

CITY OF THOUSAND OAKS

PLANNING COMMISSION

RESOLUTION NO. \_\_\_\_\_ PC

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF THOUSAND OAKS APPROVING A  
RESIDENTIAL PLANNED DEVELOPMENT MAJOR  
MODIFICATION PERMIT, LANDSCAPE TREE  
PERMIT, OAK TREE PERMIT, AND MITIGATED  
NEGATIVE DECLARATION FOR THE USE OF  
CERTAIN PROPERTY WITHIN SAID CITY

Application No. 2017-70164-RPMJ, 2017-70308-OTP, 2017-70309-LTP, and  
2017-70530-MND

Applicant: Trisha Ferruzza / Toscana Enterprises

Location: 3948 Skelton Canyon Circle, Assessor's Parcel Number (APN)  
690-0-010-105, Lot 46, Tract 2343-1

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

SECTION 1

WHEREAS, the applicant has filed with this Commission a petition under  
the provisions of the City of Thousand Oaks Municipal Code requesting the  
following associated with a new single-family residence and associated  
development at 2948 Skelton Canyon Circle:

1. Mitigated Negative Declaration (MND) 2017-70530-MND (State  
Clearinghouse Number 2024020027): Approve the Mitigated Negative  
Declaration and mitigation monitoring plan in accordance with the  
California Environmental Quality Act (CEQA) for the subject project.
2. Residential Planned Development–Major Modification (RPMJ) 2017-  
70164-RPMJ: Allow construction of a four-bedroom, approximately  
4,700 square foot two-story single-family residence with basement,  
attached garage, swimming pool, and other associated development  
including grading on steep slopes, hardscape, and landscape for a  
previously disturbed vacant lot at 3948 Skelton Canyon Circle.
3. Oak Tree Permit (OTP) 2017-70308-OTP: To allow removal of three  
coast live oak (*Quercus agrifolia*) trees and replacement at a 2:1 ratio  
and the transplanting of one coast live oak (*Quercus agrifolia*) tree.

4. Landmark Tree Permit (LTP) 2017-70309-LTP: To allow the minor pruning of one California Sycamore (*Platanus racemose*) tree.

WHEREAS, on January 26, 1976, the Thousand Oaks Planning Commission approved Residential Planned Development No. 75-138 (Resolution 29-76 PC) allowing the construction of a 296-unit residential subdivision (Westlake North) including Tract No. 2343, which includes the subject property (Lot 46);

WHEREAS, on February 22, 2018, a Notice of Application was posted on the project site and mailed to all required parties, and on December 7, 2023, the Notice of Application was reissued;

WHEREAS, on February 5, 2023, a Notice of Completion was filed with the State Clearinghouse and a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) was published and mailed, and the MND was circulated for 30-days for public review in accordance with the California Environmental Quality Act (CEQA) between February 5 and March 6, 2024;

WHEREAS, on June 17, Notice of Planning Commission Public Hearing was published in 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, the Planning Commission, upon giving the required notice, did, on the 1<sup>st</sup> day of July, 2024, conduct a duly-advertised public hearing as prescribed by law to consider said application; and

WHEREAS, at the July 1, 2024, Planning Commission public hearing, oral and written evidence, including a staff report, were presented and received, and arguments were heard from all interested parties appearing in the matter; and

## SECTION 2

WHEREAS, the findings of the Planning Commission supporting approval of 2017-70164-RPMJ 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 project is consistent with the Thousand Oaks General Plan, including the Land Use Element, in that the project is a residential use located within a residually designated area. The project site has a "Neighborhood Very Low Residential" designation in the Land Use Element of the General Plan and is zoned RPD-1.5U-SP located within the Westlake North Ranch Specific Plan (SP No. 4). Within the Specific Plan the property is designated for development at 0.5 units per net acre.

The RPD zoning density is not proposed to change with the project and is consistent with the General Plan's Neighborhood Very Low-density designation. Single-family dwellings and accessory uses such as decks, balconies, swimming pools, parking spaces, etc., are allowed use in the RPD zone.

In addition, the project adheres to the requirements of Tentative Tract 2343 and RPD 1975-136 which comply with the North Ranch Specific Plan.

Therefore, the project is consistent with the Thousand Oaks General Plan and any applicable 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 project complies with the TOMC, Specific Plan No. 4, conditions of previous approvals, Oak Tree Preservation and Protection Guidelines (Resolution 2010-14), and Precise Plan of Design Guidelines (Res. No. 2006-108). Additionally, the project has been reviewed by other City departments and agencies for conformance with applicable laws, regulations, and policies, and provided appropriate conditions of approval. Other conditions of approval, including mitigation measures as determined by the Final MND, further ensure compliance with state agency regulations, such as those monitored by CDFW.

The design of the home has received preliminary approval from the Architectural Committee of the responsible Homeowners Association (Westlake North Ranch Homeowners Association). The proposed home utilizes a split-level design with a second-floor element, consistent with other homes in the area. The proposed building incorporates gable and flat roof elements that provide horizontal and vertical interest. Materials for the building include concrete tile roofing with metal roof on architectural elements, stone veneer, stucco, and windows that include contemporary contrasting framing.

The building design incorporates enhanced architectural and landscape design, including vertical and horizontal design elements and decorative material finishes and colors; and meets all applicable development standards for the zone (i.e. setbacks, parking, landscaping). Multi-level rooflines, a mix of building materials, and the incorporation of planters and outdoor space into the overall residential development add visual interest and a contemporary style to the design. The south-facing façade incorporates large windows with a cantilevered awning to take advantage of the building's orientation, as directed by the conditions of Tract No. 2343.

The proposed residence is located within a neighborhood that has a mix of single and two-story homes. The proposed scale, massing, roofline, vertical and horizontal design elements, exterior material finishes, and height are compatible with residences in the area, and do not overwhelm them with unbalanced size or a design that is out of character of the neighborhood. Building materials and colors are compatible with the existing natural and man-made environment in the area. In addition, the project will be screened from the view of the adjacent property by existing mature foliage, the unique size of the lot, and varying topography. Overall, the site design and the location and massing of all structures and improvements will, to the extent feasible minimize the loss of privacy to surrounding residents and not unduly impact, restrict, or block significant views.

The architectural design, size, and height of the proposed dwelling are minimally visible from public viewpoints and are complementary to other homes in the vicinity and therefore, will not deter from the orderly development pattern or character of the neighborhood established for the tract. The proposed project substantially complies with the City's design guidelines and is designed to be compatible with the scale and style of the existing neighborhood and will not detract from the established character of the neighborhood.

Due to existing site conditions and constraints, encroachment into 25% terrain for the proposed dwelling is unavoidable. However, the area of encroachment would not result in a negative visual impact as viewed from a street, as it is located at the base of the slope, behind the proposed residence. To reduce the impact of grading, the applicant has incorporated a split-level, two story design with the building set into the slope utilizing internal and external retaining walls in lieu of a normal graded pad-type design. The proposed development is also located within the flattest portions of the property, thereby reducing encroachment into slopes greater than 25%. The design takes advantage of the previously graded pad area in order to avoid further major alterations to the terrain, impacting sensitive habitat area, and the need for excessive manufactured slopes. There will be retaining walls ranging from 0.5' to 5.5' to support the driveway, the turnaround area, and the construction pad. No retaining wall will exceed 6' in height.

Construction of a single-family dwelling on the property is impossible without encroaching into twenty-five percent (25%) sloping terrain. Therefore, approving this permit will grant the property owner reasonable use of the property. The proposed residence will be compatible with surrounding development, as the neighborhood is primarily composed of single-family homes. By incorporating a

meandering driveway, designing a two-story structure to minimize the footprint, and strategically siting the development pad to reduce the disturbed area, the project effectively minimizes grading. It also adheres to applicable City codes, standards, goals, and policies, ensuring a development that is respectful of the environment and provides reasonable use of private property.

