown is unavoidable, the conflicting branch(es) shall be pruned using ISA standards under the direction and supervision of an ISA-Certified Arborist.
180. **Written Certification** – The applicant's oak tree consultant shall certify in writing that all conditions of the Protected 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.
181. **Expenses/Billing** – The applicant shall be billed on a real time basis and shall agree to pay for any work done by the City's Oak Tree Consultant in conjunction with this oak tree permit.
182. **Tree Maintenance after Construction** – Consistent with MM-BIO-13 (Tree Maintenance After Construction), measures including, but not limited to mulching, pruning, and watering shall be performed to sustain and enhance the vigor of the replacement trees.
183. **Oak Tree and Landmark Tree Maintenance** – The continued maintenance of all on-site protected trees is the responsibility of the property owner. All protected trees shall be maintained in accordance with the Oak and Landmark Tree Preservation and Protection requirements.
184. **Herbicides/Tree Protection** – No herbicides shall be used within one hundred feet (100') of the driplines of any protected tree.
185. **Liability/City Protection** – This approval shall not be deemed to impose any liability for damages or a duty of care and maintenance upon the City or upon any of its officers or employees. The person in possession of any public property or the owner of any private property shall have a duty to keep the protected trees upon the property under their control in a safe, healthy condition.



**CONEJO OPEN SPACE CONSERVATION AGENCY CONDITIONS FOR 2022-70732-DP AND 2022-70735-PTP**

**ACCESS CONTROL**

186. **Construction Access** – If access to the COSCA open space parcel (APN 681-0-140-075) to the south of the project parcel is necessary at any point during construction, an encroachment permit shall be obtained from COSCA prior to entry. Contact COSCA staff at [ahuber@toaks.org](mailto:ahuber@toaks.org)
187. **Fencing of Lots** – Prior to issuance of occupancy, any access to open space from the privately-owned parcel shall be precluded by non-gated fences.

**IMPROVEMENTS**

188. **Color** – All improvements adjacent to open space areas, including brow ditches, bench drains, etc. shall be tinted an earth color to blend with the surrounding natural landscape and/or soil and be located on private property.
189. **Lighting** – Parking lot lighting shall be shielded and downcast to avoid light spillover and illumination of adjacent natural open space areas, shall not exceed 3000K and shall avoid the excessive intensity that newer lighting technology facilitates. In addition, parking lot lighting shall be dimmed during non-occupied hours.
190. **Landscaping** – Landscaping shall consist of non-invasive, fire resistant, drought tolerant plant materials, approved by the City Landscape Architect. Plant species known to be invasive per the California Invasive Plant Council ([www.cal-ipc.org](http://www.cal-ipc.org)) shall be excluded from the landscaping plant palette. In particular, *Hypericum calycinum* (creeping St. John's wort) shall be removed from the submitted plant palette/schedule (dated 07/12/2023) due to the general tendency of *Hypericum* species to be invasive in the region, and confirmation by Cal-IPC staff that *H. calycinum* presents moderate risk of invasiveness.

**PUBLIC WORKS DEPARTMENT CONDITIONS FOR 2022-70732-DP AND 2022-70736-PMW**

**GENERAL**

191. **Plan Format** – All plans submitted to the Public Works Department shall be formatted to 24 inch by 36-inch sheet size, using city standard title block, and as-built/record plans shall be submitted as part of the closure and acceptance of the project.
192. **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, policies, 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 [www.toaks.org/roadstandards](http://www.toaks.org/roadstandards).
193. **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.
194. **Base Topography Map** – The grading plan for this project must be prepared using 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.

