

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

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

**DATE:** March 28, 2007 (CC Meeting of 04/18/07)

**SUBJECT:** Consider Modification No. 1 to Industrial Planned Development (IPD) No. 2000-01 to Allow Modification of an Approved Industrial Planned Development for Approximately 445,000 Square Feet of Industrial Space, Including a Previously Approved Home Improvement Store on an Approximately 33-Acre Site, Located West of the SR-23 Freeway and East of Miller Parkway and Approximately 230 Feet South of Los Angeles Avenue on the Application of Moorpark Carlsberg Holdings

**BACKGROUND**

On March 17, 2006, Moorpark Carlsberg Holdings filed an application to request a modification to the previously approved Industrial Planned Development (IPD) No. 2000-01. This modification would amend the site plan to be consistent with Commercial Planned Development (CPD) No. 2005-06 (Home Depot), which was approved on a 12.9 acre parcel that was part of a previously approved IPD and Tentative Tract Map. IPD No. 2000-01 and Tentative Tract Map No. 5226 originally allowed construction of a 464,963 square-foot corporate industrial center consisting of ten (10) buildings and subdivision of approximately 33 gross acres into eight (8) lots. This modification application involves a reconfiguration of the project to incorporate the Home Depot store, and to allow ten (10) light industrial and office buildings on the remaining seven (7) lots, for a total of approximately 445,000 square feet of building space.

This project was reviewed by the Planning Commission on February 27, 2007, and public comments were received. The Planning Commission adopted Resolution No. PC-2007-512 recommending to the City Council approval of the Modification to the Industrial Planned Development Permit for the proposed project. The Planning Commission agenda report and resolution are attached.

## **DISCUSSION**

At the Planning Commission meeting of February 27, 2007, the applicant requested several clarifications and modifications to the conditions of approval. These were discussed, with the Planning Commission responses, as follows:

1. A request to modify Special Condition No. 8: *"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 for the following intersections:*
  - *Tierra Rejada / Miller Parkway*
  - *Miller Parkway / Patriot Drive*
  - *Miller Parkway / Los Angeles Avenue*
  - *Los Angeles Avenue / SR-23 on-off ramps*
  - *Los Angeles Avenue / Spring Road*

*The amount of the fair-share contribution shall be to the satisfaction of the City Engineer based on the traffic report prepared for the project and the extent of the impact to these intersections."*

The applicant has requested that this condition be modified to read: *"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 in accordance with the Carlsberg Settlement Agreement and Development Agreement pertaining to this project."* The Planning Commission recommends approval of this requested amendment.

Staff has researched this further and determined that Resolution No. 2006-2059, approving the original Industrial Planned Development addressed Intersection Improvements with the following Conditions of Approval:

*"Developer shall participate in intersection improvements for Los Angeles Avenue/Spring Road. The level of participation shall be to the requirements of the City Council Resolution No. 94-1061. Prior to Final Map approval, a traffic report shall be provided by the Developer that shall determine the extent of the impact to this intersection."*

*"Prior to Zoning Clearance, the Developer shall make a special contribution to the City representing the Developer's pro-rata share of the cost of improvements at Los Angeles Avenue/Moorpark Avenue (\$165,000). The actual contribution (pro-rata share shall be based upon the additional traffic added to the intersection). The Developer's traffic engineer shall provide the City Engineer a "Fair Share Analysis" of the projects added traffic for calculation of the pro-rata ("fair share") amount."*

Staff recommends that the Condition of Approval for the modification be consistent with those in the original Conditions of Approval. The attached resolution reflects this recommendation by adding these original conditions as Special Conditions 8 and 9.

