

CITY OF THOUSAND OAKS

PLANNING COMMISSION

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

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THOUSAND OAKS RESCINDING MAJOR MODIFICATION NO. 1 TO SUP 96-924 AND APPROVING A DEVELOPMENT PERMIT, LAND DIVISION MINOR MODIFICATION, PARCEL MAP WAIVER, SPECIAL USE PERMIT, PROTECTED TREE PERMIT, AND MITIGATED NEGATIVE DECLARATION FOR THE USE OF CERTAIN PROPERTY WITHIN SAID CITY

Application No. 2022-70824-DP, 2022-70825-LDMN, 2022-70826-PMW, 2022-70979-PTP, CEQA-2022-70001

Applicant: MP 1300 Lawrence Drive, LLC; Thomas Wood

Location: 1300 Lawrence Drive; 2350 & 2400 Corporate Center Drive

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

SECTION 1

WHEREAS, the applicant has filed with this Commission a petition under the provisions of the City of Thousand Oaks Municipal Code requesting the following associated with a new industrial building for warehouse/storage use located at 1300 Lawrence Drive and 2350 & 2400 Corporate Center Drive:

1. Mitigated Negative Declaration (MND) CEQA-2022-70188 (State Clearinghouse Number 2023040621): Approve the Mitigated Negative Declaration and mitigation monitoring plan in accordance with the California Environmental Quality Act (CEQA) for the subject project.
2. Development Permit (DP) 2022-70824-DP: Allow the demolition of an existing 820-space surface parking lot, rescind entitlements associated with the development of the 820-space surface parking lot (Major Modification No. 1 to SUP 96-924), and develop a new approximately 120,348 sq. ft. (116,384 sq. ft. ground floor; 4,000 sq. ft. mezzanine), one-story industrial warehouse building with approximately 191 surface parking spaces, associated hardscape, landscape, lighting and infrastructure improvements on an approximately 6.6-acre site.

The Project also includes a Waiver request to exceed the maximum height from the prescribed 35 feet to 37 feet.

3. Land Division Minor Modification (LDMN) 2022-70825-LDMN: Modify conditions 8, 9, and 10 of Tentative Parcel Map 4013 relating to site access to provide the following:
  - a. Retain existing access to and from existing Lot 1 to be located approximately 50 feet north of the access to the parcel to the south (1200 Lawrence Drive; APN 667-0-172-015) at an interval of less than 100 feet (Condition No. 8);
  - b. Allow access to and from existing Lot 2 to be located approximately 60 feet further south along Lawrence Drive than identified in the Tentative Tract Map and not limited to Corporate Center Drive to provide better site distances at the Lawrence Drive / Corporate Center Drive intersection (Condition No. 9), and
  - c. Remove a requirement that “common or shared access and circulation” be required for existing Lots 2 and 3 as those parcels are being merged into one parcel (Condition No. 10)
4. Parcel Map Waiver (PMW) 2022-70826-PMW: Allow the merger of three existing parcels (Parcels 1, 2, and 3 of Parcel Map No. 4013 as per Map Book 41, Pages 13-15) and quitclaim an easement for reciprocal access and incidental purposes for these three parcels.
5. Protected Tree Permit (PTP) 2022-70979-PTP: To allow removal of two coast live oak (*Quercus agrifolia*) trees and replacement at a 3:1 ratio.

WHEREAS, on December 15, 1997, the Thousand Oaks Planning Commission approved Special Use Permit Major Modification No. 1 to SUP 96-924 (Resolution 74-97 PC) allowing the construction of an 820-space parking lot on the Project Site’s three parcels for the benefit of the WellPoint billing center use (on Lots 5 & 6 – 2100 Corporate Center Drive);

WHEREAS, on March 2, 2023, a Notice of Application was posted on the subject property and mailed to all property owners within a 500-foot radius of the subject property;

WHEREAS, on April 24, 2023, a Notice of Completion was filed with the State Clearinghouse and a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) was published and mailed, and the MND was circulated for 30-days for public review in accordance with the California Environmental Quality Act (CEQA) between April 25 and May 25, 2023;

WHEREAS, on May 22, 2023, Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Thousand Oaks and was mailed to all property owners within a 500-foot radius of the subject property;

WHEREAS, the Planning Commission, upon giving the required notice, did, on the 5<sup>th</sup> day of June, 2023, conduct a duly-advertised public hearing as prescribed by law to consider said application; and

WHEREAS, at the June 5, 2023, Planning Commission public hearing, oral and written evidence, including a staff report, were presented and received, and arguments were heard from all interested parties appearing in the matter; and

## SECTION 2

WHEREAS, the findings of the Planning Commission supporting approval of DP 2022-70824-DP are as follows:

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

The project site currently has a General Plan land use designation of Industrial, which encourages light industrial, manufacturing, processing, warehousing and similar uses as well as light clean industries and support offices. The Project Site also has a zoning designation of Industrial Park (M-1) and is located within the Rancho Conejo Industrial Park Specific Plan (Specific Plan 15) area. Specific Plan 15 provides specific development standards for the industrial properties. The subject parcel is not regulated by any additional redevelopment plan.

The project consists of the demolition of an existing surface parking lot and development of a new industrial shell building for warehouse/storage use which is a permitted use in the Industrial land use designation and zone.

The use is consistent with the following goals and policies of the General Plan:

- *Goals:*
  - *To enhance and preserve the spaciousness and attractiveness of the Conejo Valley.*

- *To develop appropriate additional tools enabling commercial, industrial and residential development to flourish in an efficient and compatible manner.*
- *Policies*
  - *General Development*
    - *The City's unique natural setting will be a guide to its future physical shape. In general, development will occur in the low-lying areas with the natural hills and mountains being preserved in open space. A ring of natural open space will be created around the City. The City will support and encourage open space/greenbelt buffers around it, separating the City from adjoining communities.*
    - *Highly intensive land uses--major industrial and commercial centers--should be located in proximity to or within easy access of the Ventura Freeway corridor.*
  - *Commercial/Industrial*
    - *Employment centers which provide industrial and commercial employment, consistent with community needs, shall be encouraged.*
    - *Low profile and aesthetically designed signage shall be allowed for all developments; no billboards shall be allowed.*
  - *Industrial*
    - *Industrial development should occur in the designated major complexes near the Ventura Freeway and at the western and eastern ends of the Planning Area (Rancho Conejo and Westlake industrial areas).*
    - *Industrial development should comply with the City's height restrictions. Exceptions, through height overlays, may be appropriate under certain conditions.*
  - *Aesthetics*
    - *As the City ages, it is important to maintain, improve and enhance the City's aesthetic appearance.*
  - *Air Quality*
    - *The City shall place high priority on maintaining and improving local and regional air quality.*
  - *Archaeological*
    - *The City shall preserve and protect archaeological resources for future generations and the Conejo Valley's cultural heritage.*

- *Conservation/Natural Resources*
  - *The City shall preserve and protect the unique biodiversity of the City's open spaces and wetlands, including natural arroyos and oak trees.*
- *Design and Environmental Review*
  - *Regulatory ordinances should be reviewed for their effect on physical design and the environment with special attention to avoidance of air, water, land and noise pollution and the preservation of the natural environment.*

The project is consistent with the above goals and policies because it is an industrial use within the Rancho Conejo industrial area and is located within a district that has other industrial, commercial and office uses. The project site has easy access to the Ventura Freeway Corridor which is approximately 0.75-miles to the south with access provided via the Rancho Conejo Boulevard/Borchard Road and Wendy Drive exits.

The Project would be developed within a low-lying area and would not be located within or encroach upon the natural hills, mountains, or open space areas. The architectural design of the building reflects the industrial vernacular of the Rancho Conejo area. Development in the area is of a similar to the height of the proposed project. For instance, the buildings directly north of the project site at 2201 and 2401 Corporate Center Drive are 36 and 30 feet tall, respectively, and the building on the abutting property directly to the east of the project site at 2300 Corporate Center Drive is 36 feet tall. The Project includes a request for a height waiver to allow a 37-foot-tall building. Although the Project would exceed the height restriction established for the Site, the Project would be substantially consistent with the intent of height limitations. With approval of the requested height waiver, the Project would be consistent with the height limitation for the site.

The Project provides industrial employment opportunities, and the warehouse/storage use can support the growth of other industrial uses within the Rancho Conejo industrial area.

The Project's conceptual signage is low profile and aesthetically designed to be compatible with the proposed development in both materials and color palette. Signage anticipated for the Project would be consistent with all applicable signage regulations. No billboards would be installed.

The project was reviewed for its effect on physical design on the environment and mitigation measures have been incorporated into the project's conditions of approval to ensure all project impacts are less than significant. Therefore, the project is consistent with the goals and policies of the City's General Plan.

The proposed project is also complimentary to the following Goals of the 2017 Thousand Oaks Economic Development Strategic Plan:

- *Create a diverse employment base and a balanced approach to Economic Development that focuses on identified industry clusters;*
- *Establish the City of Thousand Oaks as an energy efficient, green, tech / sustainable community; and*
- *Support and attract investment that expands existing businesses and creates new jobs and contributes to the fiscal health of Thousand Oaks.*

The proposed project is complimentary to Thousand Oaks Economic Development Strategic Plan as the project implements goals to create a diverse employment base and expands existing businesses and creates new jobs that contribute to the fiscal health of Thousand Oaks. In particular, the development is anticipated to result in short-term economic growth during the construction of the facility and long-term growth through the employment of approximately 360 people. Collectively, these actions are anticipated to contribute to the fiscal health of Thousand Oaks. The developer has designed the building to achieve a Leadership in Energy and Environmental Design (LEED) certification.

Therefore, the project is consistent with the Thousand Oaks General Plan and any applicable specific plan or redevelopment plan.

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

The design of the one-story buildings totaling approximately 120,290 square-feet, consisting of 112,384 square-feet of warehouse space and 7,886-square-feet of office space (including a 3,943-square-foot mezzanine) complies with all applicable laws, regulations, and policies, including the Thousand Oaks Municipal Code (TOMC), Precise Plan of Design Guidelines (Res. No. 2006-108), in that the building design incorporates enhanced architectural and landscape design, including vertical and horizontal design elements and decorative material finishes and colors; and meets all applicable development standards for the zone (i.e. setbacks, parking, landscaping), except for height, but a height waiver is supported as discussed below in this finding.

The building architecture complies with the City's Precise Plan of Design Guidelines, is compatible with the area, and will be a quality addition to the Rancho Conejo Industrial area. The project is comparable in massing and scale and incorporates design elements that are complementary to the larger industrial buildings within the immediate area. Directly north of the project site at 2201 Corporate Center Drive, the building is approximately 71,000 square feet and 36 feet tall. The building on the abutting property directly to the east of the project site at 2300 Corporate Center Drive is approximately 80,000 square feet and 36 feet tall. The buildings on the abutting property directly to the south of the project site at 1200 Lawrence Drive are approximately 102,000 square feet and reach a maximum height of 24 feet tall. West of the project site, across Lawrence Drive, at 1415 Lawrence Drive, the building is approximately 88,000 square feet and 27.5 feet tall. Additional industrial buildings of various sizes are found in all directions of the project site within the Rancho Conejo industrial area.

The project is compliant with all development standards of the M-1 zone except for building maximum height. The Planning Commission has the authority to grant a Waiver to increase the maximum building height. The industrial building is designed as 35-foot-tall building with an interior 32-foot clear height with an additional 2-foot-tall parapet resulting in a maximum height of 37 feet. As buildings are measured from the bottom of grade to the top of parapet, the building will exceed the maximum 35-foot height limit. Industrial buildings are regularly designed with high interior clear heights to provide for future tenant needs, such as but not limited to, mechanical cranes to move equipment and goods, state-of-the-art research and design spaces, high-capacity racking systems and fire suppression systems.

The building does not include roof-top mechanical equipment screens, which would further exceed the maximum height requirements, as the applicant has conceptually demonstrated that roof-top equipment would not be seen from the public right-of-way if the roof-top equipment was setback on the building's roof. The project has been conditioned for roof-top equipment to be setback on the roof based on line-of-sight documents which demonstrate that roof-top equipment cannot be seen from within Lawrence Drive's eastern edge and Corporate Center Drive's northern edge.

To minimize the perceived height of the building, the buildings are setback further into the property than required by the front, side and rear yard setback. The industrial building could be located 20 feet from the property line adjacent to the street, but the building has been setback by more than 70 feet to allow for a landscaped parking lot to be located between the industrial building and the public right-of-way.

Additionally, trees will be planted between the public right-of-way and the building. Collectively, these design measures reduce the perceived height of the building. For the above reasons, the maximum building height Waiver is granted.

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

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

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

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

As demonstrated in the environmental document ((MND) CEQA-2022-70001), the project will not unreasonably interfere with the use and enjoyment of neighboring, existing, or future developments. Specifically, the project would not create traffic or pedestrian hazards because the project would utilize a network of roads that were designed to accommodate the vehicle traffic generated by this

development and the existing development including the commercial, industrial and office uses in all directions. The project has been conditioned to construct sidewalks along the project site's frontage to enhance pedestrian connections to the surrounding area. As identified in the environmental document, the project's noise is anticipated to be similar to and compatible with the surrounding industrial and commercial development.

Therefore, the project will not be detrimental to the public health, safety, or general welfare.

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

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

### SECTION 3

WHEREAS, the findings of the Planning Commission supporting approval of LDMN 2022-70825-LDMN are as follows:

1. Granting of this Land Division Minor Modification to modify conditions 8, 9, and 10 of Tentative Parcel Map 4013 relating to site access is consistent with and in compliance with all provisions of the Land Use Element of the General Plan as the modification would allow the project site, which currently has a General Plan land use designation, to be used for industrial uses, and it would continue to allow the site to have easy access to the Ventura Freeway Corridor which is approximately 0.75-miles to the south with access provided via the Rancho Conejo Boulevard/ Borchard Road and Wendy Drive exits.
2. The existing parking lot was constructed with driveway aprons in locations which are not consistent with the underlying entitlement. The proposed project retains similar access to the existing parking instead of complying with the conditioned access points. Modifying the conditioned access points is anticipated to result in enhanced public health, safety or general welfare because the project's access points provide equal or better site distances compared to the entitled access points as determined by the City's Traffic Division.