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 adjacent zones; and,
- d. Will not become detrimental to the public interest, health, safety, convenience or general welfare.

As demonstrated in the environmental document (2017-70530-MND), the project will not unreasonably interfere with the use and enjoyment of neighboring, existing, or future developments. Therefore, the project will not be detrimental to public health, safety, or general welfare.

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

An MND was prepared in accordance with the standards established by the California Environmental Quality Act (CEQA) for the overall site modifications and uses. The MND evaluated the project's physical

development and uses, and the project's reasonable and foreseeable impacts on the environment. As documented within the MND, with the implementation of the suggested mitigation measures, the project will not have a significant impact on the environment.

### SECTION 3

WHEREAS, the findings of the Planning Commission supporting the approval of 2017-70308-OTP and 2017-70309-LTP are as follows:

1. *The condition or location of the [protected] 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)).*

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)).*

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.

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 project, as designed, requires the removal of one protected tree to accommodate the proposed improvements and grading activities associated with the construction of the new residence. Additionally, protected trees will be removed, and another will be transplanted to meet the driveway clearance requirements set by the Ventura County Fire Department. Fourteen other protected trees will be pruned to provide the required driveway clearance, including two offsite trees. A letter of authorization from the owner of the offsite trees will be required prior to any pruning activity.

The Oak Tree Preservation and Protection Ordinance allows for oak tree encroachments, pruning, and removals if the request is not contrary to the purpose and intent of the ordinance. In this case, although the driveway was carefully designed to avoid impacting as many trees as possible, VCFD requirements invoke the need to prune two of the trees (#s4 and 7) to such a degree that removal is required. A third tree (#51) will be removed as the proposed house could not be sited in a way that would avoid displacing the tree without incurring significantly more encroachment into the steep slope areas. One other tree (#99) will be transplanted as it is in the path of the proposed driveway and could not be avoided. As such, the removals are necessary for reasonable use (single-family residential development of the land).

In addition, approval is consistent with the intent of the Oak Tree Preservation and Protection Ordinance since the proposed removal of three Coast Live Oak (*Quercus agrifolia*) trees will be replaced in accordance with mitigation standards adopted by the Oak Tree Preservation and Protection Guidelines Resolution 2010-14. A condition of approval requires the removed trees to be replaced at a 2:1 ratio. Trees #4 and #51 are less than 48-inches in diameter and may be replaced with a 24-inch-box coast live oak tree. Tree #7, which totals a diameter over 48 inches, must be replaced with two 60-inch-box trees, per the Oak Tree Preservation and Protection Ordinance. A Landscape Plan Check and Replacement Tree Plan which complies with Resolution 2010-014 will be required to review and approve the location of the replacement trees.

The project is consistent with the general purpose and intent of the Oak and Landmark Tree Ordinance since appropriate mitigation, in the form of replacement trees, will be provided pursuant to the standards of the Oak Tree Preservation and Protection Guidelines (Res. No. 2010-14). In addition, appropriate project conditions are in place to safeguard the oak trees, including the installation of fencing around the protected zones and on-site monitoring by the applicant's consultant during all encroachment and pruning operations.

*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)).*

The project is consistent with the Thousand Oaks General Plan, including the Conservation Element, in that conditions have been imposed to offset the loss of the protected trees as specified in this Resolution and in the project's staff report. 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).

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

A MND was prepared in accordance with the standards established by the CEQA for the overall site modifications and uses. The MND evaluated the project's physical development and uses, and the project's reasonable and foreseeable impacts on the environment. As documented within the MND, with the implementation of suggested mitigation, the project will not have a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED that based on substantial evidence contained within the record, the analysis in the agenda report, and the findings of fact, the Planning Commission approves said applications for a Residential Planned Development – Major Modification Permit, Land Oak Tree Permit, Landmark Tree Permit, and Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program, 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 permits shall be grounds for revocation by the Planning Commission or City Council.

I HEREBY CERTIFY that the foregoing resolution reflects action taken by the Planning Commission of the City of Thousand Oaks at a regular meeting held on the 1<sup>st</sup> day of July 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Don Lanson, Chair  
Planning Commission

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Fabiola Zelaya Melicher, Secretary  
Planning Commission



**COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2017-70164-RPMJ**

**GENERAL**

1. **Land and Application** – The Residential Planned Development – Major Modification Permit is granted for the land described in the application, any attachment thereto, and as indicated on the Project Plan Set, dated May 1, 2024.
2. **Scope of Permit Approval** – The Development Permit is granted to allow construction of a four-bedroom, approximately 4,700 square foot two-story single-family residence with basement, attached garage and associated development including grading on steep slopes, encroachment into the protected zone of 14 protected trees, removal of three oak trees, and removal/transplanting of one other protected tree, hardscape, and landscape for an existing 15.88-acre property located at a vacant lot at 3948 Skelton Canyon Circle, which shall be constructed substantially as shown on Exhibits labeled “Project Plan Set,” May 1, 2024, except as otherwise indicated herein.
3. **Approval Period/Use Inauguration** – The Development Permit is granted for a three-year (3) period of time ending July 1, 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 (TOMC). Inauguration of this approval signifies an acceptance of the decision and associated conditions of approval, hereto. The applicant may request time extensions of this period as permissible by Section 9-4.2812(e) of the TOMC by filing a Minor Modification application with the Community Development Department prior to the expiration date.
4. **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.
5. **Condition Compliance** – All development on the subject property shall be constructed and thereafter maintained in accordance with the conditions of this permit.

6. **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 incorporating any design changes and other requirements as conditioned herein.
7. **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 industrial 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.
8. **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.
9. **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 the commencement of work.
10. **Homeowners Association Approval** – The applicant is advised to obtain Homeowners Association Approval prior to beginning any construction activity.
11. **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 proposed development conditions by the City.
12. **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

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2017-70164-RPMJ, 2017-70308-OTP, 2017-70309-LTP, and 2017-70530-MND

any other agency requiring fees related to the subject development as required by the Municipal Code.

13. **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.
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 is complete in accordance with the approved plans and the conditions, per phase, required herein.
16. **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 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.
17. **Other Applicable Permits** – All conditions of RPD 75-136 and Tentative Tract 2343 as modified by 2017-70164-RPMJ, 2017-70308-OTP, 2017-70309-LTP, and 2017-70530-MND shall apply. The entitlement and conditions of approval associated with prior onsite development approved by the City of Thousand Oaks (SUP 96-924 Major Modification No. 1), are rescinded, voided and of no further effect. The property's Title Report is to be updated to remove references to Covenants, Agreements and Declarations required by the permits which are rescinded, voided and of no further effect.
18. **Project Changes/Modifications** – Any minor change to 2017-70164-RPMJ, 2017-70308-OTP, and, 2017-70309-LTP may be approved with a Minor Modification application filed with the Community Development Department, provided such changes achieve substantially the same results and the project is still in compliance with the Municipal Code. Revised plans reflecting the minor changes and additional fees shall be required.
19. **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

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- 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.
20. **Compliance with Other Laws** – The applicant shall comply with all federal, state and local laws. Violation of any of those laws in connection with the use authorized herein will be cause for initiation of revocation proceedings.
21. **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.
22. **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 in the defense.
23. **Signed Acceptance of Conditions** – A signed Acceptance of Conditions affidavit shall be executed by the applicant and property owner, or his duly authorized representative, and shall be returned to the Planning Division of the Community Development Department prior to the issuance of a grading and building permit associated with 2017-70164-RPMJ, 2017-70308-OTP, and, 2017-70309-LTP.