2. A request to delete Special Condition No. 9 (10 in the attached resolution): *"The applicant shall submit a hardscape plan which demonstrates the amount, size and shape of the raised planters for review and approval of the Community Development Director prior to the issuance of building permits."* This condition applies to raised planters within the parking lots and setback areas and an increased level of review is appropriate for this project. The Planning Commission recommends denial of this requested deletion.
3. A request to delete Special Condition No. 10 (11 in the attached resolution): *"The landscape plan must incorporate specimen size trees subject to the review and approval of the Community Development Director. In the transitional area between this permit area and the adjacent open space the landscaping must consist of city approved native trees, shrubs and groundcover to provide a blending and transition to the existing native plant material."* The applicant was concerned that this condition applied to the landscaped area on the Homeowner's Association owned property and that the applicant would be responsible for modifying property that they did not own. It was explained that this condition applied only to property owned or controlled by the applicant. The Planning Commission recommends denial of this requested deletion.
4. A request to delete Special Condition No. 12: *"A final hardscape plan must include the treatment of the decorative hardscape areas with integral color and texture at all predominate pedestrian areas, and prominent drive aisles including but not limited to the front entrance to the site off of Patriot Drive and the primary entrances into the store and garden center, and the final plan is subject to the review and approval of the Community Development Director and the City Engineer/Public Works Director prior to the issuance of building permits."* This condition was a carry-over condition from the Home Depot project. The Planning Commission recommends approval of this requested deletion. It has been removed from the attached resolution.
5. A request to modify Special Condition No. 14: *"Earthen berms, hedges and/or low walls must be provided where needed to screen public views of parked vehicles from adjacent streets subject to the satisfaction of the Community Development Director."* The applicant has requested that the requirement for "low walls" be removed from the conditions. The Planning Commission recommends denial of this requested amendment.
6. A request to modify Special Condition No. 16: *"Roof appurtenances must be no higher than the lowest parapet on the roof and must be painted the same color as the roofing material and there must not be any piping, visible roof ladders,*

*equipment, vents, exterior drains and scuppers or any other exposed equipment on the roof with the exception of air conditioning handling units and this must be reflected on the plans to the satisfaction of the Community Development Director prior to the issuance of building permits.”* The applicant has requested that roof drains be allowed on the rear of the buildings. It is very rare that the City has allowed exterior roof drains on commercial or industrial buildings. Typically this has been in areas where, due to design or other constraints, exterior drains are appropriate, and only then, with appropriate architectural treatment. The Planning Commission recommends denial of this requested amendment.

7. A request to delete Special Condition No. 19: *“The exact location of the connection to the multipurpose trail must be identified and approved by the Community Development Director and the Parks, Recreation and Community Services Director prior to the issuance of building permits for the fifth building and construction complete prior to issuance of certificate of occupancy for the last building.”* The applicant expressed concern that this is an open-ended condition, but did not offer an alternative. It would be appropriate to have the applicant work closely with the Community Development Director and the Parks, Recreation and Community Services Director on an appropriate solution. The Planning Commission recommends denial of this requested deletion.
8. A request to delete Special Condition No. 25: *“The applicant shall prepare and implement a plan for the posting of “No Loitering” signs for the review and approval of the Community Development Director. All of the “No Loitering” signs must be installed per the approved plan prior to the occupancy of any of the buildings. The applicant shall enforce the no loitering requirement within the permit area to the maximum extent permitted by local, state and federal laws.”* This condition was also a carry-over from the Home Depot project. It was explained that, due to the proximity of the Home Depot and the concerns of the community, this condition should be applicable to the entire Industrial Planned Development. The Planning Commission recommends denial of this requested deletion.

The attached draft City Council resolution reflects the recommendations of the Planning Commission as noted above. Additionally, staff has modified special condition number 1 to insure that the applicant insures that the gates between this development and the Moorpark Marketplace are kept open or removed so that vehicular and pedestrian traffic can travel unimpeded between the two developments.

Special Condition No. 28 reads as follows: “All other conditions of the Amended Carlsberg Specific Plan and Settlement Agreement shall continue to apply, except as revised herein.” The Settlement Agreement can not be amended by a modification, and therefore the condition has been corrected to remove the reference to the Settlement Agreement.

