

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Barry K. Hogan, Community Development Director
Prepared By: Joseph Fiss, Principal Planner 

DATE: November 21, 2006 (CC Meeting of 12/6/2006)

SUBJECT: Consider Tentative Tract Map No. 5464, and Residential Planned Development Permit No. 1994-01 Modification No. 6 for Thirty-six (36) Single-family Homes on 28.69 Acres North of Championship Drive and West of Walnut Canyon Road, on the Application of Toll Brothers, Inc.

BACKGROUND/DISCUSSION

The Public Hearing for this project was opened on July 19, 2006 and, after several continuances, closed on November 15, 2006. On November 15, 2006, the City Council adopted the Mitigated Negative Declaration, approved the General Plan Amendment, and introduced the Zone Change and Development Agreement for this project. During the Public Hearing process, it was noted that there was a lack of a recreation area on the north side of Championship Drive, which would be further impacted by the net addition of twenty-nine homes. The developer has worked with the Ventura County Fire Protection District to allow a conversion of the previously approved helipad on the north side of Palmer Drive to a private recreation area, with the specific design subject to review and approval of the Community Development Director. The City Council requested that additional conditions of approval for the Residential Planned Development and Tentative Tract Map be brought back at the December 6, 2006 meeting for a final review and action. Those additional conditions of approval are shown in the attached draft Resolution in legislative format, and read as follows:

SPECIAL CONDITIONS OF APPROVAL FOR TENTATIVE TRACT MAP NO. 5464

14. The developer shall develop the helipad facility on the north side of RPD 1994-01 (Tract 4928) as a private recreation area prior to occupancy of the 36th home of Tract 5464. The applicant shall file a Permit Adjustment for the reuse of this area as recreation or natural open space prior to any work on the site. This area is now subject to maintenance by the existing Homeowners Association.

Maintenance of the private recreation area shall remain the responsibility of the Homeowners Association (HOA) for Tract 4928. Any increase in the cost of maintenance from the helipad to an alternative use shall require approval of the existing Homeowner Association Board prior to the issuance of a Zone Clearance. The Homeowners Association for Tract 5464 shall be required to pay a pro-rata share of the maintenance of this recreation area.

25. All major construction traffic, heavy equipment, and commercial vehicles shall enter and exit the site from Walnut Canyon Road until the approval of the final building permit for the fifteenth (15th) dwelling unit at which time access from Championship Drive shall be allowed. Prior to the issuance of a grading permit, the developer shall install vehicular gates at the Sarazen Drive/Palmer Drive intersection to control access into and out of the existing homes. The gate design shall be to the satisfaction of the Community Development Director and the City Engineer/Public Works Director. Additional measures, at the developer's sole cost and expense, including, but not limited to, the posting of a guard at the gate, may be required by the Community Development Director at his/her direction, if found necessary for safety and traffic control purposes.
27. There shall be no grading activity on Saturdays or Sundays and all grading activity shall cease after 5:00 p.m. weekdays.

SPECIAL CONDITIONS OF APPROVAL FOR MODIFICATION NO. 6 TO
RESIDENTIAL PLANNED DEVELOPMENT PERMIT NO. 1994-01

9. The developer shall restrict the use of the Santa Barbara and San Marino models in order to provide more diversity in the development. The use of these two models shall be subject to approval by the Community Development Director on a lot by lot basis.

STAFF RECOMMENDATION

Adopt Resolution No. 2006-____ approving Tentative Map No. 5464 and Modification No. 6 to Residential Planned Development Permit No. 1994-01 subject to Conditions of Approval.

ATTACHMENT:

1. Draft Resolution No. 2006-____ approving Tentative Map No. 5464 and Modification No. 6 to Residential Planned Development Permit No. 1994-01.

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING MODIFICATION NO. 6 TO RESIDENTIAL PLANNED DEVELOPMENT PERMIT NO. 1994-01 AND TENTATIVE MAP NO. 5464 TO ALLOW AN EXPANSION OF THE COUNTRY CLUB ESTATES PROJECT ON 28.69 ACRES FOR THIRTY-SIX (36) SINGLE-FAMILY HOMES, LOCATED ON THE NORTH SIDE OF CHAMPIONSHIP DRIVE, WEST OF WALNUT CANYON ROAD, ON THE APPLICATION OF TOLL BROTHERS, INC.

WHEREAS, on June 28, 2005, the Planning Commission adopted Resolution No. PC-2005-483, recommending approval to the City Council of Modification No. 6 to Residential Planned Development Permit No. 1994-01 and Tentative Map No. 5464, to allow an expansion of the Country Club Estates project on 28.69 acres for thirty-six (36) single-family homes, located on the north side of Championship Drive, west of Walnut Canyon Road, on the application of Toll Brothers, Inc.; and

WHEREAS, at duly noticed public hearings on July 19, 2006, August 2, 2006, September 20, 2006, and November 15, 2006, the City Council considered the agenda report for Modification No. 6 to Residential Planned Development Permit No. 1994-01 and Tentative Map No. 5464 and any supplements thereto and written public comments; opened the public hearing and took and considered public testimony both for and against the proposal, closed the public hearing and continued the public hearing closed to allow revisions to the conditions of approval as directed; and

WHEREAS, the City Council considered the revised conditions of approval at its December 6, 2006 meeting and reached a decision on this matter; and

WHEREAS, the City Council has read, reviewed considered, and adopted the proposed Mitigated Negative Declaration prepared for the project referenced above.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. SUBDIVISION MAP ACT FINDINGS: Based on the information set forth in the staff report(s) and accompanying maps and studies the City Council has determined that the Tentative Map No. 5464, with imposition of the attached Special and Standard Conditions of Approval, meets the requirements of California Government Code Sections 66473.5, 66474, 66474.6, and 66478.1 et seq., in that:

- A. The proposed map would be consistent with the City of Moorpark General Plan and Zoning Ordinance, if amended by General Plan Amendment No. 2003-04 and Zone Change No. 2003-03, to allow for a density up to 2.0 units per acre.

- B. The design and improvements of the proposed subdivision would be consistent with the City of Moorpark General Plan, if amended by General Plan Amendment No. 2003-04 and Zone Change No. 2003-03, to allow for a density up to 2.0 units per acre.
- C. The site is physically suitable for the type of development proposed in that the site can be engineered to allow for all required utilities to be brought to the site, adequate ingress and egress can be obtained, and the site can be provided with public and emergency services.
- D. The site is physically suitable for the proposed density of development, in that the design provides for large graded pads for the proposed houses.
- E. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, in that all potential impacts would be mitigated through project design or conditions.
- F. The design of the subdivision and the type of improvements are not likely to cause serious public health problems, in that adequate sanitation is both feasible and required as a condition of this development.
- G. The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large, for access through, or use of the property within the proposed subdivision, in that these easements have been identified and incorporated in the design of this project.
- H. There will be no discharge of waste from the proposed subdivision into an existing community sewer system in violation of existing water quality control requirements under Water Code Section 13000 et seq.
- I. The proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake, or reservoir.

