

CITY OF THOUSAND OAKS

PLANNING COMMISSION

RESOLUTION NO. ____-2022 PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THOUSAND OAKS RECOMMENDING ADOPTION AND CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT, A GENERAL PLAN AMENDMENT, ZONE CHANGE, SPECIFIC PLAN, DEVELOPMENT AGREEMENT, DEVELOPMENT PERMIT; LOT LINE ADJUSTMENT, PROTECTED TREE PERMIT TO CITY COUNCIL; FOR THE USE OF CERTAIN PROPERTY WITHIN SAID CITY

Applications. Environmental Impact Report (EIR) 2021-70442; General Plan Amendment (LU) 2021-70215; Zoning Change (Z) 2021-70216; Specific Plan (SP) 2021-70397; Development Agreement (DAGR) 2021-70399; Development Permit (DP) 2021-70214; Lot Line Adjustment (LLA) 2021-70398; and Protected Tree Permit (PTP) 2021-70400

Applicant: IMT Capital V Hampshire, LLC

Location: 325 and 391 Hampshire Road
Assessor's Parcel Numbers (APNs): 676-0-150-375 and 365

SECTION 1

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

WHEREAS, the applicant has filed with this Commission a petition under the provisions of the City of Thousand Oaks Municipal Code requesting the following:

1. EIR 2021-70442: Consider the Final Environmental Impact Report, Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations prepared in accordance with the California Environmental Quality Act (CEQA) for the subject project.

2. LU 2021-70215: Amend the General Plan designation of Commercial to Commercial /Residential; and,
3. Z 2021-70216: Change the subject property zone designation of C-1 (Neighborhood Commercial) to Specific Plan-22 (SP-22); and,
4. SP 2021-70397: Adopt SP-22 to establish specific development standards for the subject development areas; and,
5. DAGR 2021-70399: Establish specific standards, timing of construction, list of obligations of both City and applicant, and mutual benefits for the construction of the proposed mixed-use and multi-family residential development; and
6. DP 2021-70214: Construction of 420 residential units, including 50 low income- and four (4) moderate income-level units, distributed across two, four-story, podium style mixed-use buildings and 13, three-story, townhome buildings, including a 5,000 square foot (s.f.) two-story stand-alone amenity building, and trails, pocket park, dog park, dining plazas, and seating areas; and,
7. LLA 2021-70398: Adjust property lines to establish two legal lots of record and provide one lot for the proposed townhomes and another lot for the proposed mixed-use buildings; and,
8. PTP 2021-70400: Allow removal of three (3) coast live oak (*Quercus agrifolia*) trees and encroachment into the protected zone of two (2) oast live oak (*Quercus agrifolia*) trees and two (2) California sycamore (*Platanus racemosa*) trees; and,

WHEREAS, Pursuant to the California Environmental Quality Act (CEQA), City conducted environmental review of the project, prepared and duly processed an Environmental Impact Report ("T.O. Ranch Mixed-Use Redevelopment Project EIR"), consisting of a Draft EIR dated April 2022 and a Final EIR Response to Comments dated June 2022, and prepared a Mitigation Monitoring and Reporting Program ("MMRP") for implementation of mitigation measures specified in the EIR;

WHEREAS, on February 9, 2022, a Notice of Application sign was posted on the subject property;

WHEREAS, on February 10, 2022, a Notice of Application was mailed to all property owners and occupants within a 500-foot radius of the subject property;

WHEREAS, On May 9, 2022, the Notice of Application project description information was updated and re-posted on the subject property;

WHEREAS, on May 9, 2022, Notice of Planning Commission Public Hearing was mailed to all property owners of record within a 500-foot radius of the subject site;

WHEREAS, on May 9, 2022, 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 and occupants within a 500-foot radius of the subject property;

WHEREAS, the Planning Commission, upon giving the required notice, did, on the 23rd day of May, 2022, opened a duly-advertised public hearing as prescribed by law to consider said application; and

WHEREAS, on May 23, 2022, the Planning Commission, at the request of the applicant, continued the item to a date certain of June 8, 2022; and

WHEREAS, on June 8, 2022, the Planning Commission, a 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. 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.

SECTION 2

WHEREAS, the Planning Commission supports adoption and certification of said EIR 2021-70442, and makes the following findings of fact and recommends the following to City Council:

1. The Planning Commission has reviewed and considered the information contained in the project Final EIR (FEIR), and written and oral comments regarding environmental effects. The project EIR was prepared in accordance with the requirements of CEQA, includes all comments received on the EIR and the City's response thereto, reflects the independent judgement of the City of Thousand Oaks, and the Planning Commission is being asked to recommend to City Council the adoption of the Final Environmental Impact Report (FEIR) that was prepared for the project. Each of the following Commission findings is supported by and elaborated in the attached CEQA Findings.

2. Based on all written and oral evidence and testimony in the record, the project EIR (a) complies with the requirements of CEQA and adequately identifies and considers all potential significant environmental effects of the General Plan Amendment; Zoning Change; Specific Plan; Development Agreement; Development Permit; Lot Line Adjustment; and Protected Tree Permit, and (b) reflects the City's independent judgment and analysis.
3. The project EIR identified certain environmental effects of the project that may remain significant and unavoidable, due to noise resulting from temporary vibration and construction, despite recommended mitigation measures. However, certain considerations and public benefits of the project outweigh these unavoidable adverse effects and justify and support accepting those effects and approving the project, as described in the Statement of Overriding Considerations included in the CEQA Findings.
4. The Planning Commission has considered additional mitigation measures that might reduce or avoid such significant impacts, and the Commission has determined that they are either not available or not feasible. The project FEIR evaluated alternatives to the project that might reduce or avoid such significant impacts, which the Planning Commission has considered, and the Commission has determined that there are no feasible alternatives that accomplish all or most of the objectives for the project, and the proposed project is the best alternative that can be feasibly implemented taking into consideration the relevant economic, legal, social, technological and other reasons and public benefits of the project.
5. The project MMRP describes the mitigation measures recommended by the EIR to reduce and avoid potential significant effects of the project, and adequately identifies the appropriate timing and enforcement details for each to ensure each mitigation measure is implemented.
6. The Planning Commission recommends that the City Council (a) adopt and make the CEQA Findings and certify the FEIR as legally adequate under CEQA as to each development application associated with the project, (b) determine that identified considerations and public benefits outweigh significant unavoidable adverse environmental effects and that mitigation measures and alternatives which might reduce or avoid such effects are not feasible, and adopt the Statement of Overriding Considerations to support its approval of each development application associated with the project, and (c) adopt the MMRP and incorporate its provisions as conditions of approval for each of the development application associated with the project to the extent appropriate.

SECTION 3

WHEREAS, the finding of the Planning Commission supporting approval of said LU 2021-70215 is as follows:

1. The General Plan amendment is consistent with the Thousand Oaks Land Use Element of the General Plan, as proposed to be amended, in that the subject property will be designated as Commercial/Residential Land Use category and located within the proposed SP-22, which allows the proposed mixed-use and multi-family residential uses.

SECTION 4

WHEREAS, the findings of the Planning Commission supporting approval of said Z 2021-70216 are as follows:

1. The zone change is consistent with the Thousand Oaks General Plan, as proposed to be amended, including the Land Use Element, in that the subject property will be designated as a Commercial/Residential Land Use category and located within the proposed SP-22, which allows the proposed mixed-use and multi-family residential uses, including the General Plan goal “to provide the framework for a planned and unified community containing a balance of living, working, shopping, educational, civic, cultural and recreational facilities.”
2. The proposed zone change will re-designate approximately 10.97-acres of land from Neighborhood Commercial (C-1) to the Thousand Oaks Ranch Specific Plan-22 (SP-22). Upon adoption of the zone change, the subject project will meet this finding because the proposed General Plan land use designation for this property is “Commercial/Residential,” and the development type and uses proposed conform to the General Plan designation. This designation permits commercial uses, residential uses, or a combination of both commercial and residential. The proposed project includes commercial and residential development on the site. Further, the proposed project is consistent with the General Plan goals to provide opportunities “enabling commercial, industrial and residential development to flourish in an efficient and compatible manner.” The proposed specific plan is in alignment with Thousand Oaks General Plan goals and policies. Therefore, the proposed Zone Change and project meets this finding.
3. The proposed project was reviewed for conformance with the provisions of the CEQA. For this application, the City is the Lead Agency and, on behalf of the Applicant, the Planning Commission is being asked to recommend to City Council the adoption of the Final Environmental Impact Report (EIR)

that was prepared for the project. The Final EIR identifies where all areas listed as potentially significant have been mitigated to levels that are no longer significant, through the inclusion of mitigation measures, which the applicant shall comply with under the proposed conditions of approval.

In order to approve the proposed project with significant and unavoidable impacts due to noise resulting from temporary vibration and construction, the City Council must adopt a Statement of Overriding Considerations. This is a specific finding required by CEQA that the Project includes substantial benefits that outweigh its adverse environmental impact and is adapted to fit local conditions and priorities. The proposed development and Specific Plan benefits include revitalization of the blighted commercial center, economic investment, new housing, opportunities for more affordable housing, proximity of work opportunities to housing opportunities, proximity of work opportunities to public transit, creation of a walkable district and enhanced public realm, generation of revenue and various other community benefits.

SECTION 5

WHEREAS, the findings of the Planning Commission supporting approval of said DP 2021-70214 are as follows:

1. The design of the new mixed-use development complies with all applicable laws, regulations, and policies, including the proposed Specific Plan, Architectural Design Guidelines for Commercial Projects (Res. No. 2005-011), and Precise Plan of Design Guidelines (Res. No. 2006-108). The proposed buildings are comparable in massing and scale with other similar buildings within the vicinity of the subject property and incorporates enhanced architectural design, including vertical and horizontal design elements and decorative material finishes and colors, and meets all applicable development standards for the proposed Specific Plan.
2. 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), and in compliance with the CEQA. With the incorporation of the conditions set forth by these departments and agencies and inclusion of mitigation measures, the project will not be detrimental to public health, safety, or general welfare.
3. The proposed mixed-use development is compatible with the surrounding land uses in the vicinity because it is located within an urbanized setting with established infrastructure and nearby comparable uses.

4. The proposed Development Permit has been reviewed for conformance with the provisions of the CEQA. For this application, the City is acting as the Lead Agency and, on behalf of the Applicant, the Planning Commission is being asked to recommend to City Council the adoption of the Final Environmental Impact Report prepared for the project. The Final Environmental Impact Report identifies areas as potentially significant, and details that the areas have been mitigated to levels that are no longer significant, through the inclusion of mitigation measures, which the applicant shall comply with under the proposed conditions of approval.

SECTION 6

WHEREAS, the findings of the Planning Commission supporting approval of said SP 2021-70397 are as follows:

1. The proposed Specific Plan (SP-22) establishes development standards, allowed uses, and policy guidelines for a mixed-use development with a pedestrian-oriented and interactive environment. Prominent pedestrian entries from the public right-of-way, the project's common plazas, and multiple gathering areas within the project site work to create a viable residential community. Along with the amendment to the General Plan to allocate 329 dwelling units of the Citywide Measure E capacity to SP-22, the mixed-use project with building frontage along Hampshire Road is consistent with all Elements of the Thousand Oaks General Plan.
2. The development standards and uses of the Specific Plan, along with the companion land use amendment, is consistent with all applicable Elements of the Thousand Oaks General Plan, including the Land Use Element designation of "Commercial/Residential" and with the General Plan goal, "to provide the framework for a planned and unified community containing a balance of living, working, shopping, educational, civic, cultural and recreational facilities."
3. The proposed project and Specific Plan are unified by design. The specific plan specifies development standards with respect to building location, height, number of required parking spaces, allowed uses, and other development standards. Since these project details are specified in the specific plan, the project's standards are bound by SP-22, and are therefore, consistent.
4. The Specific Plan and project will be consistent with the housing element to provide rental housing in the form of 50 low-income affordable units and four (4) moderate-income affordable units.

5. The Specific Plan standards and proposed project are consistent with the City's Architectural Guidelines as conditioned in that the project design provides for vertical and horizontal building articulation and a variety of colors/materials.
6. The project is consistent with all applicable laws, regulations and policies, including the Thousand Oaks Municipal Code that allows for specific development standards through adoption of a specific plan.
7. The standards and uses of the Specific Plan will not be detrimental to the public health, safety or general welfare.
8. The proposed Specific Plan at the proposed location will be compatible with land uses in the vicinity.
9. The proposed Specific Plan has been reviewed for conformance with the provisions of CEQA. For this application, the City is acting as the Lead Agency and, on behalf of the Applicant, the Planning Commission is being asked to recommend to City Council the adoption of the Final Environmental Impact Report prepared for the project. The Final Environmental Impact Report identifies areas as potentially significant, and details that the areas have been mitigated to levels that are no longer significant, through the inclusion of mitigation measures, which the applicant shall comply with under the proposed conditions of approval.