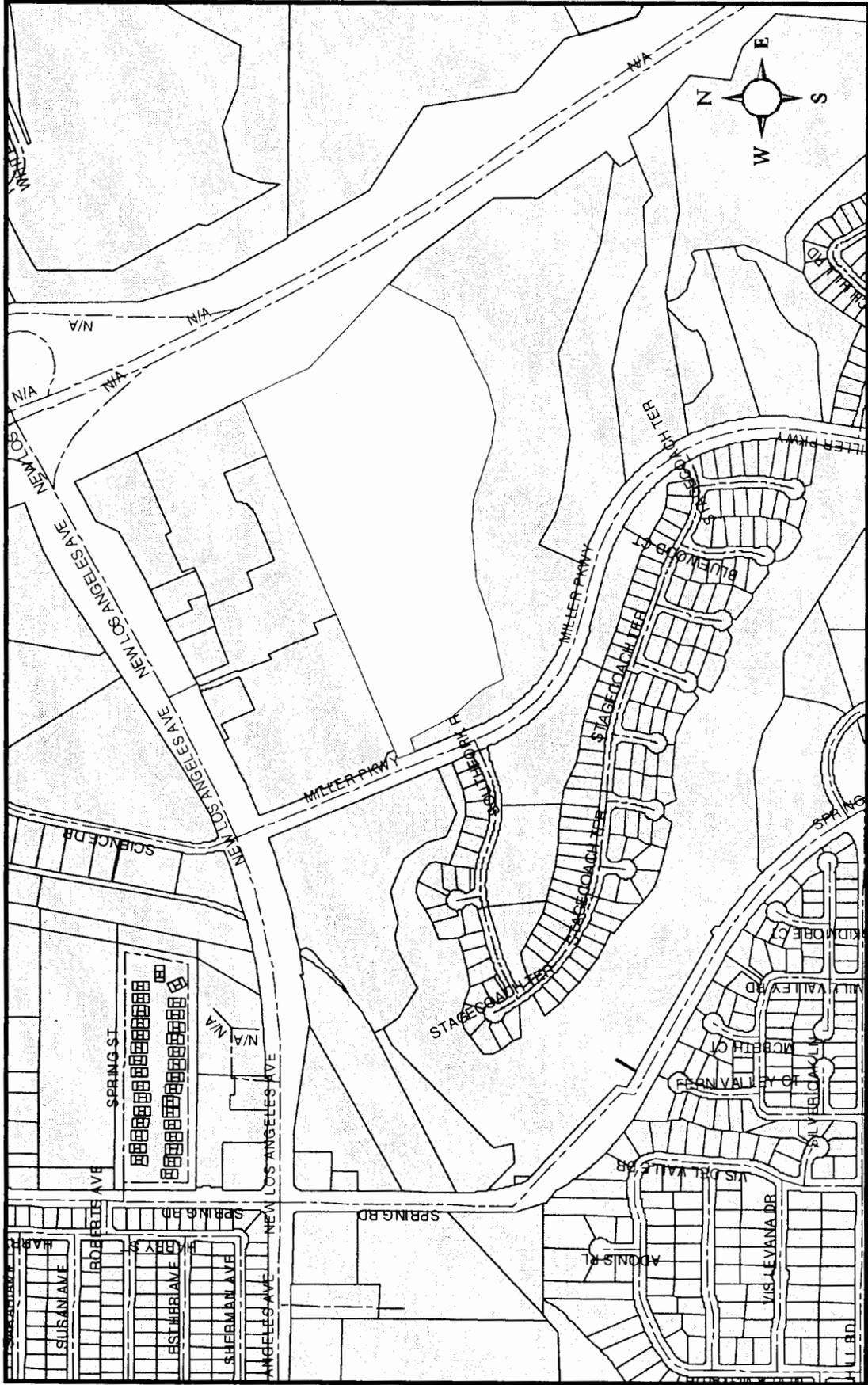
**STAFF RECOMMENDATION**

1. Open the public hearing, accept public testimony, and close the public hearing;
2. Adopt Resolution No. 2007-\_\_\_ approving Modification No. 1 to Industrial Planned Development (IPD) No. 2000-01 subject to Conditions of Approval.

**ATTACHMENTS:**

1. Location Map
2. Aerial Photograph
3. Site Plan and Elevations (under separate cover)
4. Planning Commission February 27, 2007 Agenda Report (without attachments)
5. Planning Commission Resolution No. PC-2007-512 (without attachments)
6. Draft City Council Resolution approving Modification No. 1 To Industrial Planned Development (IPD) No. 2000-01

LOCATION MAP



AERIAL PHOTOGRAPH



Site Plan and Elevations  
(under separate cover)

Modification No. 1 to  
Industrial Planned Development (IPD) No. 2000-01

**MOORPARK PLANNING COMMISSION  
AGENDA REPORT**

**TO:** Honorable Planning Commission

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

**DATE:** February 20, 2007 (PC Meeting of 02/27/07)

**SUBJECT:** Consider Modification No. 1 To Industrial Planned Development (IPD) No. 2000-01 to Allow Modification of an Approved Industrial Planned Development for Approximately 445,000 Square Feet of Industrial Space Including a Previously Approved Home Improvement Store, on an approximately 33 Acre Site. Located West of the SR-23 Freeway and East of Miller Parkway, Approximately 230 Feet South of Los Angeles Avenue on the Application of Moorpark Carlsberg Holdings

**BACKGROUND**

On March 17, 2006, Moorpark Carlsberg Holdings filed an application to request a modification to the previously approved Industrial Planned Development (IPD) No. 2000-01. This modification would amend the site plan to be consistent with Commercial Planned Development (CPD) No. 2005-06 (Home Depot), which was approved on a 12.9 acre parcel that was part of a previously approved IPD and Tentative Tract Map. IPD No. 2000-01 and Tentative Tract Map No. 5226 originally allowed construction of a 464,963 square-foot corporate industrial center consisting of ten (10) buildings and subdivision of approximately 33 gross acres into eight (8) lots. This modification application involves a reconfiguration of the project to incorporate the Home Depot store, and to allow ten (10) light industrial and office buildings on the remaining seven (7) lots, for a total of approximately 445,000 square feet of building space.