SECTION 2. MODIFICATION TO RESIDENTIAL PLANNED DEVELOPMENT PERMIT FINDINGS: Based upon the information set forth in the staff report(s), accompanying studies, and oral and written public testimony, the Planning Commission makes the following findings in accordance with City of Moorpark, Municipal Code Section 17.44.100:

- A. The project does not involve a substantial or fundamental change in approved Residential Planned Development Permit No. 1994-01 in that the proposed site design, including structure, location, size, height, setbacks, massing, scale, architectural style and colors, and landscaping, is consistent with the site design approved in Residential Planned Development Permit No. 1994-01 and the project will use the same Design Guidelines;
- B. The project would not have an adverse impact on surrounding properties in that the proposed use is consistent with the existing residential neighborhood, a setback has been provided from agricultural uses to the north, and adequate provision of public access, sanitary services, and emergency services have been

ensured in the processing of this request and the use proposed is similar to adjacent uses, and access to or utility of those adjacent uses are not hindered by this project; and

- C. The project would not change any of the environmental findings contained in the Environmental Impact Report prepared for Residential Planned Development Permit No. 1994-01 in that a Mitigated Negative Declaration has been prepared for the modification, demonstrating that the modification, with the incorporation of mitigation, will not result in any significant environmental effects.

SECTION 3. CITY COUNCIL APPROVAL: The City Council approves:

- A. Tentative Map No. 5464 subject to the special and standard Conditions of Approval included in Exhibit A, attached hereto and incorporated herein by reference; and
- B. Modification No. 6 to Residential Planned Development Permit No. 1994-01, subject to the special and standard Conditions of Approval included in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 4. The effective date of this resolution and Tentative Map No. 5464 and Modification No. 6 to Residential Planned Development Permit No. 1994-01 shall be concurrent with the effective date of the Ordinance for Zone Change No. 2003-03 and the Ordinance for Development Agreement No. 2004-02, whichever occurs last.

SECTION 5. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 6th day of December, 2006.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

Exhibit A – Special and Standard Conditions of Approval for Modification No. 6 to Residential Planned Development Permit No. 1994-01 and Tentative Map No. 5464

EXHIBIT A

SPECIAL AND STANDARD CONDITIONS OF APPROVAL
FOR MODIFICATION NO. 6
TO RESIDENTIAL PLANNED DEVELOPMENT PERMIT NO.1994-01
AND TENTATIVE TRACT MAP NO. 5464

SPECIAL CONDITIONS OF APPROVAL FOR TENTATIVE TRACT MAP NO. 5464

1. This subdivision shall expire three (3) years from the date of its approval. The Community Development Director may, at his/her discretion, grant up to two (2) additional one-year extensions for map recordation, if there have been no changes in the adjacent areas and if the applicant can document that he/she has diligently worked towards Map recordation during the initial period of time. The request for extension of this Map shall be made in writing, at least thirty (30) days prior to the expiration date of the map and shall be accompanied by applicable entitlement processing deposits.
2. Up to a maximum of thirty-six (36) dwelling units may be developed under this entitlement.
3. Within thirty (30) calendar days of submittal of the first plan check of the Final Map, the applicant shall provide a copy of the Covenants, Conditions, and Restrictions to the Community Development Director and City Attorney for review and approval to ensure consistency with the Moorpark Municipal Code, Tentative Tract Map No. 5464 and Modification No. 6 to Residential Planned Development Permit No. 1994-01 as conditioned. Submittal shall include a \$5,000.00 deposit to be used for the City Attorney's cost of review.
4. Concurrent with map recordation, the applicant shall provide, as part of the street improvement plans, a public service easement within the private streets, subject to approval of the Community Development Director and City Engineer/Public Works Director.
5. Prior to the issuance of the first building permit, the Developer shall provide the City with a written request for the City to adopt a resolution authorizing enforcement of applicable provisions of the California Vehicle Code and Moorpark Municipal Code.
6. The Developer shall comply with all mitigation measures of the Mitigated Negative Declaration. Said mitigation measures are hereby adopted by reference and made Conditions of Approval.
7. A Traffic Systems Management fee shall be paid, on a per home basis, consistent with such fee paid for Tract No. 4928, or in effect at the time of building permit issuance, whichever is higher, unless modified by separate agreement.

8. The Developer shall improve both sides of Walnut Canyon Road to its ultimate right-of-way from Championship Drive to northern City limits, including undergrounding of all utilities including all electrical lines of 66 kv or less on both sides of the road. Transition paving shall be provided north of the City Limits on both sides of the street. The developer shall pay all City costs for acquisition of the properties needed for construction of these improvements including but not limited to legal, engineering, planning, and appraisal costs in addition to the costs for acquisition of properties. Fifteen percent (15%) shall be added to all City out-of-pocket expenses for the acquisition costs, excluding the actual cost of the properties. Such improvement shall be completed within ninety (90) days of obtaining the real property needed for said improvement or receipt of all permits required for the improvement. Such improvements must start prior to issuance of a building permit for the first dwelling unit. The improvement costs shall be reduced by the amount required by the Conditions of Approval or Tract 5437 (Birdsall).
9. Sidewalks shall be provided on both sides of all private streets within the tract, subject to review and approval of the Community Development Director.
10. Prior to the submittal for first plan check of the improvement plans, the Developer shall ascertain the adequacy of the existing lift stations to handle the expected flows from the additional dwelling units. The expected flows shall be verified and accepted by Waterworks District 1. The Developer shall be required to make all necessary upgrades/improvements to the lift stations to handle the expected flows. As part of the submittal of improvement plans, hydraulic analyses, prepared by a registered civil engineer, shall be provided to Waterworks District 1 to determine the adequacy of the proposed and existing sewer lines.
11. Any existing septic systems shall be properly abandoned in accordance with law.
12. Water impoundment(s) shall be maintained in a manner which will not create mosquito breeding sources and in compliance with the grading ordinance and the requirements of the City Engineer/Public Works Director.
13. The applicant shall comply with all provisions of Chapter 17.38 (Hillside Management) of the Moorpark Municipal Code (MMC) unless waived by the adoption of a development agreement.
14. The developer shall develop the helipad facility on the north side of RPD 1994-01 (Tract 4928) as a private recreation area prior to occupancy of the 36th home of Tract 5464. The applicant shall file a Permit Adjustment for the reuse of this area as recreation or natural open space prior to any work on the site. This area is now subject to maintenance by the existing Homeowners Association. Maintenance of the private recreation area shall remain the responsibility of the Homeowners Association (HOA) for Tract 4928. Any increase in the cost of maintenance from the helipad to an alternative use shall require approval of the existing Homeowner Association Board prior to the issuance of a Zone

Clearance. The Homeowners Association for Tract 5464 shall be required to pay a pro-rata share of the maintenance of this recreation area.