## ENVIRONMENTAL MITIGATION MEASURES

24. **(M) Mitigation Compliance** – Applicant agrees to comply with all mitigation measures outlined in Mitigated Negative Declaration No. 2017-70530-MND. 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 Mitigated Negative Declaration 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.
25. **MM-1 (BIO-1 Design Considerations)** - The Project proponent shall include biofilters (vegetated gravel filled planters and filter strips) as required by the City of Thousand Oaks Public Works Department. Discharge of water from the swimming pool shall also be conveyed through a filter before discharge or stored for irrigation. The owner shall use an Ozone generator or a salt chlorinator rather than use a system that requires the addition of chlorine and other harsh chemicals. These measures will reduce potential for erosion and reduce the potential for introducing sediments and other pollutants into the Arroyo Conejo.

The Project proponent shall use fire resistant materials as required by the City of Thousand Oaks Building Safety Division and/or Ventura County Fire Department, such as a 2-hour wall assembly exterior facing property line, utilize designs that will reduce the potential for structures to catch fire, equip structures with an indoor and outdoor sprinkler system (under eave or sidewall sprinkler heads as a part of the interior sprinkler system) and install irrigation adequate for fire suppression. The swimming pool shall also be equipped with a pump and fire hose attachment so that its water can be used for fire suppression during emergencies.

Exterior lighting shall be minimized and restricted to low intensity features that do not exceed 60 watts, or the equivalent. Exterior lighting should be shielded so that light is not cast outward beyond the limits of the development envelope. Pathway, driveway, and parking area lights should be limited to fixtures that are directed downward and do not exceed two feet in height. This measure will reduce the potential for adverse effects upon local movement of wildlife up and down the Arroyo Conejo.

26. **MM-2 (BIO-2 LANDSCAPE PLAN CHECK AND FUEL MANAGEMENT PLAN)** - Prior to or concurrent with the submittal of grading plans, the project proponent shall submit a Fuel Modification Plan as part of a formal Landscape Plan Check application, which identifies the composition of defensible space within the Project site and details specific methods of protecting in place habitat capable of supporting SSC. Fuel modification activities within areas dominated by *Quercus agrifolia* Woodland Alliance or within the coastal sage scrub community shall be limited to the removal of non-native species and trimming of oak branches as required by the Ventura County Fire Department. The Landscape and Fuel Modification Plans must demonstrate at least a 2:1 in-kind replacement ratio in the undisturbed areas of the Project site that is outside of the development footprint and fuel modification zone or provide some other method of reparation acceptable to CDFW. Both the Landscape Plan Check and Fuel Modification Plan must receive City, VCFD, COSCA, and CDFW approval (to be coordinated by the City) prior to the issuance of grading permits.
27. **MM-3 (BIO-3 SOUTHERN CALIFORNIA LEGLESS LIZARD PROTECTION PLAN)** - Southern California legless lizard undoubtedly has low potential to occur at the property. Although the CDFW considers the species to have special status, they have not developed guidelines or protocols to survey for it. The species lives mostly underground, which makes it very difficult to conduct surveys for it. The method that has proven to be most successful in locating legless lizard is raking but the technique is only suitable for use in sandy soils and leaf litter. In other habitats, boards are typically placed on the ground and checked periodically; however, this method does not appear to have any great success. Decision makers should assume the presence of this species.

A qualified biologist shall rake through the leaf litter within the proposed development footprint and fuel modification zone in an attempt to locate individuals. If legless lizards are found, a qualified biologist with proper handling permits may relocate the species to another area of the property well beyond the proposed development footprint and fuel modification zones. Fuel modification brush clearance shall maintain root structure to protect legless lizard habitat.

The qualified biologist must hold a CDFW Scientific Collectors Permit and Memorandum of Understanding authorizing capture and handling of this species. The qualified biologist shall prepare a species-specific list (or plan) of proper handling and passive relocation protocols. The list (or plan) of protocols shall be implemented during Project construction and activities/biological construction monitoring. The City/qualified biologist may consult with CDFW to prepare species-specific protocols for proper handling and passive relocation procedures. A passive relocation plan shall be submitted to CDFW for review and comment prior to implementing Project-related ground-disturbing activities.

28. **MM-4 (BIO-4 WOODRAT AVOIDANCE & RELOCATION PLAN)** - The biologist observed at least two woodrat houses on the property. It is likely that the houses belong to big eared woodrat; however, San Diego woodrat cannot be ruled out. A qualified biologist with the proper handling permits shall survey suitable habitat for woodrats within the proposed development footprint and fuel modification zone, within 14 days prior to the initiation of Project activities. If the qualified biologist does not find any woodrat nests, then no further action is required. If woodrat nests are identified, a fence shall be erected with a 50-foot buffer around the nest site. Adequate space should be provided for sufficient foraging habitat at the discretion of the qualified biologist in consultation with CDFW. If young are present, no work shall occur within the fenced area until young have left the nest.

If woodrat nests cannot be left in place, the qualified biologist shall prepare a plan of proper handling and relocation protocols. The plan of protocols shall be implemented during Project activities and biological construction monitoring. The City/qualified biologist may consult with CDFW to prepare species-specific protocols for proper handling and relocation procedures. A relocation plan shall be submitted to CDFW for review and comment prior to implementing Project-related ground- disturbing activities.

29. **MM-5 (BIO-5 BAT AVOIDANCE & PROTECTION PLAN)** - Prior to any tree disturbing activities, a qualified bat specialist shall conduct bat surveys within the Project site that has suitable habitat (plus a 100-foot buffer as access allows). These surveys shall identify potential habitat that could provide daytime and/or nighttime roost sites, and any maternity roosts. Acoustic recognition technology shall be utilized to maximize detection of bats. If bats are not detected, but the bat specialist determines that roosting bats may be present, the qualified bat biologist shall be present and shall monitor the removal of the branches. The arborist removing the branches shall inspect all cavities and ensure that they are bat free (and free of bird nests) before they are removed. If branches with any cavities are removed, they shall be placed within the oak woodland, beyond any fuel modification zones. This will allow bats to escape, if they haven't done so during removal, and will provide refugia for other wildlife.

If bats are using any of the cavities as a maternal site, work shall be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are present but are ready to fly out of the roost (March 1 to September 30). Work shall not occur within 100 feet of or directly under or adjacent to an active roost and work shall not occur between 30 minutes before sunset and 30 minutes after sunrise. If bats are present but the cavity is not being used as a maternal site, the biologist shall consult with CDFW prior to any steps to passively exclude them before any

removal of branches or limbs occurs. The qualified biologist shall prepare a bat avoidance and exclusion plan of proper handling of branches and exclusionary protocols. The plan shall be implemented during Project activities and submitted to CDFW for review and comment prior to implementing Project-related ground- disturbing activities. The qualified biologist must hold a CDFW Scientific Collectors Permit and Memorandum of Understanding authorizing capture and handling.

30. **MM-6 (BIO-6 NESTING BIRD SURVEY, AVOIDANCE & PROTECTION PLAN)** - Initial grubbing, grading, and construction should be scheduled to occur outside the nesting season of birds (January 1 through September 15), if feasible. Regardless of timing, a qualified biologist shall conduct a nest survey or surveys where suitable habitat exists throughout the Project site before any activities are scheduled to occur.