**DISCUSSION**

**Project Setting**

Existing Site Conditions:

The project site is 33.04 acres previously rough graded as part of Tract No. 4973. The site is relatively level and irregularly shaped, sloping gently to the northwest. There are no mature trees on site. The State Route 23 freeway is adjacent to the eastern edge of the project area, approximately thirty-five (35') feet above the proposed finished floor elevation of Home Depot. The southern edge of the project area contains an existing slope, adjacent to natural open space.

Previous Applications:

On March 19, 2003, the City Council approved IPD No. 2000-01 for eight (8) industrial/office buildings totaling 464,963 square feet and Tentative Tract Map No. 5226 for eight (8) lots and a private street (Patriot Drive). On August 16, 2006, the City Council approved CPD No. 2005-06 to allow construction of an approximately 143,000 square foot retail home improvement warehouse store and garden center (Home Depot) on the southeastern most 12.9 acre parcel. Because the Home Depot would affect the rest of this development and the property owner wishes to increase the aesthetics of the proposed buildings, the property owner has submitted this modification application to adjust building architecture and location and lot configurations to accommodate this project.

The zoning of the property (Sub-Regional Retail/Commercial/Business Park) was previously established as part of the Amended Carlsberg Specific Plan (Specific Plan 92-1), approved on September 7, 1994, along with the certification of a subsequent Environmental Impact Report. On September 21, 1994, the City Council adopted regulations in the Zoning Ordinance for the Amended Carlsberg Specific Plan area, ensuring that future development proceeds in a coordinated manner consistent with the goals and policies of the Amended Carlsberg Specific Plan and the City of Moorpark General Plan. The standards apply to development of all residential, business park, commercial, institutional and open space areas. On December 20, 1995, the City Council approved Tentative Tract Map Nos. 4973 and 4974 consisting of large lots which define areas for development currently proposed for subdivision. Tract No. 4973 is for the northern portion of the Amended Carlsberg Specific Plan.

<b>GENERAL PLAN/ZONING</b>			
<b>Direction</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Land Use</b>
Site	Sub-Regional Retail / Commercial / Business Park (SR/C/BP)	Specific Plan No. 92-1 (Amended Carlsberg SP)	Vacant
North	Sub-Regional Retail / Commercial / Business Park (SR/C/BP)	Specific Plan No. 92-1 (Amended Carlsberg SP)	Retail Commercial and Restaurants
South	Open Space	Specific Plan No. 92-1 (Amended Carlsberg SP)	Open Space
East	Freeway – R/W	OS – 10ac	SR-23 freeway
West	Sub-Regional Retail / Commercial / Business Park (SR/C/BP)	Specific Plan No. 92-1 (Amended Carlsberg SP)	Retail Commercial

General Plan and Zoning Consistency:

Light industrial and office uses are allowed uses for the site under the Amended Carlsberg Specific Plan zoning classification and the Sub-Regional Retail/Commercial/Business Park (SR/C/BP) General Plan land use designation. The development of this industrial project as conditioned is consistent with this land use designation.

<b>Project Summary Lot</b>	<b>Building</b>	<b>Project Summary Use</b>	<b>Building Area (sq. ft.)</b>
1	Bldg. A	Office	43,800
2	Bldg. B	Light Industrial	52,356
3	Bldg. C	Light Industrial	45,136
	Bldg. D	Light Industrial	16,787
4	Home Depot	Home Improvement Warehouse Store and Garden Center	142,998
5	Bldg. E	Office	20,904
6	Bldg. F	Light Industrial	41,280
7	Bldg. G	Light Industrial	23,613
	Bldg. H	Light Industrial	17,491
8	Bldg. I	Light Industrial	17,491
	Bldg. J	Light Industrial	23,613
<b>Total</b>			<b>445,469</b>

**Proposed Project**

Architecture/Building Design:

This modification would establish revised architectural design and control standards for the center. The proposed buildings are of a contemporary style, and are planned to be constructed of painted tilt-up concrete panels. The structures are proposed to include architectural features such as reveals, cornices, wall sconces, suspended canopies, windows, stone veneers, and color combinations which serve to provide individual identity to each of the proposed buildings. The proposed colors are generally rich earth tones with neutral accents. The architecturally enhanced elevations are designed to face Patriot Drive, with the exception of Buildings "A" and "E" which are designed as keynote buildings, with enhanced elevations facing both Patriot Drive and the entry from Miller Parkway.