The existing access points along Lawrence Drive would be retained in the same location. The access point along Corporate Center Drive would be shifted to the east. Frontage improvements, including new sidewalks along Lawrence Drive and Corporate Center Drive, are to be constructed as part of the project. Onsite, a drive aisle circles the building and has been designed to provide adequate access for large vehicles (i.e. fire engines and tractor-trailers). The City's Traffic Division reviewed and approved the project's circulation plan, separation distances, turning movements and existing and anticipated vehicle trips as proposed. As conditioned, all accessways meet the minimum design standards of the TOMC and Ventura County Fire Prevention District minimum standards.

Therefore, the proposed Land Division Minor Modification complies with the General Plan and the Thousand Oaks Municipal Code, and the modifications to conditions will not be detrimental to the public health, safety, or general welfare.

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

#### SECTION 4

WHEREAS, the findings of the Planning Commission supporting approval of PMW 2022-70826-PMW are as follows:

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

The proposed lot merger will merge three parcels into one parcel to accommodate the development of a new industrial building for warehouse/storage use. The subject site is made up of three legal parcels with a combined size of approximately 6.6-acres. The three parcels are on the east side of Lawrence Drive and the south side of Corporate Center Drive, contiguous to each other.

The Parcel Map Waiver is not dependent on the proposed development; however, the proposed development is dependent on

the lot merger as the proposed building cannot straddle property lines. Consequently, it is necessary to merge the three lots into one lot for the development of the proposed industrial building.

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

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

The lot resulting from the lot merger is compliant with all development standards of the M-1 zone, including a minimum lot area of 20,000 square feet and a minimum lot width of 100 feet of street frontage, except for building maximum height.

The lot resulting from the lot merger would not alter floodwater drainage control, public roads, wastewater facilities, or water supply availability; however, the larger parcel that would be created would provide opportunity for industrial development with appropriately sized floodwater drainage control. The lot merger includes a condition to quitclaim an existing easement for reciprocal access and incidental purposes for these three parcels. As identified in the environmental document, the project site has adequate access to public roads, wastewater facilities, water supply availability.

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

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

## SECTION 5

WHEREAS, the findings of the Planning Commission supporting approval of PTP 2022-70979-PTP are as follows:

1. *The condition or location of the oak trees requires cutting to maintain or aid its health, balance, structure, or to maintain adequate clearance from existing structures (TOMC Section 9-4.4206(b)(1)).*

Per the applicant's Tree Report, dated April 19, 2023, the three oak trees located on the project site were not intentionally planted on the project site and are considered volunteer oak trees. Of the three volunteer oak trees, two have grown large enough to be protected. Unprotected oak tree #135 is a severely-pruned and poorly-maintained (Grade D in health and aesthetics) Holly Oak (*Quercus illex*) with two small trunks of under 1-inch diameter surrounded by shrubs and groundcover.

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

2. *The condition of the tree(s) with respect to disease, danger of falling, proximity to existing structures, high pedestrian traffic areas such as parking lots, pedestrian walkways, interference with utility services, or is causing or is likely to cause substantial property damage based on sufficient evidence and/or documentation and said damage cannot be controlled or remedied through reasonable preservation and/or preventive procedures and practices (TOMC Section 9-4.4206(b)(2)).*

Per the applicant's Tree Report, dated April 19, 2023, the three oak trees located on the project site were not intentionally planted on the project site and are considered volunteer oak trees. Of the three volunteer oak trees, two have grown large enough to be protected. Unprotected oak tree #135 is a severely-pruned and poorly-maintained (Grade D in health and aesthetics) Holly Oak (*Quercus illex*) with two small trunks of under 1-inch diameter surrounded by shrubs and groundcover.

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

3. *A permit may be approved when necessary to remove, relocate, cut or encroach into the protected zone of an oak tree to enable the reasonable and conforming use of the subject property, which is otherwise prevented by the presence of the tree. Reasonable use of the property shall be determined in accordance with the Oak Tree Preservation and Protection Guidelines (TOMC Section 9-4.4206(b)(3)).*

The tree impacts are necessary to allow site preparation and grading activities for the proposed building and associated site improvements. The two protected Oak Trees (Oak Trees #134 and #136) are located within the landscape border along the Project Site's western boundary along Lawrence Drive and within the slope of the drainage area along the site's eastern boundary, respectively. The project, as designed, requires removal of the two protected trees due to project grading.

The Oak Tree Preservation and Protection Ordinance allows for oak tree encroachments, pruning, and removals if the request is not contrary to the purpose and intent of the ordinance. In this case, the removal is necessary for reasonable use and is consistent with the intent of the oak tree preservation and protection ordinances since the project also includes planting of six coast live oak trees on site consisting of four 24-inch-box trees and two 36-inch-box trees. The site can accommodate the planting of all the required mitigation trees. A City Landscape Consultant provided an independent evaluation of the applicant's Tree Report and associated recommendations, and the City consultant concurred with the removal and replacement of the oak trees.

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

The project is consistent with the Thousand Oaks General Plan, including the Conservation Element, in that conditions have been imposed to offset the loss of the protected trees as specified in this Resolution and in the project's staff report. The approval of this request will not be contrary to or in conflict with the general purpose and intent of the Oak Tree Ordinance, Landmark Tree Ordinance or the Oak Tree Preservation and Protection Guidelines (Res. No. 2010-014).

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

NOW, THEREFORE, BE IT RESOLVED that based on substantial evidence contained within the record, the analysis in the agenda report, and the findings of fact the Planning Commission rescinds Major Modification No. 1 to SUP 96-924 (Resolution 74-97 PC) and approves said applications for a Development Permit, Land Division Minor Modification, Parcel Map Waiver, Protected Tree Permit, and Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program, subject to conformance with the conditions set forth and attached hereto and made a part hereof. Except as otherwise expressly indicated, said conditions shall be fully performed and completed, or at the City's discretion, shall be secured by bank or cash deposit or other security satisfactory to the City Attorney before the use or occupancy of the property is commenced and before a Certificate of Occupancy is issued. The violation of any of the conditions of said permits shall be grounds for revocation by the Planning Commission or City Council.

I HEREBY CERTIFY that the foregoing resolution reflects action taken by the Planning Commission of the City of Thousand Oaks at a regular meeting held on the 5<sup>th</sup> day of June 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Sharon McMahon, Chair  
Planning Commission

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Stephen Kearns, Secretary  
Planning Commission

**COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR DP 2022-70824-DP**

**GENERAL**

1. **Land and Application** – The Development Permit is granted for the land described in the application, any attachment thereto, and as indicated on the Project Plan Set, dated June 5, 2023.
2. **Scope of Permit Approval** – The Development Permit is granted to allow demolition of an existing 820-space surface parking lot and develop a new approximately 120,348 square foot (sq. ft.), one-story industrial warehouse building with approximately 191 surface parking spaces, associated hardscape, landscape, lighting and infrastructure improvements on an approximately 6.6-acre site. The Project also includes a Waiver request to exceed the maximum height from the prescribed 35 feet to 37 feet, which shall be constructed substantially as shown on Exhibits labeled “Project Plan Set,” June 5, 2023, except as otherwise indicated herein.
3. **Approval Period/Use Inauguration** – The Development Permit is granted for a three (3) year period of time ending June 5, 2026, at which time said permit shall expire unless the use authorized herein has been inaugurated in accordance with Section 9-4.2812(c) of the Thousand Oaks Municipal Code (TOMC). Inauguration of this approval signifies an acceptance of the decision and associated conditions of approval, hereto. The applicant may request time extensions of this period as permissible by Section 9-4.2812(e) of the TOMC by filing a Minor Modification application with the Community Development Department prior to the expiration date.
4. **Construction Progress** – Once permits have been issued to commence work on the improvements, it is the applicant’s/owner’s responsibility to diligently pursue completion per all conditions, requirements and as represented on the approved plans. Reasonable progress shall occur on a continual basis until completion to the satisfaction of the Community Development Director. Work shall not be discontinued for a period exceeding 30 days, without acceptable cause. The intent is to have the project completed in a timely fashion to prevent a potential blight from partially completed construction.
5. **Condition Compliance** – All development on the subject property shall be constructed and thereafter maintained in accordance with the conditions of this permit.

6. **Final Plans** – Prior to the issuance of a building permit, final site, grading, floor, elevation and roof plans shall be submitted for the review and approval of the Community Development Department incorporating any design changes and other requirements as conditioned herein.
7. **Compliance with Applicable Laws, Rules, and Regulations** – The applicant shall comply with any and all local, city, county, state and federal laws, regulations and orders now in effect or which may hereafter be enacted pertaining to the approved industrial building or affecting the installation, operation or maintenance of said facility. Violation of any of those laws in connection with the use authorized herein will be cause for initiation of revocation proceedings.
8. **Regulatory Agency Approval** – The requirements of all applicable regulatory agencies shall be met and approval obtained prior to issuance of an occupancy permit. Copies of all required licenses shall be submitted to the Community Development Department.
9. **Pre-construction Meeting** – Prior to issuance of grading permits or building permits, whichever occurs first, the applicant shall coordinate with the Community Development and Public Works Departments, a pre-construction meeting at the job site to review field conditions, project conditions, methods and procedures, individual and City department responsibilities associated with the project. Members attending this meeting shall include but not be limited to City department representatives, owner or designated project coordinator, architect, project consultants, general contractor, monitors (including, but not limited to, arborists, biologists, archaeologists), and other representatives associated with the project. The meeting shall be arranged no sooner than one (1) week prior to commencement of work.
10. **Dedications/Reservations/Fees and Public Improvements** – With respect to fees, dedications, reservations and construction of public improvements as required by the project development conditions, the applicant is advised pursuant to Government Code Section 66020, that a 90-day protest period has commenced upon approval of the proposed development conditions by the City.
11. **Payment of Fees** – Approval is subject to the applicant paying all fees and assessments to the City of Thousand Oaks, School District, Conejo Recreation and Parks District, Ventura County Fire Prevention District, and any other agency requiring fees related to the subject development as required by the Municipal Code.

12. **Non-residential Development Linkage Fee** – Prior to the issuance of any building permits, the applicant shall pay the required Nonresidential Development Linkage Fee for the project pursuant to Section 9-10.409 of the Municipal Code per the linkage fee rate established by the City Council Resolution in effect at the time.
13. **City / County / Agency / Other Fees** – All Police, Fire Department, School District Fees and any other fees identified in the Standard Conditions, Resolution No. 95-20, shall be paid prior to the issuance of any building permits. Notification in writing by these agencies confirming payment shall be submitted to the Community Development Department.
14. **Condition Execution** – Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance, unless stated otherwise herein. Deviation from this requirement shall be permitted only by written consent of the Community Development Director or designee.
15. **Occupancy** – No final inspection or occupancy permit shall be granted until construction and landscaping is complete in accordance with the approved plans and the conditions, per phase, required herein.
16. **Approval Inclusion** – This approval, in its entirety as adopted, shall be included in the initial plan-check submittal that is submitted to the Building Safety Division. The approval shall be copied directly onto plan sheets and included as part of the project plans throughout the plan-check process and shall be part of the project plans for which building permits are issued.
17. **Other Applicable Permits** – All conditions of PM-4013 as modified by 2022-70825-LDMN, 2022-70824-DP, 2022-70826-PMW, 2022-70979-PTP, and CEQA-2022-70001 shall apply. The entitlement and conditions of approval associated with prior onsite development approved by the City of Thousand Oaks (SUP 96-924 Major Modification No. 1), are rescinded, voided and of no further effect. The property's Title Report is to be updated to remove references to Covenants, Agreements and Declarations required by the permits which are rescinded, voided and of no further effect.
18. **Project Changes/Modifications** – Any minor change to 2022-70824-DP, 2022-70825-LDMN, 2022-70826-PMW, and 2022-70979-PTP may be approved with a Minor Modification application filed with the Community Development Department, provided such changes achieve substantially the same results and the project is still in compliance with the Municipal

Code. Revised plans reflecting the minor changes and additional fees shall be required.

19. **Unauthorized Changes** – The applicant acknowledges that the exterior treatment, location of structures and architectural features of the development are of special concern to, and regulated by, the City of Thousand Oaks, which has established criteria and standards concerning development within the City. Any substantial change, modification, or alteration to the architectural design, or in the exterior treatment of any building and structure, including building colors, materials, changes in walkways, doorway, window locations, or in the parking, landscaping and other related features, must first be approved by the City of Thousand Oaks prior to performing the work. Unauthorized change(s) or failure to comply with the conditions of this permit may require future corrective work and result in a City Code violation and appropriate action
20. **Compliance with Other Laws** – The applicant shall comply with all federal, state and local laws. Violation of any of those laws in connection with the use authorized herein will be cause for initiation of revocation proceedings.
21. **Acknowledgment** – The applicant acknowledges that all aspects of this project are of special concern to and regulated by the City of Thousand Oaks, which has established specific criteria and standards concerning development within the City. Any changes, modifications, or alterations to improvements on the subject property shall first be approved by the City of Thousand Oaks. Any unauthorized changes may require future corrective work and may result in a City Code compliance effort.
22. **Indemnification** – The applicant shall defend, indemnify, and hold harmless the City, its agents, officials, and employees from any claim, action, or proceeding against the City or its agents, officials or employees that is brought to attack, set aside, void, or annul an approval of the City issued as related to the project for which the applicant is applying. The City shall promptly notify the applicant of any such claim, action, or proceeding and the City shall cooperate in the defense.
23. **Signed Acceptance of Conditions** – A signed Acceptance of Conditions affidavit shall be executed by the applicant and property owner, or his duly authorized representative, and shall be returned to the Planning Division of the Community Development Department prior to the issuance of a grading and building permit associated with 2022-70824-DP, 2022-70825-LDMN, 2022-70826-PMW, and 2022-70979-PTP.

## ENVIRONMENTAL MITIGATION MEASURES

24. **(M) Mitigation Compliance** – Applicant agrees to comply with all mitigation measures outlined in Mitigated Negative Declaration No. CEQA-2022-70001. Prior to the issuance of any grading or building permit, the applicant shall submit a written report demonstrating that all mitigation measures imposed by the City to either reduce or avoid significant environmental impacts identified in the Mitigated Negative Declaration have either been incorporated in the project design or undertaken as required. Final determination of compliance with imposed mitigation measures pursuant to the requirements of Section 21081.6 of the Public Resources Code shall in turn be subject to the review and approval of the Community Development Department.

## AIR QUALITY

25. **(M) MM-AQ-1: Tier 4 Construction Equipment** – During the demolition and grading phases only, heavy-duty diesel-powered construction equipment used shall be equipped with Tier 4 Final or better diesel engines. The City of Thousand Oaks shall verify and approve any pieces of equipment to be used during demolition and grading that would not meet Tier 4 Final standards per the VCAPCD Guidelines. Equipment engines must be maintained in good condition and in proper tune as per manufacturer's specifications.