15. The boundaries of areas along Championship Drive maintained by the Landscape Maintenance District and/or the Homeowners Association shall be consistent with those approved in Tract 4928. Said boundaries shall be subject to review and approval of the Community Development Director, City Engineer/Public Works Director, and Parks, Recreation, and Community Services Director. All lots shall be made a part of the existing Landscape Maintenance District (LMD) for Championship Drive or establish a new LMD at City's discretion, to maintain the Multi-purpose trail, landscaping, detention basins, and City monument signs.
16. By December 31, 2006, the Developer shall provide final paving of Championship Drive from Grimes Canyon Road to Walnut Canyon Road pursuant to plans and specifications approved by the City Engineer/Public Works Director at his/her sole discretion. Said specifications may include, but are not limited to, deflective testing, removal and replacement/repair of sub-base, base and existing asphalt, adjustment of utility covers and manholes, replacement of pavement markings, and City's cost of inspection and administration of said work.
17. A separate Homeowner's Association (HOA) shall be established for Tract 5463. Said HOA shall be independent of the "Country Club Estates at Moorpark Master Owners Association." unless this project is annexed to the existing Moorpark Country Club Estates Homeowner's Association (HOA). If there is an annexation election the developer shall pay all reasonable costs associated with notification including, but not limited to any title reports needed to ascertain who the owns the first deed of trust.
18. The developer shall provide a landscape and fencing buffer plan between the development and the adjacent agricultural uses. The location, type, and installation of said fencing and landscaping shall be subject to review and approval of the Community Development Director.
19. Concurrent with map recordation, the developer shall provide an easement to the City for a City Welcome Sign on the Project site at a location satisfactory to the Community Development Director. Such sign shall be maintained in perpetuity by the Landscape Maintenance District. The easement shall provide for the location and maintenance of the sign. Developer agrees to pay \$25,000 to the City for the construction and erection of the sign. The funds may be expended by City in its sole and unfettered discretion. The fee shall be paid prior to occupancy of the first residential unit. Developer agrees that design of the sign, including the lighting, shall be at the City's sole discretion.
20. Prior to map recordation, the Developer shall obtain approval of a Fuel Modification Maintenance Program from the Ventura County Fire Protection District.

21. A two-hundred foot (200') agricultural buffer easement shall be recorded on the final map. No buildings or structures shall be permitted within this easement. The easement shall be clearly disclosed to all buyers.
22. Prior to, or concurrent with Final Map Recordation, a "Back-Up" Assessment District shall be formed to fund future City costs, should they occur, for the maintenance of private slopes, parkway landscaping, median landscaping or drainage improvements previously maintained by a Private Responsible Party and then assumed by the City.
23. A minimum twelve foot (12') wide multipurpose trail shall be provided through the tract, prior to occupancy of the fifteenth (15th) dwelling unit. The precise location and design of the trail shall be subject to review and approval of the Community Development Director.
24. The sixty inch (60") Heritage Oak tree shall be preserved on site in a manner acceptable to the Community Development Director.
25. All major construction traffic, heavy equipment, and commercial vehicles shall enter and exit the site from Walnut Canyon Road until the approval of the final building permit for the fifteenth (15th) dwelling unit at which time access from Championship Drive shall be allowed. Prior to the issuance of a grading permit, the developer shall install vehicular gates at the Sarazen Drive/Palmer Drive intersection to control access into and out of the existing homes. The gate design shall be to the satisfaction of the Community Development Director and the City Engineer/Public Works Director. Additional measures, at the developer's sole cost and expense, including, but not limited to, the posting of a guard at the gate, may be required by the Community Development Director at his/her direction, if found necessary for safety and traffic control purposes.
26. The maintenance of any new streets, as well as a pro-rata share of the entryway and gates, shall be the responsibility of the Homeowners Association for Tract 5464.
27. There shall be no grading activity on Saturdays or Sundays and all grading activity shall cease after 5:00 p.m. weekdays.

SPECIAL CONDITIONS OF APPROVAL FOR MODIFICATION NO. 6 TO RESIDENTIAL PLANNED DEVELOPMENT PERMIT NO. 1994-01

1. This planned development permit shall expire two (2) years from the date of its approval unless the use has been inaugurated by issuance of a building permit for construction. The Community Development Director may, at his/her discretion, grant up to two (2) additional one-year extensions for use inauguration of the development permit, if there have been no changes in the adjacent areas and if the applicant can document that he/she has diligently worked towards use inauguration during the initial period of time. The request for extension of this planned development permit shall be made in writing, at least thirty (30) days

prior to the expiration date of the permit and shall be accompanied by applicable entitlement processing deposits.

2. The Country Club Estates Architectural Guidelines as approved/recorded shall be adopted herein by reference.
3. Any minor changes proposed to the Architectural Guidelines shall be considered by the Community Development Director upon filing of a Permit Adjustment application and payment of the fee in effect at the time of application.
4. Any proposed substantive or wholesale change to Architectural Guidelines shall be considered by the City Council upon filing of a Modification application and payment of the fee in effect at the time of application.
5. All Conditions of Approval for RPD No. 1989-01 are incorporated by reference in this approval letter and shall continue to apply unless specifically modified by this permit.
6. Any gates to control vehicle access are to be located to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of fifteen (15') feet in each direction shall be provided for separate entry/exit gates and a minimum twenty (20) for combined entry/exit gates. If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure, shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.
7. A maximum of one gate is allowed on a secondary access unless an alternative is agreed upon by the Ventura County Fire Protection District. An auto exit loop is required to allow residents exit upon demand in the event of an emergency.
8. All manufactured slopes shall be landscaped and irrigated subject to review and approval of the Community Development Director. Additionally, natural slopes adjacent to Walnut Canyon Road may be required to be landscaped and irrigated. Orchard type trees and landscaping shall be prohibited.
9. The developer shall restrict the use of the Santa Barbara and San Marino models in order to provide more diversity in the development. The use of these two models shall be subject to approval by the Community Development Director on a lot-by-lot basis.