The functional roof height for all buildings, not including architectural elements or parapet walls is consistent with the thirty-five (35') foot height limit requirements of the Carlsberg Specific Plan. As with the original approval, there are certain architectural elements and parapet walls that exceed the thirty-five (35') foot functional height limit.

The buildings are flexibly designed such that they can be easily divided to accommodate either a single or multiple users and uses. Each section of the light industrial buildings is designed to have its own entrance, convenient parking, and loading doors that are positioned on elevations that do not face Patriot Drive.

Building height and design are discussed in the analysis section below.

Setbacks:

Section 8119-65 of Ordinance No. 195 "Carlsberg Specific Plan Land Use Regulations" specifies the Site Development Standards including setbacks for industrial projects. Minimum required setbacks are twenty (20%) percent of lot width or depth with a minimum of thirty (30') feet for the front; fifteen (15%) percent of lot width or depth with a minimum of thirty (30') feet for the side; ten (10%) percent of lot width or depth with a minimum of thirty (30') feet for the exterior side setback; and fifteen (15%) percent of lot width or depth with a minimum of ten (10') feet for the rear setback. Setbacks are further discussed in the analysis section of this report.

Circulation:

Regional access is provided by the SR-23 and SR-118, with on and off-ramps located approximately one-half mile northeast of the project site. Local access to the industrial park will be provided by an extension of the new private street, Patriot Drive, located easterly of Miller Parkway. A secondary access, which connects to the Moorpark Marketplace shopping center to the north, is located on the north side of the site, between buildings "F" and "G". The intersection of Miller Parkway and Patriot Drive will provide signalized access into and out of the project site.

On site vehicular circulation will be via driveways off of Patriot Drive, as well as between the individual lots. Reciprocal access easements will be required and common driveways are planned with full internal circulation between lots.

Pedestrian circulation is provided via a gently meandering sidewalk that connects all of the lots to each other, as well as to the shopping center to the north, and the multipurpose trail to the south. The exact location of the connection to the multipurpose trail has not been identified, but will be identified prior to construction. A condition of approval has been added to this effect.

Parking:

<b>Lot (Bldg.)</b>	<b>Proposed Use (Sq. Ft.)</b>	<b>Spaces Required</b>	<b>Spaces Provided</b>
1 (Bldg. A)	Office (43,800)	146 (1:300)	146
2 (Bldg. B)	Light Industrial (52,356)	105 (1:500)	132
3 (Bldg. C & D)	Light Industrial (45,136 & 16,787)	124 (1:500)	162
4 (Home Depot)	Home Improvement Warehouse Store and Garden Center (142,998 previously approved)	470	471
5 (Bldg. E)	Office (20,904)	70 (1:300)	72
6 (Bldg. F)	Light Industrial (41,280)	83 (1:500)	103
7 (Bldg. G & H)	Light Industrial (23,613 & 17,491)	82 (1:500)	111
8 (Bldg. I & J)	Light Industrial (17,491 & 23,613)	82 (1:500)	125
	<b>Total</b>	<b>1162</b>	<b>1322</b>
	<b>Without Home Depot</b>	<b>692</b>	<b>851</b>

As depicted on the above table, the available parking provided exceeds ordinance requirements. Prior to receipt of a building permit, Building and Safety will review the construction drawings for compliance with Americans with Disabilities Act (ADA) requirements for parking and access. Reciprocal parking easements will be required between the buildings. These items have been added as conditions of approval.

Landscaping:

This project proposes on-site landscaping along Patriot Drive and internal parking lot landscaping.

The Amended Carlsberg Specific Plan requires that a minimum of ten (10%) percent of the site be landscaped. Approximately twenty-two percent (22%) of the site is proposed to be landscaped.

Site Improvements and National Pollutant Discharge Elimination System (NPDES) Standard Requirements:

The City Engineer has conditioned the project to provide for all necessary on-site and off-site storm drain improvements including the imposition of National Pollution Discharge Elimination System (NPDES) requirements. "Passive" Best Management Practices Drainage Facilities are required to be provided so that surface flows are intercepted and treated on the surface over bio-filters (grassy swales), infiltration areas and other similar solutions.