- a. The biologist must be familiar with nesting ecology of southern California avian species, must have a proven track record of finding nests, and must be approved by CDFW and/or preferably holds permits that allow them to survey for nests including those of rare, threatened, and endangered species.
- b. If initial vegetation clearance, grubbing, grading, and construction activities are scheduled to occur outside the CDFW defined nesting season, the biologist should conduct a survey 7 days and again 3 days before the activities are scheduled to begin. The biologist shall survey within a 500-foot radius of the proposed development footprint to determine if there are active raptor nests nearby.
- c. If initial vegetation clearance, grubbing, grading, and construction activities are scheduled to occur within the CDFW defined nesting season, the biologist should conduct a series of surveys, which should begin 31 days before any scheduled activities, and be conducted one week apart with the final survey being conducted 3 days before schedule activities begin.
- d. The biologist shall prepare a brief report summarizing the results of the surveys and submit it to the City of Thousand Oaks.
- e. If the biologist determines that there are active nests within or adjacent to these areas, they should establish a 100 -foot buffer for passerine nests and a 500-foot buffer for raptor nests.
- f. The biologist should clearly delineate the buffer area around every active nest within the Project site.
- g. No work will occur within a nest buffer under any circumstance until the fledglings are no longer dependent on the nest, or until the biologist determines that the nest is inactive.



- h. The driveway shall remain open even if the buffers of nests extend across it; however, there shall be no stopping within these buffers and under no circumstance can large vehicles or equipment pass within 10 feet of a nest without the presence of the biologist.
- i. If the biologist determines that a buffer reduction is feasible, without affecting the outcome of a nest, they shall prepare and submit a letter requesting a reduction to CDFW along with any necessary information and a statement of justification so that CDFW can make an informed decision to allow the reduction or not. CDFW buffer reduction approvals must be provided to the City of Thousand Oaks.
- j. In circumstances when activities are scheduled to occur between an original buffer and a reduced buffer, a qualified biologist should monitor the nest before, during, and after the activities, to determine if it's being affected.
- k. The only activities that shall be allowed between the original buffer and the reduced buffer are those that generate noise levels less than 60 dBA as measured at the resource.
- l. The biologist shall record noise levels every hour and must have the authority to stop any activities that exceed 60 dBA if they determine that it is affecting or has the potential to affect the outcome of a nest.
- m. The biologist shall send weekly monitoring reports to the CDFW the City of Thousand Oaks documenting the status of monitored nests and others as necessary. Both shall be notified immediately if any of the Project activities result in take.
- n. This plan shall also be implemented before any fuel modification activities occur. Fuel modification activities should only occur after the construction phase of the Project has been completed or as otherwise directed by the Fire Department.

31. **MM-7 (BIO-7 DRAINAGE PROTECTION PLAN)** - The intent of this measure is to protect the Arroyo Conejo and its associated wildlife including Southern western pond turtle, two-striped garter snake, south coast garter snake, and Coast Range newt. As required by law, the Project proponent shall submit to the City of Thousand Oaks, an Erosion Control and Best Management Practices Plan, prepared by a qualified, licensed professional. The plan shall certify that it is in conformance with the City's requirements. The plan will include track plates at ingress and egress, silt fence, straw waddles, and sandbags to ensure that runoff during the construction phase of the Project is not directly discharged into the creek. This measure will reduce the potential for adverse effects upon the water quality of the Arroyo Conejo. In particular, orange construction fence and silt fence shall be used to protect the Arroyo Conejo during the construction phase of the Project. The fencing will prevent accidental discharge of materials from entering it and discharge of sediments during storm events.

- a. Laborers shall install orange construction fence between the creek and the outside edge of the disturbance limits.
  - b. Laborers shall then attach silt fence to the base of the construction fence and bury it at its base in a manner that will prevent accidental discharge from entering the Arroyo Conejo. The silt fence shall be consistent with practices outlined in the Erosion Control Plans and Best Management Practices.
  - c. Signs shall be placed on the fence, that will declare - Sensitive Habitat Area - No Entry Allowed - If Accidental Discharge Occurs You Must Call the Project Biologist Immediately. The signs shall include the phone number of the Project Biologist.
  - d. A biologist shall review the installation of the fence and signs.
  - e. The Project proponent or their contractor will inform the City of Thousand Oaks when construction is scheduled to begin and invite them to inspect the fence and signs.
  - f. The fence and signs shall remain in place and be maintained by the Projects contractor throughout the duration of construction.'
32. **MM-8 (BIO-8 OAK TREE PROTECTION PLAN)** - Protective fencing shall be placed at the outermost limits of the protected zones of the oak trees or groups of trees that occur on the property and for encroachments, at the limits of disturbance. The protected zone is 5 feet from the canopy or 15 feet from the trunk; whichever is greater. Please refer to the Oak Tree Report, provided separately, for additional protective measures.
- a. The fencing shall be in place before vegetation clearance, grubbing, grading, or construction activities begin.
  - b. No grading, construction, staging of equipment, or storage of materials shall be allowed within the protected zones of the trees.
  - c. No construction personnel shall enter the protected zones of the trees.
  - d. Signs should be attached to the fence, which declare: NO ENTRY, PARKING, OR STORAGE ALLOWED WITHIN 5 FEET OF OAK TREES.
  - e. After the fencing and the signs have been installed, the Project proponent's contractor will inform the City of Thousand Oaks when construction is scheduled to begin and invite them to inspect the protective fencing and signs.
  - f. The fence shall remain in place and be maintained by the Projects contractor throughout the duration of construction.
33. **MM-9 (BIO-9 SPECIAL STATUS SPECIES PROTECTION PLAN)** - The intent of this measure is protecting special-status species during Project activities and outline compensatory mitigation for impacts to SSC. A qualified biologist shall conduct a pre-construction survey 3 days prior to Project activities. If special status species or any other wildlife is located, they shall be ushered out of harm's way to an area of the property that is not affected by the proposed development or fuel modification zone.

For habitat that supports Species of Special Concern (SSC) which have been confirmed by the Forde Biological Assessment or found during pre-construction surveys prior to issuance of a grading permit within the Project site, the project proponent must provide Compensatory Mitigation at no less than a 2:1 in kind replacement ratio in the undisturbed areas of the Project site that is outside of the development footprint and Fuel Modification zone, or provide some other method of reparation acceptable to CDFW. Mitigation for temporary and permanent loss of a habitat supporting SSC shall provide appropriate habitat, refugia, and habitat structures that supports that species as defined by CDFW (e.g., woody material, rocks, brush piles, pools, burrows). Any proposed mitigation area/plan shall include a discussion on the territory size; nesting, breeding, foraging, and refuge locations; invasive, non-native plant and wildlife species present; food availability; and how all life cycle functions will be mitigated. Any mitigation plan for SSC shall be distributed and approved by CDFW prior to issuance of a grading permit and may require a conservation easement dedicated to a local land conservancy or other appropriate entity with an appropriate endowment to provide for the long-term management of mitigation lands as approved by CDFW.

34. **MM-10 (BIO-10 FUEL MODIFICATION)** - The site shall only be fuel-modified after the construction phase of the proposed Project is completed.
- a. A qualified biologist shall implement the Nesting Bird Survey & Protection Plan before fuel modification occurs.
  - b. A qualified biologist present during initial fuel modification activities so that special status species such as Coast Horned Lizard and San Diegan Tiger Whiptail can be avoided and allowed to move passively or ushered out of harm's way.
  - c. Fuel modification should not occur within the defined nesting season of birds under any circumstance as it could easily be scheduled to avoid it; however, it should be conducted in accordance with fire department regulations in future years after occupation of the single-family residence.
  - d. Fuel modification shall be conducted using hand-held tools and be done under the supervision of a biologist. If any individuals are observed, which is highly unlikely, they will be avoided and left in place. Non-native vegetation dominates the understory of the woodland. Fuel modification activities within the woodland shall be limited to removal of non-native plant species. Leaf litter shall not be removed.
35. **MM-11 (BIO-11 LSA Agreement)** - The Project proponent shall notify CDFW pursuant to Fish and Game Code 1602 and obtain a Lake and Streambed Alteration (LSA) Agreement from CDFW prior to obtaining a grading permit. The LSA Notification shall include a hydrology report to

evaluate whether altering streams within the Project site may impact hydrologic activity. The hydrology report shall also include a hydrological evaluation of any potential scour or erosion at the Project site due to a 100, 50, 25, 10, 5, and 2-year frequency storm event for existing and proposed conditions. The Project proponent shall comply with the mitigation measures detailed in an LSA Agreement issued by CDFW. The Project proponent shall also provide compensatory mitigation at no less than 2:1 for any impacted stream and associated natural community, or at a ratio acceptable to CDFW. Please visit CDFW's Lake and Streambed Alteration Program webpage for more information (CDFW 2024a).