SECTION 7

WHEREAS, the findings of the Planning Commission supporting approval of said LLA 2021-70398 are as follows:

1. The proposed lot line adjustment is consistent with the proposed General Plan Land Use designation of Commercial/Residential and proposed Specific Plan-22.
2. The creation of Parcel "1(A)," comprising a net land area of 219,605 s.f. (5.04 acres) and Parcel "2B," comprising a net land area of 258,684 s.f. (5.93 acres). The size is suitable at this location because the parcels meet the requirements for SP-22 and the proposed parcels will be able to accommodate the proposed development inclusive of utilities and infrastructure needed to successfully construct and operate the uses and buildings proposed.
3. As designed, the proposed lot line adjustment does not conflict with existing public easements because the project has been designed in conjunction

with the proposed uses, internal circulation and parking, and the project has been conditioned to require a reciprocal access and parking agreements.

4. The proposed lot line adjustment has been reviewed for conformance with the provisions of CEQA. The City is acting as a Responsible Agency for this application, and, on behalf of the Applicant, the Planning Commission is being asked to recommend to City Council the adoption of the Final Environmental Impact Report that was prepared for the project. The Final Environmental Impact Report identifies areas listed as potentially significant, and details that the areas have been mitigated to levels that are no longer significant through the inclusion of mitigation measures, which the applicant shall comply with under the proposed conditions of approval.

SECTION 8

WHEREAS, the findings of the Planning Commission supporting approval of said PTP 2021-70400 are as follows:

1. Approval is consistent with the intent of the Oak Tree Preservation and Protection Ordinance since the proposed removal of three (3) 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.
2. The project is consistent with the Thousand Oaks General Plan, including the Conservation Element, in that conditions have been applied to the minimize impacts from encroachment within the protected zone of the two (2) protected oak trees and two (2) California sycamore (*Platanus racemosa*) trees. With the inclusion of conditions, the proposed encroachment within the tree's protected zone is not likely to result in a decline in the health of the trees.
3. Encroachment within the protected zone of two (2) oak and two (2) sycamore trees is necessary to accommodate proposed improvements and grading activities associated with construction of the new mixed-use buildings and multi-family residential buildings. A City Tree Consultant inspected the subject trees and determined that proposed encroachment will not be detrimental to the health of the subject oak and landmark trees. Appropriate project conditions are in place to safeguard the oak and landmark trees, including installation of fencing around the protected zones and on-site monitoring by the applicant's consultant during all encroachment and pruning operations.

4. A minimum of nine (9) mitigation oak trees [(6) 24-inch box and (3) 36-inch box], shall be planted throughout the subject property to offset the loss of the removed oak trees. If the site cannot accommodate the planting of all the required mitigation trees, the Community Development Director may approve planting of the trees at an off-site location for public benefit or provide and in-lieu cash payment to the City's Open Space Endowment Fund (per resolution 2010-014).
5. With the inclusion of the recommended conditions, approval of this request will not be contrary to, or be in conflict with, the general purpose and intent of the Oak Tree Ordinance (Chapter 42 of Title 9 of the Municipal Code) and Oak Tree Preservation and Protection Guidelines, Resolution Number 2010-14.
6. The Protected Tree Permit request has been reviewed in conformance with the provisions of the CEQA. For this application, the City is the Lead Agency and, on behalf of the Applicant, the Planning Commission is being asked to recommend to City Council the adoption of the Final Environmental Impact Report prepared that was prepared for the project. The Final Environmental Impact Report identifies areas listed as potentially significant, and details that these areas have been mitigated to levels that are no longer significant, through the inclusion of mitigation measures, which the applicant shall comply with under the proposed conditions of approval.

SECTION 9

WHEREAS, the findings of the Planning Commission supporting approval of said DAGR 2021-70399 are as follows:

1. Approval is consistent with the objectives, policies, general land uses and programs specified in the General Plan and any applicable specific plan;
2. The Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located;
3. The Development Agreement is in conformity with public convenience, general welfare and good land use practice;
4. Approval will not be detrimental to the health, safety and general welfare; and;
5. Approval will not adversely affect the orderly development of property or the preservation of property values.

NOW, THEREFORE, BE IT RESOLVED that based on substantial evidence contained within the record, the analysis in the agenda report, the Findings of Fact above, and, having considered the Final EIR, MMRP, and SOC, the Planning Commission recommends that City Council approve said LU 2021-70215, Z 2021-70216, SP 2021-70397, DAGR 2021-70399, DP 2021-70214, LLA 2021-70398; and PTP 2021-70400, subject to conformance with the conditions set forth and attached hereto and made a part hereof as well as recommends to City Council the adoption and certification of the Final Environmental Impact Report (EIR) 2021-70442 prepared for the project. Except as otherwise expressly indicated, said conditions shall be fully performed and completed, or at the City's discretion, shall be secured by bank or cash deposit or other security satisfactory to the City Attorney before the use or occupancy of the property is commenced and before a Certificate of Occupancy is issued. The violation of any of the conditions of said permit shall be grounds for revocation by the 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 8th day of June 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Newman, Chair
Planning Commission

John M. Dugan, Secretary
Planning Commission

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

1. **Land and Application** – The Environmental Impact Report, General Plan Amendment, Zoning Change; Development Permit; Specific Plan; Development Agreement; Development Permit; Lot Line Adjustment; and Protected Tree Permit; are adopted, granted or accepted for the land described in the application, any attachment thereto, and as shown on the submitted “Project Plan Set,” dated May 3, 2022.
2. **Scope of Permit Approval** – This permit is for a General Plan amendment from Commercial to Commercial/ Residential; a Zoning Change adopting the Specific Plan-22 (SP-22); Development Agreement specifying development performance; and a Development Permit; along with a Protected Tree Permit, to demolish existing buildings within an existing vacant commercial shopping center and construct a mixed-use and multi-family residential development on a previously developed 10.97-acre site. The proposed project includes 420 residential units, 15,000 s.f. of commercial uses, 5,000 s.f. two-story stand-alone amenity building, and associated hardscape, landscape, walls, amenities, open space, and grading. The 420 residential units, including 54 affordable units, are proposed to be distributed across two, four-story, podium style mixed-use structures and 13, three-story, townhome buildings, with an average building height of approximately 40 feet. The project also includes surface parking and two subterranean parking structures comprised of 119 commercial parking spaces and 683 residential parking spaces. The proposed project includes the removal of three (3) oak trees and encroachment into the protected zones of two (2) oak and two (2) sycamore trees, as shown on project plans labeled “Project Plan Set” dated May 3, 2022, and the Tree Report and updated arborist memo (May 6, 2022), unless conditioned otherwise herein.
3. **Approval Period** – The above referenced permits are granted for the period set forth in Sections 3.0 and 7.7 of Development Agreement No. 2021-70399.
4. **Final Plans** – Prior to the issuance of a building permit, final site, grading, floor, elevation and roof plans shall be submitted for the review and approval of the Community Development Department. Said plans shall incorporate any design change and other requirement as conditioned herein.

CONDITIONS OF APPROVAL FOR LU 2021-70215; Z 2021-70216; SP 2021-70397; DAGR 2021-70399; DP 2021-70214; LLA 2021-70398; PTP 2021-70400; and EIR 2021-70442

5. **Project Changes/Modifications** – Changes to the project are subject to Section 10 of the Development Agreement No. 2021-70399. Minor changes to DP 2021-70214; LLA 2021-70398; PTP 2021-70400 may be approved by the Community Development Department, provided such changes achieve substantially the same results and the project is still in compliance with the Municipal Code. Revised plans reflecting the minor changes and additional fees shall be required.
6. **Condition Compliance** – All development on the subject property shall be constructed and thereafter maintained in accordance with the conditions of this permit.
7. **Compliance with Applicable Laws, Rules, and Regulations** – The applicant shall at all times comply with any and all local, city, county, state and federal laws, regulations and orders now in effect or which may hereafter be enacted pertaining to the approved modification or affecting the installation, operation or maintenance of the mixed-use development.
8. **Regulatory Agency Approval** – The requirements of all applicable regulatory agencies shall be met, and approval obtained, prior to gas release, Certificate of Occupancy, or as authorized by the City's Building and Safety Division. Copies of all required licenses shall be submitted to the Community Development Department.
9. **Payment of Fees** – Approval is subject to the applicant paying all fees and assessments to the City of Thousand Oaks, as required by the Municipal Code. The developer shall pay Quimby fees to Conejo Recreation & Park District (CRPD) in accordance with the City of Thousand Oaks Quimby ordinance.
10. **Dedications/Reservations and Public Improvements** – With respect to dedications, reservations, construction of public improvements and fees as required by the project development conditions, the applicant is advised, pursuant to Government Code Section 66020, that the ninety (90) day protest period has commenced upon approval of the proposed improvement by the City.
11. **Preconstruction Meeting** – Prior to issuance of a grading permit, the applicant shall coordinate with the Community Development and Public Works Departments including, a preconstruction meeting at the job site to review field conditions, project conditions, methods and procedures, individual and City department responsibilities associated with the project. Members attending this meeting shall include but not be limited to City department representatives, City landscape consultant/arborist, owner or

designated project coordinator, architect, project consultants, project landscape consultant general contractor and other representatives associated with the project. The meeting shall be arranged no sooner than one (1) week prior to commencement of work.

12. **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.
13. **Occupancy** – No final inspection or occupancy permit shall be granted until construction and landscaping are complete in accordance with the approved plans and the conditions required herein.
14. **Hours of Construction** – All grading and construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday with no construction activity permitted on Sunday. Construction workers and vehicles shall not be permitted to congregate in the residential neighborhood or onsite before and after the construction hours authorized herein. Likewise, warming of equipment engines shall not be permitted outside the allowable construction hours.
15. **Approval Inclusion** – The following shall apply:
 - A. This approval, in its entirety as adopted, shall be included in the initial plan-check submittal that is submitted to the Building Division. The approval and conditions shall be copied directly onto plan sheets and included as part of the project plans throughout the plan-check process and shall be part of the project plans for which building permits are issued.
 - B. All agreements, development standards, use allowances contained in Specific Plan (SP) 22 and Development Agreement (DAGR) 2021-70399 shall apply to this approval.
16. **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.

17. **Unauthorized Changes** – The applicant acknowledges that the exterior treatment, location of structures and architectural features of the development are of special concern to, and regulated by, the City of Thousand Oaks, which has established criteria and standards concerning development within the City. Any substantial change, modification, or alteration to the architectural design, or in the exterior treatment of any building and structure, including building colors, materials, changes in walkways, doorway, window locations, or in the parking, landscaping and other related features, must first be approved by the City of Thousand Oaks prior to performing the work. Unauthorized change(s) or failure to comply with the conditions of this permit may require future corrective work and result in a City Code violation and appropriate action.
18. **Affordable Housing Agreement** – The applicant shall submit to the City an affordable housing agreement for review and approval by the Community Development Department that provides for the on-going affordability of the project.

Approval of this residential project is subject to execution of an Affordable Housing Covenant entered into between the Applicant and City of Thousand Oaks. Said Affordable Housing covenant shall incorporate the following conditions and is subject to approval by the City Attorney and Community Development Director.

- A. Affordable Housing Covenant shall be recorded prior to final building permit issuance. Covenant shall be recorded to provide notice to any future owners.
- B. The Affordable Housing Covenant shall require 54 units as affordable units. 50 units will be preserved at the low-income level of 80% of the Ventura County median income and 4 units will be preserved at the moderate-income level of 120% of the Ventura County median income.
- C. Applicant agrees to execute an Affordable Rental Housing Regulatory Agreement and Declaration of Restrictive Covenant with City that provides for the on-going affordability of these 54 restricted

units for 55 years from the date the units initially become available for lease.

- D. The City may extend affordable period if owner does not comply with Affordable Housing Covenant.
- E. Affordable units should be comparable in exterior appearance and overall quality of construction to market-rate dwelling units in the same residential development. The design and appearance of the affordable units shall be compatible with the design of the market-rate units.
- F. Affordable units should be dispersed throughout the mixed-use buildings of the development in a manner acceptable to the City.
- G. The Affordable Housing Covenant shall be in compliance with the latest California State requirements.

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

- 19. **Indemnification** – The applicant agrees to defend, indemnify and hold harmless the City, its agents, officials, and employees from any claim, action or proceeding against the City or its agents, officials or employees to attack, set aside, void or annul an approval of the City. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate fully in the defense.
- 20. **Signed Acceptance of Conditions** – A signed Acceptance of Conditions affidavit shall be executed by the applicant and property owner, or his duly authorized representative, and shall be returned to the Community Development Department prior to the issuance of a building permit.

ENVIRONMENTAL MITIGATION MEASURES

- 21. **Mitigation Compliance** – Prior to the issuance of any grading or building permit, the applicant shall submit a written report demonstrating that all mitigation measures imposed by the City to either reduce or avoid significant environmental impacts identified in the Environmental Impact Report (EIR) 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.

22. **BIO-1 Bat and Nesting Bird Survey Avoidance:** Project-related activities shall occur outside of the bird breeding season (generally between January 1 through September 15) to the extent practicable. If construction must occur within the bird breeding season, no more than seven days prior to initiation of ground-disturbing activities (including, but not limited to site preparation, grading, excavation, and trenching) within the proposed project site, a bird pre-construction bird nest survey shall be conducted by a qualified biologist within the disturbance footprint plus a 100-foot buffer (300-foot for raptors), where feasible. If the proposed project is phased or construction activities stop for more than one week, a subsequent pre-construction nesting bird survey shall be required within three days prior to each phase of construction.