**ANALYSIS**

**Issues**

Staff analysis of the proposed project has identified the following areas for Planning Commission consideration in their recommendation to the City Council:

- Building Height and Design
- Setbacks

Building Height and Design:

Pursuant to the Amended Carlsberg Specific Plan, the allowable maximum height of buildings in the BP Zone is thirty-five (35') feet measured from the grade of the slab, unless the site is to be used by one (1) single user in which case the height limit shall not exceed fifty (50') feet. Several of the buildings are proposed to exceed an overall height of thirty (30') feet for the functional roof, not counting architectural features or parapet wall. However, parapets, which serve to screen roof mounted equipment and which also serve as architectural elements to give buildings individual identities exceed the maximum thirty-five (35') feet height limit. Since the functional roofs for all buildings without the architectural elements meet the thirty-five (35') foot height limit, this project is consistent with the height requirements in the Carlsberg Specific Plan.

As mentioned above, the buildings, site planning, and parking are flexibly designed to accommodate either single or multiple users. Each section of the light industrial buildings has its own entrance, convenient parking, and loading doors that are positioned on elevations that do not face Patriot Drive. Additionally, the site as a whole has an excess of 159 parking spaces, exclusive of the Home Depot lot, which would allow a certain percentage of the suites in the light industrial buildings to be used for office uses. Building "A" has been designed with front courtyard patios, which would allow a restaurant or other food use on the ground floor.

Setbacks:

The Amended Carlsberg Specific Plan requires a thirty (30') foot front setback from public streets for this project. The setbacks were designed to have been measured from the property lines existing at the time of approval of Ordinance No. 195 because there was no anticipation of internal subdivision of the commercial/industrial areas of the Carlsberg Specific Plan with additional internal streets. As such, the required front setbacks are measured from Miller Parkway and Los Angeles Avenue. Building setbacks from internal private streets and drives, because of their individual size and orientation, may be reduced. As such, the internal setbacks from Patriot Drive shall be established by approval of this Industrial Planned Development. The proposed twenty (20') foot landscaped building setback is appropriate for Patriot Drive; this has been included as a proposed condition of approval.

**Findings**

Industrial Planned Development Findings:

- A. The site design, including structure location, size, height, setbacks, massing, scale, architectural style and colors, and landscaping is consistent with the provisions of the City's General Plan, the Carlsberg Specific Plan, and Title 17 of the Municipal Code in that all applicable standards of these plans and regulations would be met by the proposed development and the design of the industrial/office buildings are consistent with the Architectural Design Guidelines as outlined in the Amended Carlsberg Specific Plan.
- B. The site design would not create negative impacts on or impair the utility of the neighboring properties or uses as the proposed uses are compatible with surrounding land uses and the circulation system provides for logical connections. The project also is a substantial distance from any existing residential development.
- C. The proposed uses are compatible with the existing and permitted uses in the surrounding area as they share a similar zoning and the proposed development is consistent with criteria specified in the Amended Carlsberg Specific Plan and development requirements for office, retail, and industrial developments in applicable City Codes.

**PROCESSING TIME LIMITS**

Time limits have been established for the processing of development projects under the Permit Streamlining Act (Government Code Title 7, Division 1, Chapter 4.5), the Subdivision Map Act (Government Code Title 7, Division 2), and the California Environmental Quality Act Statutes and Guidelines (Public Resources Code Division 13, and California Code of Regulations, Title 14, Chapter 3). Under the applicable provisions of these regulations, the following timelines have been established for action on this project:

**Date Application Determined Complete: January 24, 2007**  
**Planning Commission Action Deadline: not applicable**  
**City Council Action Deadline: April 23, 2007**

Upon agreement by the City and Applicant, one 90-day extension can be granted to the date action must be taken on the application.

### **ENVIRONMENTAL DETERMINATION**

In accordance with the City's environmental review procedures adopted by resolution, the Community Development Director determines the level of review necessary for a project to comply with the California Environmental Quality Act (CEQA). Some projects may be exempt from review based upon a specific category listed in CEQA. Other projects may be exempt under a general rule that environmental review is not necessary where it can be determined that there would be no possibility of significant effect upon the environment. A project which does not qualify for an exemption requires the preparation of an Initial Study to assess the level of potential environmental impacts.