36. **MM-12 (TCR-1: Treatment of Tribal Cultural Resources)** - If a pre-contact cultural resource is discovered during Project implementation, ground disturbing activities shall be suspended 60 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. A research design shall be developed by the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource.

Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the Tribe. All plans for analysis shall be reviewed and approved by the applicant and Tribe prior to implementation, and all removed material shall be temporarily curated on-site. All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the Lead Agency and Tribe for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and Tribe.

37. **MM-13 (TCR-2: Inadvertent Discoveries of Human Remains/Funerary Objects)** - In the event that any human remains are discovered within the Project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately notify the Tribe, the applicant/developer, and the Lead Agency. The Lead Agency and the applicant/developer shall then immediately contact the County Coroner regarding the discovery. If the

Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity.

The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98. Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD, in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances.

The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties. It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The coroner, parties, and Lead Agencies would be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

## GRADING

38. **Archaeological Discovery Protocol** – If buried materials of potential archaeological significance are accidentally discovered within an undisturbed context during ground disturbance, then all work in that area shall be halted or diverted away from the discovery to a distance of 50-feet until a qualified senior archaeologist can evaluate the nature and significance of the find(s). A project communication plan will be followed, and the Lead agency (City of Thousand Oaks) will be immediately notified of the discovery.

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

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

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

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

40. **APCD Permit** – If needed, an Air Pollution Control District (APCD) Authority to Construct Permit shall be obtained by the applicant prior to beginning any grading on-site. Verification shall also be provided to the City.
41. **Grading Limits** – The final approved grading plan shall represent the extent of maximum limits of grading for the subject property. In addition, grading shall be limited as follows:

Improvement Type	Grading Limit (square feet)
Residence	2,330
Driveway and Parking Areas	6,526
Manufactured Slopes	228
Yard Areas (including required usable open space)	6,017

42. **Dust Prevention** – In order to prevent excessive amounts of fugitive dust, all materials excavated (on-site) shall be controlled with Ventura County Air Pollution Control District methods. 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>
43. **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
44. **Exporting/Importing Earth Materials** – Any exporting or importing of earth material and debris shall be authorized by a 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.
45. **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.

46. **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.
47. **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 on the grading plan, as shown in the Exhibit labeled “Project Plan Set,” dated May 1, 2024.
48. **Utility Lines** – All new utility service lines shall be installed underground. Utility service to the site will follow the alignment of the driveway beneath its centerline to avoid additional protected tree root interference.
49. **Driveway** – All driveway areas shall be limited to a maximum seven percent (7%) grade and shall be constructed in accordance with Section 9-4.2404(c)(1)(iv) of the Thousand Oaks Municipal Code and Plate 6-1 of the City’s Road Improvement Standards regarding grade transitions. The design of the driveway and transitions are subject to review and approval of Community Development and Public Works Departments.
50. **Required Parking Required** – Each enclosed parking space within the 2-car garage shall measure a minimum unencumbered interior width of nine feet (9'-0) and a minimum unencumbered depth of twenty feet (20'-0”).
51. **Guest Parking** – In accordance with Section 9-4.2404(c)(1)(iv) of the Thousand Oaks Municipal Code, two (2) guest parking spaces and an appropriate turnaround area shall be provided as shown on exhibits labeled “Project Plan Set (1),” date stamped May 1, 2024.
52. **Development Standards**– All building setbacks, height, parking, useable open space, driveway grade, and retaining walls shall be provided as depicted on the Exhibits, labeled “Project Plan Set,” dated May 1, 2024.

DEVELOPMENT STANDARD	REQUIRED	PROPOSED	COMPLIES
<b>Setbacks (ft.)</b>			
Front (East)	20'	22' 11"	Yes
Rear (West)	20'	200'+	Yes
North Side	10'	31' 2"	Yes
South Side	10'	200'+	Yes



COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2017-70164-RPMJ, 2017-70308-OTP, 2017-70309-LTP, and 2017-70530-MND

<b>Parking</b>			
Enclosed	2 spaces	2 spaces	Yes
Open/ Guest	2 spaces	2 spaces	Yes
<b>Open Space (sq. ft.)</b>	1,400 sq. ft. required (1,000 sq. ft. + 400 sq. ft. for (4) bedrooms	1,617.29	Yes
<b>Height (ft.)</b>	25	25	Yes
<b>Driveway Grade</b>	7%	7%	Yes
<b>Retaining Walls (ft.)</b>	3' in front yard, 6' outside front yard	3' (max.) in front yard, 6' outside front yard	Yes

## ARCHITECTURAL DESIGN

53. **Architectural Building Design** – The building design depicted in the Exhibits, labeled “Project Plan Set,” dated May 1, 2024, is 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.
54. **Useable Open Space** – By reference herein, the Usable Open Space requirements specified in Section 9-4.904(e)(1) of the Thousand Oaks Municipal Code shall apply to this project. A minimum of fourteen hundred (1,400) square feet of useable open space with a minimum dimension of twenty feet (20') in any direction and less than ten percent (10%) slope, shall be provided within reasonable proximity and have a functional relationship to the residence.
55. **Exterior Building Colors and Materials** – All exterior materials and colors depicted on the exhibits labeled “Project Plan Set,” date stamped May 1, 2025, are approved in concept only. Bright white and pure black are prohibited colors. Prior to the issuance of a building permit, a final color and material sample board including, but not limited to, specific materials and manufacturer color codes, shall be submitted to reflect the approved elevations and subject to the review and approval by the Community Development Department. The applicant shall indicate the type of finish on the plan check set of plans and materials and colors sample board.
56. **Color of Non-Building Improvements** - All non-residential building improvements, including decks, patios, brow ditches, bench drains, etc. shall be constructed in an earth color to blend with the surrounding natural landscape and/or soil and be located on private property.

57. **Architectural Design Guidelines** – All provisions of the City’s Precise Plan of Design for Residential Projects (Resolution No. 2006-108) shall be applicable to this project.
58. **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.
59. **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.
60. **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.
61. **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.

## **WALLS, FENCES, AND SIDEWALKS**

62. **Retaining Walls** – All retaining walls shall be constructed of a decorative materials and design with earth tone colors and/or designed to complement the residence in exterior appearance or blend with landscaping. All retaining walls shall be limited to a maximum exposed height of three feet within the front yard setback and six feet in all other areas, unless otherwise authorized by the Community Development and Public Works Departments for purposes of lessening the amount of grading without negatively impacting public views of the property. 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. The design and location of all retaining walls shall be subject to review and approval of the Community Development and Public Works Departments.

63. **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.
64. **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.

Per Tract Reso 029-76, any requirement for the installation of safety fencing along the arroyo/barranca shall be subject to review and approval of the Planning Director to determine if such fencing is of an appropriate decorative ornamental design. Chain link fencing is not acceptable.