195. **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 issuance of any permit and prior to the start of construction and disturbance or destruction of any existing survey monument(s), 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(s) to be disturbed or destroyed. Documentation shall be provided to the City that the surveying has been completed. Prior to completion of construction, all affected monuments shall be reset by the applicant's Land Surveyor. A corner record or record of survey shall be filed with and approved by the County Surveyor prior to the recording of a certificate of completion for project. Documentation shall be provided to the City that the surveying has been completed.
196. **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 plancheck or the issuance of any Building or Grading Permits.
197. **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](http://www.toaks.org)

## **WATER AND WASTEWATER**

198. **Water Service Requirements** – Prior to, or concurrent with, submittal of improvement plans to the City, the applicant shall submit letter to the City from the California-American Water Company indicating that the applicant has made the necessary financial and administrative arrangements with Cal-Am Water Company to receive water service. Cal-Am Water shall also issue a written clearance indicating that all water systems are installed and approved prior to Occupancy.
199. **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 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.

200. **Usefulness of Existing Wastewater Laterals** – According to City records (Dwg. No. 10114(20)) there is an existing six-inch wastewater lateral serving the subject property. If it is the desire of the applicant to reuse this lateral as part of the proposed project, the applicant must demonstrate to the satisfaction of the Department that the lateral is in acceptable condition (no broken pipe, no root intrusion, etc.). This can best be done by utilization of a television video from a point on the subject property to the main, or by excavating the lateral at the property line and making a visual inspection of the lateral. Other methods may be utilized, but are subject to Department approval. If the lateral is acceptable to the Department, it may be reused; where it is not acceptable, a replacement lateral must be constructed or the existing lateral renovated (such as by use of pipe bursting technology). Laterals that are not appropriate for re-use must be abandoned at the main under Department inspection.

## **DEVELOPMENT ENGINEERING**

201. **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.
202. **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.

203. **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.
204. **Hauling of Imported or Exported Materials** – 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.
205. **Grading Permit and Soils Certification** - The applicant shall prepare and submit final grading plans, improvement plans, erosion control plans, BMP 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 plancheck 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 plancheck 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 punchlist items, which are generated after the applicant's engineer provides a submittal of the final Record (as-built) Drawings.
206. **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).
207. **Parking Lot Design** – Parking lot areas used exclusively for parking and turnarounds shall be designed and approved with grades not to exceed a maximum of 2.5% slope. Grades exceeding 2.5% will only be considered under special circumstances as determined by the Public Works and Community Development Directors (MC 9-4.2405).
208. **Existing Improvements** - Existing improvements adjacent to the property, including but not limited to sidewalks and curb & gutter which are broken or uneven shall conform to City and ADA standards, and if deemed necessary by the City Engineer, shall be repaired or replaced.
209. **Driveway Construction** - The proposed driveway shall be constructed per Plate No. 6-1 and 6- of the Road Standards. The sidewalk must conform to the cross section as shown on Plate 6-4 and the applicant must grant an additional five (5) foot wide easement to the City covering the entire length of the sidewalk across the driveway. An encroachment permit shall be obtained, plan check and inspection fees paid, and security posted (if required) prior to initiating construction of said driveway improvements.
210. **Rolling Oaks Frontage Improvements** – Applicant shall provide pedestrian connectivity from the terminus of the existing sidewalk on Rolling Oaks Drive to the City limits at the easterly property line. The location of the proposed sidewalk may either be adjacent to the northerly property line along Rolling Oaks Drive, or meander through the project site. Applicant shall provide final design of the sidewalk and dedicate a ten-foot-wide easement, free and clear of any structures or slopes to the City for future sidewalk maintenance. In lieu of construction of the sidewalk, the applicant may choose to cash-out to be used exclusively for future construction of the aforementioned sidewalk. The cost of the cash-out shall be determined from the City's cost estimate database, based on current construction costs.
211. **Rectangular Rapid Flashing Beacons** – The applicant shall install solar-powered Rectangular Rapid Flashing Beacons (RRFBs) with a marked

pedestrian crosswalk at the east leg of the Rolling Oaks Drive and Los Padres Drive intersection. Any associated signage, striping, and curb ramp improvements shall be installed with the RRFBs. All traffic control devices shall be compliant with current CA MUTCD standards. The developer shall submit plans to the City Engineer for review and approval detailing all existing and proposed improvements at the intersection. The applicant shall install the intersection improvements prior to final acceptance.