Based upon the results of an Initial Study, the Director may determine that a project will not have a significant effect upon the environment. In such a case, a Notice of Intent to Adopt a Negative Declaration or a Mitigated Negative Declaration is prepared. For many projects, a Negative Declaration or Mitigated Negative Declaration will prove to be sufficient environmental documentation. If the Director determines that a project has the potential for significant adverse impacts and adequate mitigation can not be readily identified, an Environmental Impact Report (EIR) is prepared.

This proposed industrial project is consistent with the Amended Carlsberg Specific Plan for which an EIR was certified. The proposed business park has been determined to be an allowable use within a BP zone and is consistent with the analysis of the land use and impacts in the Specific Plan EIR. The Community Development Director has concluded that the Environmental Impact Report for the Amended Carlsberg Specific Plan adequately addresses the impacts of the proposed industrial project. This conclusion is consistent with Section 15181 of the California Environmental Quality Act (CEQA).

### **STAFF RECOMMENDATION**

1. Open the public hearing, accept public testimony and close the public hearing.
2. Adopt Resolution No. PC-2007-\_\_\_\_ recommending to the City Council conditional approval of Modification No. 1 to Industrial Planned Development Permit No. 2000-01.

Honorable Planning Commission  
February 27, 2007  
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**ATTACHMENTS:**

1. Location Map
2. Aerial Photograph
3. Project Exhibits (Booklet Under Separate Cover)
4. Draft PC Resolution with Conditions of Approval

**000023**

RESOLUTION NO. PC-2007-512

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MOORPARK, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF MODIFICATION NO. 1 TO INDUSTRIAL PLANNED DEVELOPMENT (IPD) NO. 2000-01 TO ALLOW MODIFICATION OF AN APPROVED INDUSTRIAL PLANNED DEVELOPMENT FOR APPROXIMATELY 445,000 SQUARE FEET OF INDUSTRIAL SPACE INCLUDING A PREVIOUSLY APPROVED HOME IMPROVEMENT STORE, ON AN APPROXIMATELY 33 ACRE SITE, LOCATED WEST OF THE SR-23 FREEWAY AND EAST OF MILLER PARKWAY, APPROXIMATELY 230 FEET SOUTH OF LOS ANGELES AVENUE ON THE APPLICATION OF MOORPARK CARLSBERG HOLDINGS

WHEREAS, at a duly noticed public hearing on February 27, 2007, the Planning Commission considered Modification No. 1 to Industrial Planned Development (IPD) No. 2000-01 on the Application of Moorpark Carlsberg Holdings to allow modification of an approved Industrial Planned Development for approximately 445,000 square feet of industrial space including a previously approved home improvement store, on an approximately 33 acre site, located west of the 23 Freeway and east of Miller Parkway, approximately 230 feet south of Los Angeles Avenue; and

WHEREAS, at its meeting of February 27, 2007 the Planning Commission considered the agenda report and any supplements thereto and written public comments; opened the public hearing and took and considered public testimony both for and against the proposal; and reached a decision on this matter; and

WHEREAS, the Planning Commission concurs with the Community Development Director's determination that all potentially significant environmental effects of this project have been analyzed adequately in an earlier Environmental Impact Report (SCH No. 92061076) that was prepared and certified for the Amended Carlsberg Specific Plan, and that no new information or impacts that require preparation of a new or subsequent EIR have been identified as a result of this proposed modification to the project, therefore, no further analysis pursuant to the California Environmental Quality Act is required.

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

SECTION 1. PLANNED DEVELOPMENT 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 17.44.030:

- A. The site design, including structure location, size, height, setbacks, massing, scale, architectural style and colors, and landscaping is consistent with the provisions of the City's General Plan, the Carlsberg Specific Plan, and Title 17 of the Municipal Code in that all applicable standards of these plans and regulations would be met by the proposed development and the design of the industrial/office buildings are consistent with the Architectural Design Guidelines as outlined in the Amended Carlsberg Specific Plan.
- B. The site design would not create negative impacts on or impair the utility of the neighboring properties or uses as the proposed uses are compatible with surrounding land uses and the circulation system provides for logical connections. The project also is a substantial distance from any existing residential development.
- C. The proposed uses are compatible with the existing and permitted uses in the surrounding area as they share a similar zoning and the proposed development is consistent with criteria specified in the Amended Carlsberg Specific Plan and development requirements for office, retail, and industrial developments in applicable City Codes.

**SECTION 2. PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission recommends to the City Council approval of Modification No. 1 to Industrial Planned Development (IPD) No. 2000-01 subject to the special and standard Conditions of Approval included in Exhibit A (Special and Standard Conditions of Approval), attached hereto and incorporated herein by reference.