Pre-construction nesting bird surveys shall be conducted during the time of day when birds are active and shall factor in sufficient time to perform this survey adequately and completely. During the nest survey, the biologist shall inspect the outside and inside of the vacant structures for sign of roosting bats, such as presence of guano or direct observations. A report of the bat and nesting bird survey results, if applicable, shall be submitted to the City for review and approval prior to ground and/or vegetation disturbance activities.

If bird nests are found, an appropriate avoidance buffer ranging in size from 25 to 50 feet for passerines, and up to 300 feet for raptors depending upon the species and the proposed work activity, shall be determined and demarcated by a qualified biologist with bright orange construction fencing or other suitable material. Active nests shall be monitored at a minimum of once per week until it has been determined that the young have fledged the nest. No ground disturbance or vegetation removal shall occur within this buffer until the qualified biologist confirms that breeding/nesting has ended, and all the young have fledged. If no nesting birds are observed during pre-construction surveys, no further actions would be necessary.

If evidence of bat roosting is observed, building demolition shall not be allowed until a qualified biologist can verify that the roost is no longer active. If necessary, bats may be evicted and building demolished following submittal and approval of a Bat Avoidance Plan by CDFW.

23. **BIO 2 Minimize Impacts to Protected Trees:** The project shall take all necessary actions to comply with the requirements of the City's Oak Tree Preservation and Protection Guidelines and Oak and Landmark Tree Ordinance. These include preserving protected trees located on the project site whenever possible. A permit is required by the City before the start of project activities if any tree will be trimmed, cut, or removed.

In accordance with the City of Thousand Oaks Tree Protection Guidelines the oak trees on the project site that would be removed shall be replaced at a ratio of 3:1 with two 24-inch box coast live oak trees and one 36-inch or 60-inch box coast live oak tree. Three coast live oak trees will be removed; therefore, nine coast live oak trees shall be planted onsite.

An arborist shall conduct an inspection of diseases, pests or pathogens prior to protected tree removal and any infected trees be disposed using best available management practices relevant for each tree disease observed.

Section 5, Oak and Landmark Tree Protection Plan, of the Oak and Landmark Tree Report (Rincon, 2022c [Appendix C]) shall be implemented to minimize project-related impacts to oak and landmark trees that would be preserved prior to, and during, construction activities.

24. **CUL-1 Archaeological Resource Discover Patrol:** If archaeological deposits are encountered during project-related ground disturbing activities, then a cultural resource "discovery" protocol will be followed. If historic or prehistoric features or artifact concentrations are encountered during project grading within native soils or original context, then all work in that area will be halted or diverted 30 feet away from the discovery until a qualified archaeologist is contacted and evaluates the nature and/or significance of the find(s). If the discovery is prehistoric in origin, a Native American representative will be contacted to participate in the evaluation. If an archaeologist confirms that the discovery is potentially significant, then the Lead/Permitting Agency will be contacted and informed of the discovery.

Construction will not resume in the locality of the discovery until consultation between the qualified archaeologist, the Applicant's project manager, the Lead/Permitting Agency, and any other concern parties (such as additional regulatory agencies or Native American Tribal Groups), takes place and reaches a conclusion approved by the Lead/Permitting Agency. If a significant cultural resource is discovered during earth-moving, complete avoidance of the find is preferred. However, if the discovery cannot be

avoided, data recovery of the significant resource may be required by the City. The City may also require site monitoring, based on the discovery. All individual reports will be submitted to the SCCIC at the conclusion of the project.

25. **CUL-2 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 this possibility. 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 PRC Section 5097.98. The County Coroner must be notified of the find immediately, along with the Lead/Permitting Agency and the Applicant.

If the human remains are determined to be prehistoric, the County Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of being granted access. The Lead/Permitting Agency and a qualified archaeologist shall also establish additional appropriate mitigation measures for further site construction, in consultation with the MLD.

26. **GEO-1a Geotechnical Recommendations:** The geotechnical recommendations contained in the 2005 Twining Geotechnical Report shall be fully implemented. Among the study recommendations are specific parameters relating to:

- Foundation Design – over-excavation and compaction for foundations, soil stabilization, shoring, etc., conducted as indicated in the geotechnical report.
- Structural Fills – the applicant shall comply with the recommendations contained in the Twining September 13, 2005 geotechnical report regarding site preparation. This includes over-excavating on-site soils so that new foundations are supported on a minimum of two feet of engineered fill or engineered fill extending to a depth of five feet below preconstruction site grades, whichever provides the deeper fill. These recommendations shall be fully implemented in order to comply with UBC standards and would reduce impacts to a less than significant level.

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- Structural Footings – minimum footing embedment depths, widths, and net vertical soil bearing pressures.
- Concrete Slabs – testing of exposed subgrades prior to concrete pours, reinforcement of concrete slabs, use of moisture barriers or sand layers beneath slabs.
- Site Preparation – compliance with SWPPP and SWPCP requirements.

Additionally, the 2021 Gorian report recommended the following site design features:

- Positive drainage should be continuously maintained away from structures and slopes. Ponding or trapping of water in localized areas near the foundations can cause differential moisture levels in subsurface soils. Plumbing leaks should be immediately repaired so that the subgrade soils underlying the structure do not become saturated.
- Trees and large shrubbery should not be planted where roots can grow under foundations and flatwork when they mature.
- Landscape watering should be held to a minimum; however, landscaped areas should be maintained in a uniformly moist condition and not allowed to dry-out. During extreme hot and dry periods, adequate watering should be provided to keep soil from separating or pulling back from the foundations.

Prior to the issuance of grading permits, a qualified Geotechnical Engineer retained by the applicant shall provide evidence to the City of Thousand Oaks Engineer that the geotechnical mitigation measure GEO-1a is implemented as described above.

27. **GEO-1b Geotechnical Oversight:** A qualified Geotechnical Engineer shall be retained to perform the following tasks prior to and during construction:

- Review final grading, foundation, and drainage plans to verify that the recommendations contained in the 2005 Twining study have been properly interpreted and are incorporated into the project specifications.

- Observe and advise during all grading activities, including site preparation, foundation and retaining wall excavation, and placement of fill, to confirm that suitable fill materials are placed upon competent material and to allow design changes if subsurface conditions differ from those anticipated prior to the start of grading and construction.
- Observe the installation of all drainage devices.
- Test all fill placed for engineering purposes to confirm that suitable fill materials are used and properly compacted.

The qualified Geotechnical Engineer shall provide evidence to the City of Thousand Oaks Engineer that the geotechnical mitigation measure GEO-1b is implemented as described above.

28. **GEO-2 Site Preparation:** Based on the nature of the subsurface soil conditions, it should be anticipated that unstable soil conditions would be encountered during excavation and installation of slabs-on-grade, foundations, utilities, etc. Therefore, the soils may require stabilization. Soils shall be stabilized in accordance with the Twining Report (2005), including the procedures in the Appendices for Chemical Treatment of Soil. Stabilization of the subgrade soils shall be performed in a uniform manner. If stabilization of the subgrade soils is necessary, it shall be performed in the entire building area, including the overbuild zone. Additionally, all recommendations provided in the Gorian Report (2021) regarding soil expansiveness shall be implemented, evidence of implementation shall be provided to the City engineer prior to the issuance of a grading permit.

29. **GEO-3 Paleontological Resources Monitoring and Mitigation:**

Qualified Paleontologist. The project applicant shall retain a Qualified Paleontologist to direct all mitigation measures related to paleontological resources. A qualified professional paleontologist is defined by the Society of Vertebrate Paleontology (SVP) standards (SVP 2010) as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least two years (SVP 2010).

Paleontological Worker Environmental Awareness Program. Prior to the start of construction, the Qualified Paleontologist or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.

Paleontological Monitoring. Full-time paleontological monitoring shall be conducted during ground disturbing construction activities (i.e., grading, trenching, foundation work) within native (i.e., previously undisturbed) sediments of any depth in the lower Monterey Formation and depths greater than five feet in Quaternary alluvium. Ground disturbing activities that only impact artificial fill (i.e., previously disturbed) sediments do not require paleontological monitoring. Paleontological monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources and meets the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The duration and timing of the monitoring will be determined by the Qualified Paleontologist based on the observation of the geologic setting from initial ground disturbance, and subject to the review and approval by the City of Thousand Oaks. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions once the full depth of excavations has been reached, they may recommend that monitoring be reduced to periodic spot-checking or ceased entirely. Monitoring shall be reinstated if any new ground disturbances are required, and reduction or suspension shall be reconsidered by the Qualified Paleontologist at that time. In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. A Qualified Paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the Qualified Paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources:

- a. **Salvage of Fossils.** If fossils are discovered, the paleontological monitor shall have the authority to halt or temporarily divert construction equipment within 50 feet of the find until the monitor and/or lead paleontologist evaluate the discovery and determine if the fossil may be considered significant. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive

excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically sensitive deposits.

- b. **Preparation and Curation of Recovered Fossils.** Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Paleontologist.

Final Paleontological Mitigation Report. Upon completion of ground disturbing activity (and curation of fossils if necessary) the Qualified Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the City of Thousand Oaks. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository.

30. **HAZ-1 Regulatory Agency Notification and Approval:** Prior to the issuance of any demolition or grading permits, the project applicant shall contact the Ventura County Environmental Health Division (VCEHD) to discuss the proposed redevelopment project, the proposed change to residential land use, the known hazardous material soil, soil vapor, and groundwater impacts onsite, and the adjacent closed release case at 395 Hampshire Road (Shell Station – Case #02004). The project applicant shall provide VCEHD with the proposed site use plans regarding the conversion of commercial land use to residential land use and discuss the onsite presence of groundwater impacted by volatile organic compounds (VOCs) at the proposed residential development. The project applicant shall provide the City Planning Department with copies of all communications to and from VCEHD.

VCEHD may require the project applicant or the adjacent property owner to conduct additional investigation/studies, including, but not limited to, soil vapor, soil, and/or groundwater investigations, which could help delineate the extent of contaminated soil, soil vapor, and groundwater and allow for the proposed project to be designed in a manner to avoid or minimize

impacts to proposed construction and operation of the residential development.

31. **HAZ-2 Regulatory Agency Voluntary Oversight Agreement:** Prior to issuance of a grading permit, the applicant shall enter into a Voluntary Oversight Agreement with VCEHD to provide regulatory oversight of identified releases at the project site. VCEHD shall be utilized for agency oversight of assessment and remediation within the site through completion of building demolition, subsurface demolition, and construction the proposed project. Additionally, the project applicant shall notify the VCEHD project manager of the following:

- Current development plan and any modifications to the development plan.
- All written documents concerning hazardous material impacts to soil, soil vapor, and or groundwater, including, but not limited to, Phase I ESAs, Phase II ESAs, geophysical surveys, and other subsurface investigations.
- All former environmental documents completed for the project site, including this EIR.
- Other documents, as requested by VCEHD.

Upon notification of the information above, VCHED could require actions such as: development of subsurface investigation workplans; completion of soil vapor, soil, and/or groundwater investigations; installation of soil vapor or groundwater monitoring wells; soil excavation and offsite disposal; completion of human health risk assessments; and/or completion of remediation reports or case closure documents. The project applicant shall retain a qualified environmental consultant, California Professional Geologist (PG) or California Professional Engineer (PE), to prepare the documents required by VCEHD.

If groundwater wells or soil vapor monitoring probes are identified during demolition, subsurface demolition, or construction at the project site, they shall be abandoned per City of Thousand Oaks Public Works Department specifications. Abandonment activities will be documented in a letter report submitted to VCEHD within 60 days of the completion of abandonment activities.

The VCEHD closure and agency approval documents shall be submitted to the City Planning Department prior to issuance of grading permits.

It should also be noted that VCEHD may determine that the Los Angeles Regional Water Quality Control Board (LARWQCB) or California Department of Toxic Substances Control (DTSC) may be best suited to perform the lead agency duties for assessment and/or remediation at the project site. Should the lead agency be transferred to LARWQCB or DTSC, this and other mitigation measures would still apply.

32. **HAZ-3 Site Management Plan for Impacted Soils, Soil Vapor and/or Groundwater:** The project applicant shall retain a qualified environmental consultant (PG or PE) to prepare a Soil and Groundwater Management Plan prior to construction. The Soil and Groundwater Management Plan, or equivalent document, shall address onsite handling and management of impacted soils, soil vapor, groundwater, or other impacted wastes, and reduce hazards to construction workers and offsite receptors during construction. The plan must establish remedial measures and/or soil management practices to ensure construction worker safety, the health of future workers and visitors, and the off-site migration of contaminants from the project site. These measures and practices may include, but are not limited to:

- Stockpile management including stormwater pollution prevention and the installation of BMPs.
- Proper handling and disposal procedures of contaminated building materials, soil, and groundwater.
- Monitoring and reporting.
- A health and safety plan for contractors working at the project site that addresses the safety and health hazards of each phase of site construction activities with the requirements and procedures for employee protection.