An exemption from these requirements may be granted by the City in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the City, the applicant shall be required to demonstrate that two construction fleet owners/operators in Ventura County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Ventura County. Further, if an exemption is granted by the City, the applicant shall use a minimum of Tier 3 equipment with a CARB-certified Level 3 diesel particulate filter in place of the Tier 4 Final equipment.

## BIOLOGICAL RESOURCES

26. **(M) MM-BIO-1: Pre-Construction Nesting Bird Surveys** – Project-related activities shall occur outside of the bird breeding season (February 1 to August 31) to the extent practicable. If construction must occur within the bird breeding season, then no more than seven days prior to initiation of ground disturbance and/or vegetation removal, a nesting bird pre-

construction survey shall be conducted by a qualified biologist within the disturbance footprint plus a 300-foot buffer, where feasible. If the Project is phased or construction activities stop for more than two weeks, a subsequent pre-construction nesting bird survey shall be conducted by a qualified biologist and completed prior to each phase of construction and submitted to the City of Thousand Oaks within 48 hours of each survey.

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. A report of the nesting bird survey results, if applicable, shall be submitted to the City of Thousand Oaks for review and approval prior to ground and/or vegetation disturbance activities.

If nests are found, their locations shall be flagged to facilitate avoidance. An appropriate avoidance buffer of 100 feet for non-special status species, 200 feet for special status passerine species, and 300 feet for raptor species (this distance may be greater depending on the bird species and construction activity, as determined by the qualified biologist), shall be demarcated by a qualified biologist with bright orange construction fencing or other suitable flagging. Active nests shall be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. No construction or ground disturbance shall occur within this buffer until the qualified biologist confirms that the breeding/nesting is completed, and all the young have fledged. If Project activities must occur within the buffer, they shall be conducted at the discretion of the qualified biologist. If no nesting birds are observed during pre-construction surveys, no further actions would be necessary.

27. **(M) MM-BIO-2: Protected Tree Removal and Replacement** – All protected Oak trees shall be replaced consistent with the Thousand Oaks Oak Tree Ordinance and the Oak Tree Preservation and Protection Guidelines under a Type “C” Oak Tree Permit. Oak tree replacement shall be at a 3:1 ratio for total of four (4) 24-inch-box size trees and two (2) 36-inch-box size trees, consisting of coast live oak (*Quercus agrifolia*) or valley oak (*Quercus lobata*). The replacement trees shall be planted and depicted on the landscape architect’s planting plan. If different sized trees are proposed for installation or an alternate mitigation site is identified, the proposed size, quantity, and site shall be approved by the City of Thousand Oaks Community Development Director. Additionally, a 5-year tree maintenance fee, in an amount acceptable to the Community Development Director, shall be paid to the Community Development Department for off-site replacement trees prior to tree removal. Trees shall be installed per International Society of Arboriculture (ISA) tree planting

specifications under the direction and supervision of an ISA-Certified Arborist. Installed trees shall be monitored by an ISA-Certified Arborist for the first 5 years after installation. The ISA-Certified Arborist shall submit an annual report documenting tree species, diameter, height above grade, measured dripline, appearance and health conditions, physical description, and photographs of each tree. The developer shall be responsible for the costs associated with the monitoring and reporting requirement.

## CULTURAL RESOURCES

28. **(M) MM-CUL-1: Cultural Resource Monitoring and Inadvertent Discovery Plan** – Impacts to cultural resources shall be minimized through implementation of pre- and post-construction tasks. Tasks pertaining to cultural resources include the development of a Cultural Resource Monitoring and Inadvertent Discovery Plan (Cultural Plan). The purpose of the Cultural Plan is to outline a program of appropriate monitoring as well as treatment and mitigation in the case of an inadvertent discovery of cultural resources during ground-disturbing phases (including, but not limited to, pre-construction site mobilization and testing, grubbing, removal of soils for remediation, construction ground disturbance, construction grading, trenching, and landscaping) and to provide for the proper identification, evaluation, treatment, and protection of any cultural resources throughout the duration of the Project. This Cultural Plan shall define the process to be followed for the identification and management of cultural resources in the Project area during construction. Existence and importance of adherence to this Plan shall be stated on all Project Site plans intended for use by those conducting the ground-disturbing activities.
29. **(M) MM-CUL-2: Worker Environmental Awareness Program** – Worker Environmental Awareness Program (WEAP) training shall be provided to all construction personnel and monitors who are not trained archaeologists prior to the start of construction activities. A basic presentation and handout or pamphlet shall be prepared to ensure proper identification and treatment of inadvertent cultural resource discoveries. The purpose of the WEAP training is to provide specific details on the kinds of cultural materials, both prehistoric and historic, that may be identified during construction of the Project and explain the importance of and legal basis for the protection of cultural resources. Each worker shall also be provided the proper procedures to follow in the event that cultural resources or human remains are discovered during ground-disturbing activities. These procedures include work curtailment or redirection, and the immediate notification of the site supervisor and the qualified archaeological and Native American monitors. If the discovery is Native American in nature,

representatives from the Barbareño/Ventureño Band of Mission Indians and the Gabrieleño/Tongva San Gabriel Band of Mission Indians shall be notified.

30. **(M) MM-CUL-3: Cultural Resource Monitoring** – Prior to the issuance of a demolition permit, the Applicant shall retain a Native American monitor approved by the Barbareño/Ventureño Band of Mission Indians or the Gabrieleño/Tongva San Gabriel Band of Mission Indians and a qualified archaeologist meeting the Secretary of the Interior’s Standards to be on call to conduct spot monitoring and respond to and address any inadvertent discoveries identified during ground-disturbing activities, whether within disturbed or imported fill soils. Additionally, the Native American monitor meeting the Native American Heritage Commission’s standards and the qualified archaeologist meeting the Secretary of the Interior’s Standards shall be retained to monitor all initial ground disturbance once such activities have reached 1 foot below native/alluvial soils. “Initial ground disturbance” is defined as initial construction-related moving of sediments from their place of deposition. As it pertains to cultural resource monitoring, this definition excludes movement of sediments after they have been initially disturbed or displaced by current Project-related construction. A monitoring agreement between the Applicant and the Barbareño/Ventureño Band of Mission Indians or the Gabrieleño/Tongva San Gabriel Band of Mission Indians shall be prepared that outlines the roles and responsibilities of the Native American monitor and shall be submitted to the City prior to the earlier of either the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

A qualified archaeological principal investigator meeting the Secretary of the Interior’s Professional Qualification Standards shall oversee and adjust monitoring efforts as needed (e.g., increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter cultural deposits or material and through consultation with the Native American monitor. The archaeological principal investigator shall be responsible for maintaining daily monitoring logs for those days monitoring occurs.

31. **(M) MM-CUL-3: Inadvertent Discovery** – In the event that potential prehistoric or historic-era archaeological resources (sites, features, or artifacts) are exposed during construction activities for the Project, all construction work occurring within a 50-foot buffer of the find shall immediately stop and a qualified archaeologist must be notified immediately to assess the significance of the find and determine whether or not additional study is warranted. Depending on the significance of the

find under the California Environmental Quality Act (CEQA), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work (e.g., preparation of an archaeological treatment plan, testing, or data recovery) may be warranted. If Native American resources are discovered or are suspected, the Native American monitor shall be notified and as dictated by California Health and Safety Code Section 7050.5, California Public Resources Code Section 5097.98, and CEQA Guidelines Section 15064.5(e).

A meeting shall take place between the Applicant, the qualified archaeologist, the respective Tribe, and the City to discuss the significance of the find and whether it qualifies as a tribal cultural resource pursuant to Public Resources Code Section 21074(a). If, as a result of the meeting and after consultation with the respective Tribe and the qualified archaeologist, a decision that the resource is in fact a tribal cultural resource, a treatment plan shall be developed by the respective Tribe, with input from the qualified archaeologist as necessary, and with the concurrence of the City's Planning Director. The treatment measures in the treatment plan shall be implemented prior to construction work continuing in the buffer around of the find. The preferred treatment is avoidance, but if not feasible may include, but would not be limited to, capping in place, excavation and removal of the resource and follow-up laboratory processing and analysis, interpretive displays, sensitive area signage, or other mutually agreed upon measures. The treatment plan shall also include measures regarding the curation of the recovered resources. The recovered prehistoric or Native American resources may be placed in the custody of the Barbareño/Ventureño Band of Mission Indians or the Gabrieleño/Tongva San Gabriel Band of Mission Indians who may choose to use them for their educational purposes or they may be curated at a public, non-profit institution with a research interest in the materials. If neither the Barbareño/Ventureño Band of Mission Indians or the Gabrieleño/Tongva San Gabriel Band of Mission Indians or research institution accepts the resources, they may be donated to a local school or historical society in the area for educational purposes.

An Archaeological and Native American Monitoring Report shall be prepared by the qualified archaeologist within 60 days following completion of ground disturbance and submitted to the Riverside Community College District for review. This report shall document compliance with approved mitigation, document the monitoring efforts, and include an appendix with daily monitoring logs. The final report shall be submitted to the South-Central Coastal Information Center and interested consulting tribes.

In the event that human remains are inadvertently encountered during construction activities, such resources shall be treated in accordance with state and local regulations that provide requirements with regard to the accidental discovery of human remains, including California Health and Safety Code Section 7050.5, California Public Resources Code Section 5097.98, and CEQA Guidelines Section 15064.5(e). In accordance with these regulations, if human remains are found, the County Coroner must be immediately notified of the discovery. No further excavation or disturbance of the Project Site or any nearby area reasonably suspected to overlie adjacent remains can occur until the County Coroner has determined, within 2 working days of notification of the discovery, if the remains are potentially human in origin. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she is required to notify the Native American Heritage Commission (NAHC) within 24 hours. The NAHC must immediately notify those persons it believes to be the most likely descendants from the deceased Native American. The most likely descendant(s) must then complete their inspection within 48 hours of being granted access to the Site. The most likely descendant(s) would then determine, in consultation with the property owner, the disposition of the human remains.

## **GEOLOGY AND SOILS**

32. **(M) MM-GEO-1: Paleontological Resources Impact Mitigation Plan and Paleontological Monitoring** – Prior to the commencement of ground disturbing activities, the Project Applicant shall retain a qualified Project Paleontologist to direct all mitigation measures related to paleontological resources. A qualified Project Paleontologist is defined by the Society of Vertebrate Paleontology standards 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. The Project Paleontologist shall be retained to prepare and implement a Paleontological Resources Impact Mitigation Plan (PRIMP) for the Project.

The PRIMP shall be consistent with the 2010 Society of Vertebrate Paleontology guidelines and outline requirements for pre-construction meeting attendance and worker environmental awareness training, where paleontological monitoring is required within the Project Site based on construction plans and/or geotechnical reports; procedures for adequate paleontological monitoring and discoveries treatment; and paleontological methods (including sediment sampling for microinvertebrate and microvertebrate fossils), reporting, and collections management

33. **(M) MM-GEO-2: Worker’s Environmental Awareness Program** – Prior to the start of Project construction activities, all field personnel shall receive a worker’s environmental awareness training on paleontological resources. The training shall provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the Project area, the role of the Paleontological Monitor, outline steps to follow if a fossil discovery is made, and contact information for the Project Paleontologist. The training shall be developed by the Project Paleontologist and shall be delivered concurrently with other training including cultural, biological, safety, et cetera.
34. **(M) MM-GEO-3: Paleontological Monitoring and Fossil Discoveries** – 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 Society of Vertebrate Paleontology for a Paleontological Resources Monitor. The duration and timing of the monitoring shall be determined by the Project 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 Project Paleontologist determines full-time monitoring is no longer warranted based on the geologic conditions at depth, they may recommend that monitoring be reduced or cease entirely. Monitoring shall be reinstated if any new ground disturbances are required, and reduction or suspension shall be reconsidered by the Project Paleontologist at that time.

If a paleontological resource is discovered, the monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the Project Paleontologist shall complete the following:

Salvage of Fossils. If fossils are discovered, all work in the immediate vicinity shall be halted to allow the paleontological monitor, and/or Project Paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the Project Paleontologist (or paleontological monitor) shall recover them following standard field procedures for collecting paleontological resources as outlined in PRIMP for the Project. 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. In this case, the Project Paleontologist and/or paleontological monitor shall have the authority to

temporarily direct, divert, or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

Fossil Preparation and Curation. The PRIMP for the Project shall identify the museum that has agreed to accept fossils that may be discovered during Project related excavations. Upon completion of fieldwork, all significant fossils collected shall be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossils specimens shall be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens must be delivered to the accredited museum or repository no later than 30 days after all laboratory work is completed. The cost of curation shall be assessed by the repository and shall be the responsibility of the Project Applicant.

## TRANSPORTATION

35. **(M) MM-TR: Additional Transportation Demand and Trip Reduction Standards and Measures** – A Transportation Demand Management (TDM) program shall be prepared by the property owner and or company that will occupy the building. The TDM program shall include, but not be limited to, all of the following standards and measures, which are in excess of those required by the Thousand Oaks Municipal Code Section 9-4.4003, and which utilize the additional voluntary assistance efforts offered by the VCAPCD under Rule 211, with an intent to further reduce VMT within the City. Prior to the release of final occupancy permit and subsequent business licenses affiliated with the property, the TDM program must be submitted to the City for review and approval by the Community Development Director and Public Works Director.
- a. Install and maintain a publicly-accessible bike share station with a minimum of 10 docks;
  - b. Implement a ride share program to be managed by the property manager or tenant that matches individuals to bike share and ride share groups;
  - c. Offer new employees a packet of materials and/or provide personal consultation detailing sustainable (non-drive alone) travel options. These materials or consultations must be available on an ongoing basis and/or on permanent online channels. Packet must include the distribution of one transit day pass or equivalent value, to each employee;
  - d. Deploy an employee-focused travel behavior change program that targets individual attitudes, goals, and travel behaviors, educating participants on the impacts of travel choices and opportunities to alter their habits. The program typically includes a coordinated ride-sharing, vanpool and/or carpooling program, requires a program

- coordinator, and includes program monitoring, reporting and evaluation; and
- e. Coordinate with the Ventura County Air Pollution Control District (VCAPCD) to utilize the additional assistance offered under Rule 211. The additional assistance offered by the VCAPCD includes: distribution of educational materials highlighting individual choices that can improve air quality; presentation to employees about air quality, transportation, health effects of air pollution, and the benefits of various commute options; and providing transportation demand management expertise.