**STANDARD CONDITIONS OF APPROVAL FOR TENTATIVE TRACT MAP 5464
AND MODIFICATION NO. 6 TO RESIDENTIAL PLANNED DEVELOPMENT 1994-01**

A. *The following conditions shall be required of all projects:*

GENERAL REQUIREMENTS

1. Within thirty (30) calendar days of approval of this entitlement, the applicant shall sign and return to the Planning Division an Affidavit of Agreement and Notice of Entitlement Permit Conditions of Approval, indicating that the applicant has read and agrees to meet all Conditions of Approval of this entitlement. The Affidavit of Agreement/Notice shall include a legal description of the subject property, and have the appropriate notary acknowledgement suitable for recordation.
2. The Final Map shall include the final Conditions of Approval by reference and a reference to the adopted City Council resolution in a format acceptable to the Community Development Director.
3. The Conditions of Approval of this entitlement and all provisions of the Subdivision Map Act, City of Moorpark Municipal Code and adopted City policies at the time of the entitlement approval, supersede all conflicting notations, specifications, dimensions, typical sections and the like which may be shown on said Map and/or plans.
4. Conditions of this entitlement shall not be interpreted as permitting or requiring any violation of law or any unlawful rules or regulations or orders of an authorized governmental agency.
5. All mitigation measures required as part of an approved Mitigation Monitoring and Reporting Program (MMRP) for this project are hereby adopted and included as requirements of this entitlement. Where conflict or duplication between the MMRP and the Conditions of Approval occurs the Community Development Director shall determine compliance.
6. If any archeological or historical finds are uncovered during grading or excavation operations, all grading or excavation shall cease in the immediate area and the find shall be left untouched. The applicant shall assure the preservation of the site and immediately contact the Community Development Director informing the Director of the find. The applicant shall be required to obtain the services of a qualified paleontologist or archeologist, whichever is appropriate to recommend disposition of the site. The paleontologist or archeologist selected shall be approved by the Community Development Director. The applicant shall pay for all costs associated with the investigation and disposition of the find.
7. Paleontological Mitigation Plan: Prior to issuance of a Zoning Clearance for a grading permit, a paleontological mitigation plan outlining procedures for paleontological data recovery shall be prepared and submitted to the Community Development Director for review and approval. The development and implementation of this Plan shall include consultations with the Applicant's engineering geologist as well as a requirement that the curation of all specimens

recovered under any scenario will be through the Los Angeles County Museum of Natural History (LACMNH). ~~unless a written directive is issued by the City of Moorpark w~~Within thirty (30) days of receipt of a report on the resources found, the City shall make its determination of ownership on all specimens. If there is no action by the City within thirty (30) days, the specimens all specimens will remain the property of LACMNH, and subject to their discretion. The monitoring and data recovery should include periodic inspections of excavations to recover exposed fossil materials. The cost of this data recovery shall be limited to the discovery of a reasonable sample of available material. The interpretation of reasonableness shall rest with the Community Development Director.

8. The applicant shall defend, indemnify and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, or employees concerning this entitlement approval, which claim, action or proceeding is brought within the time period provided therefore in Government Code Section 66499.37 or other sections of state law as applicable. The City will promptly notify the applicant of any such claim, action or proceeding, and, if the City should fail to do so or should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify and hold harmless the City or its agents, officers and employees pursuant to this condition.
 - a. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:
 - i. The City bears its own attorney fees and costs;
 - ii. The City defends the claim, action or proceeding in good faith.
 - b. The applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the applicant. The applicant's obligations under this condition shall apply regardless of whether a Final Map is ultimately recorded with respect to the subdivision or a building permit is issued pursuant to the planned development permit.
8. If any of the conditions or limitations of this approval are held to be invalid, that holding shall not invalidate any of the remaining conditions or limitations set forth.
9. All facilities and uses, other than those specifically requested in the application and those accessory uses allowed by the Municipal Code, are prohibited unless otherwise permitted through application for Modification consistent with the requirements of the zone and any other adopted ordinances, specific plans, landscape guidelines, or design guidelines.

FEES

10. Entitlement Processing: Prior to the issuance of any Zoning Clearance, entitlement, building permit, grading permit, or advanced grading permit the

applicant shall submit to the Community Development Department all outstanding entitlement case processing fees, including all applicable City legal service fees. This payment shall be made within sixty (60) calendar days of approval of this entitlement.

11. Condition Compliance: Prior to the issuance of any Zoning Clearance, building permit, grading permit, or advanced grading permit, the applicant shall submit to the Community Development Department the Condition Compliance review deposit.
12. Capital Improvements and Facilities, and Processing: Prior to the issuance of any Zoning Clearance, the applicant shall submit to the Community Development Department, capital improvement, development, and processing fees at the current rate in effect. Said fees include, but are not limited to public improvement plan checks and permits. Unless specifically exempted by City Council, the applicant is subject to all fees imposed by the City as of the issuance of the first permit for construction and such future fees imposed as determined by City in its sole discretion so long as said fee is imposed on similarly situated properties.
13. Parks: Prior to issuance of Zoning Clearance for a building permit, the applicant shall submit to the Community Development Department Park and Recreation Fees in accordance with the Moorpark Municipal Code and to the satisfaction of the Parks, Recreation and Parks, Recreation and Community Services Director.
14. Fire Protection Facilities: Prior to or concurrently with the issuance of a building permit, current Fire Protection Facilities Fees shall be paid to the Building and Safety Division. The fee shall be paid in accordance with City Council adopted Fire Protection Facilities Fee requirements in effect at the time of building permit application.
15. Library Facilities: Prior to or concurrently with the issuance of a building permit the Library Facilities Fee shall be paid to the Building and Safety Division. The fee shall be paid in accordance with City Council adopted Library Facilities Fee requirements in effect at the time of building permit application.
16. Police Facilities: Prior to or concurrently with the issuance of a building permit the Police Facilities Fee shall be paid to the Building and Safety Division. The fee shall be paid in accordance with City Council adopted Police Facilities Fee requirements in effect at the time of building permit application.
17. Traffic Systems Management: Prior to the issuance of a Zoning Clearance for each building permit, the applicant shall submit to the Community Development Department the established Moorpark Traffic Systems Management (TSM) Fee for the approved development consistent with adopted City policy for calculating such fee.
18. Intersection Improvements: Prior to issuance of the first Zoning Clearance for a building permit, the applicant shall submit to the Community Development Department a fair-share contribution for intersection improvements relating to the project. The level of fair-share participation will be to the satisfaction of the City

Engineer/Public Works Director based on the traffic report prepared for the project and the extent of the impact to these intersections.

19. Citywide Traffic: Prior to issuance of a Zoning Clearance for each building permit, the applicant shall submit to the Community Development Department the Citywide Traffic Fee. The fee shall be calculated per dwelling unit for residential projects, or by use for commercial and industrial projects, based upon the effective date of approval of the entitlement. Commencing on the first of the year of this approval, and annually thereafter, the fee shall be increased to reflect the change in the Caltrans Highway Bid Price (OR Engineering News Record Construction Index) for the twelve (12) month period available on December 31 of the preceding year ("annual indexing"). In the event there is a decrease in the referenced Index for any annual indexing, the current amount of the fee shall remain until such time as the next subsequent annual indexing which results in an increase.
20. Area of Contribution: Prior to the issuance of a Zoning Clearance for each building permit, the applicant shall pay to the Community Development Department the Area of Contribution (AOC) Fee for the area in which the project is located. The fee shall be paid in accordance with City Council adopted AOC fee requirements in effect at the time of building permit application.
21. Street Lighting Energy Costs: Prior to recordation of Final Map, or issuance of a building permit, whichever occurs first the applicant shall pay to the Community Development Department all energy costs associated with public street lighting for a period of one year from the acceptance of the street improvements.
22. Schools: Prior to issuance of building permits for each building, the applicant shall provide written proof to the Community Development Department that all legally mandated school impact fees applicable at the time of issuance of a building permit have been paid to the Moorpark Unified School District.
23. Electronic Conversion: In accordance with City policy, the applicant shall submit to the Community Development Department, City Engineer and the Building and Safety Division the City's electronic image conversion fee for entitlement/condition compliance documents; Final Map/ engineering improvement plans/permit documents; and building plans/permit documents, respectively.
24. Fish and Game: Within two (2) business days after the City Council/Planning Commission adoption of a resolution approving this project, the applicant shall submit to the City of Moorpark two separate checks for Negative Declaration or Environmental Impact Report, and Administrative Fee, both made payable to the County of Ventura, in compliance with Assembly Bill 3158 for the management and protection of Statewide Fish and Wildlife Trust Resources. Pursuant to Public Resources Code Section 21089, and Fish and Game Code Section 711.4, the project is not operative, vested or final until the filing fees are paid.