The health and safety plan shall also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.

VCEHD shall review and approve the Soil and Groundwater Management Plan prior to demolition and grading (construction). The project applicant

shall review and implement the Soil and Groundwater Management Plan prior to demolition and grading (construction).

Evidence of the review and approval by VCEHD shall be provided to the City Planning Department and City Engineers prior to the issuance of any demolition or grading permits.

33. **HAZ-4 Remediation:** If soils within the construction envelope at the development site contain chemicals at concentrations exceeding hazardous waste screening thresholds for contaminants in soil (California Code of Regulations [CCR] Title 22, Section 66261.24), the project applicant shall retain a qualified environmental consultant (PG or PE) to conduct additional analytical testing and recommend soil disposal recommendations, or consider other remedial engineering controls, as necessary.

The qualified environmental consultant shall utilize the development site analytical results for waste characterization purposes prior to offsite transportation or disposal of potentially impacted soils or other impacted wastes. The qualified environmental consultant shall provide disposal recommendations and arrange for proper disposal of the waste soils or other impacted wastes (as necessary), and/or provide recommendations for remedial engineering controls, if appropriate.

Remediation of impacted soils and/or implementation of remedial engineering controls may require additional delineation of impacts; additional analytical testing per landfill or recycling facility requirements; soil excavation; and offsite disposal or recycling.

VCEHD will review and approve the disposal recommendations prior to transportation of waste soils offsite, and review and approve remedial engineering controls, prior to construction. The project applicant shall review the disposal and remedial engineering control recommendations prior to the issuance of any demolition permits. The project applicant shall implement the disposal recommendations and implement the remedial engineering controls during demolition/construction.

Evidence of the review and approval by VCEHD shall be provided to the City Planning Department and City Engineering Department prior to the issuance of any demolition or grading permits.

34. **HAZ-5 Vapor Mitigation System:** VCEHD may require the installation of a sub-slab vapor barrier system at the proposed project. The project applicant

shall retain a qualified environmental consultant (PG or PE) or other qualified person to prepare a sub-slab vapor barrier system design for the proposed project. The plan may include, but is not limited to:

- Design specifications
- Material specifications
- Installation requirements
- Monitoring requirements

The project applicant shall incorporate a sub-slab vapor barrier system during construction, the implementation of which would reduce the potential for soil gas VOCs from migrating to indoor air within the residential building. VCEHD will review and approve the sub-slab vapor barrier system prior to construction.

Evidence of the review and approval by VCEHD shall be provided to the City Planning Department and City Engineers prior to the issuance of any demolition or grading permits.

35. NOI-1 Construction Noise Reduction Measures:

- Temporary construction barriers along the southern edge of the project site facing the Westlake Villas multifamily residences at 575 Hampshire Road and along the northwestern edge of the project facing the Windsor Terrace of Westlake Village convalescent home at 250 Fairview Road shall be in place during the Project construction (including demolition, grading, and site preparation), when heavy construction equipment is used, excluding areas where gaps in the barrier are necessary for access. The barrier shall be least 12 feet in height above the project site existing grade level and constructed of a material with a Sound Transmission Class (STC) rating of at least STC-31 (such as acoustic panels or sound barrier products) or a transmission loss of at least 21 dB at 500 hertz (such as 3/4-inch plywood), which would provide an insertion loss (net barrier reduction) of up to 11 dB at the convalescent home and multifamily residences.
- Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment shall be properly maintained to assure that no additional

noise, due to worn or improperly maintained parts, would be generated.

- With the exception of excavation equipment, grading and construction contractors shall use rubber-tired equipment rather than metal-tracked equipment.
- The use of on-site electrical power shall be preferred to the use of stationary construction equipment such as generators or air compressors. If stationary construction equipment would be used on site for more than one hour in a day, such equipment shall be placed as far as possible from off-site sensitive receivers. Stationary construction equipment shall also be shielded by either noise blankets or by temporary noise barriers at least three feet taller and six feet wider than the noise source.
- Construction staging and delivery areas shall be located towards the center of the property and a minimum of 100 feet from the project lines.
- The project applicant shall post a notice at the construction site. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions or complaints. The notice shall be posted no later than 72 hours prior to the planned activity.
- Based on areas of construction noise impacts, the Little Dreamers Early Childhood preschool, the Windsor Terrace of Westlake Village convalescent home, the single-family residences and multifamily communities to the west (along Foothill Drive, south of Fairview Road), and the Westlake Villas apartment community to the south shall be informed via mail and posting at the site of the anticipated start date, duration, noise impact, and other pertinent information prior to the construction of the project. Notification shall also include a phone number where people can register questions or complaints. Notification shall also be delivered no later than 72 hours prior to the planned activity.
- An on-site construction manager shall be responsible for responding to local complaints about construction noise. All notices that are sent to sensitive receivers and all signs posted at the construction site shall list the telephone number for the on-site construction manager.

- Construction supervisors shall be informed of project-specific noise requirements, noise issues for sensitive land uses adjacent to and near the project construction site, and/or equipment operations to ensure compliance with the required regulations and best practices.

36. NOI-2 Construction Equipment Vibration Restrictions

- Large bulldozers or similar equipment shall not operate within eight feet of the Shell Gas Station, smaller equipment shall be substituted within this distance.
- As the medical office building could potentially experience temporary construction-related and intermittently "strongly perceptible" vibration from vibratory/sonic pile driving activity occurring within 36 feet of the building, the developer shall give prior notice to that facility of any such activity within that distance, the developer shall provide evidence of notification to the City Planning Department prior to initiation of pile driving activities.
- Vibratory pile driving activity within 36 feet of the medical office building shall be scheduled during times outside of its hours of operation. Large bulldozers or similar equipment shall not operate within 24 feet of the preschool building, the Windsor Terrace of Westlake Village convalescent home, or the medical office building, with smaller equipment substituted within this distance.

LOT LINE ADJUSTMENT

37. **Deed Recordation** – Unless Owner is provided additional time in Development Agreement No. 2021-70399, the Lot Line Adjustment approval is granted for a three (3) year period of time ending June 13, 2025, at which time said Lot Line Adjustment shall expire unless the new deed has been recorded or filed in a timely manner as set forth in the conditions below. The applicant may request a 2-year time extension, as allowed by TOMC Section 9-3.704(b), by filing a minor modification application with the Community Development Department prior to the expiration date.
38. **Monumentation/Well Monuments** – The engineer or surveyor shall set Standard Well Monument(s) at locations designated by the City's Registered Surveyor, per the County of Ventura Standard Drawings Plate E-4. A minimum of four (4) ties shall be required for each Centerline monument. The remaining monuments shall be set in accordance with the

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standards described in Subdivision Map Act, Land Surveyor Act and the City of Thousand Oaks Subdivision Ordinance.

39. **Map Changes/Modifications** – Any minor change to the Lot Line Adjustment may be approved by the Community Development Department, but any substantial change will require the filing of a modification application.

DEVELOPMENT PERMIT (DP) 2021-70214

SETBACKS, HEIGHTS, BUILDING MATERIALS, OPEN SPACE, ARCHITECTURAL TREATMENT

40. **Standards** – All development standards shall be satisfied to include the following per the submitted plan, as allowed by SP-22:

DEVELOPMENT STANDARD	REQUIRED SETBACKS	PROPOSED
MIXED-USE BUILDING A		
Side Yard (south)	25 Feet Min.*	40 Feet
Side Yard (north)	15 Feet Min.	15 Feet
Rear Yard (west)	25 Feet Min.**	25.5 Feet
Front Yard (east)		
1 st Floor	10 Feet Min	14 Feet
4 th Floor	30 Feet Min.	56.9 Feet
MIXED-USE BUILDING B		
Side Yard (south)	20 Feet Min.	33.25 Feet
Side Yard (north)	25 Feet Min.*	32.25 Feet
Rear Yard (west)	10 Feet Min.*	15 Feet
Front Yard (east)		
1 st Floor	10 Feet Min	18 Feet
4 th Floor	30 Feet Min.	34 Feet
TOWNHOME BUILDINGS		
Side Yard (south)	20 Feet Min.	25 Feet
Side Yard (north)	15 Feet Min	50 Feet
Rear Yard (west)	15 Feet Min.	49.58 Feet
Front Yard (east)	10 Feet Min.*	11.5 Feet
Parking Lot Landscaping (s.f.)	2,392 (10%)	4,582 (19%)

*Per SP-22, minimum setback to access drive.

** Per SP-22, 25-foot minimum setback to townhome building.

41. **Phasing** – The project shall be graded and improved with the proposed townhomes and surrounding open spaces and amenities, on-site main line utilities, access and circulation aisles, and any associated off-site public

- infrastructure improvements within the time frame of the first phase (Phase 1) at a minimum if applicant decides to break the project construction into two phases; if the applicant wants to use two phases, the project shall be graded and improved with construction of the proposed mixed-use podium buildings A and B, parking structures, on-site main line utilities, access and circulation aisles, and any associated off-site public infrastructure improvements in the second phase (Phase 2). The project shall be completed in a maximum of two (2) phases as specified and in accordance with the parameters contained in the recorded Development Agreement (DAGR 2021-70399). Owner has the option to complete the entire project within one phase.
42. **Architectural Building Design** – The architectural design shall comply with SP-22 and with the building elevation plans as shown in the exhibits labeled “Project Plan Set,” date stamped May 3, 2022.
43. **Building Wall Treatment** – The building walls shall incorporate architectural treatment to create a visually interesting appearance as viewed from the surrounding properties and scenic corridors. The treatment shall include, but is not limited to, incorporating decorative finish materials, vertical and horizontal variation and decorative window trim. The design shall comply with SP-22 and the building elevation plans as shown in the exhibits labeled “Project Plan Set,” date stamped May 3, 2022.
44. **Exterior Building Colors/Materials** – All exterior materials and colors depicted on the exhibits labeled “Project Plan Set,” date stamped May 3, 2022 are approved in concept only. Prior to the issuance of a building and/or grading permit, a final color and materials sample board, including, but not limited to, specific materials and paint manufacturer colors, shall be submitted for the review and approval by the Community Development Department. The applicant shall indicate the type of finish on the revised plans and materials and colors sample board.
45. **Building Height Mixed-Use Buildings** – Average building height shall not exceed 50 feet as prescribed by SP-22 and constructed as depicted on the conceptual elevation plan contained in the exhibits labeled “Project Plan Set,” dated May 3, 2022.
46. **Building Height Townhome Structures** – Average building height shall not exceed 35 feet, as prescribed by SP-22 and constructed as depicted on the conceptual elevation plan contained in the exhibits labeled “Project Plan Set,” dated May 3, 2022.

47. **Roof Access** – Roof access shall be provided from within the interior of the building. Exterior roof ladders, visible from public view, are prohibited.
48. **Downspouts** – The downspouts on the exterior of the buildings within public view shall be concealed within the building walls, and shall be subject to the review and approval of the Community Development Department.
49. **Roof-Mounted Mechanical Equipment** – All roof-mounted mechanical equipment, including air conditioning, roof fans and any other similar equipment as well as roof ladders shall be located within the mechanical equipment enclosures as depicted on “Project Plan Set,” date stamped May 3, 2022. Said equipment shall be screened from public view including Hampshire Road, Foothill Drive (along south property line), 101 Freeway, and from adjacent properties within the project site. In the event such mechanical equipment cannot be entirely screened from public view along Hampshire Road, Foothill Drive (along south property line), 101 Freeway, said equipment shall be ground mounted. Roof screening treatment shall be designed in a manner that is integrated with the building design. Prior to the issuance of a building permit, final detailed building section drawings and details including mechanical equipment manufacturer's catalogue cuts, brochures, specifications as well as roof equipment locations shall be submitted for the review and approval by the Community Development Department.
50. **Surface-Mounted Mechanical Equipment** – All surface-mounted mechanical equipment, including transformers, terminal boxes or meter cabinets, shall be screened by landscaping or decorative enclosure to match the materials and colors of the new building, unless otherwise approved by the Community Development Department and other City utility providers.
51. **Certified As-Built Grading** – Prior to issuance of a building permit, a rough grading completion certification on the City standard form shall be prepared and signed by the applicant's Civil Engineer and submitted to the Public Works Department. Said certificate shall state that the graded pad design and pad elevations are consistent with the pad elevation and grading details shown on the conceptual grading plan, and grading plan/exhibits labeled “Project Plan Set,” date stamped May 3, 2022.
52. **Exporting/Importing Earth Materials** – Any exporting or importing of earth material and debris shall be authorized by permit issued by the Public Works Department. The developer shall comply with an approved haul route

- to and from the project site and shall coordinate the hauling of this material with the Public Works and Community Development Departments to minimize traffic disruptions and disturbances to the project area. The exporting and importing of any earth materials to new sites within the 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.
53. **Backflow Device** – Any proposed backflow device shall be screened from public view, subject to review and approval by the Community Development and Public Works Departments.
54. **APCD Permit** – The applicant shall obtain all necessary clearances from the Ventura County Air Pollution Control District (APCD) prior to beginning any construction activity.
55. **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.
56. **Manufactured Slope Height** – No new 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.
57. **Manufactured Slope Contour Grading Techniques** – All manufactured slopes shall be designed to include rounded top sections and shall incorporate contour grading techniques subject to approval by the Community Development Department.
58. **City's Recycling Program** – The project's owner shall participate in the City of Thousand Oaks recycling program, which collects cardboard, plastics, glass and mixed paper and shall attempt to use post-consumer building materials (recycled products) whenever possible in the construction of the project.