## **DISABLED ACCESS**

36. **Title 24 Compliance** – All requirements of California Uniform Building Code, Title 24, California Code of Regulations, shall be met. A set of plans, at a scale not less than one inch equal to ten feet (1"=10') shall be submitted to the Community Development Department displaying all exterior physically disabled accessibility requirements, including point elevations and details. Prior to the issuance of building permits, the accessibility requirements for the exterior shall be approved by the Building Division for disabled access compliance.
37. **Path of Travel** – The path of travel from the accessible parking spaces to the building entrances shall meet the current standards of the California Uniform Building Code.
38. **Interior Design Approval** – The accessibility requirements for the interior of the proposed buildings will be reviewed when construction documents are submitted for plan check to the Building Division.

## **GRADING**

39. **APCD Permit** – If needed, an Air Pollution Control District (APCD) Authority to Construct Permit shall be obtained by the applicant prior to beginning any grading on-site. Verification shall also be provided to the City.
40. **Dust Prevention** – In order to prevent excessive amounts of fugitive dust, all materials excavated (on-site) shall be controlled for with Ventura County Air Pollution Control District methods. The project is to comply with the City of Thousand Oaks Water Conservation Ordinance Requirements. Level 4 Conservation Measures prohibit potable water use for dust suppression unless approved through a City waiver. For more information see: <https://www.toakswater.org/conservationstages>

41. **Project Grading** – All gradients within the parking lot shall comply with the provisions of Section 9-4.2405(a) of the Thousand Oaks Municipal Code, unless otherwise authorized herein. All parking lot areas shall have a maximum gradient slope of 2.5% and parking spaces shall have a maximum cross-slope of 2%. Access driveways serving the site shall be limited to a maximum seven percent (7%) gradient with approved transitions. Deviation from these requirements shall be permitted only by written consent of the Community Development Director and Public Works Director or designees.
42. **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
43. **Exporting/Importing Earth Materials** – Any exporting or importing of earth material and debris shall be authorized by permit issued by the Public Works Department. The builder shall comply with an approved identified haul route to and from the project and shall coordinate the hauling of this material with the Public Works and Community Development Departments to minimize traffic disruptions and disturbances to the project area. The exporting and importing of any earth materials to new sites within the jurisdiction of the City of Thousand Oaks shall be subject to the review and approval by the Planning Commission unless such sites have previously been approved for development with an active entitlement, and said grading is in accordance with Public Works Department approved plan for the project.
44. **Manufactured Slope Height** – No manufactured slope shall exceed twenty-five (25') feet in height. Prior to the issuance of a grading permit a final grading plan shall be submitted for review reflecting compliance with this requirement.
45. **Rounded Manufactured Slopes/Contoured Grading Techniques** – All manufactured slopes shall include rounded top sections and shall incorporate contour grading techniques to blend with the adjacent terrain, except where slopes terminate into retaining walls.
46. **Certified As-Built Grading** – Prior to issuance of a building permit, a rough grading completion certification on the City standard form shall be prepared and signed by the applicant's Civil Engineering consultant and submitted to the Public Works Department. Said certificate shall state that the graded pad design and pad elevations are consistent with the pad

elevation and grading details shown on the grading plan, as shown in the Exhibit labeled "Project Plan Set," dated June 5, 2023.

47. **Existing Overhead Utility Lines** – Prior to the issuance of a Certificate of Occupancy, the existing overhead utility lines located along the south side of the property and crossing Lawrence Drive shall be undergrounded and the poles removed, unless otherwise waived through the approval of an Underground Utility Waiver application. Furthermore, all new utility service to the site shall be installed underground.
48. **Utility Undergrounding** – The applicant may request an Underground Utility Waiver through the Community Development Department for the undergrounding of overhead utilities along the south side of the property and crossing Lawrence Drive. 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-wide undergrounding project.

## ACCESS AND CIRCULATION

49. **Driveway Access** – The site may be served by driveway access off Lawrence Drive and Corporate Center Drive as shown on the Exhibits labeled "Project Plan Set," dated June 5, 2023. Said driveways shall be designed in accordance with the City's driveway standards, unless otherwise modified herein.
50. **Decorative Paving** – Decorative paving material such as rock, tiles, pavers or similar patterned material shall comply with ADA and Title 24 disabled access requirements for paths of travel subject to review and approval by the Community Development Department. Decorative paving material shall be provided at driveway entrances. The final design of this decorative paving treatment shall be subject to review and approval by the Community Development Department prior to installation.

## PARKING AND CIRCULATION

51. **Required Parking** – A minimum of 59 parking spaces shall be provided on the project site based upon the proposed floor area uses as indicated in the Exhibits, labeled “Project Plan Set,” dated June 5, 2023. A total 191 parking spaces are provided on-site. All parking spaces and driveway aisles shall be designed in accordance with Section 9.4-2404 of the Municipal Code. Any minor change to parking or future development on the subject property shall be reviewed and evaluated by the Community Development Department. Any substantial change may require the filing of a modification application to be considered by the Planning Commission. Required parking was calculated on the following uses designated for the building.

| Use   | Square Feet | Parking Ratio*   | Required Parking |
|---|-------------|--|------------------|
| <b>Warehouses, exclusive of any assembly, manufacturing or sales activity</b> | 116,384 SF  | 1 for every 1,000 square feet of gross floor area for the first 5,000 square feet of gross floor area, then 1 for every 5,000 square feet. | 27               |
| <b>Business and professional offices</b>                                      | 8,000 SF    | 1 for each 250 square feet of floor area.  | 32               |
| <b>Total Required</b>   |             |  | 59               |
| <b>Total Provided</b>   |             |  | 191              |

52. **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). No overhang compact parking space shall be permitted within five feet (5') of any vertical obstruction.
53. **Parking Design** – Parking stall lengths for stalls that overhang a landscape planter shall be reduced from twenty (20') feet to a depth of eighteen (18') feet to allow the remaining two (2') feet to be converted to landscaping. Overhang parking design shall consist of parking stalls measuring eighteen feet (18') in depth and shall overhang a minimum six foot (6') wide planter or sidewalk. A width of nine feet (9') shall be required for all parking spaces.
54. **Parking Overhang/Path of Travel** – Where parking spaces are located adjacent to a path of travel, the minimum path of travel sidewalk width shall not be less than seven (7') feet to accommodate a minimum clear sidewalk width of four (4') feet, allowing three (3') feet for the parking overhang.

55. **Loading Zone** – Loading docks are to be provided and maintained. Each loading dock shall be provided pursuant to TOMC Section 9-4.2405. The loading docks shall provide a total of two loading spaces, and each loading zone shall not be less than 12 feet in width by 50 feet in depth by 14 feet in height.
56. **Required Bicycle Parking** – In accordance with the 2022 California Green Building Standards Code, Section 5.106.4, short-term bicycle parking facilities equivalent to 5% of proposed vehicle parking and an additional long-term bicycle parking facilities equivalent to 5% of proposed vehicle parking shall be provided, the configuration and location of which shall be as review and approved of the City Planning Division. The project plans shall be revised to identify bicycle racks for the whole property, with a minimum of ten short-term bicycle spaces and ten long-term bicycle spaces (10% of total 191 shared parking spaces on project site). Bicycle parking area dimensions and location shall be a paved area at least 6' x 1' – 6" for each required bicycle parking space. The bicycle parking shall be designed to provide 2 points of contact on the bicycle, be supported upright, and cause no stress onto tires. All provided bicycle parking shall be able to accommodate a standard U-lock.

Short-term bicycle parking spaces are to be provided on site near the front entrance. Bicycle parking should be located along the natural desire lines of travel from the bikeways to the facility entrance, in well-lit areas visible from the front entrance and public areas, in the nature of a bicycle corral or racks. Bicycle parking shall be located outside of pedestrian walkways, loading areas, landscape planters, etc. Where feasible, bicycle-parking areas should be covered.

Long-term bicycle parking spaces shall be convenient from the street and shall be provided in one or more of the following configurations:

- a. Covered, lockable enclosures with permanently anchored racks for bicycles;
- b. Lockable bicycle rooms with permanently anchored racks; or
- c. Lockable, permanently anchored bicycle lockers.

The applicant shall submit a bicycle parking plan to be reviewed and approved by the Chief Building Official, Traffic Engineering representative in the Engineering Services Division, and the Community Development Director (or his/her appointee). All bicycle parking shall comply with AASHTO, NACTO, or APBP standards, as permitted by the California Building Code.

Staff shall review all construction documents prior to building permit issuance to assure that the bicycle rack has been provided and is not in conflict with the applicable development standards for building in the M-1 zone/SP-15 district.

57. **Transportation Demand and Trip Reduction Standards and Measures**  
– A Transportation Demand Management (TDM) program shall be prepared by the property owner and company that will occupy the building. The TDM program shall include, but not be limited to, all of the following standards and measures as required by the Thousand Oaks Municipal Code Section 9-4.4003, with an intent to further reduce VMT within the City. Prior to the release of final occupancy permit and subsequent business licenses affiliated with the property, the TDM program must be submitted to the City for review and approval by the Community Development Director and Public Works Director.

The property owner and company that will occupy the building shall jointly provide calculations or information for determining the number of employees expected to work 1300 Lawrence Drive. If the developer is unable to provide sufficient information to accurately determine the expected number of employees, then an estimate shall be made which may be subject to verification by the City at a later date. A typical calculation to estimate the number of employees shall be based on: the number of parking spaces required as determined in Thousand Oaks Municipal Code (TOMC) Section [9-4.2402](#) title entitled, Parking Space Required; assume one employee per parking space; and the “employee parking area” factors listed under TOMC Section [9-4.4002](#)(i).

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

- a. Nonresidential development projects capable of holding 50 employees or more shall provide all of the following measures:
  - i. A bulletin board, display case or kiosk displaying transportation information located where the greatest number of employees are likely to see it. Information displayed shall include, but is not limited to, the following: current map routes and schedules for public transit routes serving the site; ridesharing promotional material supplied by commuter-oriented organizations; telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency; Dial-A-Route and local transit operators; bicycle route and facility information, including regional and local bicycle maps and bicycle safety information; and a listing of facilities and services available

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- for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site.
- ii. All proposed public, private streets or driveways that serve as the main access from project buildings to the exterior street system shall include sidewalk facilities per City standards for pedestrians and bike routes.
  - iii. In cases involving multiple tenants, a bulletin board/display case shall be provided by each tenant, or it shall be provided at a common area acceptable to the Public Works and Community Development Departments.
- b. Nonresidential development projects capable of holding 100 employees or more shall provide all of the measures required for nonresidential development projects capable of holding 50 employees and all of the following additional measures:
- i. Not less than ten percent of “employee parking area” (employee parking area shall be calculated from TOMC Section [9-4.4002](#)(i) and TOMC Section [9-4.2402](#)) shall be located as close as is practical to the employee entrance(s), and shall be reserved for use by carpool/vanpool vehicles, without displacing handicapped and customer parking needs. This preferential carpool/vanpool parking area shall be identified on the site plan for the applicable entitlement. A statement that preferential carpool/vanpool spaces for employees is available and a description of the method for obtaining such spaces must be included on the required transportation information board. Spaces will be signed and striped. Additional carpool/vanpool spaces shall be provided as demand warrants. The following minimum spaces shall be provided in any case: at least one space for projects of 50,000 gross square feet to 100,000 gross square feet and two spaces for projects over 100,000 gross square feet will be signed and/or striped for carpool and/or vanpool vehicles.
  - ii. Preferential parking spaces reserved for vanpools must be accessible to vanpool vehicles. Adequate turning radii for vanpool vehicles shall be provided. Parking space dimensions in vanpool parking areas shall be a minimum nine feet by 20 feet.
  - iii. Bicycle racks or other secure bicycle parking shall be provided near building entrances to accommodate four bicycles per the first 50,000 gross square feet of nonresidential development and one bicycle per each additional 50,000 gross square feet of nonresidential development. Calculations which result in a fraction of 0.5 or higher shall be rounded up to the nearest whole number. A bicycle parking facility may also be a fully enclosed space or

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- locker accessible only to the owner or operator of the bicycle, which protects the bike from inclement weather. Specific facilities and location (e.g., provision of racks, lockers or locked bike room) shall be per the requirements of the Public Works and Community Development Departments imposed as conditions on each entitlement request.
- iv. Safe and convenient bicycle access shall be provided from the external circulation system (e.g., from public access bike paths, bike lanes, and/ or bike routes) to bicycle parking facilities on-site. Safe access shall be provided so as to minimize conflicts with other vehicles and pedestrians as determined by the Public Works Department.
- c. Nonresidential development projects capable of holding 150 employees or more shall provide all of the measures required for nonresidential development projects capable of holding 50 and 100 employees and all of the following additional measures:
- i. A safe and convenient zone if feasible and appropriate as determined by the Public Works and Community Development Departments in which vanpool and carpool vehicles may deliver or board their passengers. Passenger loading areas should be located as close as possible to the building entrance and should be designated in a manner that does not impede vehicular circulation in the parking area. A passenger loading zone or van turn-out area may be required to accomplish this requirement. In the case of multiple-tenant developments, more than one passenger loading zone may be required and the location and number of vanpool/carpool passenger loading zones shall be distributed in a manner acceptable to the Public Works and Community Development Departments.
  - ii. Sidewalks or other designated pathways following, to the greatest extent feasible, direct and safe routes from the external (public or private) pedestrian circulation system to each, and between each building in the development.
  - iii. If determined necessary by the Public Works and Community Development Departments to mitigate project impacts, bus stop improvements shall be provided. Appropriate bus service improvements as determined by the Public Works Director include bus turnouts, bus pads (thickened pavement structural section where bus travels or stops), bus shelters, bus benches, bus stops, bus lighting, etc. When locating bus stops and or planning building entrances, entrances should be designed to provide safe and efficient access to nearby transit stations and/ or stops as determined by the Public Works Director and the Community Development Director.
  - iv. Development design shall incorporate, to the extent feasible as determined by the Public Works Director and the Community Development Director, showers, changing

rooms, lockers, etc., for employees who bicycle, jog or walk to work.

- v. Development design shall incorporate an eating area and shall incorporate to the extent feasible as determined by the Departments of Public Works and Community Development cafeterias, eating establishments, ATMs, day care facilities, gyms, and other facilities which will reduce the need for mid-day driving. The requirement of this subparagraph will be deemed to be satisfied if the developer enters into a written agreement with a neighboring project to mutually share approved TDM facility or facilities such as eating areas, cafeterias, eating establishments, ATMs, day care facilities, and gyms.