25. Crossing Guard: Prior to recordation of Final Map or prior to the issuance of a building permit, whichever occurs first, the applicant shall pay to the Community Development Department an amount to cover the costs associated with a crossing guard for five years at the then current rate, plus the pro-rata cost of direct supervision of the crossing guard location and staff's administrative costs (calculated at fifteen percent (15%) of the above costs).
26. Affordable Housing Agreement/Plan: Prior to the preparation of an Affordable Housing Agreement and/or an Affordable Housing Implementation and Resale Restriction Plan, the applicant shall pay to the City the City's cost to prepare the required Plan and Agreement.
27. Storm Drain Discharge Maintenance Fee: Prior to or concurrently with the issuance of a Zoning Clearance for building permit, the applicant shall pay to the Community Development Department citywide Storm Drain Discharge Maintenance Fee. The fee shall be paid in accordance with City Council adopted Storm Drain Discharge Maintenance Fee requirements in effect at the time of building permit application.

CABLE TELEVISION

28. Prior to commencement of project construction the applicant shall provide notice of its construction schedule to all persons holding a valid cable television franchise issued by the City of Moorpark (Cable Franchisees) sufficiently in advance of construction to allow the Cable Franchisees to coordinate installation of their equipment and infrastructure with that schedule. The City shall provide the applicant a list of Cable Franchisees upon request. During construction, the applicant shall allow the Cable Franchisees to install any equipment or infrastructure (including conduit, power supplies, and switching equipment) necessary to provide Franchisee's services to all parcels and lots in the Project.
29. In the event the cable television services or their equivalent are provided to the project or individual lots under collective arrangement or any collective means other than a Cable Franchisee (including, but not limited to, programming provided over a wireless or satellite system contained within the Project), the Home Owners Association (HOA) shall pay monthly to City an access fee of five percent (5%) of gross revenue generated by the provision of those services, or the highest franchise fee required from any City Cable Franchisee, whichever is greater. "Gross revenue" is as defined in Chapter 5.06 of the Moorpark Municipal Code and any successor amendment or supplementary provision thereto.
30. In the event cable television services or their equivalent are provided to the project by any means other than by a City Cable Franchise, the City's government channel shall be available to all units as part of any such service, on the same basis and cost as if the project was served by a City Cable Franchise.

AFFORDABLE HOUSING REQUIREMENTS

31. Prior to or concurrently with the first Final Map approval the applicant shall enter into an Affordable Housing Agreement. Consistent with the City's General Plan Housing Element, State law and Moorpark redevelopment Agency Implementation Plan, this subdivision is subject to execution of an Affordable Housing Agreement between the City of Moorpark and the applicant. The Affordable Housing Agreement shall set forth the procedure for meeting an affordable housing requirement of ten percent of the total number of approved dwelling units for properties outside of a Redevelopment Project Area and fifteen percent of the total number of approved dwelling units for projects which are in a Redevelopment Project Area. The Agreement may be part of a Development Agreement.
32. Prior to the preparation of an Affordable Housing Agreement or a Affordable Housing Implementation and Resale Restriction Plan the applicant shall agree to provide low income and very low income units as specified in the Special Conditions of Approval, included herein, to meet the requirements of California Health and Safety Code 33410 et seq.
33. Prior to the recordation of the first Final Map for this project the applicant and the City shall execute an Affordable Housing Agreement that incorporates a Council approved Affordable Housing Implementation and Resale Restriction Plan consistent with the Conditions of Approval of this subdivision. The initial sales price, location of the affordable units, buyer eligibility, and resale restrictions, respective role of the City and the applicant, and any other item determined necessary by the City shall be set forth in the Plan.

B. *Please contact the PLANNING DIVISION for compliance with the following conditions:*

DEVELOPMENT REQUIREMENTS

34. The Building Plans shall be in substantial conformance to the plans approved under this entitlement and shall specifically reflect the following:
 - a. Final exterior building materials and paint colors shall be consistent with the approved plans under this permit. Any changes to the building materials and paint colors are subject to the review and approval of the Community Development Director.
35. Prior to issuance of a Zoning Clearance for final building permit (occupancy), the applicant shall install U.S. Postal Service approved mailboxes in accordance with the requirements of the local Postmaster.
36. Any expansion, alteration or change in architectural elements requires prior approval of the Community Development Director. Those changes in architectural elements that the Director determines would visible from abutting street(s) shall only be allowed, if, in the judgment of the Community Development Director such change is compatible with the surrounding area. Any approval

granted by the Director shall be consistent with the approved Design Guidelines (if any) for the planned development and applicable Zoning Code requirements.

37. A minimum twenty (20') foot by twenty (20') foot clear and unobstructed parking area for two (2) vehicles shall be provided in a garage for each dwelling unit. Single garages shall measure a minimum of twelve (12') foot wide by twenty (20') foot deep clear and unobstructed area. Steel, aluminum clad or fiberglass roll-up garage doors shall be provided. Garage doors shall be a minimum of sixteen (16') feet wide by seven (7') feet high for double doors and nine (9') feet wide by seven (7') feet high for single doors. A minimum twenty (20') foot long concrete paved driveway shall be provided in front of the garage door outside of the street right-of-way.
38. All homes/units shall be constructed employing energy saving devices. These devices shall include, but not be limited to ultra low flush toilets (to not exceed 1.6 gallons), low water use shower controllers, natural gas fueled stoves, pilotless ovens and ranges, electric ovens, night set back features for thermostats connected to the main space-heating source, kitchen ventilation systems with automatic dampers,
39. When required by Title 15 of the Moorpark Municipal Code, rain gutters and downspout shall be provided on all sides of the structure for all structures where there is a directional roof flow. Water shall be conveyed to an appropriate drainage system, consistent with NPDES requirements, as determined by the City Engineer/Public Works Director.