ACCESS AND CIRCULATION

59. **Reciprocal Driveways** – A reciprocal driveway easement or owner's covenant with improvement and maintenance rights satisfactory to the City Attorney shall be recorded with the County Recorder's Office for the common driveway granted as a part of the subject lot line adjustment. Said easement shall describe an unobstructed area, with a length and width equal to the respective driveway opening, to the satisfaction of the Public Works Director. A copy of the said recorded document shall be submitted to the City Engineer.

PARKING, ACCESS, AND DRIVEWAY

60. **Required Parking** – At least 802 total parking spaces shall be provided for the project. A minimum of 683 residential parking spaces, as shown on site within "Project Plan Set," date stamped May 3, 2022. Commercial parking spaces shall be provided as required by SP-22. The number of required parking spaces is based upon the parking requirements for multi-family residential per TOMC Section 9-4.2402(a)(4) and SP-22. All parking spaces and driveway aisles shall be designed in accordance with Section 9.4-2404 of the Municipal Code and SP-22. Any minor change to parking or future development on the subject property shall be reviewed and evaluated by the Community Development Department. Any substantial change may require the filing of a modification application to be considered by the Planning Commission.
61. **Multi-Family Residential Compact Parking** – Maximum permitted compact parking spaces shall not exceed thirty-five percent (35%) parking spaces based on the total parking requirements as indicated under Section 9-4.2404(d)(1)(i). No overhang compact parking space shall be permitted within five feet (5') of any vertical obstruction.
62. **Commercial Compact Parking** – Maximum permitted compact parking spaces shall not exceed twenty-five percent (25%) parking spaces based on the total parking requirements as indicated under Section 9-4.2404(d)(1)(iii). No overhang compact parking space shall be permitted within five feet (5') of any vertical obstruction.
63. **Parking Stall Dimensions** – The dimensions and design of all parking stall shall be installed as required in Article 24, Chapter 4, of Title 9 of the Thousand Oaks Municipal Code.

64. **Driveway** – The design of the driveway and transitions are subject to review and approval of Community Development and Public Works Departments.
65. **Access Driveway** – Decorative paving material shall be provided at proposed access driveways along Hampshire Road and Foothill Drive. The design of this decorative paving treatment shall be subject to review and approval by the Community Development Department.
66. **Driveway and Parking Lot Grades** – The driveway and parking lot shall be designed as depicted on grading within “Project Plan Set,” date stamped May 3, 2022. The driveways shall not exceed a gradient of seven percent (7%) as specified under Section 9-4.2405(a)(1)(iii)(ab) of the Municipal Code, unless otherwise approved by the Community Development and Public Works Departments.

LANDSCAPING, FENCES, AND WALLS

67. **Landscape Design Compliance/Approval** – All landscaping and irrigation improvements shall be designed and installed in accordance with the City’s Guidelines and Standards for Landscape Planting and Irrigation (Resolution No. 2007-116). All landscape plans shall demonstrate compliance with the State of California Model Water Efficiency Landscape Ordinance (MWEL0).

Prior to the issuance of a grading permit and building permits, 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 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.

68. **Manufactured Slope Landscaping** –In accordance with the City’s Grading Ordinance (TOMC Section 7-3.24), all new 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 six (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.

69. **Landscaping and Irrigation** – All landscaping shall be designed using xeriscaping techniques; i.e. drought-tolerant low water-using plants and as allowed in SP-22. 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.
70. **Landscape Planters** – All landscape planters and fingers shall be planted with shrubs, trees and flowers subject to the review and approval of the Community Development Department.
71. **Final Landscape Plans** – The submitted preliminary landscape plan is approved in concept only. Prior to the issuance of a grading and building permit, final construction landscape and irrigation plans reflecting compliance with all imposed conditions of project entitlements shall be submitted under separate permit for review and approval by the Community Development Department through a Landscape Plan Check application. Any landscape and irrigation improvements shall be designed and installed in accordance with the City's Guidelines and Standards for Landscape Planting and Irrigation Plans (Resolution No. 2007-116).
72. **Parking Lot Screen Wall** – A combination forty-two (42") high decorative headlight screen wall and undulated berming is required anywhere parking spaces face the street. Said wall shall be decorative incorporating the design and materials utilized on the buildings. A flat shoulder shall be provided from the end of the parking stalls and on both sides of the screen wall to allow room for car overhang and the installation of landscaping in front of the wall. Additional landscaping in lieu of the screen wall may be approved if it can be demonstrated that the parking lot can be adequately screened. Specific design of mounding and screen wall including landscaping planting shall be subject to the review and approval of the Community Development Department and the Public Works Department prior to the issuance of a grading and building permit.
73. **Screen Walls** – Screening walls facing Hampshire Road and Foothill Drive (along south property line) shall incorporate articulation and include a decorative cap. Such articulation may include landscaping hedges, pilasters, varying wall depths, etc. Prior to the issuance of a grading permit, such design shall be submitted for review and approval by the Community Development and Public Works Department.
74. **Restriction of Light Poles** – Light poles are prohibited at the ends of landscape fingers.

75. **Retaining Walls** – All new retaining walls shall be constructed of a decorative masonry material with a decorative cap or a concrete material to match the buildings subject to cut sheet detail designs submitted for the review and approval of the Planning Division. All retaining walls shall be limited to a maximum exposed height of six (6) feet and softened by landscaping. Where such walls are exposed to public view, horizontal articulation of varying depths shall be provided to break up a linear wall appearance. All new retaining shall be subject to review and approval by the Community Development and Public Works Departments.
76. **Construction/Security Fencing** – Prior to the issuance of a grading/building permit, the applicant shall install a temporary five (5) foot high chain-link fence within the limits of the proposed development area. Said fencing shall be provided for purposes of maintaining security, as well as containing trash and debris on-site. The fence shall remain in place during all phases of construction and shall be maintained until no longer needed for trash and debris control as determined by the Community Development Department. The applicant shall be responsible for pick-up of trash and debris on a weekly basis during building construction operations.
77. **Decorative Sidewalk Treatment** – The use of decorative material such as rock, tiles, pavers or similar patterned material shall be provided at the main pedestrian entrance(s) to each building. The specific material(s) shall comply with ADA and Title 24 disabled access requirements for paths of travel subject to review and approval by the Community Development Department.

LIGHTING

78. **Parking Lot Lighting** – All parking lot illumination shall comply with the City's parking lot standards as identified in the City's Security Ordinance utilizing decorative light fixtures with parking lot light fixtures abutting residential properties at a maximum height of fourteen (14') feet above grade level. Special design features within the light fixture, including lens and shielding devices, shall be provided to avoid an over intensity of illumination and to direct illumination in a downward direction. All lighting utilized shall be located within landscaped areas, three feet (3') from parking surfaces with twenty-four inch (24") high concrete pedestals. All pedestals shall be painted the same color which shall complement one of the main wall colors of the buildings, subject to the review and approval of the Community Development Department. Where pedestrian walkways occur, the height of these fixtures may be reduced in proportion to human scale.

- Use of bollard type lighting for safety adjacent to driveways is also encouraged for pedestrian traffic circulation. All lighting attached to these features shall be decorative, oriented in a downward direction, and downward shielded. Prior to issuance of a parking lot electrical permit, a photometric analysis and light fixture catalogue cuts and specifications shall be submitted to the Planning and Building Divisions for review and approval.
79. **Lighting on Roof Top Terrace** – No roof illumination shall be permitted except as otherwise needed to comply with building security requirements. The design and location of such fixtures shall be subject to review and approval of the Community Development Department prior to the issuance of a building permit. The rooftop areas shall be illuminated with wall sconces and shall not extend beyond the height of the parapet. Additionally, the rooftop areas may be illuminated subject to the following:
- a) Cut-off shields shall be installed/maintained on each side of the light fixtures visible from the parapet wall perspectives;
 - b) Motion sensors shall be installed to limit operation of the lighting to times activity is detected on the rooftop areas. Lighting shall be off when no activity is on the rooftop; and
 - c) Stand-alone light standards shall not exceed 10'-0" in height.
80. **Wall Lighting** – Wall-pac type light fixtures at building entrance doors, loading areas, and outdoor areas within public view area shall not be permitted. Lighting may be provided by decorative downward shielded light fixtures, recessed in a downward direction from projecting canopies, recessed doorways, and window openings. Decorative architectural light fixtures shall be installed on the building walls. Light fixture cut sheets shall be submitted for review and approval by the Planning Division. Architecturally designed fixed pendant and bracket light fixtures are permitted. The use of such lighting shall be designed to create a uniform illumination generally in a downward direction and not create illumination hot spots on adjacent surfaces.
81. **On-building Light Fixtures** – The applicant shall submit catalogue cut sheets and specifications for any new exterior light fixtures to the Community Development Department for review and approval prior to installation.

SIGNS

82. **All Signs** – All site and building signage shall be designed to meet the Architectural Guidelines for Commercial Projects (Res. No. 2005-011),

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

OAK AND LANDMARK TREE PRESERVATION (PTP 2021-70400)

83. **Scope of Permit Approval** – The Protected Tree Permit is granted to allow the following:
- Removal of three (3) Coast Live Oak (*Quercus agrifolia*) trees (Tree Nos. 8, 9 and 10);
 - Encroachment into the protected zones of two (2) Coast Live Oak (*Quercus agrifolia*) trees (Tree Nos. 1 and 2); and
 - Encroachment into the protected zone of two (2) California sycamore (*Platanus racemosa*) trees (Tree Nos. 6 and 7).
84. **Oak Tree Removal** – The applicant shall provide two 24-inch box and one 36-inch oak replacement tree for each Coast Live Oak (*Quercus agrifolia*) tree removed. Total of 9 mitigation trees are required.
85. **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.
86. **Oak Tree Removal and Encroachment** – The removal and encroachment into the protected zones of oak trees for the construction of the new mixed-use and multi-family residential buildings, utilities, and associated development is hereby approved.
87. **Preservation of Existing Oak and Landmark Trees** – The preservation of five (5) coast live oak trees, identified as trees numbered 1, 2, 3, 4 and 5 and the preservation of two (2) California sycamore trees, identified as trees numbered 6 and 7 in the Protected Tree Report, is authorized under this permit. These oak and landmark trees will require pruning to accommodate the construction activities and for the overall long-term health of the trees which is also approved under this permit. Appropriate work methods and monitoring are required as described in the Protected Tree Report dated May 2022, prepared by Rincon Consultants, Inc.

88. **Oak and Landmark Tree Preservation and Protection Guidelines Compliance** – All construction activities to or near an oak or landmark tree shall conform and abide by the City of Thousand Oaks, Landmark Tree Preservation and Protection requirements as specified in Articles 42 and 43, Chapter 4 of Title 9 of the Thousand Oaks Municipal Code.
89. **Mitigation Tree Maintenance and Monitoring** – The required mitigation trees shall be monitored for a period of five (5) years. An irrigation system designed for “dryscape” planting shall be installed for successful oak establishment, which generally involves a drip-system irrigation for managing water distribution near the oak trees and does not include watering during summer months when natural rainfall would not be abundant. Maintenance shall include leaving the leaf-litter build-up or a 3-inch layer of mulch under the canopies of the oak trees to promote healthy tree growth and root development.
- Monitoring shall be performed by the applicant’s oak tree consultant and monitoring shall entail visits at quarterly intervals for the first two (2) years and biannually for the next three (3) years. The applicant’s oak tree consultant shall submit to the Community Development Department a semi-annual report regarding the conditions of the oak trees.
90. **Oak and Landmark Tree Protection** – Every effort shall be made to protect all on-site oak and landmark trees.
91. **Oak and Landmark Tree Maintenance** – The continued maintenance of all on-site oak and landmark trees is the responsibility of the property owner. All oak trees shall be maintained in accordance with the Oak Tree Preservation and Protection Guidelines Resolution 2010-14, unless otherwise waived by the Community Development Director.
92. **Required Temporary Fencing** – Prior to commencing construction, a five-foot high fence shall be installed and maintained around the protected zone of all on-site oak and landmark trees, unless otherwise approved by the Community Development Department. Installation of said fence 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 in a good condition throughout the development period. The fence shall be removed upon completion of construction and upon authorization from the Community Development Department, Planning Division.