**BUILDING SETBACKS**

- 58. **Building Setbacks** – All building setbacks shall be provided as depicted on the Exhibits, labeled “Project Plan Set,” dated June 5, 2023.

| DEVELOPMENT STANDARD  | REQUIRED   | PROPOSED   | COMPLIES |
|-----------------------|--|--|----------|
| <b>Setbacks (ft.)</b> |  |  |          |
| <b>Front Setback</b>  | Within SP 15: A minimum setback of 20 feet from the property line adjacent to a street.  | Front = 70+ feet from the property line along Corporate Center Drive.  | Yes      |
| <b>Side Setback</b>   | None, except 10 feet when abutting R or C zones, and 20 feet minimum from all property lines if the building exceeds 25 feet.<br><br>On corner lots, no less than 100 feet | Side (west) = 70+ feet from the property line along Lawrence Drive.<br><br>Side (east) = 130+ feet from the property line along Lawrence Drive | Yes      |

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|                     |   |                                  |     |
|---------------------|---|----------------------------------|-----|
|                     | <p>from the center line of any public street.</p> <p>Within SP 15:<br/>A minimum setback of 20 feet from the property line adjacent to a street</p> |                                  |     |
| <b>Rear Setback</b> | <p>None, except 10 feet when abutting R or C zones, and 20 feet minimum from all property lines if the building exceeds 25 feet.</p>                | 60+ feet from the property line. | Yes |

**BUILDING HEIGHT**

59. **Building Height** – The building shall be limited to the heights depicted on the Exhibits, labeled “Project Plan Set,” dated June 5, 2023. The buildings shall not exceed the following maximum height of 37 feet.

**ARCHITECTURAL DESIGN**

60. **Architectural Building Design** – The building design depicted in the Exhibits, labeled “Project Plan Set,” dated June 5, 2023, is approved in concept. Prior to the issuance of a building permit, fully dimensioned and detailed architectural drawings shall be submitted for review and approval by the Community Development Department, with all elevations coordinated with color, materials and architectural form to achieve design harmony and continuity.

61. **Building Wall Treatment** – The building walls shall incorporate architectural treatment to create a visually interesting appearance as viewed from the surrounding properties and scenic corridors. The treatment shall include, but is not limited to, incorporating decorative finish

materials, vertical and horizontal variation and recessed storefront and window glazing.

62. **Exterior Building Colors and Materials** – All exterior materials and colors depicted on the exhibits labeled “Project Plan Set,” date stamped June 5, 2023, are approved in concept only. Prior to the issuance of a building permit, a final color and material sample board including, but not limited to, specific materials and manufacturer color codes, shall be submitted to reflect the approved elevations and subject to the review and approval by the Community Development Department. The applicant shall indicate the type of finish on the plan check set of plans and materials and colors sample board. The following materials and colors are approved in concept, unless otherwise noted:

Walls – Concrete

- 1: Light Weight Precast Concrete Panel with 3/8” – SW 7674 Peppercorn
- 2: Tilt Concrete with Reveal – SW 7068 Grizzle Gray
- 3: Tilt Concrete with Reveal – SW 7656 Rhinestone
- 4: Tilt Concrete with Horizontal Reveal – SW 7068 Grizzle Gray
- 5: Tilt Concrete with Reveal – SW 7674 Peppercorn

Storefront/Windows

- 6: Butt-glazed High Performance Glazing System Storefront with Clear Anodized Aluminum Mullions

Metal Canopy and Flashing

- 7: Metal Canopy – SW 7068 Grizzle Gray
- 8: Metal Flashing – SW 7674 Peppercorn

63. **Architectural Design Guidelines** – All provisions of the City’s Precise Plan of Design for Industrial Projects (Resolution No. 2006-108) shall be applicable to this project.

64. **Final Floor Plans** – The project is approved in concept only with respect to the building floor plans for the building. Prior to the issuance of a building permit, detailed floor plans shall be submitted for review and approval by the Community Development Department.

65. **Emergency Exit/Service Doors** – All exterior emergency exit and service doors as viewed from public streets shall be decorative and located in recessed vestibules of sufficient depth to accommodate the installation of overhead recessed security light fixtures. Other doors not viewed from public streets may be illuminated by either the same method or by the installation of decorative architectural light fixtures. Said doors shall be operated from the inside with appropriate approved hardware and shall be alarmed. No exposed hardware including door latches shall be permitted on the exterior surface of any door. Any access from the exterior shall be limited to key activated hardware locks only. All such doors shall be painted or treated a color to match the adjacent exterior finish of the building or as approved herein. Design and location of all doors shall be subject to review and approval by the Community Development and Police Departments.
66. **Flat Roof Areas** – The flat roof areas and parapet walls exposed to view from surrounding areas shall be color-coded to blend with the exterior building wall color subject to the review and approval of the Community Development Department.
67. **Roof Access** – Access to the roof shall be internalized and shall be secured with appropriate hatches and locked at all times when not in use. Design, location, and security requirements of said access shall be subject to approval of the Community Development and Police Departments.
68. **Roof-Mounted Equipment** – The building shall be limited to the heights as depicted on Exhibit “A1.1a” date stamped June 5, 2023. Prior to issuance of building permits, a complete study of the roof-mounted equipment shall be conducted to demonstrate that all roof-mounted equipment will be screened by the building parapet as seen from within the public right-of-way at Lawrence Drive’s western edge and Corporate Center Drive’s northern edge. Final detailed cross-section drawings, studies, equipment manufacturer’s catalogue cuts, brochures, specifications and specific exhibits and roof equipment locations shall be submitted for the review and approval of the Community Development Department. If additional screening is necessary, either 1) portions of the roof shall be lowered subject to staff’s ministerial review, or 2) the parapet and / or additional roof-top screening exceeding 37 feet in height may be proposed subject to the Planning Commission’s discretionary review.

After installation if any roof mounted equipment is visible from public view, additional screening will be required. The design and extent of said screening shall be subject to the review and approval of the Community Development Department.

69. **Surface-Mounted Mechanical Equipment** – All surface-mounted mechanical equipment, including transformers, terminal boxes or meter cabinets, shall be screened from public view by landscaping or decorative enclosure to match the materials and colors of the new building, subject to review and approval by the Community Development and Public Works Departments.
70. **Backflow Device** – Any proposed backflow device shall be screened from public view by landscaping and or solid fencing or walls, subject to review and approval by the Community Development and Public Works Departments.
71. **Downspouts** – The downspouts on the exterior of the buildings shall be concealed within the building walls subject to the review and approval of the Community Development Department.
72. **Exterior Trash Enclosures** – Exterior trash enclosures shall consist of solid masonry walls plastered to match the building's exterior with metal gates set in metal frames and shall be protected with a solid overhang roof structure subject to review by the Community Development Department and Public Works Departments. Trash enclosure areas shall be designed in accordance with the City's adopted trash area design criteria. Trash enclosures will be constructed to have outside visibly to reduce the possibility of camping or sleeping in the area. Prior to the issuance of a building permit, the developer is to provide a signed letter from the City's solid waste service provider to the Community Development Director and Public Works Director confirming the trash enclosure has been designed consistent with their operational needs. Prior to the issuance of a building permit, the final design and locations for trash enclosure areas shall be submitted for review and approval by the Community Development and Public Works Departments.

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

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

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

74. **Retaining Walls** – All retaining walls shall be constructed of a decorative masonry material with a decorative cap. All retaining walls shall be limited to a maximum exposed height of six feet, unless otherwise authorized by the Community Development and Public Works Departments for purposes of lessening the amount of grading without negatively impacting public views of the property. In no case shall retaining walls exceed 12 feet. All retaining walls shall incorporate the design and materials utilized on the buildings and be softened by the installation of landscaping adjacent to the wall. Where such walls are exposed to public view, pilasters and/or horizontal articulation of varying depths shall be provided to break up a long linear monotonous appearance. The design and location of all retaining walls shall be subject to review and approval of the Community Development and Public Works Departments.
75. **Parking Lot Screen Wall** – The parking row adjacent to Lawrence Drive and Corporate Center Drive shall be screened from public view by a combination screen wall, undulated berm, and / or “solid” screen shrub mass a minimum of 36 inches high to mitigate vehicle headlight glare and to screen the undercarriage of cars. Said wall shall be decorative incorporating the design and materials utilized on the buildings. A flat shoulder shall be provided from the end of the parking stalls and on both sides of the screen wall to allow room for car overhang and the installation of landscaping in front of the wall. Additional landscaping in lieu of the screen wall may be approved if it can be demonstrated that the parking lot can be adequately screened. Specific design of mounding and screen wall including landscaping planting shall be subject to the review and approval of the Community Development Department and the Public Works Department prior to the issuance of a grading and building permit.
76. **Screen Walls** Screening walls facing Lawrence Drive and Corporate Center Drive shall incorporate articulation and include a decorative cap. Such articulation may include landscaping hedges, pilasters, varying wall depths, etc. Prior to the issuance of a grading permit, such design shall be submitted for review and approval by the Community Development and Public Works Department.
77. **Perimeter Wall/Fence Design** – All perimeter walls and fencing shall mitigate parked vehicle headlight glare into adjacent properties. Prior to submitting perimeter wall and fencing construction documents, the applicant’s Surveyor is to verify the location of all fences and walls along the perimeter of the site and determine if the fences and or walls do or do not encroach into other properties. If walls and or fences encroach onto other properties, the applicant is to either 1) remove encroaching walls and or fences from other properties and reconstruct the walls and or

fences on the subject property, or 2) obtain easements from adjacent property owners to allow the encroachments to continue. Final detailed drawings of all perimeter walls and fencing including elevations, material selections and site plan locations shall be submitted prior to the issuance of any building permit, subject to review and approval of the Community Development and Public Works Departments.

78. **Wall/Fence/Gate Design** – Final detailed drawings of all walls and fencing including elevations, material selections and site plan locations shall be submitted prior to the issuance of any building permit, subject to review and approval of the Community Development and Public Works Departments. Chain link fencing is not approved for any wall, fence or gate.
79. **Construction/Security Fencing** – Prior to the issuance of a grading/building permit, the applicant shall install a temporary 5-foot-high chain-link fence around the project boundary. Said fencing shall be provided for purposes of maintaining security, as well as containing trash and debris on-site. The fence shall remain in place during all phases of construction and shall be maintained until no longer needed for trash and debris control as determined by the Community Development Department. The applicant shall be responsible for pick-up of trash and debris on a weekly basis primarily during building construction operations.
80. **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 of the Community Development Department.

## LIGHTING

81. **Parking Lot Lighting** – Parking lot illumination shall be designed in accordance with the City's parking lot standards as identified in the City's Building and Security Ordinance No.1395-NS utilizing decorative light fixtures and shall not exceed 20 feet in height above finished grade level. Review and approval of such lighting shall be processed under a separate permit. Special design features within these fixtures shall include flat lens and shielding devices to avoid an over-intensification of illumination, to direct the illumination in a downward direction (full cut-off) and to eliminate any spillover of light into adjacent properties and public streets.

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

the buildings, subject to the review and approval of the Community Development Department.

Where pedestrian walkways occur, the height of these fixtures may be reduced in proportion to human scale. Use of bollard type lighting for safety adjacent to driveways is also encouraged for pedestrian traffic circulation. All lighting attached to these features shall be decorative, oriented in a downward direction, and downward shielded.

Prior to issuance of a parking lot electrical permit, a photometric analysis and light fixture catalogue cuts and specifications shall be submitted to the Planning and Building Divisions for review and approval.

82. **Restriction of Light Poles** – Light poles are prohibited at the ends of the landscape fingers as the end of landscape fingers are intended be planted with trees to allow their canopies to cover drive aisles and parking spaces and to reduce the likelihood of a vehicle colliding with a light pole. The location of a light pole located within a landscape finger is to be coordinated effort between a landscape architect and a photometric engineer. Deviations from this prohibition shall be permitted only be written consent of the Community Development Director or designee.
83. **Pedestrian Lighting** – Pedestrian walkways may be illuminated by bollard lighting or by light poles reduced in height proportion to human scale.
84. **Wall Lighting** – Building walls may be illuminated by decorative architectural lights but not by any wall-pack type light fixtures. Wall lighting may be permitted to enhance the building design or to meet security requirements only and not as a means to illuminate the site. Lighting may be provided by decorative downward shielded light fixtures, recessed in a downward direction from projecting canopies, recessed doorways, and window openings. Decorative architectural light fixtures shall be installed on the building walls. Architecturally designed fixed pendant and bracket light fixtures are permitted. The use of such lighting shall be designed to create a uniform illumination generally in a downward direction and not create illumination hot spots or glare on adjacent or nearby surfaces. Catalogue cut sheets and specifications for all exterior lighting shall be submitted for the review and approval prior to installation by the Community Development Department.
85. **Roof Lighting** – No roof illumination shall be permitted except as otherwise needed to comply with building security requirements. The design and location of such fixtures shall be subject to review and approval of the Community Development Department.

86. **Light Source** – The use of metal halide and LED fixtures are preferred over high-pressure sodium fixtures, since they provide superior illumination and color rendition; however, use of bright white, high intensity LED or metal halide lighting is prohibited.
87. **Photometric Analysis** – Prior to the issuance of any electrical and building permits for the parking lot lighting, a photometric analysis prepared by a registered electrical engineer in coordination with a licensed landscape architect and accompanied by light fixture catalogues, brochures and specifications shall be submitted for review and approval by the Planning and Building Divisions of the Community Development Department. Prior to issuance of a certificate of occupancy for the final building in each phase, a registered electrical engineer is to provide a signed and stamped letter to the Community Development Director confirming the lighting has been installed consistent with the approved photometric plan.

## LANDSCAPING

88. **Landscaping and Irrigation** – All landscaping shall be designed using xeriscaping techniques; i.e. drought-tolerant low water-using plants. The use of lawn, grasses, and turf shall be minimized. Landscape irrigation systems shall likewise be designed using low output sprinklers and/or drip automatic timed controls.
89. **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 Nos. 2006-108 and 2007-116), the Forestry Master Plan Newbury Park Regional Character Design Guidelines, the Ventura County Fire Department's Prohibit Plan List and associated standards and guidelines, and in compliance with the State of California Model Water Efficiency Landscape Ordinance (MWELO) standards. The final landscape plan shall incorporate all landscape areas, including added areas as conditioned herein.