OPERATIONAL REQUIREMENTS

40. The applicant agrees not to protest the formation of an underground Utility Assessment District.

LANDSCAPING, LIGHTING AND MAINTENANCE REQUIREMENTS

41. Prior to the issuance of a Zoning Clearance for building permits the applicant shall submit to the Community Development Director for review and approval, with the required deposit, three full sets of Landscaping and Irrigation Plans prepared by a licensed landscape architect and drawn on a plan that reflects final grading configuration, in conformance with the City of Moorpark Landscape Standards and Guidelines, policies and NPDES requirements; including, but not limited to, all specifications and details and a maintenance plan. Perimeter and common area fences and walls shall be shown on the Landscape and Irrigation Plans, including connection, at the applicant's expense, of property line walls with existing fences and or walls on any adjacent residential, commercial or industrial properties. The plan shall maintain proper vehicle sight distances subject to the review of the City Engineer, and encompass all required planting areas consistent with these Conditions of Approval. Review by the City's Landscape Architect Consultant and City Engineer/Public Works Director, and approval by

the Community Development Director prior to issuance of a Zoning Clearance for building permit, is required.

42. Prior to or concurrently with the submittal of the Landscaping and Irrigation Plans the specific design and location of the neighborhood identification monument sign shall be submitted for review and approval by the Community Development Director. The sign shall be installed concurrent with perimeter project wall installation.
43. Unless otherwise stipulated in the Special Conditions of Approval, the applicant shall be responsible for the maintenance of any and all parkway landscaping constructed as a requirement of the project, whether said parkway landscaping is within the street right-of-way or outside of the street right-of-way. Any parkway landscaping outside of the street right-of-way shall be within a landscape easement, until passed on to an appropriate entity.
44. All required landscape easements shall be clearly shown on the Final Map or on other recorded documents if there is no Final Map.
45. When available and allowed by law, use of reclaimed water shall be required for landscape areas subject to the approval of the Community Development Director, the City Engineer/Public Works Director and Ventura County Waterworks District No. 1.
46. 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. Parking and associated drive areas with five (5) or more spaces shall be designed to minimize degradation of storm water quality. Best Management Practice landscaped areas for infiltration and biological remediation or approved equals, shall be installed to intercept and effectively prohibit pollutants from discharging to the storm drain system. The design shall be submitted to the Community Development Director and City Engineer/Public Works Director for review and approval prior to the issuance of a building permit.
47. All landscaping shall be maintained in a healthy and thriving condition, free of weeds, litter and debris.
48. Prior to the issuance of Zoning Clearance for occupancy, all required fences/walls for each lot shall be in place, unless an alternative installation is approved by the Community Development Director.

C. *Please contact the ENGINEERING DEPARTMENT for compliance with the following conditions:*

GENERAL

49. Grading, drainage and improvement plans and supporting reports and calculations shall be prepared in conformance with the "Land Development Manual" and "Road Standards" as promulgated by Ventura County; "Hydrology Manual" and "Design Manual" as promulgated by Ventura County Watershed

Protection District; "Standard Specifications for Public Works Construction" as published by BNI (except for signs, traffic signals and appurtenances thereto; for signs, traffic signals and appurtenances thereto, the provisions of Chapter 56 for signs and Chapter 86 for traffic signals, and appurtenances thereto, of the "Standard Specifications," most recent edition, including revisions and errata thereto, as published by the State of California Department of Transportation); "Engineering Policies and Standards" of the City of Moorpark, "Policy of Geometric Design of Highways and Streets," most recent edition, as published by the American Association of State Highway and Transportation Officials. In the case of conflict between the standards, specifications and design manuals listed above, the criteria that provide the higher level of quality and safety shall prevail. Any standard specification or design criteria that conflicts with a Standard or Special Condition of Approval of this project shall be modified to conform with the Standard or Special Condition to the satisfaction of the City Engineer/Public Works Director.

50. Prior to improvement plan approval the applicant shall obtain the written approval for the location of fire hydrants by the Ventura County Fire Prevention Division. (Water improvement plans shall be submitted to Ventura County Waterworks District No. 1 for approval.)
51. Prior to any work being conducted within any State, County, or City right of way, the applicant shall obtain all necessary encroachment permits from the appropriate agencies and provide copies of these approved permits and the plans associated with the permits to the City Engineer/Public Works Director.
52. Reactive organic compounds, Nitrogen oxides (ozone/smog precursor), and particulate matter (aerosols/dust) generated during construction operations shall be minimized in accordance with the City of Moorpark standards and the standards of the Ventura County Air Pollution Control District (APCD). When an air pollution Health Advisory with an Air Quality Index of 151 or greater (Unhealthy or Very Unhealthy) has been issued for the Simi Valley/Moorpark Area, construction equipment operations (including but not limited to grading, excavating, earthmoving, trenching, material hauling, and roadway construction) and related activities shall cease in order to minimize associated air pollutant emissions.
53. The applicant shall comply with Chapters 9.28, 10.04, 15.26, 17.53 of the Moorpark Municipal Code standard requirements for construction noise reduction.
54. The applicant shall utilize all prudent and reasonable measures (including installation of a 6-foot high chain link fence, or equivalent barrier around the construction sites or provision of a licensed security guard during non-construction hours, or other means acceptable to the Chief of Police) to prevent unauthorized persons from entering the work site at any time and to protect the public from accidents and injury.

55. The applicant shall post in a conspicuous location the construction hour limitation and make each construction trade aware of the construction hour limitations.

GRADING

56. Prior to the issuance of a grading permit (should an early grading agreement be approved for this project) or prior to Final Map the applicant shall post sufficient surety, in a form acceptable to the City Engineer/Public Works Director, guaranteeing completion of all onsite and offsite improvements required by these Conditions of Approval or the Municipal Code including, but not limited to grading, street improvements, storm drain improvements, temporary and permanent Best Management Practice (BMP) for the control of non-point water discharges, landscaping, fencing, and bridges. Grading and improvements shall be designed, bonded and constructed as a single project.
57. Prior to the issuance of a grading permit (should an early grading agreement be approved for this project) or prior to Final Map, whichever occurs first, the applicant shall provide written proof to the City Engineer/Public Works Director that any and all wells that may exist or have existed within the project have been properly sealed or have been destroyed or abandoned, or will be sealed or destroyed in conjunction with the grading operation, per Ventura County Ordinance No. 2372 or Ordinance No. 3991 and per Division of Oil and Gas requirements.

FINAL MAP

58. Prior to Final Map approval, the applicant shall obtain City Engineer/Public Works Director approval of all required public improvement and grading plans. The applicant shall enter into an agreement with the City of Moorpark to complete grading, public improvements and subdivision monumentation and post sufficient surety guaranteeing the construction and maintenance of grading' all public improvements, and private street and storm drain improvements; construction and post construction NPDES Best Management Practice; and subdivision monumentation in a form and in an amount acceptable to the City Engineer/Public Works Director. Said plans shall be prepared by a California Registered Civil Engineer. Said sureties shall meet the City's requirements for sureties and shall remain in place for one year following final acceptance of the improvements by the City or until such time that the City Council shall approve their redemption, whichever is the longer. Bonds may be reduced in accordance with the Subdivision Map Act.
59. Prior to Final Map approval the applicant shall post sufficient surety in a form and in an amount acceptable to the City Engineer/Public Works Director guaranteeing the payment of laborers and materialsmen in an amount no less than fifty percent (50%) of the faithful performance surety.