## LIGHTING

65. **Lighting Plan** - During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted fixtures, etc.) and illumination site information proposed throughout the development. All lighting is to be designed to confine the light within the site boundaries and to provide safety and security. All building entrances and pedestrian ways are to be adequately lighted. Lighting is to be shielded from neighboring properties and directed at a specific task or target. Exposed bulbs are prohibited.
66. **Driveway Lighting** – Only low-level, low-intensity type lighting may be used to illuminate the private driveway with lighting fixtures that minimize light and glare and prevent light spilling onto adjacent properties. Any proposed lighting, other than low voltage, shall be submitted to the Community Development Department for review and approval prior to installation.
67. **Pedestrian Lighting** – Pedestrian walkways may be illuminated by bollard lighting or by light poles reduced in height proportion to human scale.
68. **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.

69. **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.
70. **Light Source** – 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.

## LANDSCAPING

71. **Landscaping and Irrigation** – All landscaping shall be designed using xeriscaping techniques; i.e. drought-tolerant low water-using plants. The use of lawn, grasses, and turf shall be minimized. Landscape irrigation systems shall likewise be designed using low output sprinklers and/or drip automatic timed controls.
72. **Final Landscape Plans** – The submitted preliminary landscape plan is approved in concept only. Prior to the issuance of a grading permit, final construction landscape and irrigation plans reflecting compliance with all imposed conditions of project entitlements shall be submitted under separate permit for review and approval by the Community Development Department through a Landscape Plan Check application. Any landscape and irrigation improvements shall be designed and installed in accordance with the City's Guidelines and Standards for Landscape Planting and Irrigation Plans (Resolution Nos. 2006-108 and 2007-116), the Forestry Master Plan Newbury Park Regional Character Design Guidelines, the Ventura County Fire Department's Prohibit Plan List and associated standards and guidelines, and in compliance with the State of California Model Water Efficiency Landscape Ordinance (MWELO) standards. The final landscape plan shall incorporate all landscape areas, including added areas as conditioned herein.

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 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 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. Prior to final inspection, a 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.

73. **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.

## **BRUSH CLEARANCE/WEED ABATEMENT**

74. **Fuel Modification Zones** – Fuel modification zones (brush clearance areas) between structures and natural hillside areas shall be planted and irrigated appropriately to create a fire zone "greenbelt". The preservation of native specimen plants to minimize the visual Impact of brush clearance in fuel modification zones is required.
75. **Annual Weed Abatement** – The property owner shall be responsible for providing annual weed abatement resulting from the proposed construction. All grass or brush exposing any structure(s) to fire hazards shall be cleared for a distance of 100 feet prior to construction of any structure and shall be

maintained in accordance with VCFPD Ordinance. All grass and brush shall be cleared to a distance of ten (10) feet on each side of all access roads / driveways.

76. **Off-Site Weed Abatement** – Prior to issuance of grading or building permits, the owner shall use good faith efforts to obtain a License Agreement (“Notice of License Agreement”) between the owner and adjoining property owner(s) authorizing the owner to conduct annual weed abatement on a portion of the adjoining property owner(s) property. Said “Notice of License Agreement” shall be subject to the review and approval by the Community Development Department and the City Attorney’s Office and shall be recorded with the Ventura County Recorder’s Office.

## CONSTRUCTION RESTRICTIONS

77. **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.
78. **Nesting Bird Survey** – Consistent with MM-BIO-1, if project activities (i.e. demolition, grading, construction, landscaping, and/or tree removal, etc.) occur between February 1<sup>st</sup> and August 31<sup>st</sup>, a breeding bird survey is required to be conducted and active nests shall be avoided with a minimum buffer distance as determined by a qualified biological monitor.
79. **Rodent Control** – The applicant shall submit a rodent control plan to the Community Development Department prior to the issuance of any building permit, which shall include measures to protect adjacent and nearby properties from any rodent displacement during the project demolition and construction activities.

**COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2017-70308-OTP and 2017-70309-LTP**

80. **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 Oak Tree Map, as part of the Protected Tree Report, dated March 28, 2024, and prepared by James Dean Design.
81. **Scope of Permit Approval** – The Protected Tree Permit is granted to allow the removal and replacement of encroachment into the protected zone of 14 protected trees, removal of three oak trees, and removal/transplanting of one other protected tree.
82. **Approval Period** – The Protected Tree Permit is granted in conjunction with 2017-70164-RPMJ, 2017-70308-OTP, 2017-70309-LTP, and 2017-70530-MND and shall expire with these permits.
83. **Protected Tree Replacement** – In accordance with the Oak and Landmark Tree Preservation and Protection requirements, the three coast live (*Quercus agrifolia*) Oak trees (Oak Trees #4, #7, and #51) are to be replaced at a 2:1 ratio for total of four (4) 24-inch-box size trees and two (2) 60-inch-box size trees, consisting of coast live oak (*Quercus agrifolia*) 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.
84. **Mitigation Oak and Landmark Tree Location Map** – Prior to issuance of a grading permit, the applicant shall submit a mitigation tree location map demonstrating the location of the replacement trees.
85. **Transplant Tree Maintenance and Monitoring** – The tree approved for transplanting (Tree #99) shall be monitored biannually for a period of three (3) years at quarterly intervals for the first two (2) years and biannually for the next three (3) years. Should the tree perish during this time it shall be replaced onsite with two 24-inch-box size coast live oak (*Quercus agrifolia*) or Valley Oak (*Quercus lobata*) trees.
86. **Irrigation/Landscaping Encroachments** – All plans for landscaping beneath a protected tree shall be submitted for the review and approval of the Community Development Department.
87. **Drainage** – Positive drainage shall be provided to direct run-off away from any protected tree.

88. **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.
89. **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.
90. **Use of Sensitive Excavation Tools** – Unless otherwise authorized by the Community Development Director, all construction and utility trenching within the Tree Protected Zones shall be performed with an air spade or equal tool to remove the soil and expose the roots of the preserved trees and performed under direct supervision of the applicant's oak and landmark tree consultant.
91. **Driveway Construction Materials and Methods** – The driveway and fire department required turnaround shall be constructed using the methods and materials described by the Protected Tree Report prepared by James Dean Design dated March 28, 2024 and the civil engineering plans provided by Westland Civil Engineers on June 20, 2024.
92. **Tree Protection Prior to Construction** - A Landscape Architect or 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. 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 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.

- 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 Landscape Architect or Certified Arborist. The Landscape Architect or 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.

93. **Tree Protection and Maintenance During Construction** - A Landscape Architect or Certified Arborist shall be retained to oversee implementation of the following:

- a. **Notice:** The applicant shall provide a forty-eight (48) hour notice to the City and the applicant's oak tree consultant prior to the start of any approved work within the protected zone of any oak tree.
- b. **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 a Landscape Architect or Certified Arborist. or as provided by the approved landscape plan.
- c. **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.

- d. **Excavation:** Earth spoils from excavation shall not be placed within the protection zone of any oak tree.
- e. **Grade Changes:** Grade changes, including adding fill, are not permitted within the TPZ without special written authorization and under the supervision of an Landscape Architect or Certified Arborist. or as provided by the approved landscape plan.
- f. **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. 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 Landscape Architect or Certified Arborist.
- g. **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 a Landscape Architect or 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.
- h. **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.
- i. **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 a Landscape

Architect or Certified Arborist and using ISA guidelines. Only dead wood shall be removed from tree canopies.

- j. **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.