CONDITIONS OF APPROVAL FOR LU 2021-70215; Z 2021-70216; SP 2021-70397; DAGR 2021-70399; DP 2021-70214; LLA 2021-70398; PTP 2021-70400; and EIR 2021-70442

93. **Root Preservation** – During excavation for construction improvements, if an oak and/or landmark tree root over two inches (2") in diameter is encountered, the applicant shall immediately contact Planning Division of the Community Development Department to schedule a field inspection to determine if it is appropriate to cut the root(s) or whether the improvements need to be redesigned and/or relocated to avoid root damage to ensure preservation of the trees.
94. **Use of Hand Tools** – Unless otherwise authorized by the Community Development Director, all work, other than the tree removals, within the protected zones of oak and landmark trees shall be performed with hand tools only and performed under direct supervision of the applicant's oak and landmark tree consultant.
95. **Excavation in Protected Zones** – All excavation and construction activity within the protected zone of the existing oak and landmark trees shall be performed with the use of hand tools only, in accordance with the Oak Tree Preservation and Protection Guidelines Resolution, No. 2010-14, and observed in progress by the applicant's oak tree consultant.
96. **Storage of Materials** – No storage of materials is permitted within the protected zones of any oak and landmark trees.
97. **Irrigation/Lighting** – No spray irrigation or 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.
98. **Herbicides** – No herbicides shall be used within one hundred feet (100') of the dripline of any oak and landmark tree.
99. **Billing by City Oak and Landmark Tree Consultant** – The applicant shall be billed on a real time basis for any work performed by the City's oak and landmark tree consultant in conjunction with the Oak Tree Permit and Landmark Tree Permit.
100. **On-Site Monitoring** – Unless otherwise modified herein, all authorized pruning and encroachment activities shall be conducted in accordance with the conditions contained herein. All work shall be monitored by the applicant's oak and landmark tree consultant and follow the recommendations contained in the applicant's oak and landmark tree report labeled Protected Tree Report dated May 2022, prepared by Rincon Consultants, Inc.

101. **Written Certification** – The applicant’s oak/landmark tree consultant shall certify in writing that all conditions of the Oak Tree Permit and Landmark 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.

RESTRICTIONS

102. **Maintenance of Common Facilities** – All improvements within common areas of the project including lighting, landscaping, fences, walls, buildings and other related features shall be properly maintained in accordance with conditions of this permit as well as all applicable ordinances and shall not be altered in any manner without prior approval of the City. That any alteration, removal, abandonment or discontinuance without prior City approval shall constitute a violation of the Development Permit and conditions and shall be sufficient grounds for a Code Compliance action.

PUBLIC WORKS DEPARTMENT

GENERAL

103. **Plan Format** – All plans submitted to the Public Works Department shall be formatted to 24 inch by 36-inch sheet size, using city standard title block, and as-built/record plans shall be submitted as part of the closure and acceptance of the project.
104. **Standard Plates** – The City of Thousand Oaks Public Works Road Design and Construction Standards and Standard Plates, adopted May 15, 2018, in Resolution No. 2018-024 shall be used as the principal criteria for the design of development plans. It shall be the responsibility of the applicant to maintain a copy of the latest edition of said Plates available to all parties utilizing said Plates for construction purposes. The Standards establish uniform criteria, policies, standard and procedures for the design and construction of City roads, drainage facilities and appurtenances. The design engineer shall review the methods and procedures contained in the Road Standards, where not considered applicable, the design engineer shall request an exception from these standards in writing to be approved by the City Engineer. Said Road Standards are available for download at www.toaks.org/roadstandards.

105. **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
106. **Base Topography Map** - The grading plan for this project must be prepared utilizing topography which has been plotted by photogrammetric methods or survey data compiled no longer than two years prior to the date of submittal of the grading plan, and must be on current City datum. The name of the firm which prepared the topography and the date(s) on which the data was compiled or obtained must be shown on the plan. Topography must be presented in 1" = 40' or larger (closer) scale and must extend a minimum of 100 feet outside the limits of the property proposed for development. Any deviation from this condition must be approved by the City Engineer.
107. **Construction/Demolition Debris Recycling Plan** – Prior to the issuance of a demolition permit or of a grading/building permit, the applicant shall submit a Construction and Demolition (C&D) Debris Recycling Plan to the Department for review and approval. The applicant must divert a minimum sixty-five percent (65%) of all C&D waste materials generated from the project. The C&D Debris Recycling Plan shall indicate the proposed means of disposition of all C&D waste materials, including but not limited to, asphalt, concrete, wood, drywall, brush and vegetation, landscaping materials, lights, piping, concrete block, metal, and the like, which will be recycled, reused, salvaged, and /or delivered to a landfill. The Recycling Plan must also include estimated weights of the materials, list of proposed recycling/disposal facilities, and authorized hauling companies to be used. For a list of authorized waste haulers and/or to complete and submit a C&D Debris Recycling Plan go to ThousandOaks.WasteTracking.com.
108. **Solid Waste, Recycling and Organics Collection** – ADA accessible, covered 3-bin enclosures are required for the collection of solid waste, recycling, and organics (food waste). The design of the enclosure must be large enough to accommodate collection containers for source-separated solid Waste, organic waste, and recyclable materials. The solid waste hauler (Athens Services) must evaluate the proposed location and access for suitability.

Refer to the City's revised waste ordinance (November 16, 2021) governing the enclosures' locations, specific sizing, configuration, and

clearances. Trash enclosures can be located inside the parking garage, but the solid waste hauler must have access to parking garages or locked gates without restriction or prior notification.

Operational recycling plans are required before occupancy for the multi-family and the commercial spaces

109. **Multi-Family Specific Requirements** – Resident access to waste enclosures or chutes serving multi-family or mixed-use developments with centralized (as opposed to individual unit) waste service shall be located no further than 150 feet from the front door of the furthest residential unit served as measured along the accessible path of travel, unless as otherwise approved by Public Works and Community Development Departments. Trash chutes cannot be used for organic collection. An area must be designated and reserved for tenants to place bulky items for pickup by the hauler. This area must be accessible by the hauler's truck and must be approved by the hauler.
110. **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. .
111. **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.
112. **Survey Monuments** – The Applicant shall be fully responsible for the preservation of all survey monuments to the satisfaction of the City Engineer. Prior to the issuance of any permit and prior to the start of construction and disturbance or destruction of any existing survey monument(s), all monuments shall be located and referenced with minimum of four (4) ties by the Applicant's Land Surveyor. A corner record or record of survey shall be filed with and approved by the County Surveyor showing monuments that will be disturbed or destroyed, along with the reference monuments or marks and bearings or azimuth and distances to the location of the monument(s) to be disturbed or destroyed. Documentation shall be provided to the City that the surveying has been completed. Prior to completion of construction, all affected monuments shall be reset by the

applicant's Land Surveyor. A corner record or record of survey shall be filed with and approved by the County Surveyor prior to the recording of a certificate of completion for project. Documentation shall be provided to the City that the surveying has been completed.

WATER AND WASTEWATER

113. **Water Service Requirements** – In order to obtain water service, the applicant shall pay for the Cost of the Water Meter Deposit plus the City's Water Plant Investment Fee, at the rates in effect at the time of payment, prior to issuance of a building permit. Additional fees for special facilities zones and fire flow surcharges may also apply. The applicant shall also pay the established change order fee for updating the plans for this new lateral.
114. **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 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.
115. **Fire-Flow Verification** – The applicant shall pay the Department a fee for calculation and verification of the existing water system to deliver required fire flows. In the event the fire flow, as determined by the Ventura County Fire Protection District, cannot be met utilizing the existing system, the applicant shall design and install new water main(s) of sufficient size and length, as determined by the Department, to provide said fire flow. A completed copy of the above-mentioned fire flow calculation must be provided to the Department before, or at the same time as, the submittal of the first plan check for the water system. Plans will not be checked or processed unless these calculations, along with a copy of the plan showing locations for proposed fire hydrants approved by the Fire Department, are submitted.

116. **Concrete Pads Around Fire Hydrants** – Regardless of whether a fire hydrant is located within the parkway between the curb and sidewalk (where detached sidewalks are required), or behind the sidewalk (where monolithic sidewalks are required), or within commercial areas, the applicant shall install a 4-inch (minimum) thickness concrete pad around each fire hydrant which extends a minimum of 18 inches beyond the barrel of the fire hydrant in all directions. Where detached sidewalks are installed, the pad shall be rectangular, extend from the back of the curb to the sidewalk and be 48 inches wide. A detail for said concrete pad shall be shown on all water plans for all water purveyors within the City of Thousand Oaks. The hydrant and concrete pad must be located within a specific easement, right-of-way, or public service easement shown on the tract map or dedicated by separate instrument dedicated to or usable by the respective water purveyor and the Ventura County Fire Protection District, or by other means acceptable to the Public Works Department.
117. **Separate Irrigation Meter / Over 5,000 SF Landscaping** – Pursuant to State Assembly Bill No. 1881 (AB 1881), this project contains more than 5,000sf of irrigated landscape and therefore shall require a fully separate water meter for irrigation and landscaping. Said irrigation meter will require all water permit fees to be paid, each service lateral and meter box installed and approved by the City Public Works Inspector, and the appropriate backflow device(s) installed, tested and certified (by an approved independent testing firm hired by the applicant) prior to the installation of the irrigation meters by the Department. The City may lock off the angle meter stop at the meter until the applicant has accomplished all of the above. Any taking of irrigation water without being metered through a water meter is a violation of the Municipal Code Section 10-2.514, punishable in fines up to \$1,000 per day for each day of illegal taking.
118. **Cross Connection Device** – The applicant shall design and construct new backflow connection devices for the project's irrigation water as well as fire sprinkler systems. Prior to the issuance of clearance for occupancy by the Department, all cross-connection control devices must be inspected and approved by the Cross Connection Control Specialist of the County of Ventura, telephone 805.654.2436 (TOMC 10-2.600). Full right of access and entry to the cross-connection device shall be granted to the Public Works Department.
119. **Cross Connection Inspection** – Prior to the issuance of clearance for occupancy by the Department, all cross-connection control devices (typically found on fire sprinkler and irrigation systems) must be inspected

and approved by the Cross Connection Control Specialist of the County of Ventura, telephone 805.654.2436 (MC 10-2.601 Et seq.). It is noted that backflow prevention devices are mandatory for irrigation and fire sprinkler systems. Full right of access and entry to the cross-connection device shall be granted to the Public Works Department.

120. **On-Site Water Facilities** – Applicant's engineer shall design and construct, per City Water Design and Construction Standards, a minimum 8-inch system to provide domestic and fire service to the project. The waterline shall be designed to provide a loop between Hampshire Road and Foothill Road. An easement shall be dedicated to the City of Thousand Oaks.
121. **Abandonment of Existing Water lines** – Existing water lines and service lines serving the subject property which will not be used for the project shall be abandoned and terminated at the mainline in the street. The existing waterline serving the parcel from Foothill Road shall be abandoned at the mainline. Easements for abandoned water lines shall be quitclaimed at the applicant's expense.
122. **On-Site Wastewater Facilities** – Applicant's engineer shall design and construct on-site wastewater facilities per City Wastewater Design and Construction Standards. The existing 8-inch mainline adjacent to the northerly property line shall be abandoned and rerouted through the project site. The new mainline shall be 8-inch with an easement dedicated to the City of Thousand Oaks. Wastewater lines to serve proposed buildings will be private and may be 6-inch in diameter.
123. **Abandonment of Existing Wastewater Lines** – Existing wastewater service lines serving the subject property shall be abandoned and terminated at the mainline. Easements for abandoned wastewater lines shall be quitclaimed at the applicant's expense.
124. **Revision to Wastewater Design and Construction Standards** –

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

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

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

125. **Procedure for Determination of Wastewater Fees** – Prior to issuance of a building permit for this project, applicant shall submit a plumbing plan and a listing of proposed fixture units for the subject project to the Public Works Department for determination of a "preliminary" wastewater connection fee estimate. The plan and listing will be reviewed for apparent correctness only and the applicant shall pay the wastewater connection fee based on this "preliminary" estimate at the time a building permit is issued. The final fee amount to be paid by the applicant will be based on the actual numbers and types of plumbing fixture units installed as determined by City staff from a field count made of the project building(s) before certificate of occupancy is granted. Any difference between the actual/field verified fixture unit count and the total amount paid will be reimbursed to the applicant. If additional connection fees are due, these shall be paid by the applicant to the City upon request. Any existing fixture units for which fees have been previously paid on the parcel will act as a credit against the amount to be paid.
126. **Restaurant/Cafeteria Grease Interceptor/Trap** – The applicant shall install a grease interceptor (sized as required by the City's Building and Safety Division) to collect and treat oil and grease wastes from the restaurant prior to discharge to the wastewater system.

DEVELOPMENT ENGINEERING

127. **Encroachment Permit** – Where any construction occurs within public right-of-way, an encroachment permit shall be obtained, plan check and inspection fees paid, an approved traffic control submitted, and

bond/security posted (if required) prior to initiating construction of any improvements.