212. **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).
213. **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).
214. **On-site Drainage Capture for MS4 Projects** – It is generally necessary to capture and treat all surface drainage on the site. In accordance with Ventura County Technical Guidance Manual (TGM) for Stormwater Quality Control Measures (2011), a maximum of 5% of the site is permitted to discharge without full capture. Such Effective Impervious Areas (EIA's) that escape capture and retention shall be treated using source-control Best Management Practices (BMP's) and good-housekeeping measures. Maintenance specifications shall be incorporated into the on-site stormwater Maintenance Plan (refer to NPDES conditions).
215. **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 236D of said Master Plan, with  $Q_{10} = 1.54$  cfs/acre and  $Q_{100} = 2.79$  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  $Q_{100}$ .
216. **On-Site Drainage** - Project design and engineering plans shall show drainage flows to street and/or yard drains and elevations.
217. **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 discharges. The focus of the study is to ensure the existing conveyances possess sufficient capacity to pass the  $Q_{10}$  (developed) and to demonstrate that no new flooding will occur adjacent to or upon the property during a  $Q_{100}$  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.
218. **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  $Q_{10}$  (developed) flows into the public storm drain system. All flows in excess of  $Q_{10}$  (developed) up to and including  $Q_{100}$  (developed) must be detained on-site. A simplified detention method is available for this site.
219. **Off-Site Conveyance Study** - The applicant's engineer shall prepare a hydraulic/hydrology analysis for the offsite storm drains and appurtenances intended to convey project storm discharges. The focus of the study is to ensure the existing conveyances possess sufficient capacity to pass the  $Q_{10}$  (developed).
220. **Approval by Southern California Edison** - Prior to the issuance of a grading permit, the applicant shall be responsible for obtaining all necessary permits and approvals from Southern California Edison and submit copies of the approved permit or approval to the Public Works Department.
221. **Public Service Easement** - A six-foot wide Public Service Easement (PSE) adjacent to the public street right-of-way shall be dedicated to the City of Thousand Oaks.

## NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

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

The Los Angeles Regional Water Quality Control Board approved a new MS4 permit for local municipalities in September 2021 to implement starting



in 2024. All projects not deemed “complete” from a planning/entitlement standpoint by the time the new permit goes into effect will need to comply with the new post-construction stormwater requirements.

223. **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 the first three-quarter-inch (3/4”) of all rainfall events, 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](http://www.vcstormwater.org).
224. **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:
- a. Treat the storm flow equivalent to ten percent (10%) of the 50-year peak flow; or
  - b. 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)*.”
225. **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.

226. **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.
227. **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
228. **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)).

## TRAFFIC

229. **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.
230. **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.
231. **Signing and Striping** - Prior to grading permits, the developer shall submit plans to the City Engineer for review and approval detailing all existing signing and striping on the subject property and the adjacent City streets. This will be verified in the field by staff and not accepted until complete and accurately drawn. The plans will also show all proposed changes to the signing and striping that will be installed in conjunction with development of the site and any related street improvements. Signing and striping may be shown on the proposed street improvements plan sheet.

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

232. **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, Covenants, Conditions and Restrictions shall require continued compliance with this condition and the requirements contained within Plate 3-10.

## **SUSTAINABILITY**

233. **Trash Hauler Approval** – Required: Prior to issuance of a trash enclosure building permit, the applicant shall provide a letter to the City 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 E. Thousand Oaks Blvd.
234. **Construction/Demolition Debris Recycling Plan** – Required: 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 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 authorized hauling companies 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](https://ThousandOaks.WasteTracking.com).
235. **Solid Waste, Recycling and Organics Collection** – Required: 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

PUBLIC WORKS DEPARTMENT CONDITIONS FOR 2022-70732-DP AND 2022-70736-PMW

without restriction or prior notification. Waste service shall be located no further than 250 feet away from the structure.