PUBLIC AND PRIVATE STREETS

60. Prior to construction of any public improvement the applicant shall submit to the City Engineer/Public Works Director, for review and approval, street improvement plans prepared by a California Registered Civil Engineer, enter into an agreement with the City of Moorpark to complete public improvements and post sufficient surety guaranteeing the construction of all improvements. Unless specifically noted in these Standard Conditions or Special Conditions of Approval.
61. Prior to issuance of the first building permit all existing and proposed electric utilities that are less than 67Kv shall be under-grounded as approved by the City Engineer/Public Works Director.

DRAINAGE AND HYDROLOGY

62. For a 10-year frequency storm, local, residential and private streets shall be designed to have one dry travel lane available on interior residential streets. Collector streets shall be designed to have a minimum of one dry travel lane in each direction.
63. Drainage and improvement plans shall be designed so that after-development, drainage to adjacent parcels would not be increased above pre-development drainage quantities for any stormwater model between and including the 10-year and 100-year storms, nor will surface runoff be concentrated by this project. Acceptance of storm drain waters by the project and discharge of storm drain waters from the project shall be in type, kind and nature of predevelopment flows unless the affected upstream and/or downstream owners provide permanent easement to accept such changed storm drainage water flow. All drainage measures necessary to mitigate stormwater flows shall be provided to the satisfaction of the City Engineer/Public Works Director. The applicant shall make any on-site and downstream improvements, required by the City, to support the proposed development.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

64. The applicant shall submit to the City Engineer/Public Works Director a Stormwater Pollution Control Plan (SWPCP) and a Stormwater Pollution Prevention Plan (SWPPP) in accordance with requirements of the Ventura Countywide Stormwater Quality Management Program, Technical Guidance Manual for Stormwater Quality Control Measures, NPDES Permit No. CAS004002. The Plans shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practice (BMP) to effectively prohibit the entry of pollutants from the construction site into the storm drain system streets and water courses. The Plans shall be implemented as part of the grading, improvements and development of the project.

65. Prior to the issuance of any construction/grading permit and/or the commencement of any clearing, grading or excavation, the applicant shall submit a Notice of Intent (NOI) to the California State Water Resources Control Board, Stormwater Permit Unit in accordance with the NPDES Construction General Permit (No. CASQ00002): Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activities). The applicant shall also provide a copy of the Notice of Intent (NOI) to the City Engineer/Public Works Director as proof of permit application. The improvement plans and grading plans shall contain the WDID number for the project.
66. Prior to the starting of grading or any ground disturbance the applicant shall identify a qualified superintendent for NPDES compliance. The NPDES superintendent shall be present, on the project site Monday through Friday and on all other days when the probability of rain is 40% or higher and prior to the start of and during all grading or clearing operations until the release of grading bonds. The NPDES superintendent shall have full authority to rent equipment and purchase materials to the extent needed to effectuate Best Management Practice. The NPDES superintendent shall provide proof of attendance and satisfactory completion of courses satisfactory to the City Engineer/Public Works Director totaling no less than eight (8) hours directed specifically to NPDES compliance and effective use of Best Management Practice. In addition, an NPDES superintendent shall be designated to assume NPDES compliance during the construction of streets, storm drainage systems, all utilities, buildings and final landscaping of the site.

MAINTENANCE

67. Unless otherwise stipulated in the Special Conditions of Approval, any median landscaping constructed by the project shall be maintained by the City. An Assessment District shall be formed to fund the City maintenance costs for any such median landscaping.
68. Unless otherwise stipulated in the Special Conditions of Approval, where not maintained by a Landscape Maintenance District, parkway landscaping shall be maintained by a Home Owners' Association, a Property Owners' Association or by the property owner [collectively herein "Private Responsible Party"]. In such case, any required landscape easements, shall be conveyed to the Private Responsible Party.
69. Unless otherwise stipulated in the Special Conditions of Approval, all required on-site drainage improvements and/or stormwater quality [NPDES] features or facilities shall be maintained by the Private Responsible Party.
70. When, and if stipulated in the Special Conditions of Approval, that certain identified parkway landscaping and/or drainage improvements are to be maintained by the City, an Assessment District shall be formed to fund City costs for such maintenance. In such event, any required landscaping and/or drainage improvements shall be conveyed to the City in easements for such purposes.

71. Any Final Map identifying any landscape easement or drainage easement granted to a Private Responsible Party shall also be irrevocably offered for dedication to the City and shown on said Final Map. The City reserves the right to assume the maintenance of parkway landscaping, median landscaping or drainage improvements being maintained by a Private Responsible Party, should it be determined by the City, at its sole discretion, that the maintenance being provided by the Private Responsible Party is inadequate.
72. If required by a Special Condition of Approval, an Assessment District [herein "Back-Up District"] shall be formed to fund future City costs, should they occur, for the maintenance of parkway landscaping, median landscaping or drainage improvements previously maintained by a Private Responsible Party and then assumed by the City. If a Back-Up District is formed, it shall be the intent of the City to approve the required assessment each year, but to only levy that portion of the assessment necessary to recover any past City costs or any anticipated City costs for the following fiscal year. In the event the City is never required to assume the maintenance of any such improvements maintained by a Private Responsible Party, the amount of the annual assessment actually levied upon the affected properties would be minor amount, possibly zero. The City shall administer the annual renewal of the Back-Up District and any costs related to such administration shall be charged to the Fund established for such district revenues and expenses.
73. When it has been determined that it is necessary to form an Assessment District (including a Back-Up District), the applicant shall be required to undertake and complete the following:
 - a. At least one-hundred-twenty (120) days prior to the planned recordation of any Final Map or the issuance of any zoning clearance for building permit, which ever comes first:
 - i. submit the final draft plans for any irrigation, landscaping or Drainage Improvements [herein "Maintained Areas"] to be maintained by the Assessment District (including a required Back-Up District), along with any required plan checking fees;
 - ii. submit a check in the amount of \$5,000 as an advance to cover the cost of Assessment Engineering for the formation of the Assessment District [Note: Developer shall be required to pay for all final actual assessment engineering costs related to the Assessment District formation along with City administrative costs.];
 - b. At least sixty (60) days prior to the planned recordation of any Final Map or the issuance of any zoning clearance for building permit, which ever comes first, submit to the City the completed, "City approved" plans for the Maintained Areas (landscaping, irrigation and NPDES Drainage Improvements);

- c. Prior to the planned recordation of any Final Map or the issuance of any zoning clearance for building permit, which ever comes first, submit to the City a signed Petition and Waiver requesting formation of the Assessment District [Note: The Petition and Waiver shall have attached to it as Exhibit 'A' the City approved final draft Engineer's Report prepared by the Assessment Engineer retained by the City.]