Prior to the issuance of a grading permit, complete landscape and irrigation plans reflecting compliance with all imposed conditions of project entitlements shall be submitted under separate permit for review and

approval. Said plans shall be subject to review and approval by the Community Development and Public Works Departments. The location of light fixtures, including standards, shall be shown on the landscape plans to ensure no conflict occurs between placement of trees/shrubs and light fixtures and to avoid plant growth interference with the level of illumination. The use of reclaimed water for landscaping where available is encouraged.

Prior to the approval of the building permit, a licensed landscape architect is to provide a signed and stamped letter to the Community Development Director confirming the landscape plan has been designed consistent with the above referenced standards. Prior to issuance of a certificate of occupancy for the final building in each phase, a licensed landscape architect is to provide a signed and stamped letter to the Community Development Director confirming the landscape plan has been installed consistent with the approved landscape plan.

90. **Manufactured Slope Landscaping** – In accordance with the City’s Grading Ordinance (TOMC Section 7-3.24), all manufactured slopes shall be landscaped with drought resistant native plants materials including tree clusters and ground cover and provided with a permanent irrigation system throughout. Landscaping and an irrigation system shall be installed 6 months following the completion of grading for the project. Prior to the issuance of a grading permit, landscaping and irrigation plans shall be submitted under separate permit for review and approval by the Community Development and Public Works Departments.
91. **Resolution No. 93-74** – All landscape standards and guidelines of Resolution No. 93-74 requiring the preparation of planting and irrigation plans shall apply to this permit approval.
92. **Landscaping Material Selection** – A mature landscape treatment shall require a minimum fifteen 15-gallon, 24-inch, 36-inch, and 48-inch box size trees, and 5 and 15-gallon shrubs. The specific size, number and species of plant materials used shall be included on the landscape plans subject to review and approval by the Community Development Department.
93. **Parking Lot Shade Coverage** – The applicant shall provide 50 percent shade coverage in parking lot areas within 15 years per Landscape Guidelines Resolution No. 93-74.
94. **Maintenance of Off-Site Landscape Planters** – The applicant shall enter into a landscape maintenance agreement with the Public Works Department to maintain the landscaping in the public right-of-way along

Lawrence Drive and Corporate Center Drive between the property line and back of sidewalk. Said off-site planter area shall be planted with trees, shrubs and groundcover and shall be integrated with the adjacent on-site landscaped area. The landscape design shall be subject to the review and approval of the Community Development Department and Public Works Department.

## **NOISE**

95. **Noise Control** – Proposed industrial operations, including emergency generators and loading docks, shall be designed to comply with the Thousand Oaks General Plan Noise Element (May 2000). Idling of trucks and other equipment is prohibited. The loading docks shall include power sources for vehicles and other equipment to eliminate need for idling. An acoustical report addressing exterior noise sources and showing compliance with the City's noise regulations, shall be submitted during plan check for review and approval by the Planning Division and Building and Safety Division of the Community Development Department.

## **SIGNS**

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

## **CONSTRUCTION RESTRICTIONS**

98. **Hours of Construction/Construction Parking** – All grading and construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday. No construction activities shall be permitted on Sunday or holidays recognized by the City of Thousand Oaks. There shall be no congregation of construction workers, construction related vehicles, or warming of equipment engines in the vicinity of the project site outside of the established hours of construction.
99. **Nesting Bird Survey** – Consistent with MM-BIO-1, if project activities (i.e. demolition, grading, construction, landscaping, and/or tree removal, etc.) occur between February 1<sup>st</sup> and August 31<sup>st</sup>, a breeding bird survey is required to be conducted and active nests shall be avoided with a minimum buffer distance as determined by a qualified biological monitor.
100. **Rodent Control** – The applicant shall submit a rodent control plan to the Community Development Department prior to the issuance of any building permit, which shall include measures to protect adjacent and nearby properties from any rodent displacement during the project demolition and construction activities.

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101. **Land and Application** – The Minor Modification is granted for the land described in the application and any attachments thereto and as indicated on the project plans, date stamped June 5, 2023, pursuant to the following conditions.

102. **Scope of Permit Approval** – The Minor Modification is granted to allow Modify conditions 8, 9, and 10 of Tentative Parcel Map 4013 relating to site access to provide the following and as shown on the project plans, date stamped June 5, 2023:

a. Retain existing access to and from existing Lot 1 to be located approximately 50 feet north of the access to the parcel to the south (1200 Lawrence Drive; APN 667-0-172-015) at an interval of less than 100 feet (Condition No. 8);

i. Condition 8: That access to all proposed lots shall comply with the City of Thousand Oaks ingress/ egress M- I zoning requirements. Ingress and egress roads and driveways leading onto Rancho Conejo Boulevard, a limited access highway, shall be located at intervals as shown on the tentative tract map. Ingress and egress driveways leading onto any other public road, street, or highway shall be located at intervals not less than 300 feet apart, except when such driveway is designed as a service access for any adjacent industrial area, the ingress and egress roads shall be located at intervals not less than 100 feet apart. Additionally, existing access to Lot 1 may be retained at an interval of approximately 50 feet north of the access to the parcel to the south (1200 Lawrence Drive; APN 667-0-172-015).

b. Allow access to and from existing Lot 2 to be located approximately 60 feet further south along Lawrence Drive than identified in the Tentative Tract Map and not limited to Corporate Center Drive to provide better site distances at the Lawrence Drive / Corporate Center Drive intersection (Condition No. 9), and

i. Condition 9: That access to and from Lots ~~2, 3~~, 8, 11 and 12 shall be limited exclusively to proposed " A" Street except as shown on the tentative tract map.

c. Remove a requirement that “common or shared access and circulation” be required for existing Lots 2 and 3 as those parcels are being merged into one parcel (Condition No. 10).

i. Condition 10: That a common or shared access and circulation concept shall be required for ~~Lots 2 and 3 and~~

Lots 11 and 12. Appropriate reciprocal access and circulation agreements shall be required and shall be reflected on the final tract map. Specific design of access and circulation shall be accomplished at the time said parcels are developed and shall be subject to the review and approval of the City of Thousand Oaks.

103. **Quitclaim** – Prior to issuance of a Certificate of Occupancy, and concurrent with the recordation of the merger of existing Parcels 1, 2, and 3 of Parcel Map No. 4013, the developer shall provide proof of the quitclaimed easement for reciprocal access and incidental purposes for these three parcels.
104. **Approval Period/Use Inauguration** – The Minor Modification is granted for a three (3) year period of time ending June 5, 2026, at which time said permit shall expire unless the use authorized herein has been inaugurated in accordance with Section 9-4.2812(c) of the Thousand Oaks Municipal Code (TOMC). Inauguration of this approval signifies an acceptance of the decision and associated conditions of approval, hereto. The applicant may request time extensions of this period as permissible by Section 9-4.2812(e) of the TOMC by filing a Minor Modification application with the Community Development Department prior to the expiration date.
105. **Condition Compliance** – All development on the subject property shall be constructed and thereafter maintained in accordance with the conditions of this permit.
106. **Other Permits** – All previously imposed conditions of PM-4013 and any subsequent modifications thereto shall apply to this modification approval.
107. **Other Entitlements** – All conditions of approval for 2022-70824-DP and CEQA-2022-70001 shall apply to this permit.
108. **Compliance with Applicable Laws, Rules, and Regulations** – The applicant shall comply with any and all local, city, county, state and federal laws, regulations and orders now in effect or which may hereafter be enacted pertaining to the approved industrial building or affecting the installation, operation or maintenance of said land. Violation of any of those laws in connection with the use authorized herein will be cause for initiation of revocation proceedings.
109. **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

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Thousand Oaks. Any unauthorized changes may require future corrective work and may result in a City Code compliance effort.

110. **Indemnification** – The applicant shall defend, indemnify, and hold harmless the City, its agents, officials, and employees from any claim, action, or proceeding against the City or its agents, officials or employees that is brought to attack, set aside, void, or annul an approval of the City issued as related to the project for which the applicant is applying. The City shall promptly notify the applicant of any such claim, action, or proceeding and the City shall cooperate in the defense.
111. **Signed Acceptance of Conditions** – A signed Acceptance of Conditions affidavit shall be executed by the applicant and property owner, or his duly authorized representative, and shall be returned to the Planning Division of the Community Development Department prior to the issuance of a grading and building permit associated with 2022-70824-DP, 2022-70825-LDMN, 2022-70826-PMW, and 2022-70979-PTP.

**COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2022-70826-PMW**

112. **Land and Application** – The Parcel Map Waiver is granted for the land described in the application, and any attachments thereto, and as described within the application materials submitted on April 13, 2023.
113. **Scope of Permit Approval** – The Parcel Map Waiver is granted to allow the merger of three parcels of record, into one lot, as described within the application materials submitted on April 13, 2023, and subject to the following conditions.
114. **Approval Period/Map Recordation** – The Parcel Map Waiver is approved for a 36-month period of time ending June 5, 2026, at which time said map shall expire unless a Notice of Merger has been recorded. The applicant may request a time extension of this period, as allowed by Section 9-3.704(b) of the Thousand Oaks Municipal Code, by filing a minor modification application with the Community Development Department prior to the expiration date.
115. **Recordation of Lot Tie / Lot Merger Documents** – Within 60 days of the Planning Commission approving the project, the applicant shall submit a Lot Tie document along with a Map Waiver Application for a Lot Merger to the City of Thousand Oaks for review. The Lot Tie document must be approved in content and form to the satisfaction of the Community Development Director, Public Works Director and City Attorney prior to recordation. Prior to building permit issuance, the property owner shall complete final recordation of the Lot Tie document or the Map Waiver for the Merger approved by the City of Thousand Oaks (Lot Merger), Case No. PMW 2022-70826, and file the recordation documents with the Planning Division. Prior to the Certificate of Occupancy issuance, the property owner shall complete final recordation of the Map Waiver (Lot Merger), Case No. PMW 2022-70826, and file the recordation documents with the Planning Division.
116. **Quitclaim** – Prior to issuance of a Certificate of Occupancy, and concurrent with the recordation of the merger of existing Parcels 1, 2, and 3 of Parcel Map No. 4013, the developer shall provide proof of the quitclaimed easement for reciprocal access and incidental purposes for these three parcels.
117. **Notice of Merger** – A Notice of Merger shall be signed by the property owner of the subject properties and submitted for review and approval of the Community Development Department and Public Works Department for subsequent recordation in the Office of the Ventura County Recorder. Upon recordation, a copy of the recorded Notice of Merger shall be submitted to the Community Development Department.

118. **Approval Contingency** – This Parcel Map Waiver approval is required to be recorded prior to the issuance of a Certificate of Occupancy pursuant to Development Permit 2022-70824-DP.
119. **Other Permits** – All previously imposed conditions of PM-4013 and any subsequent modifications thereto shall apply to this modification approval.
120. **Compliance with Applicable Laws, Rules, and Regulations** – The applicant shall comply with any and all local, city, county, state and federal laws, regulations and orders now in effect or which may hereafter be enacted pertaining to the approved industrial building or affecting the installation, operation or maintenance of said land. Violation of any of those laws in connection with the use authorized herein will be cause for initiation of revocation proceedings.
121. **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.
122. **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.
123. **Signed Acceptance of Conditions** – A signed Acceptance of Conditions affidavit shall be executed by the applicant and property owner, or his duly authorized representative, and shall be returned to the Planning Division of the Community Development Department prior to the issuance of a grading and building permit associated with 2022-70824-DP, 2022-70825-LDMN, 2022-70826-PMW, and 2022-70979-PTP.

**COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS FOR 2022-70167-PTP**

124. **Land and Application** – The Protected Tree Permit is granted for the land described in the application and any attachments thereto and as indicated on the Oak Tree Map, as part of the Protected Tree Report, dated April 19, 2023, and prepared by Lee Newman, Landscape Architect.
125. **Scope of Permit Approval** – The Protected Tree Permit is granted to allow the removal and replacement of two protected trees indicated on the Oak Tree Map, as part of the Protected Tree Report, dated April 19, 2023, and prepared by Lee Newman, Landscape Architect, for the demolition of the existing surface parking lot and development of a new one-story, industrial shell building for warehouse/storage use and related site improvements.
126. **Approval Period** – The Protected Tree Permit is granted in conjunction with 2022-70824-DP, 2022-70825-LDMN, 2022-70826-PMW, 2022-70979-PTP, and Mitigated Negative Declaration (MND) CEQA-2022-70001 and shall expire with these permits.
127. **Removal of Trees and Debris** – All portions of the two coast live (*Quercus agrifolia*) Oak trees (Oak Trees #134 and #136), are approved for removal, as well as, any deadwood from the on-site and off-site protected trees shall be removed from the site and disposed of legally. Additionally, the stumps shall be completely removed to a minimum of two (2”) inches below grade and the hole filled with soil.
128. **Protected Tree Replacement** – In accordance with the Oak and Landmark Tree Preservation and Protection requirements, the two coast live (*Quercus agrifolia*) Oak trees (Oak Trees #134 and #136) are to be replaced.

Consistent with MM-BIO-2 (Protected Tree Removal and Replacement), all protected Oak trees shall be replaced consistent with the Thousand Oaks Oak Tree Ordinance and the Oak Tree Preservation and Protection Guidelines under a Type “C” Oak Tree Permit. Oak tree replacement shall be at a 3:1 ratio for total of four (4) 24-inch-box size trees and two (2) 36-inch-box size trees, consisting of coast live oak (*Quercus agrifolia*) or Valley Oak (*Quercus lobata*). Depending on nursery availability and project site size limitations, if different sized trees are proposed for installation, an alternate proposal (considering size, quantity, tree type and site) shall be reviewed and approved by the City of Thousand Oaks Community Development Director during plan check.

Additionally, a 5-year tree maintenance fee, in an amount acceptable to the Community Development Director, shall be paid to the Community Development Department for off-site replacement trees prior to tree removal. Trees shall be installed per International Society of Arboriculture (ISA) tree planting specifications under the direction and supervision of an ISA-Certified Arborist. Installed trees shall be monitored by an ISA-Certified Arborist for the first 5 years after installation. The ISA-Certified Arborist shall submit an annual report documenting tree species, diameter, height above grade, measured dripline, appearance and health conditions, physical description, and photographs of each tree. The developer shall be responsible for the costs associated with the monitoring and reporting requirement.