The enclosure shall be sized to accommodate a weekly generation of 7 CY of food, 21 CY of recycling, and 18.7 CY of trash. Please consult with Athens on the number and size of containers needed to accommodate these materials. A separate permit is required for the trash enclosure. Please show to scale the size, the number of bins, and the proposed layout in the enclosure.

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.

236. **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.
237. **Potable Water and Landscape** - Groundcover/Turf - State law and City Ordinance prohibit non-functional turf in commercial developments.

**POLICE DEPARTMENT CONDITIONS FOR 2022-70732-DP**

238. **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.

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.

239. **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.
240. **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 and parking areas. Interior after hours lighting is also highly recommended. The use of metal halide fixtures is preferred over high-pressure sodium fixtures, since metal halide provides superior illumination and color rendition.
241. **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.

POLICE DEPARTMENT CONDITIONS FOR 2022-70732-DP

242. **Utility Rooms and Enclosures** – All exterior utility rooms and enclosures containing electrical and telephone equipment shall be kept locked at all times.
243. **Roof Access** – Roof access must be secured with locking doors or any other mechanism to restrict access for non-public areas.
244. **Trash Enclosures** – Exterior trash enclosures shall be kept closed and locked during non-business hours to discourage, loitering, illegal dumping and theft. The site shall be maintained in a neat and clean condition at all times. Litter on the site or any litter scattered to a nearby property, streets, and walkways shall be removed daily.
245. **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 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.
246. **Surveillance Cameras** – It is highly recommended the applicant install a surveillance system with a 360-degree view of the surrounding areas. That system should be of high-definition quality, night vision capable and have storage of at least 14 days. The system should also be internet based and the camera's IP addresses should be provided the Ventura County Sheriff's Office Dispatch Advanced Real Time Information Center (ARTIC) should the need arise to view the area in a criminal event.

POLICE DEPARTMENT CONDITIONS FOR 2022-70732-DP

- 247. **Elevators** – Elevator interiors shall be equipped with mirrors or highly reflective surfaces to allow surveillance of the interior prior to entry, and shall have a minimum interior dimension of 6' 8" wide x 4'9" deep in order to accommodate a standard sized medical gurney and emergency response personnel.
- 248. **Stairwells** – Enclosed stairwells shall contain wall mounted security mirrors on all levels to minimize areas of concealment. Entry/exit doors at the stairwell landings shall have windows installed of sufficient size to allow viewing into the stairwell prior to entry. All stairwells, hallways and corridors shall have a minimum of 5 foot-candles of light at floor level at all times.
- 249. **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.
- 250. **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. To discourage theft and vandalism, the parking lot shall be fenced. The use of chain link is discouraged. Access shall be through a gate equipped with key card reader. Entry logs shall be retrievable and presented to the Thousand Oaks Police Department when necessary.
- 251. **Other Security Concerns** – The business will correct any safety or security concerns upon written notice by the Thousand Oaks Police Department.



**FIRE PREVENTION CONDITIONS FOR 2022-70732-DP**

252. **Very High Fire Hazard Severity Zone** – This project is in a Very High Fire Hazard Severity Zone and all structures shall meet hazardous fire area building code requirements. Contact the Building Department for requirements.
253. **Fire Department Clearance** – Applicant shall submit VCFD Form #610, Fire Permit Application, prior to obtaining a building permit for any new structures.
254. **Fire-Flow (Commercial, Industrial, Multi-family buildings)** – The minimum fire-flow required shall be determined as specified by the current adopted edition of the California Fire Code Appendix B with adopted Amendments and the applicable Water Works Manual for the jurisdiction (whichever is more restrictive). The applicant shall verify that the water purveyor can provide the required volume and duration for the project prior to obtaining a building permit by having them fill out VCFD Form #625, Fire-Flow Verification.
255. **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.
256. **Road Surface Construction and Grade Limitations** – Fire apparatus access roads serving commercial and industrial occupancies shall have a structural cross section and surface complying with the public road standards for the jurisdiction in which the project is located and grades shall not exceed 10%.
257. **Access Road and Private Roads Width** – Private roads shall comply with Public Road Standards.
- a. Access road width of 24-feet shall be required with no on-street parking permitted.
  - b. Where one-way traffic and off-street parking occurs, a 20-foot driveway width shall be provided.
258. **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.