- 94. **Root Preservation** – If “saved roots” must stay exposed for longer than one day then they shall be wrapped in burlap (or similar) and kept moist. During excavation for construction improvements, if an oak 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.
- 95. **Written Certification** – The applicant's oak tree consultant shall certify in writing that all conditions of the Oak Tree Permit have been met and that protective measures, to ensure the preservation of the subject oak trees, have been properly implemented. A final inspection by the City's Oak and Landmark Tree Consultant, paid for by the applicant, shall be performed upon receipt of certification and prior to final inspection for building occupancy.
- 96. **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.
- 97. **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.
- 98. **Herbicides/Tree Protection** – No herbicides shall be used within 100 feet of the driplines of any protected tree.
- 99. **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.

100. **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 industrial building or affecting the installation, operation or maintenance of said land. Violation of any of those laws in connection with the use authorized herein will be cause for initiation of revocation proceedings.
101. **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.
102. **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 in the defense.
103. **Signed Acceptance of Conditions** – A signed Acceptance of Conditions affidavit shall be executed by the applicant and property owner, or his duly authorized representative, and shall be returned to the Planning Division of the Community Development Department prior to the issuance of a grading and building permit associated with 2017-70164-RPMJ, 2017-70308-OTP, 2017-70309-LTP, and 2017-70530-MND.

#### **CONEJO OPEN SPACE CONSERVATION AGENCY (COSCA)**

104. **Trail Easement** – A blanket public, multi-purpose trail easement shall be granted to the Conejo Open Space Conservation Agency (COSCA) over APN 690-0-010-015. APN 690-0-010-015 is owned by the applicant and is situated directly west of the project parcel (APN 690-0-010-105). In lieu of a blanket trail easement, a surveyed easement for a ten (10) foot wide corridor positioned over the existing trail on APN 690-0-010-015 will also be acceptable. The easement shall be granted to COSCA prior to the issuance of project grading permits.

**PUBLIC WORKS DEPARTMENT CONDITIONS FOR 2022-70824-DP, 2022-70825-LDMN, 2022-70826-PMW, and 2022-70979-PTP**

**GENERAL**

105. **Plan Format** - All plans submitted to the Public Works Department shall be on 24 inch by 36-inch sheet size, using city standard title block.
106. **Standard Plates** – The City of Thousand Oaks Public Works Road Design and Construction Standards and Standard Plates, adopted May 20, 2003 in Resolution No. 2003-059 and updated March 27, 2012 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 [toaks.org/developmentforms](http://toaks.org/developmentforms) and [toaks.org/roadstandards](http://toaks.org/roadstandards).
107. **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.
108. **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.
109. **Title Report** – A copy of the applicant's preliminary title report for the subject property, dated within 1 year of the entitlement application, shall be submitted to the Public Works Department for review prior to grading plan check or the issuance of any Building or Grading Permits.

110. **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**

111. **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 Water Service Company indicating that the applicant has made the necessary financial and administrative arrangements with said Water Company to receive water service.
112. **Location of Water Meter Boxes** - Water meter boxes may not be located within driveways. It is the responsibility of the applicant and his engineer to properly coordinate and locate all water service lateral locations such that there is a single, unbroken/unrepaired service line between the main in the street and the meter box to each residence or building. In the event the configuration of the proposed house or building is revised and the meter box is then situated in a driveway, the applicant shall abandon the existing service by excavating the service at the main, closing the corporation stop, severing the service lateral approximately 12 inches beyond the corporation stop, folding and crimping this remaining portion of the service lateral and soldering the crimped pipe together. The remainder of the lateral may be abandoned in place, but the meter box must be removed and the area returned to a condition acceptable to the water purveyor. If service laterals are relocated, the applicant's engineer shall process a change order and pay any applicable charges for said change order.
113. **Wastewater Service** - There is no wastewater lateral to serve the subject property. The applicant shall pay the wastewater connection charge to the City of Thousand Oaks prior to or concurrent with issuance of a building permit. The applicant is strongly encouraged to contact the Public Works Department to calculate the total required fees.

## **DEVELOPMENT ENGINEERING**

114. **Encroachment Permit** - Where any construction occurs within public right-of-way (e.g., driveway approach, utility connections, etc.), 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.

115. **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.
116. **Hauling of Imported or Exported Materials** - In the event this project will require either the importing or exporting of earth to or from the project site, prior to issuance of a grading permit the applicant shall submit a written plan to the Department for review and approval. Said plan shall detail the quantity of earth to be imported or exported, the location from which or to which the earth will be removed or taken, the proposed haul routes to be used, the size and numbers of the trucks to be used, the proposed hours of operation (times of day, days of the week, and estimated number of days), the estimated number of round trip truck movements, the proposed methods to be utilized to keep the haul route clear of any dirt dropped along the route, and any other information as may be required by the Department.
117. **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 plan check shall at a minimum indicate all topography, proposed improvements, drainage features, water/wastewater connections and laterals, existing easements, interface with adjacent properties, storm drain and drainage systems, and street improvements. All submittals shall include the completed public and private improvement cost estimate worksheets, the required plan check and inspection fees, and the posting of the required grading bond prior to the start of any construction. After the grading is complete, the applicant shall submit a building pad compaction report and a rough grading certificate from the soils engineer prior to issuance of a building permit. Grading bonds shall be exonerated after satisfactory completion of the project punch list items, which are generated after the applicant's engineer provides a submittal of the final Record (as-built) Drawings.

118. **Disposition of Excavated Materials** – Excavated soils from the proposed grading may not be stockpiled or stored at this location without the issuance of a grading permit. In the event this project requires the exporting of earth from the project site, the applicant shall submit a written/letter plan to the Department for review and approval. Said plan shall detail the quantity of earth to be exported, the location to which the earth will be taken, the proposed haul route(s) 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 used to keep the haul route clear of any dirt dropped along the route, and any other information as may be required by the Department.
119. **Pre-Grading Meeting with Adjacent Property Owners and Residents** - Prior to issuance of a grading permit, the applicant shall arrange for a public meeting to inform all adjacent residents and potentially affected or impacted residents of their project. The applicant shall mail a letter notice to all owners of record within 300 feet of the subject property (or other distance and residents as determined by City Engineer) not later than 7 days prior to the start of construction. The meeting shall be on a date, at a time, and at a location convenient to residents. The notice shall indicate the date, time, and location of the meeting, the purpose of the meeting, and contain a small map showing the location of the proposed grading. A representative of the applicant and the grading contractor shall be present at the meeting; the applicant shall inform those residents present of his schedule, the approximate quantity of earth to be moved, and the route for any import or export, whether or not any blasting will occur on the project, and if so, the nature, extent, and approximate schedule for the blasting. The applicant shall also provide a daytime telephone number at which a responsible person representing the grading contractor may be reached by residents in the event they have further questions or complaints during the grading operation. Prior to issuance of the grading permit and subsequent to the above-mentioned meeting, the applicant shall submit to the Department copies of the letter notice and any other materials sent or provided to the residents. The applicant may commence grading work anytime after the meeting has been held, provided a grading permit has been issued.
120. **On-site Run-off** - On-site storm water shall be intercepted within the project boundaries, treated, then conveyed via natural drainage systems to a diffused discharge point at the adjoining stream to the maximum extent practicable, and minimize runoff discharge to the maximum extent possible. In addition to the applicable permitting requirements, standards, and specifications of agencies with jurisdiction (e.g., US Army Corps, California Fish & Game, Regional Water Quality Control Board, etc.) the applicant



shall design drainage to bio-treat and/or retain/detain increased volumes of storm water prior to discharge to the nearest public street, storm drain or channel to the maximum extent practicable as approved by the City Engineer (M.C. 7-3.09 and 7-3.21).