129. **Irrigation/Landscaping Encroachments** – All plans for landscaping beneath a protected tree shall be submitted for the review and approval of the Community Development Department.
130. **Drainage** – Positive drainage shall be provided to direct run-off away from any protected tree.
131. **Lighting Encroachments** – No lighting system shall be installed within the protected zone of any oak tree or landmark tree except as otherwise authorized by the Community Development Department.
132. **Oak and Landmark Tree Preservation and Protection Guidelines Compliance** – All construction activities on or near a protected tree shall conform and abide by the City of Thousand Oaks, Oak and Landmark Tree Preservation and Protection requirements as specified in Article 42 of Chapter 4 of Title 9 of the Municipal Code.
133. **Tree Maintenance after Construction** – Once construction is complete, the fencing may be removed and the following measures shall be performed to sustain and enhance the vigor of the replacement trees:
  - a. **Mulch.** A 2.5- to 3.5-inch mulch layer shall be provided under the canopy of trees. Mulch shall consist of clean, organic mulch that will provide long-term soil conditioning, soil moisture retention, and soil temperature control.
  - b. **Pruning.** The trees will not require regular pruning. Pruning shall only be done to maintain clearance and remove broken, dead, or diseased branches. Pruning shall only take place following a recommendation by an International Society of Arboriculture (ISA) Certified Arborist and performed under the supervision of an ISA-Certified Arborist. No more than 20% of the canopy shall be removed at any one time. All pruning shall conform to ISA standards.

- c. **Watering.** The natural trees that are not disturbed will not require regular irrigation, other than the 12 months following substantial root pruning. However, soil probing will be necessary to accurately monitor moisture levels. Especially in years with low winter rainfall, supplemental irrigation for the trees that sustained root pruning and any newly planted trees may be necessary. The trees shall be irrigated only during the winter and spring months.
  - d. **Watering Adjacent Plant Material.** All landscape plants near the trees shall be compatible with the water requirements of said trees. The surrounding plants shall be watered infrequently with deep soaks and allowed to dry out in between, rather than receiving frequent light irrigation. The soil shall not be allowed to become saturated or stay continually wet. Irrigation spray shall not hit the trunk of any tree. A 60-inch dry zone shall be maintained around all tree trunks. An aboveground micro-spray irrigation system is recommended over typical underground pop-up sprays.
  - e. **Spraying.** If the trees are maintained in a healthy state, regular spraying for insect or disease control will not be necessary. If a problem does develop, an ISA-Certified Arborist shall be consulted; the trees may require application of insecticides to prevent the intrusion of bark-boring beetles and other invading pests. All chemical spraying shall be performed by a licensed applicator under the direction of a licensed pest control advisor.
  - f. **Inspection.** All replacement trees shall be monitored by an ISA-Certified Arborist for the first 5 years after construction completion. The ISA-Certified Arborist shall submit an annual report, photograph each tree, and compare tree health and condition to the original, pre-construction baseline.
134. **Written Certification** – The applicant’s oak tree consultant shall certify in writing that all conditions of the Oak Tree Permit have been met and that protective measures, to ensure the preservation of the subject oak trees, have been properly implemented. A final inspection by the City’s Oak and Landmark Tree Consultant, paid for by the applicant, shall be performed upon receipt of certification and prior to final inspection for building occupancy.
135. **Oak Tree and Landmark Tree Maintenance** – The continued maintenance of all on-site protected trees is the responsibility of the property owner. All protected trees shall be maintained in accordance with the Oak and Landmark Tree Preservation and Protection requirements.
136. **Herbicides/Tree Protection** – No herbicides shall be used within 100 feet of the driplines of any protected tree.

137. **Liability/City Protection** – This approval shall not be deemed to impose any liability for damages or a duty of care and maintenance upon the City or upon any of its officers or employees. The person in possession of any public property or the owner of any private property shall have a duty to keep the protected trees upon the property under their control in a safe, healthy condition.
138. **Compliance with Applicable Laws, Rules, and Regulations** – The applicant shall comply with any and all local, city, county, state and federal laws, regulations and orders now in effect or which may hereafter be enacted pertaining to the approved industrial building or affecting the installation, operation or maintenance of said land. Violation of any of those laws in connection with the use authorized herein will be cause for initiation of revocation proceedings.
139. **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.
140. **Indemnification** – The applicant shall defend, indemnify, and hold harmless the City, its agents, officials, and employees from any claim, action, or proceeding against the City or its agents, officials or employees that is brought to attack, set aside, void, or annul an approval of the City issued as related to the project for which the applicant is applying. The City shall promptly notify the applicant of any such claim, action, or proceeding and the City shall cooperate in the defense.
141. **Signed Acceptance of Conditions** – A signed Acceptance of Conditions affidavit shall be executed by the applicant and property owner, or his duly authorized representative, and shall be returned to the Planning Division of the Community Development Department prior to the issuance of a grading and building permit associated with 2022-70824-DP, 2022-70825-LDMN, 2022-70826-PMW, and 2022-70979-PTP.

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

**GENERAL**

142. **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.
143. **Standard Plates** – The City of Thousand Oaks Public Works Road Design and Construction Standards and Standard Plates, adopted May 15, 2018 in Resolution No. 2018-024 shall be used as the principal criteria for the design of development plans. It shall be the responsibility of the applicant to maintain a copy of the latest edition of said Plates available to all parties utilizing said Plates for construction purposes. The Standards establish uniform criteria, polices, standard and procedures for the design and construction of City roads, drainage facilities and appurtenances. The design engineer shall review the methods and procedures contained in the Road Standards, where not considered applicable, the design engineer shall request an exception from these standards in writing to be approved by the City Engineer. Said Road Standards are available for download at [www.toaks.org/roadstandards](http://www.toaks.org/roadstandards).
144. **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.
145. **Base Topography Map** – The grading plan for this project must be prepared using topography which has been plotted by photogrammetric methods or survey data compiled no longer than two years prior to the date of submittal of the grading plan and must be on current City datum. The name of the firm which prepared the topography and the date(s) on which the data was compiled or obtained must be shown on the plan. Topography must be presented in 1" = 40' or larger (closer) scale and must extend a minimum of 100 feet outside the limits of the property proposed for development. Any deviation from this condition must be approved by the City Engineer.

146. **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 start of construction and prior to the disturbance or destruction of any existing survey monument, all monuments shall be located and referenced with minimum of four (4) ties by the Applicant’s Land Surveyor. A corner record or record of survey shall be filed with and approved by the County Surveyor showing monuments that will be disturbed or destroyed, along with the reference monuments or marks and bearings or azimuth and distances to the location of the monument to be disturbed or destroyed. Documentation shall be provided to the City that the surveying has been completed. 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. In the event said survey monuments are not found or found and will remain undisturbed, a letter to the City Engineer shall be submitted acknowledging same.

## **WATER AND WASTEWATER**

147. **Water Service Requirements** – Prior to, or concurrent with, submittal of improvement plans to the City, the applicant shall submit letter to the City from the California-American Water Company indicating that the applicant has made the necessary financial and administrative arrangements with Cal-Am Water Company to receive water service. Cal-Am Water shall also issue a written clearance indicating that all water systems are installed and approved prior to Occupancy.
148. **Location of Water Meter Boxes** – Water meter boxes may not be located within driveways. It is the responsibility of the applicant and his engineer to properly coordinate and locate all water service lateral locations such that there is a single, unbroken/unrepaired service line between the main in the street and the meter box to each residence or building. In the event the configuration of the proposed house or building is revised and the meter box is then situated in a driveway, the applicant shall abandon the existing service by excavating the service at the main, closing the corporation stop, severing the service lateral approximately 12 inches beyond the corporation stop, folding and crimping this remaining portion of the service lateral and soldering the crimped pipe together. The remainder of the lateral may be abandoned in place, but the meter box must be removed and the area returned to a condition acceptable to the water purveyor. If service laterals are relocated, the applicant’s engineer shall process a change order and pay any applicable charges for said change order.

149. **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.
150. **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.

151. **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.
  
152. **Wastewater Connection Fees for Shell Buildings** – Based upon information provided by the applicant, the proposed building will be a "shell" only and tenant improvements will be provided at a later date by others rather than by this applicant. Prior to, or at the time of, issuance of a building permit for the proposed structure, this applicant shall pay wastewater connection fees. Where the fixture unit count is 20 or less, a minimum of 20 fixture units must be paid; where the fixture unit count exceeds 20, this number must be paid. In the case where the actual fixture unit count is less than 20, the difference between the 20 fixture units paid and the fixture units installed will act as a credit for the parties making future additions/improvements to the "shell" building.
  
153. **Restaurant/Cafeteria Grease Interceptor/Trap** – If a restaurant, cafeteria or other use for the production and/or consumption of food is proposed, 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 facility prior to discharge to the wastewater system.
  
154. **Wastewater Service Laterals** – The City's wastewater ordinance requires a separate service lateral for each parcel or dwelling unit that is subject to individual sale. It is anticipated the proposed project may comprise multiple suites, **but** only one parcel. Pursuant to Municipal Code §10-1.405, an independent service lateral connected to the public wastewater system shall be provided for each individual unit of ownership, unless a waiver is specifically granted by the City Council through the filing of a modification to this Land Division. The applicant is advised to take this into account when developing the site in the event a parcel map is filed in the future.

## DEVELOPMENT ENGINEERING

155. **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.
156. **No Known Easement Conflicts** – The Department has reviewed available map records and has determined there are no known conflicts with existing easements. The applicant is encouraged to confirm these findings by reviewing the subject property's title report prior to starting the proposed construction.
157. **Drainage Sump Requirements** – The proposed sump pump for the NPDES treatment flows shall include a redundant second pump to ensure continuous function. In addition, the pumps shall be added to the property NPDES Covenant and Deed Restriction to obligate the development to perform annual inspection and testing of said pumps, and perform required maintenance or replacement as determined necessary.
158. **Permission for Offsite Construction** – Prior to the issuance of a grading permit, written permission for all proposed offsite construction along with any required easements from the owners of the affected adjacent property shall be submitted to the City Engineer.
159. **Hauling of Imported or Exported Materials** – In the event this project will require either the importing or exporting of earth to or from the project site, prior to issuance of a grading permit the applicant shall submit a written plan to the Department for review and approval. Said plan shall detail the quantity of earth to be imported or exported, the location from which or to which the earth will be removed or taken, the proposed haul routes to be used, the size and numbers of the trucks to be used, the proposed hours of operation (times of day, days of the week, and estimated number of days), the estimated number of round trip truck movements, the proposed methods to be utilized to keep the haul route clear of any dirt dropped along the route, and any other information as may be required by the Department.
160. **Grading Permit and Soils Certification** – The applicant shall prepare and submit final grading plans, improvement plans, erosion control plans, BMP improvement plans, geotechnical soils reports, supporting hydrology and hydraulic calculation reports, title report, and other items as required by the City Engineer in order to obtain a grading permit in accordance with

- the requirements of the City's Grading Ordinance. Applicant shall also prepare and submit detailed erosion control plans for both phases of land development; the pre-grading / site stabilization phase, as well as the post grading / building construction phase. The grading and improvement plans submitted to the City for plan-check shall at a minimum indicate all topography, proposed improvements, drainage features, water/wastewater connections and laterals, existing easements, interface with adjacent properties, storm drain and drainage systems, and street improvements. All submittals shall include the completed public and private improvement cost estimate worksheets, the required plan-check and inspection fees, and the posting of the required grading bond prior to the start of any construction. After the grading is complete, the applicant shall submit a building pad compaction report and a rough grading certificate from the soils engineer prior to issuance of a building permit. Grading bonds shall be exonerated after satisfactory completion of the project punchlist items, which are generated after the applicant's engineer provides a submittal of the final Record (as-built) Drawings.
161. **On-site Run-off** – Grading plan shall be designed such that on-site storm water including discharges toward driveway approaches shall be intercepted within the project boundaries in approved pick-up structures, treated and retained and/or conveyed to the nearest public street or existing storm drain system to the maximum extent practicable, as approved by the City Engineer (M.C. 7-3.09 and 7-3.21).
162. **On-site Ribbon Gutters** – The City prohibits the use of ribbon gutters and encourages the use of graded parking lots with perimeter curb and gutter to convey flow away from pedestrian pathways. Parking lot and drive drainage shall conform to this standard. The use of ribbon gutters will only be considered under special circumstances as determined by the Public Works and Community Development Directors (MC 9-4.2405).
163. **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.

164. **Building Pad Protection** – The project engineer must provide analysis to demonstrate building pad protection from  $Q_{100}$  flows. On-site discharges (including roofs, etc) shall be detained behind a wall, graded barriers or curb, and metered through a weir or other controlling device, constraining discharge to the  $Q_{10}$  developed condition for the tributary area. Applicants' engineer must prepare calculations to support this design. Said calculations must be approved by the City Engineer (M.C. 4-7.01).
165. **On-Site Drainage Design** – Project design shall use the City of Thousand Oaks "Master Plan of Drainage" (2007) for the purpose of establishing on-site storm flows. The project lies within subarea 699B of said Master Plan, with  $q_{10} = 1.76$  cfs/acre and  $q_{100} = 2.96$  cfs/acre. The CFS-per-acre unit discharge in the Master Plan shall be used when preparing the  $Q_{10}$  and  $Q_{100}$  (developed) discharge flows. Such flows shall be incorporated into the site inlet and conveyance designs.
166. **Offsite Improvements - Repair/Upgrade** – All off-site improvements adjacent to this project which become damaged during construction shall be repaired and/or replaced as necessary in order to meet minimum City standards. This will include, but not necessarily be limited to, sidewalks, roadways, storm drain facilities, etc. Said repairs shall be indicated on the final improvement plan record documents (MC 7-1.103; MC 6-2.610) and be constructed prior to Occupancy.
167. **Lawrence Frontage Improvements** – The project design shall include offsite Lawrence Drive frontage improvements including but not limited to sidewalk and street trees. Placement of improvements shall generally comply with Thousand Oaks Road Standard (May 2018) Plates 8-5 through 8-9 to maintain proper clearances for ADA accessible sidewalks, etc.
168. **Upgrade of Existing Driveways** – The applicant shall remove and replace the existing non-disabled conforming driveway(s) and replace same with driveways meeting the requirements of Road Standards Plate No. 6-5.
169. **Driveway Approaches** – Approved ingress or egress shall be commercial driveway approaches with a width of not less than 30 feet exclusive of side slope areas, or greater than 36 feet for any driveway. Driveway openings shall be surfaced and improved so as to include the necessary paveout or cross-gutters to join existing pavement, as required by and in accordance with the specifications of the City of Thousand Oaks. A minimum 4-foot wide pedestrian path of travel, contiguous with the public sidewalk and with a maximum cross-slope of 2%, shall be provided across the driveways. There shall be no vehicular access other than those driveways shown on the approved exhibit(s).