## FIRE PREVENTION CONDITIONS FOR 2022-70732-DP

259. **Vertical Curve** – The vertical curve of a fire apparatus access roads serving commercial and industrial occupancies shall not allow for transitions between grades that exceed 6% elevation change along any 10-foot section. These transitions shall include angle of approach, angle of departure, and high centering of fire apparatus.
260. **Vertical Clearance** – All access roads/driveways shall have a minimum vertical clearance of 13 feet 6 inches (13' 6"). Clear of building to sky.
261. **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.
262. **Access Road Certification** – The access road(s)/driveway(s) inclusive of bridges, culverts, and other appurtenant structures which supplement the roadway bed or shoulders, shall be certified by a registered civil engineer as having an all-weather surface in conformance with the City of Thousand Oaks Public Works and/or Fire District standards. This certification shall be submitted to the Fire District for review and approval prior to occupancy.
263. **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 California Fire Code and current VCFPD Fire Lane Standards. All signs and or Fire Lane markings shall be within recorded access easements.
264. **Fire Hydrant(s) Required** – Fire hydrant(s) shall be provided in accordance with current adopted edition of the California Fire Code, Appendix C and adopted amendments. On-site fire hydrants may be required as determined by the Fire District.
265. **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 Public Works Water Works Manual and the following.
- a. Each hydrant shall be a 6-inch wet barrel design and shall have one 4-inch and two 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 spaced 300 feet on center and so located that no structure will be farther than 150 feet from any one hydrant.

## FIRE PREVENTION CONDITIONS FOR 2022-70732-DP

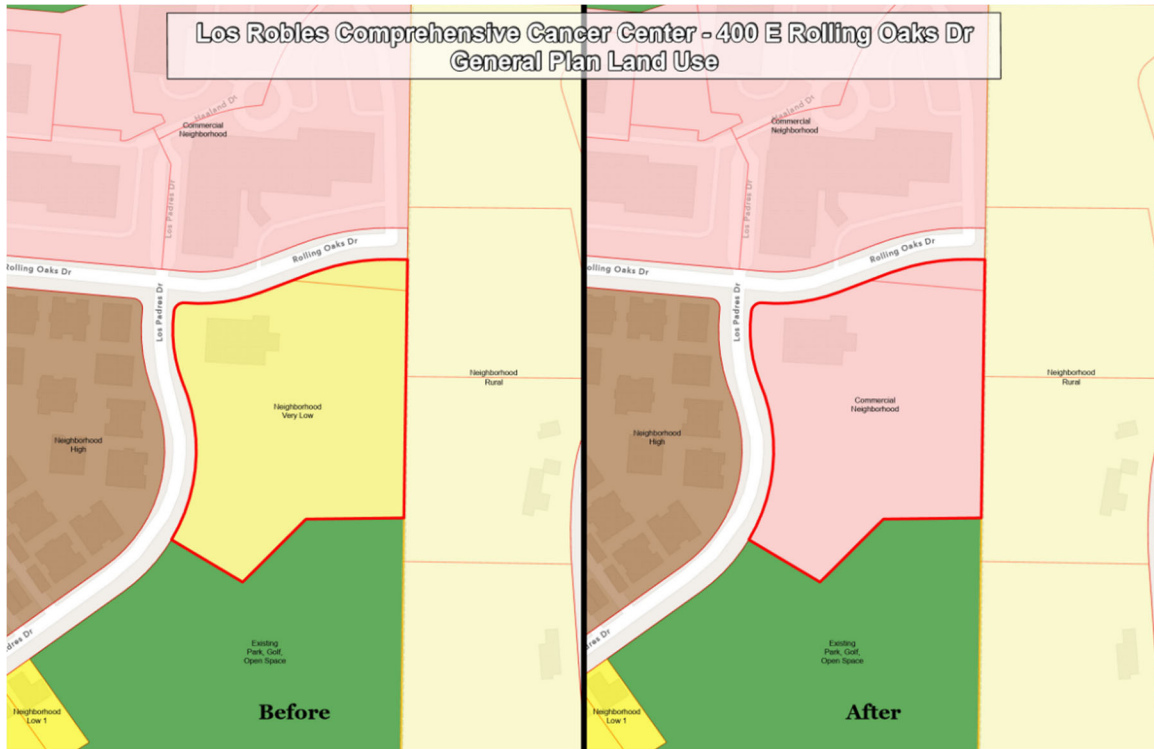
- d. Fire hydrants shall be set back from the curb face 24 inches on center.
  - e. No obstructions, including walls, trees, lights, signposts, and meters shall be placed within three feet of any hydrant.
  - f. A concrete pad shall be installed extending 18 inches in all directions from the fire hydrant.
  - g. Ground clearance to the lowest operating nut shall be between 18 to 24 inches.
266. **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.
267. **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 plans, whichever is first. Plans shall reflect only dedicated private fire service lines and associated appurtenances. Plan shall be design and submitted with the appropriate fees in accordance with VCFPD Standards.
268. **Fire Alarm System** – A fire alarm system shall be installed in all buildings in accordance with California Building and Fire Code requirements.
269. **Fire Alarm/Sprinkler Monitoring Plans** – Plans for any fire alarm system or sprinkler monitoring system shall be submitted, with payment for plan check, to the Fire District for review and approval prior to installation.
270. **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.
271. **Emergency Lighting and Exit Signs** – Emergency lighting and exit signage shall be installed in all buildings in accordance with California Building Code and California Fire Code requirements.
272. **Fire Extinguishers** – Fire extinguishers shall be installed in accordance with California Building Code and California Fire Code requirements. The placement of extinguishers shall be subject to review by the Fire District.
273. **Walkways** – Approved walkways shall be provided from all building openings to the public way or fire department access road/driveway.