128. **Easement Conflicts** – The applicant shall review the subject property's title report prior to starting the proposed construction and confirm the location of any existing easements on the project property. Existing easements, no longer required for the project, which conflict with proposed improvements shall be quitclaimed at the applicant's expense.
129. **Utility Undergrounding** – The applicant may request an Underground Utility Waiver through the Community Development Department for the undergrounding of overhead utilities on Foothill Road. If approved, the applicant shall provide an estimate prepared by all affected utility companies (SCE, AT&T, Spectrum, Frontier, etc) indicating the costs of undergrounding all utilities except 66Kv lines along the frontage of the project, including the removal of the poles. Said estimate shall also include the construction and trenching costs associated with the undergrounding. The overall estimate shall then be submitted to the Public Works Department for review. Upon approval of the estimate, the applicant shall pay to the City an amount equal to 110 percent of said cost estimate, thereby fulfilling the applicant's entire obligation to underground the overhead utility lines. Monies collected and accumulated will be used to fund a future City undergrounding project.
130. **Underground Conduits** – Pursuant to City Council policy and Resolution No. 91-174, adopted on July 23, 1991, the applicant shall install a minimum two-inch diameter conduit capable of carrying coaxial or fiber optic cable suitable for carrying health and safety features such as fire alarm, water meter reading, telecommunications, etc. Said conduit shall be continuous and placed behind the sidewalk or curb within a public service easement or within a public right-of-way, where applicable. Pull boxes shall be placed at alternate property lines of all lots. The conduit and pull boxes shall be of materials approved by the Public Works Department. The conduits and pull boxes shall be dedicated to the City. The architecture and technical specifications of the conduit system shall be subject to the review and approval of the City Engineer. A 1"=100' scale plan shall be prepared under the direction of a Registered Engineer and shall be submitted to the City Engineer for review prior to approval of the final map or improvement plans. The plan shall include details and general notes and shall be part of the plan set.

131. **Noise Abatement Prior to Commencement of Working Hours** – During grading and construction operations 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. D
132. **Blasting** – If blasting is found to be necessary within the project boundaries, a modification to the grading permit shall be required, whereupon special provisions relating to the protection of adjacent residential areas from damage shall be made a part of said grading permit.
133. **Hauling of Exported Materials** – Prior to issuance of a grading permit the applicant shall submit a written plan to the Public Works Department for review and approval specifying the quantity of earth to be exported, the location which the earth will be 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.
134. **Grading Permit and Soils Certification** – The applicant shall prepare and submit final grading plans, improvement plans, erosion control plans, BMP improvement plans, geotechnical soils reports, supporting hydrology and hydraulic calculation reports, title report, and other items as required by the City Engineer in order to obtain a grading permit in accordance with the requirements of the City's Grading Ordinance. Applicant shall also prepare and submit detailed erosion control plans for both phases of land development; the pre-grading / site stabilization phase, as well as the post grading / building construction phase. The grading and improvement plans submitted to the City for plancheck shall at a minimum indicate all topography, proposed improvements, drainage features, water/wastewater connections and laterals, existing easements, interface with adjacent properties, storm drain and drainage systems, and street improvements. All submittals shall include the completed public and private improvement cost estimate worksheets, the required plancheck and inspection fees, and the posting of the required grading bond prior to the start of any construction. After the grading is complete, the applicant shall submit a building pad compaction report and a rough grading certificate from the soils engineer prior to issuance of a building permit. Grading bonds shall be exonerated after satisfactory completion of the project punchlist items,

- which are generated after the applicant's engineer provides a submittal of the final Record (as-built) Drawings.
135. **On-site Run-off** – On-site storm water shall be intercepted within the project boundaries in approved pick-up structures, treated and retained and/or conveyed to the nearest public street or existing storm drain system to the maximum extent practicable, as approved by the City Engineer (TOMC 7-3.09 and 7-3.21).
 136. **On-Site Drainage Design** – Project design shall use the City of Thousand Oaks "Master Plan of Drainage" (2007) for the purpose of establishing on-site storm flows.
 137. **On-Site Drainage** - – Project design and engineering plans shall show drainage flows to street and/or on-site drains and elevations.
 138. **Drainage Study** – The applicant's engineer shall prepare a hydraulic/hydrology analysis for the project. The study shall include, but is not limited to addressing offsite tributary flows, retention/detention, inlet hydraulics and storm drains and appurtenances intended to convey and treat project storm discharges. The focus of the study is to ensure the existing conveyances possess sufficient capacity to pass the Q_{10} (developed) and to demonstrate that no new flooding will occur adjacent to or upon the property during a Q_{100} event as a result of development. The study shall be subject to the review and approval of the City Engineer prior to grading permit issuance.
 139. **On-site Ribbon Gutters** – The City prohibits the use of ribbon gutters, unless otherwise approved as noted below, and encourages the use of graded parking lots with perimeter curb and gutter to convey flow away from pedestrian pathways. Parking lot and drive drainage shall conform to this standard. The use of ribbon gutters will only be considered under special circumstances as determined by the Public Works and Community Development Directors (TOMC 9-4.2405).
 140. **Driveway Construction** – The proposed driveways shall be constructed per Plate No. 6-1 and 6-4 of the Road Standards. The sidewalk must conform to the cross section as shown on Plate 6-2 and the applicant must grant an additional easement to the City covering the entire length of the sidewalk across the driveways.
 141. **Street Improvements** – The applicant shall dedicate additional ingress /egress easements to accommodate for public sidewalks and turn lanes in

- to the project. The design of the turn lanes shall maintain a minimum 2% crossfall from the street centerline to the lip of the gutter.
142. **Parking Structure Drainage** – The City prohibits the discharge of pressure-washing effluent, antifreeze and motor oils into either the wastewater system or storm drain system. Inasmuch as these are the anticipated discharges from the interior of the parking structure, the applicant shall incorporate a blind sump containment area within the parking structure designed to capture and store such discharges. Provisions shall be provided for periodic pump-out of the blind sump via tanker truck with disposal in conformance with all local, state and federal regulations. The roof and other surfaces of the parking structure directly exposed to rainfall may be drained and discharged in accordance with NPDES design parameters for a normal, rainfall-exposed surface parking lot.
143. **Existing Improvements** – Existing improvements adjacent to the property, including but not limited to sidewalks and curb & gutter which are broken or uneven shall conform to City and ADA standards, and if deemed necessary by the City Engineer, shall be repaired or replaced.
144. **On-site Improvement / Paving Permit** – The applicant shall submit for and obtain an on-site paving and improvement permit. An approved pavement section from the registered soils engineer of record shall accompany the permit application, along with payment of plan check and inspection fees, prior to initiating the construction of on-site parking, paving, and/or drainage improvements (TOMC 9-4.2405).
145. **Existing Retaining Wall** – The existing retaining wall along the westerly property line, adjacent to Foothill Drive, shall be evaluated for structural stability by a licensed engineer. The report shall evaluate the structural stability of the wall, fill behind the wall, sidewalk, curb and gutter, and pavement of Foothill Drive. Report shall be submitted to Public Works and Community Development Departments for review.
146. **Detention of Onsite Storm Flows** – The applicant's engineer shall prepare a hydraulic/hydrology analysis for the site and design onsite catch basin(s) and conveyances which will pass only the Q_{10} (developed) flows into the public storm drain system. All flows in excess of Q_{10} (developed) up to and including Q_{100} (developed) must be detained on-site. A simplified detention method is available for this site.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

147. **MS4 Stormwater Retention Requirements** – The project meets the thresholds requiring stormwater treatment and site retention specified in the Ventura County NPDES Municipal Stormwater Permit (MS4) and 2011 Technical Guidance Manual (TGM). The project shall design, construct and maintain treatment and retentive catchments that will capture, treat and retain all rainfall runoff from disturbed and directly-connected impervious areas affected by the project. The design shall function for the 85th percentile average annual storm rainfall events, including drawdown and elimination of the captured runoff within 72-hours of each rainfall event. The treatment of the site's pollutants of concern shall be addressed through coarse sediment pretreatment followed by vegetative contact and bio-filtration, and other natural biological processes prior to groundwater percolation. Captured and treated runoff may also be used for rainwater harvesting and on-site re-use. Further details and design requirements are available at www.vcstormwater.org.
148. **Stormwater Quality Master Plan** – The Owner shall submit a Stormwater Quality Master Plan for the review and approval of the Public Works Department prior to the issuance of a grading permit. The plan shall include identification and locations of site-use pollutants of concern stemming from particular site-uses, identify permanent Best Management Practices (BMP's) to address the identified POC's, associated design sizing computations, inspection and maintenance frequencies, and depicted upon a site map in support of the property Covenant and Deed Restriction for the ongoing maintenance of permanent BMP's.
149. **Landscaped Areas / Roof Drains** – Landscaped areas shall be designed with efficient irrigation to reduce runoff and promote surface filtration and minimize the use of fertilizers and pesticides which can contribute to urban runoff pollution. Unless otherwise recommended in the soils report, on-site stormwater discharges (including roof drains if applicable) shall be directed toward landscaped areas. Applicant may employ pervious landscaping design, rainfall capture pocket-planters, and other L.I.D. techniques and measures to the maximum extent practicable.
150. **Equipment Cleaning Area** – Food facilities shall be designed with contained areas for cleaning mats, equipment, and containers. This wash area shall be inside, or covered and designed to prevent run-on or run-off from the area. The area shall not discharge to the storm drain; wash-waters shall drain through a grease interceptor to the sanitary sewer or be collected

for ultimate disposal to the sanitary sewer. Employees shall be instructed and signs posted indicating that all washing activities be conducted in this area. Sanitary connections are subject to the review, approval, and conditions of the City of Thousand Oaks wastewater treatment plant.

151. **Inlet Labels** – All on-site drain inlets, whether newly constructed or existing, shall be labeled “Don’t Dump - Drains to Creek” in accordance with City requirements prior to final acceptance.
152. **Site Construction Erosion / Pollutant Runoff Control** - The applicant shall design and install all required erosion control measures to prevent the migration of soil, pollution or debris onto the public right-of-way or storm drains during the construction and grading operations. Said erosion control plans shall be in accordance with the California Association of Stormwater Quality Agencies, Stormwater Best Management Practice Handbook for Construction (latest edition), and submitted to the Department for review and approval prior to issuance of any paving, grading or encroachment permits. All erosion control measures shall be subject to modification by the Department, as field conditions warrant.
153. **Trash/Recycling Areas** – The applicant shall provide adequately sized and properly placed trash enclosure spaces in order to house project demands for trash, recycling and organics collection located in suitable areas of the project site. Trash enclosure spaces shall be covered and shall be designed in accordance with the City’s latest Refuse Enclosure Space Requirements. Receptacles for trash, recyclables and organics shall be available within each enclosure space. All litter/waste material shall be kept in leak proof containers. Areas shall be paved with impermeable material and include zero-slope upon interior slabs, and shall not drain to the storm drain system nor the sanitary sewer, shall not have a hose-bib or other water supply, and all cleaning shall be performed using dry cleanup methods. No other area shall drain onto these areas. The trash enclosure areas and their placement shall be designed to accommodate the above considerations, as well as access requirements of the City’s waste hauler. Compactor units that are self-contained and watertight may remain exposed to rainfall provided the surrounding area is frequently inspected and cleaned.
154. **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, 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, sedimentation and pollutant migration 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:

- i. Pollutant Escape: Deterrence
- ii. Pollutant Containment Areas
- iii. Pollutant Detainment Methods
- iv. Sediment control and capture
- v. Erosion Control / Dust Control
- vi. Recycling/Disposal
- vii. Hazardous Materials Identification and Response

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

operational approach for the capture/re-use system pertaining to the following issues :

- Whether the system is a rain barrel (small quantity under 100 gallons) or cistern (specify large quantity);
- Describe or show by map/sketch the square footage of the subject impervious tributary area targeted for intercept and capture;
- Describe or show by map/sketch the square footage of the subject vegetative area intended to receive irrigation from the capture system;
- Method of pre-screening runoff to avoid fouling of collected water. Specify any chemicals or additives intended for use in preserving or treating captured water;
- If a dual/supplemented system, the method of backflow to avoid contamination of the public potable water supply;
- Sample signage that will be placed in proximity to each irrigation head/outlet indicating the presence of non-potable water being unfit for consumption

Maintenance procedures and schedule intended to ensure system will function as intended and presents no threat or nuisance to public health and safety

TRAFFIC

157. **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.
158. **Bicycle Racks** – Prior to issuance of building permit inverted “U” shaped bicycle racks shall be installed per the green building code. The racks shall be provided near building entrances or in a manner acceptable to the City Engineer.
159. **Signing, Striping and Signal Plans** – Prior to issuance of grading permits, the applicant shall submit plans to the City Traffic Engineer for review and approval detailing all existing signing, striping and traffic signals on the subject property and the adjacent City streets. This will be verified in the field by staff and not accepted until complete and accurately drawn. The plans will also show all proposed changes to the signing, striping and traffic signals that will be installed in conjunction with development of the site, related street improvements and modification to traffic signals. Signing,

striping and signal work shall be shown on a plan sheet separate from proposed street improvements.

Prior to occupancy permits, all new and required modification to signing, striping and traffic signals shall be constructed and approved by the City Traffic Engineer.

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

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

161. **Signs** – Prior to occupancy, all signs shall be installed, and prior to final acceptance, the city may require the applicant to add traffic safety devices, such signing and striping, the need for which are not apparent at time of plan approval, but which are warranted due to actual field condition. The applicant shall install the traffic safety devices prior to final acceptance.