121. **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 Q10 (developed) and to demonstrate that no new flooding will occur adjacent to or upon the property during a Q100 event as a result of development. The study shall be subject to the review and approval of the City Engineer prior to grading permit issuance.
122. **Building Pad Protection** - The project engineer shall provide analysis to demonstrate building pad protection from Q100 flows. Applicant's engineer shall prepare calculations to support this design. Said calculations shall be subject to the review and approval of the City Engineer (M.C. 4-7.01).
123. **Seismic Hazards Mapping Act** - Concurrent with the first submittal of the grading plans and geotechnical report, the applicant's civil engineer or engineering geologist shall determine if the proposed development is located within a landslide area as identified on the Seismic Hazards Map prepared by the State of California. If the development is within such an area, the applicant's civil engineer or engineering geologist shall include with the geotechnical report an evaluation which addresses the potential geological hazard and which recommends suitable mitigation measures, pursuant to the Seismic Hazards Mapping Act. The seismic hazards evaluation will be reviewed by the City's consultant on an actual time and materials basis; the cost of such review shall be borne by the applicant. In addition to the plan check fees, the applicant shall deposit with the City an initial cash of \$5,000 for third party review of the report. Additional deposit may be needed as the funds are depleted. After approval of the report or abandonment of the project, any remainder of funds will be refunded to the applicant at their request.

After satisfactory review of the report, the applicant shall submit the report to the State Department of Conservation, Division of Mines and Geology, at the following address: Seismic Hazards Mapping, 801 K Street MS 12-78, Sacramento, CA. 95814-3531. The applicant shall provide a return receipt or other proof of such submittal to the City Engineer, along with a copy of the final report, prior to the issuance of the grading permit.

124. **Geotechnical Investigation** - It is vital that the geotechnical engineer for this project has thoroughly reviewed any proposed Best Management Practices (BMP's) and concurs with their design. Special attention shall be given to the property's grading history, presence and location of groundwater, and ability to sustain soil saturation that may result from any proposed infiltration BMP's. As part of the grading plancheck review, the applicant shall provide the Department with the geotechnical report responding to the subject concerns with findings regarding probable soil saturation and infiltration BMPs' feasibility.

## **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

125. **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).
126. **Protection of Adjacent Stream** The applicant shall design and install measures that shall protect and allow for the natural conveyance and function of Skelton Canyon Creek adjoining the lot. All activities (including, but not limited to exploratory work and construction) shall conform to all applicable permitting requirements, standards, and specifications of agencies with jurisdiction (e.g., U.S. Army Corps of Engineers, California Department of Fish and Game, and the County of Ventura).
127. **Slope Protection Practices** - The applicant shall design and install westerly slope protection for both construction and post construction timeframes to the satisfaction of the City Engineer. Post construction slope protection shall include the design and installation of drainage appurtenances protecting the slopes from erosive storm water runoff and protecting slopes with landscaping incorporating native drought tolerant vegetation. Prior to occupancy, the applicant shall draft a deed restriction subject to the review and approval of the City Attorney and City Engineer to assure perpetual slope-stabilization measure maintenance.
128. **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:

- Pollutant Escape: Deterrence
- Pollutant Containment Areas
- Pollutant Detainment Methods
- Sediment control and capture
- Erosion Control / Dust Control
- Recycling/Disposal
- Hazardous Materials Identification and Response

129. **Landscaped Areas / Roof Drains** - Landscaped areas shall be designed with efficient irrigation to reduce runoff and promote surface filtration and minimize the use of fertilizers and pesticides which can contribute to urban runoff pollution. Unless otherwise recommended in the soils report, on-site stormwater discharges (including roof drains if applicable) shall be directed toward nearby landscaped areas to the maximum extent practicable.

## TRAFFIC

130. **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.

POLICE DEPARTMENT CONDITIONS FOR 2017-70164-RPMJ, 2017-70308-OTP, 2017-70309-LTP, and 2017-70530-MND

**POLICE DEPARTMENT CONDITIONS FOR 2017-70164-RPMJ, 2017-70308-OTP, and 2017-70309-LTP**

131. **Standard Condition** - The Thousand Oaks Police Department at this time submits no special conditions for the subject application other than the conditions already stipulated and submitted in the original Development Permit listed above, and the City of Thousand Oaks City Council Resolution No. 95-20, Standard Conditions of Approval for Commercial/Industrial Projects and Residential Projects.
132. **Fee Condition** - A Police Facility Fee shall be assessed and due when the building permits are drawn.

**FIRE PREVENTION CONDITIONS FOR 2017-70164-RPMJ, 2017-70308-OTP, and 2017-70309-LTP**

133. **Fire Department Clearance** - Applicant shall obtain VCFD Form #610 "Requirements for Construction" prior to obtaining a building permit for any new structures or additions to existing structures.
134. **Fire-Flow Verification** - Applicant shall verify that the water purveyor can provide the required fire-flow requirements by having them fill out VCFD Form #625, Fire-Flow Verification.
135. **Private Roads/Driveways** - Private roads/driveways shall comply with Public Road Standards, VCFPD Ordinance 29, and VCFPD Standard 501.
136. **Construction Access** - Prior to combustible construction, a paved all-weather access road / driveway suitable for use by a 20 ton Fire District vehicle shall be installed at locations approved by the Fire District.
137. **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.
138. **Turning Radius** - The access road shall be of sufficient width to allow for a 50 foot centerline turning radius at all turns in the road.
139. **Vertical Clearance** - All access roads / driveways shall have a minimum vertical clearance of 13 feet 6 inches (13' 6"). Clear of building to sky.
140. **Turnarounds** - Approved turnaround areas for fire apparatus shall be provided when dead-end Fire Department access roads / driveways exceed 150 feet. Turnaround areas shall not exceed a 5% cross slope in any direction and shall be located within 150 feet of the end of the access road / driveway. Turnaround areas shall not be used for parking and shall be kept free of obstructions at all times. Turnaround areas shall be posted as Fire Lanes in accordance with Fire District Fire Lane Standards.
141. **Turnouts** - Approved turnouts shall be provided along the access road at locations as required by the Fire District. Turnout areas shall not be used for parking and shall be kept free of obstructions at all times. Turnout areas shall be posted as Fire Lanes in accordance with Fire District Fire Lane Standards.

142. **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 13D and provided with an approved access walkway leading from the road to the exterior openings around the structure.
143. **Access Road Certification** - That the access road(s)/driveway(s) shall be certified by a registered civil engineer as having an all weather surface in conformance with Public Works and / or Fire District standards. This certification shall be submitted to the Fire District for review and approval prior to occupancy.
144. **Access Road Gates** - Any gates to control vehicle access are to be located to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of 15 feet in each direction shall be provided for separate entry / exit gates and a minimum 20 for combined entry / exit gates. If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure (battery back-up), shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.
145. **Address Numbers (Single Family Homes)** - Address numbers, a minimum of 4 inches (4") high, shall be installed prior to occupancy, shall be of contrasting color to the background, and shall be readily visible at night. Brass or gold-plated numbers shall not be used. Where structures are set back more than 150 feet (150') from the street, larger numbers will be required so that they are distinguishable from the street. In the event the structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post.
146. **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.
147. **Fire Protection System Plans** - Plans for all fire protection systems (sprinklers, dry chemical, hood systems, etc.) shall be submitted, with payment for plan check, to the Fire District for review and approval prior to installation.

148. **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.
149. **Hazard Abatement** - All grass or brush exposing any structure(s) to fire hazards shall be cleared for a distance of 100 feet prior to construction of any structure and shall be maintained in accordance with VCFPD Ordinance.
150. **Hazard Abatement** - All grass and brush shall be cleared to a distance of ten (10) feet on each side of all access roads / driveways.
151. **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.

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