D. Please contact the BUILDING DIVISION for compliance with the following conditions:

- 74. Prior to the issuance of a Building Permit, the applicant shall provide written proof that an "Unconditional Will Serve Letter" for water and sewer service has been obtained from the Ventura County Waterworks District No. 1.

E. Please contact the VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT for compliance with the following conditions:

- 75. Facilities shall be operated in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 51, Nuisance. Rule 51 states: "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endangers the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property."

F. Please contact the VENTURA COUNTY FIRE PROTECTION DISTRICT for compliance with the following conditions:

GENERAL

- 76. Prior to combustible construction, an all weather access road/driveway and the first lift of the access road pavement shall be installed. Once combustible construction starts a minimum twenty (20') foot clear width access road/driveway shall remain free of obstruction during any construction activities within the development. All access roads/driveways shall have a minimum vertical clearance of thirteen feet-six inches (13'-6") and a minimum outside turning radius of forty (40') feet.
- 77. Approved turnaround areas for fire apparatus shall be provided when dead-end Fire District access roads/driveways exceed 150-feet. Turnaround areas shall not exceed a five percent cross slope in any direction and shall be located within one-hundred-fifty (150') feet of the end of the access road/driveway.
- 78. The access road/driveway shall be extended to within one-hundred-fifty (150') feet of all portions of the exterior wall of the first story of any building and shall be in accordance with Fire District access standards. Where the access roadway cannot be provided, approved fire protection system or systems shall be installed as required and acceptable to the Fire District.

79. When only one (1) access point is provided, the maximum length shall not exceed eight-hundred (800') feet.
80. Public and private roads shall be named if serving more than four (4) parcels or as required by the Fire District.
81. Structures greater than 5,000 square feet and/or five (5) miles from a fire station shall be provided with an automatic fire sprinkler system in accordance with current Ventura County Fire Protection District Ordinance.

FINAL MAP

82. Prior to recordation of the Final Map(s) proposed street name(s) shall be submitted to the Community Development Director and the Fire District's Mapping Unit for review and approval. Approved street names shall be shown on the Final Map(s). Street name signs shall be installed in conjunction with the road improvements. The type of sign shall be in accordance with Plate F-4 of the Ventura County Road Standards.
83. At least fourteen (14) days prior to recordation of any maps, including parcel map waivers, the applicant shall submit two (2) copies of the map to the Fire Prevention Division for approval.
84. Within seven (7) days of the recordation of the Final Map(s) an electronic version of the map shall be provided to the Fire District.
85. Prior to Final Map or prior to the issuance of a building permit, whichever comes first, the applicant shall provide to the Fire District, written verification from the water purveyor that the water purveyor can provide the required fire flow as determined by the Fire District.

DEVELOPMENT REQUIREMENTS

86. Prior to the issuance of a certificate of occupancy by the Building Division the applicant shall submit a plan to the Fire District for review and approval indicating the method by which this project will be addressed.
87. Minimum six (6") inch high address numbers shall be installed prior to occupancy, shall be contrasting color to the background, and shall be readily visible at night Brass or gold plated number shall not be used. Where structures are set back more that one-hundred-fifty (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(are) not visible from the street, the address numbers(s) shall be posted adjacent to the driveway entrance on an elevated post.
88. Prior to combustible construction, fire hydrants shall be installed to the minimum standards of the City of Moorpark and the Fire District, and shall be in service.
89. 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.

90. Prior to issuance of a building permit the applicant shall submit a phasing plan and two (2) site plans (for the review and approval of the location of fire lanes) to the Fire District.
91. Prior to occupancy the fire lanes shall be posted "NO PARKING FIRE LANE TOW-AWAY" in accordance with California Vehicle Code and the Fire District.
92. Prior to or concurrently with the issuance of a building permit the applicant shall submit plans to the Fire District showing the location of the existing hydrants within three-hundred (300') feet of the proposed project and showing the location, type and number of proposed hydrants, and the size of the outlets. Fire hydrant(s) shall be provided in accordance with current adopted edition of the Uniform Fire Code, Appendix 111-B and adopted amendments. On-site fire hydrants may be required as determined by the Fire District. Fire hydrants, if required, shall be installed and in service prior to combustible construction and shall conform to the minimum standard of the Ventura County Waterworks Manual and the Fire District.
93. Prior to installation of any fire protection system; including, but not limited to sprinklers, dry chemical, hood systems, the applicant shall submit plans, along with the required fee for plan check, to the Fire District for review and approval. Fire sprinkler systems with one-hundred or more heads shall be supervised by a fire alarm system in accordance with Fire District requirements.
94. Prior to installation of the fire alarm system (if required), the applicant shall submit plans, along with the required fee for plan check, to the Fire District for review and approval. The fire alarm system shall be installed in all buildings in accordance with California Building and Fire Code.
95. Prior to the issuance of a certificate of occupancy by the Building Division the applicant shall obtain all applicable Uniform Fire Code (UFC) permits.
96. Prior to the issuance of a building permit the applicant shall obtain a copy of Ventura County Fire District Form No. 126 "Requirements for Construction."
97. Prior to framing the applicant shall clear for a distance of one hundred feet all grass or brush exposing any structure(s) to fire hazards.
- G. ***Please contact the VENTURA COUNTY WATERWORKS DISTRICT NO. 1 for compliance with the following conditions:***
98. The applicant shall comply with the applicable provisions of Ventura County Waterworks District No. 1 standard procedures for obtaining domestic water and sewer services for applicant's projects within the District.
99. Prior to issuance of a building permit, provide Ventura County Waterworks District:

- a. Water and sewer improvement plans in the format required.
 - b. Hydraulic analysis by a registered Civil Engineer to determine the adequacy of the proposed and existing water and sewer lines.
 - c. Copy of approval of fire hydrant locations by Ventura County Fire Protection District.
 - d. Copy of District Release and Receipt from Calleguas Municipal Water District.
 - e. Cost estimates for water and sewer improvements.
 - f. Plan check, construction inspection, capital improvement charge, sewer connection fee and water meter charge.
 - g. Signed Contract to install all improvements and a Surety Bond.
100. At the time water service connection is made, cross connection control devices shall be installed on the water system in a manner approved by the Ventura County Waterworks District No. 1.
- H. *Please contact the VENTURA COUNTY WATERSHED PROTECTION DISTRICT for compliance with the following conditions:***
101. Direct storm drain connections to Ventura County Flood Control District facilities are subject to Ventura County Watershed Protection District permit requirements.
- I. *Please contact the POLICE DEPARTMENT for compliance with the following condition:***
102. Prior to initiation of the building plan check process for the project, the applicant shall submit plans in sufficient detail to the Police Department for review and approval of defensible space concepts to reduce demands on police services. To the degree feasible and to the satisfaction of the Community Development Director and the Police Chief, public safety planning recommendations shall be incorporated into the project plans. The applicant shall prepare a list of project features and design components that demonstrate responsiveness to defensible space design concepts.

- END -