VENTURA COUNTY FIRE PROTECTION DISTRICT

162. **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 Division for requirements.
163. **Fire Department Clearance** – Applicant shall submit VCFD Form #610, Fire Permit Application, prior to obtaining a building permit for any new structures.
164. **Access Point(s) on Roads** – Roads shall be provided such that any portion of the exterior walls, at grade level, of a building or structure, is not more

- than 150 feet from a road as measured by an approved route around the exterior of the building. **Exception:** The distance shall be permitted to be extended to 250 feet when the building is protected by an automatic fire sprinkler system in accordance with NFPA 13 and provided with an approved access walkway leading from the road to the exterior openings around the structure.
165. **Aerial Fire Apparatus Access** – Private roads shall comply with Public Road Standards. Multi-Family, Commercial or Industrial Buildings or portions of buildings or facilities with perimeter eave lines exceeding 30 feet in height above the lowest level of fire department access shall require an approved aerial ladder fire apparatus access road. One aerial apparatus access road shall be provided per 50,000 s.f. of building area. Aerial fire apparatus access roads shall have a minimum clear width of 30 feet (proposed bump-outs at the crosswalks of the north/south internal drive are acceptable). At least one of the required access routes meeting this condition shall be located a minimum of 15 feet and a maximum of 30 feet parallel to one side of the building(s), as approved by the Fire District. Parking shall be prohibited along the required width of the access roads. Overhead utility and power lines shall not be located within the aerial ladder fire apparatus access roads. Landscaping and other improvements between the required access and the buildings shall not interfere with aerial ladder fire apparatus operations, as approved by the Fire District.
166. **Access Road Width, Private Roads/Driveways** – Private roads shall comply with Public Road Standards.
- Access road width of 36-feet shall be provided for residential use with parallel parking permitted on both sides.
 - Access road width of 32-feet shall be provided for residential use with parallel parking permitted on one side.
 - Access road width of 24-feet shall be required with no on-street parking permitted
167. **Access Road Certification** – The access road(s)/driveway(s) inclusive of bridges, culverts, and other appurtenant structures which supplement the roadway bed or shoulders, shall be certified by a registered civil engineer as having an all-weather surface in conformance with the City of Thousand Oaks Public Works and/or Fire District standards. This certification shall be submitted to the Fire District for review and approval prior to occupancy.

168. **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.
169. **Road Surface Construction and Grade Limitations** – Fire apparatus access roads serving commercial and industrial occupancies shall have a structural cross section and surface complying with the public road standards for the jurisdiction in which the project is located and grades shall not exceed 10%.
170. **Vertical Curve** – The vertical curve of fire apparatus access roads shall not allow for transitions between grades that exceed 6% elevation change along any 10-foot section. These transitions shall include angle of approach, angle of departure and high centering of fire apparatus.
171. **Vertical Clearance** – All access roads/driveways shall have a minimum vertical clearance of 13 feet 6 inches (13' 6"). Clear of building to sky.
172. **Roadway Extensions** – Where the access road extends beyond the access point, the extended roadway shall comply with all of the requirements for fire apparatus access roads.
173. **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.
174. **Fire Lanes** – **Prior to construction** the applicant shall submit two (2) site plans to the Fire District for approval of the location of fire lanes. **Prior to occupancy**, all fire lanes shall be posted “NO PARKING-FIRE LANE-TOW AWAY” in accordance with California Vehicle Code, the California Fire Code and current VCFPD Fire Lane Standards. All signs and or Fire Lane markings shall be within recorded access easements.

175. **Fire Hydrant(s) Required** – Fire hydrant(s) shall be provided in accordance with current adopted edition of the California Fire Code, Appendix C and adopted amendments. On-site fire hydrants may be required as determined by the Fire District.
176. **Fire Hydrant Design (Commercial, Industrial, Multi-family buildings)** – Fire hydrants shall be installed and in service prior to combustible construction and shall conform to the minimum standard of the City of Thousand Oaks Public Works Water Works Manual and the following.
- a. Each hydrant shall be a 6-inch wet barrel design and shall have one 4-inch and two 2 ½-inch outlet(s).
 - b. The required fire flow shall be achieved at no less than 20-psi residual pressure.
 - c. Fire hydrants shall be spaced 300 feet on center and so located that no structure will be farther than 150 feet from any one hydrant.
 - d. Fire hydrants shall be set back in from the curb face 24 inches on center.
 - e. No obstructions, including walls, trees, light and signposts, meter, shall be placed within three (3) feet of any hydrant.
 - f. A concrete pad shall be installed extending 18 inches out from the fire hydrant.
 - g. Ground clearance to the lowest operating nut shall be between 18 to 24 inches.
177. **Fire Flow (Commercial, Industrial, Multi-family buildings)** – The minimum fire-flow required shall be determined as specified by the current adopted edition of the California Fire Code Appendix B with adopted Amendments and the applicable Water Works Manual for the jurisdiction (whichever is more restrictive). The applicant shall verify that the water purveyor can provide the required volume and duration for the project prior to obtaining a building permit by having them fill out VCFD Form #625, Fire-Flow Verification.
178. **Water System Plans** – Plans for water systems supplying fire hydrants and/or fire sprinkler systems and not located within a water purveyor's easement, shall be submitted to the Fire District for review and approval prior to issuance of grading and/or building permits or signing of grading plans, whichever is first. Plans shall reflect only dedicated private fire service lines and associated appurtenances. Plan shall be design and submitted with the appropriate fees in accordance with VCFPD Standards 14.5.3 and 14.7.2.

179. **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.
180. **Standpipe Systems** – Standpipe systems shall be installed in accordance with California Building and Fire Code requirements.
181. **Fire Alarm System** – A fire alarm system shall be installed in all buildings in accordance with California Building and Fire Code requirements.
182. **Fire Alarm/Sprinkler Monitoring Plans** – Plans for any fire alarm system or sprinkler monitoring system shall be submitted, with payment for plan check, to the Fire District for review and approval prior to installation.
183. **Emergency Lighting and Exit Signs** – Emergency lighting and exit signage shall be installed in all buildings in accordance with California Building Code and California Fire Code requirements.
184. **Building Plan Review** – Building plans of all A, E, I, H, R-1, R-2, or R-4 occupancies shall be submitted, with payment for plan check, to the Fire District for review and approval prior to obtaining a building permit.
185. **Fire Extinguishers** – Fire extinguishers shall be installed in accordance with California Building Code and California Fire Code requirements. The placement of extinguishers shall be subject to review by the Fire District.
186. **Panic Hardware** – All exit doors shall be provided with panic hardware when serving A, E, I occupancies with an occupant load of 50 or more persons.
187. **Walkways** – Approved walkways shall be provided from all building openings to the public way or fire department access road/driveway.
188. **Walk and Pedestrian Gates** – If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure (battery back-up), shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.
189. **Ground Ladder Access** – Access around the building shall be provided to allow for laddering the building, at a maximum 75-degree angle, to reach

emergency escape and rescue openings below the fourth story above the grade plane. A three (3) foot clear working space shall be provided around the ladder at ground level.

190. **Exterior Exit Stairway** – Emergency escape and rescue openings shall be provided in Group R occupancies. Such openings shall discharge directly to the exterior of the building. The exit discharge shall be at grade or shall provide a direct path of egress travel to grade. The exit discharge shall not reenter a building. An exterior exit stairway is required to provide a path of egress from the podium deck to grade and ground ladder access to the podium deck.
191. **Emergency Planning and Preparedness** – The owner/applicant and all occupants of buildings shall comply with the Fire Department requirements for Emergency Preparedness Requirements as indicated under the California Fire Code, Chapter 4 “Emergency Planning and Preparedness”, and CCR Title 19 Sec 3.09. All required records and documentation shall be available for review by the Fire Department upon request.
192. **Address Numbers (Commercial, Industrial, Multi-family buildings)** – Building address numbers, a minimum of ten inches (10") high, shall be installed prior to occupancy, shall be of contrasting color to the background, and shall be readily visible at night. Brass or gold-plated numbers shall not be used. Where structures are set back more than 150 feet from the street, larger numbers will be required so that they are distinguishable from the street. In the event a structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post. Individual unit numbers shall be a minimum of 4 inches in height and shall be posted at the front and rear entrance to each unit. Additional address directional signs may be required at common building entrances and stairways.
193. **Address Directory** – An address directory shall be provided at all entrances to the project at locations approved by the Fire District. Design shall be in accordance with Fire District Addressing Standards. Directory plans shall be submitted to the Fire Prevention Division for review and approval prior to installation.
194. **Address Number Plan** – A plan shall be submitted to the Fire District for review indicating the method in which buildings are to be identified by address numbers.

195. **Accessory Room Door Labeling** – All accessory room doors shall be labeled on the doors indicating use of the room (i.e., Electrical Room, Riser Room, Fire Alarm Panel Inside, Storage Room, Janitor, Roof Access, etc.).
196. **Knox Device** – Exterior access leading to fire sprinkler riser rooms and alarm control panels shall be provided with a Knox Box for emergency access.

POLICE DEPARTMENT

197. **Door Security Hardware** – Exterior double doors shall have an astragal constructed of steel or aluminum a minimum of .125" thick, which will cover the opening between the doors. The attachment of the astragal shall comply with all applicable provisions of the Fire Code. Exterior, outward opening single doors shall have the appropriate type of latch guard installed so as to prevent the violation of the latch and strike. The latch guard shall be a minimum of .125" thick and extend a minimum of six inches above and below the door latch or deadbolt. Doors utilizing rim and cylinder locks shall have heavy-duty cylinder guards installed. All outward opening exterior doors shall have hinges equipped with non-removable hinge pins or a mechanical interlock (set screws) to prevent removal of the door from the outside by removing the hinge pins.
198. **Address Identifiers** – All resident addresses will be clearly marked on the doors of their units. Additionally, all four sides of the residential structures will be marked with the main street address for easy viewing from the street level. Map signs of the location will be placed at all vehicular and pedestrian entrances to residential units.

Map signs of the location will be placed at all vehicular and pedestrian entrances to residential units.
199. **Lighting** – Weather and breakage resistant covers shall protect all exterior lighting. Exterior lighting fixtures will be fully enclosed to minimize tampering and breakage. After hours exterior lighting shall provide sufficient illumination to allow viewing of the exterior of the buildings and parking areas. Interior after hours lighting is also highly recommended. The use of metal halide fixtures is preferred over high-pressure sodium fixtures, since metal halide provides superior illumination and color rendition.
200. **Landscaping** – Landscaping shall not cover, nor partially cover any exterior door or window. Landscaping, including trees, will not be placed directly under any overhead lighting that could cause loss of light at ground level.

All landscaping will be kept trimmed in order to provide an unobstructed view of the building from adjacent walkways. The standard CPTED (Crime Prevention Through Environmental Design) landscaping rules of “two foot / six foot” shall apply to the property (No shrubbery shall be higher than 2 feet and lower the tree canopy shall not grow below 6 feet). This will reduce concealment areas and keep the area well-lit during darkness hours.

201. **Stairwells** – Stairwells leading to additional floors in the enclosed areas will either have (1) mirrors, (2) an open stairs concept, (3) half-wall concept or (4) any combination of the aforementioned, to allow the traveler to view up or down to the next floor for the purposes of an increased field of view and reduced blind spots.

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

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

All exterior openings in the structure's walls shall be secured with decorative metal grids to minimize unauthorized pedestrian entry. The concrete flooring of the structure shall be rough swirled to prevent skateboarding, rollerblading, etc.

For the safe movement of vehicles and pedestrians, lighting levels should be evenly distributed to provide uniform illumination of the entire parking area. Care should be given to prevent the casting of glare and spillover lighting outside of the structure. The applicant shall comply with the following lighting requirements in the proposed parking structure:

- A minimum five-foot candles at the floor level shall be provided on interior driving aisles, at all times.
- The roof parking area shall have a minimum maintained one-foot candle at floor level during hours of darkness.
- Interior parking spaces at barrier and railings shall have a minimum maintained one-foot candle at floor level at all times.
- Stairways, ramps and exits shall have a minimum maintained ten-foot candle at floor level at all times.

The lighting for the parking structure shall be controlled by photocell and shall remain on during hours of darkness and diminished lighting.

It is recommended that the interior walls and ceiling of the parking structure be painted with a light, reflective color to maximize lighting efficiency.

All entrances to the parking structure shall be posted with signs indicating the structure is under 24-hour video surveillance. All driveway entrances shall be posted with appropriate signs per 22658(a) of the California Vehicle Code to assist in removing abandoned vehicles on the property.

203. **Mailboxes** – If a cluster box is used, it shall be placed in an area conducive to surveillance.
204. **Trash Enclosures** – Exterior trash enclosures shall be kept closed/locked during non-business hours to discourage, loitering, illegal dumping and theft. Trash enclosures will be constructed to have outside visibly to reduce the possibility of camping or sleeping in the area.
205. **Video Surveillance System** – Will be required for a 360 degree view around the facility. The surveillance system will be HD quality, have night vision capabilities and be able to retain video data for no less than 14 days. The police department reserves the right to mandate an additional increased data retention period should it deem it necessary.
206. **Roof Access** – Roof access must be secured with locking doors or any other mechanism to restrict access for non-public areas.
207. **Other Security Concerns** – The business will correct any safety or security concerns upon written notice by the Thousand Oaks Police Department.