## FIRE PREVENTION CONDITIONS FOR 2022-70732-DP

274. **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. 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.
275. **Knox Device** – Exterior access leading to fire sprinkler riser rooms and alarm control panels shall be provided with a Knox Box for emergency access.
276. **Fuel Modification/Landscape Plans** – Project is located within a Hazardous Fire Area. Fuel Modification Zone (FMZ) and or landscape plans shall be submitted for review and approval to the Fire Prevention Bureau prior to Fire Department final inspection of the building or installation of any landscape, whichever occurs first. Where landscape plans have not been developed prior to a structure being ready for the Fire Department final, the owner may sign an affidavit that plans will be submitted prior to installation. See VCFD Guidelines 416
277. **Hazard Abatement** – It is the applicant's responsibility to ensure that all grass or brush on Applicant's property exposing any structure(s) to fire hazards shall be cleared for a distance of 100 feet except, per MM-WF-3, where the building facade on the east side of the building as depicted on the Exhibits, labeled "Project Plan Set," dated February 29, 2024 will be 85 feet from the eastern boundary, in which case, all grass or brush shall be cleared for a distance of 85 feet, prior to construction of any structure and shall be maintained in accordance with VCFPD Ordinance. To adequately address the deficient defensible space zone east of the building, MM-WF-3 requires code-exceeding fire protection features that meet or exceed the level of fire protection 100 feet of fuel modification provides.
278. **Hazard Abatement** – All grass and brush shall be cleared to a distance of ten (10) feet on each side of all access roads / driveways.

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**EXHIBIT A**  
**General Plan Amendment 2022-70587-LU**  
**400 East Rolling Oaks Drive (APN 681-0-180-265, and 681-0-180-275)**  
**HCA Healthcare/Los Robles Hospital**



**EXHIBIT B**  
**General Plan Amendment 2022-70587-LU**  
**355 West Janss Road (APN 522-0-270-135)**  
**HCA Healthcare/Los Robles Hospital**