170. **On-site Improvement / Paving Permit** – The applicant shall submit for and obtain an on-site paving and improvement permit. An approved pavement section from the registered soils engineer of record shall accompany the permit application, along with payment of plan check and inspection fees, prior to initiating the construction of on-site parking, paving, and/or drainage improvements (M.C. 9-4.2405).
171. **Geotechnical Investigation** – It is vital that the geotechnical engineer for this project has thoroughly reviewed the proposed Best Management Practices (BMP's) and concurs with their design. Special attention should be given to the property's grading history, presence and location of groundwater, and ability to sustain soil saturation that may result from the proposed infiltration BMP's. As part of the grading plancheck review, the applicant shall provide the Department with the geotechnical report responding to the subject concerns and findings with regard to probable soil saturation and infiltration BMPs' feasibility.
172. **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.
173. **Public Improvement Bond, Dedication, Guarantee** – Developer shall furnish to the City, a sufficient bond to guarantee the faithful performance and payment of labor and materials for all public improvements required to be constructed under this entitlement. The public improvements shall be offered to the City for public use and accepted by the City Engineer upon satisfactory completion.
174. **Public Service Easement** – The applicant shall dedicate a 6-foot public service easement along the Lawrence Drive frontage in accordance with the Thousand Oaks Public Road standards.

## SUSTAINABILITY

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

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

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

176. **Occupancy** – Operational recycling plans must be approved before occupancy.

### **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

177. **NPDES Permit Compliance** – Development shall be undertaken in accordance with conditions and requirements of the Ventura Countywide Stormwater Quality Management Program, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS004002. The project shall employ NPDES best management practices in accordance with the latest applicable version of the Countywide Stormwater Program "Technical Guidance Manual" and the California Stormwater Quality Association (CASQA) "BMP Handbooks" and/or other approved reference documents cited in Permit No. CAS004002 (M.C. 7-8.302).

The Los Angeles Regional Water Quality Control Board approved a new MS4 permit for local municipalities in September 2021 to implement starting in 2024. All projects not deemed "complete" from a planning/entitlement standpoint by the time the new permit goes into effect will need to comply with the new post-construction stormwater requirements.

178. **MS4 Stormwater Retention Requirements** – The project meets the thresholds requiring stormwater treatment and site retention specified in the Ventura County NPDES Municipal Stormwater Permit (MS4) and 2011 Technical Guidance Manual (TGM). The project shall design, construct and maintain treatment and retentive catchments that will capture, treat and retain all rainfall runoff from disturbed and directly-connected impervious areas affected by the project. The design shall function for the first three-quarter-inch (3/4") of all rainfall events, including drawdown and elimination of the captured runoff within 72-hours of the rainfall event. Drawdown may typically be achieved via groundwater recharge/percolation or vegetative irrigation/evapotranspiration. Treatment of the

site's pollutants of concern is preferably addressed through vegetative contact and other natural biological processes. Further details and design requirements are available at [www.vcstormwater.org](http://www.vcstormwater.org).

179. **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.
180. **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.
181. **Stormwater Pollution Prevention Plan and Notice of Intent (SWPPP)** – Prior to the issuance of any grading permit and/or the commencement of any clearing, grading or excavation for all projects that disturb over 1 acre, the applicant/owner shall submit a Notice of Intent (NOI) to the California State Water Resources Control Board, Storm Water Permit Unit, in accordance with the NPDES Construction General Permit (No. 2009-009-DWQ including amendments). The applicant/owner shall provide the City with a WDID number or proof of the NOI submittal. The applicant/owner shall comply with all additional requirements of this General Permit including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall be prepared by a certified QSD, fully comply with RWQCB requirements and contain specific BMPs to be implemented during project construction to reduce erosion and sedimentation to the maximum extent practicable. A copy of the adopted SWPPP shall be maintained in the construction site office at all times during construction and the site superintendent shall use the plan to train all construction site contractors in site Best Management Practices prior to starting work on the site. At a minimum, the following BMPs and requirements shall be included:
  - a. Pollutant Escape: Deterrence
  - b. Pollutant Containment Areas
  - c. Pollutant Detainment Methods
  - d. Sediment control and capture
  - e. Erosion Control / Dust Control
  - f. Recycling/Disposal
  - g. Hazardous Materials Identification and Response

182. **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 proposed drainage and treatment system is designed on an intercept bypass such that only low-flow storm runoff (i.e., "first-flush") will be treated and subsequently require sump-pump ejection into the high-flow onsite drainage system. The subject document shall include required record-keeping for routine inspection to ensure the sump-pumps (one primary, one back-up) are routinely tested before and after the rainy season (01NOV through 15APR each year). The draft language and contents included in the Covenant and Deed Restriction shall be submitted to the City Attorney's Office and Public Works Department for review and approval prior to issuance of building/paving/grading permits (MC 7-8.401(c)).

## TRAFFIC

183. **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.
184. **Sight Distance** – Adequate vehicular and pedestrian sight visibility shall be provided at all intersections of public streets and private driveways in accordance with the criteria specified within Plate 3-10. The improvement plans for all projects shall demonstrate compliance with this plate (and a means to execute on-going maintenance to guarantee preservation of sight visibility).

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

185. **Traffic Control Signs** – Control signs for regulation, warning and guidance of traffic shall be installed as required by the Department of Public Works. These shall include stop signs, speed signs, turn prohibition and one-way signs, pedestrian and school crossing signs, curve and hill warnings, not a through street signs, parking signs, bicycle route signing, together with pavement striping, road symbols and street name signs as required.
186. **Signs and Striping** – Prior to occupancy, all signs and striping shall be installed, and prior to final acceptance, the city may require the applicant to add traffic safety devices, such as signing and striping, the need for which are not apparent at time of plan approval but which are warranted due to actual field condition. The applicant shall install the traffic safety devices prior to final acceptance.

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

187. **Address Numbers** – Wall mounted address numbers shall be a minimum of ten inches in height, be of a highly contrasting color to the background on which they are attached and shall be illuminated from dusk to dawn by a permanent, dedicated light source.

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

188. **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.

189. **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 and LED fixtures are preferred over high-pressure sodium fixtures, since they provide superior illumination and color rendition.

190. **Landscaping** – Landscaping shall not cover, nor partially cover any exterior door or window. Landscaping, including trees, will not be placed directly under any overhead lighting that could cause loss of light at ground level. All landscaping will be kept trimmed in order to provide an unobstructed view of the parking areas and building from adjacent streets. The standard CPTED (Crime Prevention Through Environmental Design) landscaping rules of “two foot / six foot” shall apply to the property (No shrubbery shall be higher than 2 feet and lower the tree canopy shall not grow below 6 feet). This will reduce concealment areas and keep the area well-lit during darkness hours.

191. **Utility Rooms and Enclosures** – All exterior utility rooms and enclosures containing electrical and telephone equipment shall be kept locked at all times.
192. **Roof Access** – Roof access must be secured with locking doors or any other mechanism to restrict access for non-public areas.
193. **Trash Enclosures** – Exterior trash enclosures shall be kept closed and locked during non-business hours to discourage, loitering, illegal dumping and theft. The site shall be maintained in a neat and clean condition at all times. Litter on the site or any litter scattered to a nearby property, streets, and walkways shall be removed daily.
194. **Security Alarm Systems** – If a security alarm system is used, any magnetic contacts used on windows or pedestrian doors shall be capable of allowing the door or window to open a minimum of one- and one-half inches without activating the alarm. Magnetic contacts on any garage-type door, rolling overhead door, sliding or rolling gate, etc. shall be capable of allowing the door or gate to open a minimum of three inches before activating the alarm. The alarm system shall be equipped with a back-up battery capable of a minimum duration of 24 hours. Motion and glass break detectors shall be dual technology devices. Any interior alarm shall be individually zoned, and the central monitoring station shall notify the Police Department which zones have been activated and the location of those zones. Audible alarms shall automatically reset a maximum of 15 minutes after activation. Non-residential push button devices used to activate hold-up alarms shall be dual action. Keypad activation of a hold-up or duress alarm shall require an entry code a minimum of 2 digits higher than the normal activation code. The alarm system for the storage buildings may terminate and be monitored in the manager's office when the office is occupied but must be monitored by an alarm company central station at all other times. Automatic dialers or direct connects to the Police Department are prohibited. The applicant shall submit plans for the alarm system to the Police Department for review and approval prior to installation.
195. **Surveillance Cameras** – It is highly recommended the applicant install a surveillance system with a 360-degree view of the surrounding areas. That system should be of high-definition quality, night vision capable and have storage of at least 14 days. The system should also be internet based and the camera's IP addresses should be provided the Ventura County Sheriff's Office Dispatch Advanced Real Time Information Center (ARTIC) should the need arise to view the area in a criminal event.

196. **Elevators** – If an elevator is constructed, elevator interiors shall be equipped with mirrors or highly reflective surfaces to allow surveillance of the interior prior to entry, and shall have a minimum interior dimension of 6' 8" wide x 4'9" deep in order to accommodate a standard sized medical gurney and emergency response personnel.
197. **Stairwells** – Enclosed stairwells shall contain wall mounted security mirrors on all levels to minimize areas of concealment. Entry/exit doors at the stairwell landings shall have windows installed of sufficient size to allow viewing into the stairwell prior to entry. All stairwells, hallways and corridors shall have a minimum of 5 foot-candles of light at floor level at all times.
198. **Signs** – Any signs displayed must be far enough back from the street as to not impede with visibility to traffic. The street address shall be prominently displayed on the sign to assist first responders with identifying the facility.
199. **Parking** – In order to facilitate parking concerns, the developer shall post signs at each entrance to the parking lot indicating the California Vehicle Code will be enforced. To discourage theft and vandalism, the parking lot should be fenced. If the property is fenced, the fencing shall be a wrought iron fence or a tubular steel fence. If the property is fenced, access shall be through a gate equipped with key card reader. Entry logs and delivery manifests shall be retrievable and presented to the Thousand Oaks Police Department when necessary.
200. **Emergency Access** – The business will have emergency access for the police and fire department to the main gate or entrance / exit doors via a "Knox Box" or similar security device. A generic code for gate access should also be provided to Sheriff's Dispatch at 805-654-9511. Any code changes need to be provided to Sheriff's Dispatch ASAP.
201. **Other Security Concerns** – The business will correct any safety or security concerns upon written notice by the Thousand Oaks Police Department.

**FIRE PREVENTION CONDITIONS FOR 2022-70824-DP, 2022-70825-LDMN, 2022-70826-PMW, and 2022-70979-PTP**

202. **Pre-Application Review** – The following are the draft Fire Department conditions for the subject project. Final conditions are subject to review of the formal application.
203. **Very High Fire Hazard Severity Zone** – This project is in a Very High Fire Hazard Severity Zone and all structures shall meet hazardous fire area building code requirements. Contact the Building Department for requirements.
204. **Fire Hazard Severity Zones Defensible Space** – When located within a Hazardous Fire Area, Fuel Modification Zone (FMZ) and/or Landscape plans shall be submitted for review and approval to the Fire Prevention Bureau for any new building, or additions to existing buildings. Plans shall be submitted prior to landscaping installation or Final Fire Inspection, whichever is first.
205. **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.
206. **Fire Department Clearance** – Applicant shall submit VCFD Form #610, Fire Permit Application, prior to obtaining a building permit for any new structures.
207. **Private Roads/Driveways** – Private roads and driveways shall comply with Public Road Standards, VCFPD Ordinance 29, and VCFPD Standard 501.
208. **Aerial Apparatus Access** – Private roads shall comply with Public Road Standards. Multi-Family, Commercial, or Industrial Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department access shall require an approved aerial ladder fire apparatus access road. The highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater. One aerial apparatus access road shall be provided per 50,000 square feet of

building area. Aerial apparatus access roads shall have a minimum unobstructed width of 30 feet, exclusive of shoulders. Required aerial apparatus access roads shall be located within a minimum of 15 feet and a maximum of 30 feet from the building. Aerial apparatus access roads shall be positioned such that they are parallel to the entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be along the longest side of the building, unless otherwise approved by the fire code official. 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.

209. **Turning Radius** – The access road shall be of sufficient width to allow for a 40-foot centerline turning radius at all turns in the road.
210. **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%.
211. **Vertical Curve** – The vertical curve of a fire apparatus access road serving commercial and industrial occupancies shall not allow for transitions between grades that exceed 6% elevation change along any 10-foot section. These transitions shall include angle of approach, angle of departure, and high centering of fire apparatus.
212. **Vertical Clearance** – All access roads/driveways shall have a minimum vertical clearance of 13 feet 6 inches (13' 6"). Clear of building to sky.
213. **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.
214. **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.

215. **Fire Hydrant Upgrade** – The existing hydrant located on Lawrence Dr. in front of parcel 667-0-172-015 shall be upgraded to a standard 6-inch wet barrel hydrant with (1) 4-inch and (2) 2 ½-inch outlet(s).
216. **Hydrant Location Markers** – Prior to occupancy of any structure, blue reflective hydrant location markers shall be placed on the access roads in accordance with Fire District standards. If the final asphalt cap is not in place at time of occupancy, hydrant location markers shall still be installed and shall be replaced when the final asphalt cap is completed.
217. **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.
218. **Fire Protection System Plans** – Plans for all fire protection systems (sprinklers, dry chemical, hood systems, etc.) shall be submitted, with payment for plan check, to the Fire District for review and approval prior to installation. Note: Fire sprinkler systems with 20 or more heads shall be supervised by a fire alarm system in accordance with Fire District requirements.
219. **Construction Access** – Prior to combustible construction, a paved all-weather access road/driveway suitable for use by a 20-ton Fire District vehicle shall be installed at locations approved by the Fire District.
220. **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.
221. **Fire Alarm System** – A fire alarm system shall be installed in all buildings in accordance with California Building and Fire Code requirements.
222. **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.
223. **Trash Dumpster Locations** – Commercial trash dumpsters and containers with an individual capacity of 1.5 cubic yards or greater shall not be stored or placed within 5 feet of openings, combustible walls, or combustible roof eave lines unless protected by approved automatic fire sprinklers.

- 224. **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.
- 225. **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.
- 226. **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.).
- 227. **Knox Device** – Exterior access doors leading to fire sprinkler riser rooms and alarm control panels shall be provided with a Knox Box for emergency access.
- 228. **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.
- 229. **Construction Access** – Prior to combustible construction, a paved all-weather access road/driveway suitable for use by a 20-ton Fire District vehicle shall be installed at locations approved by the Fire District.
- 230. **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.

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