**SECTION 3. CERTIFICATION OF ADOPTION:** The Community Development Director shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

The action of the foregoing direction was approved by the following vote:

AYES: Commissioners Di Cecco, Hamous and Landis, Vice Chair Peskay  
and Chair Taillon

NOES:

ABSTAIN:

ABSENT:

PASSED, AND ADOPTED this 27th day of February, 2007.

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Mark Taillon, Chair

ATTEST:

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Barry K. Hogan  
Community Development Director

Exhibit A – Special and Standard Conditions of Approval

RESOLUTION NO. 2007-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING MODIFICATION NO. 1 TO INDUSTRIAL PLANNED DEVELOPMENT (IPD) NO. 2000-01 TO ALLOW MODIFICATION OF AN APPROVED INDUSTRIAL PLANNED DEVELOPMENT FOR APPROXIMATELY 445,000 SQUARE FEET OF INDUSTRIAL AND COMMERCIAL SPACE INCLUDING A PREVIOUSLY APPROVED HOME IMPROVEMENT STORE, ON AN APPROXIMATELY 33 ACRE SITE, LOCATED WEST OF THE SR-23 FREEWAY AND EAST OF MILLER PARKWAY, APPROXIMATELY 230 FEET SOUTH OF LOS ANGELES AVENUE ON THE APPLICATION OF MOORPARK CARLSBERG HOLDINGS

WHEREAS, on February 27, 2007, the Planning Commission adopted Resolution No. PC-2007-512, recommending conditional approval of Modification No. 1 to Industrial Planned Development (IPD) No. 2000-01 on the Application of Moorpark Carlsberg Holdings to allow modification of an approved Industrial Planned Development for approximately 445,000 square feet of industrial and commercial space including a previously approved home improvement store, on an approximately 33 acre site, located west of the 23 Freeway and east of Miller Parkway, approximately 230 feet south of Los Angeles Avenue; and

WHEREAS, at duly noticed public hearing held on April 18, 2007, the City Council considered the agenda report and any supplements thereto and any written public comments; opened the public hearing, took and considered public testimony both for and against the proposal, closed the public hearing, and reached a decision on this matter; and

WHEREAS, the City Council concurs with the Community Development Director's determination that all potentially significant environmental effects of this project have been analyzed adequately in an earlier Environmental Impact Report (SCH No. 92061076) that was prepared and certified for the Amended Carlsberg Specific Plan, and that no new information or impacts that require preparation of a new or subsequent EIR have been identified as a result of this proposed modification to the project, therefore, no further analysis pursuant to the California Environmental Quality Act is required.

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

SECTION 1. PLANNED DEVELOPMENT 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 17.44.030:

- A. The site design, including structure location, size, height, setbacks, massing, scale, architectural style and colors, and landscaping is consistent with the provisions of the City's General Plan, the Carlsberg Specific Plan, and Title 17 of the Municipal Code in that all applicable standards of these plans and regulations would be met by the proposed development and the design of the industrial/office buildings are consistent with the Architectural Design Guidelines as outlined in the Amended Carlsberg Specific Plan.
- B. The site design would not create negative impacts on or impair the utility of the neighboring properties or uses as the proposed uses are compatible with surrounding land uses and the circulation system provides for logical connections. The project also is a substantial distance from any existing residential development.
- C. The proposed uses are compatible with the existing and permitted uses in the surrounding area as they share a similar zoning and the proposed development is consistent with criteria specified in the Amended Carlsberg Specific Plan and development requirements for office, retail, and industrial developments in applicable City Codes.

SECTION 2. CITY COUNCIL APPROVAL: The City Council hereby approves Modification No. 1 to Industrial Planned Development (IPD) No. 2000-01 subject to the special and standard Conditions of Approval included in Exhibit A (Special and Standard Conditions of Approval), attached hereto and incorporated herein by reference.

SECTION 3. 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 18th day of April, 2007.

\_\_\_\_\_  
Patrick Hunter, Mayor

ATTEST:

\_\_\_\_\_  
Deborah S. Traffenstedt, City Clerk

Attachment:

Exhibit A – Special and Standard Conditions of Approval

000028

**EXHIBIT A**

**SPECIAL AND STANDARD CONDITIONS OF APPROVAL  
FOR MODIFICATION NO. 1 TO INDUSTRIAL PLANNED  
DEVELOPMENT (IPD) NO. 2000-01**

**SPECIAL CONDITIONS**

1. The site plan must include a bus stop on the project site for the City of Moorpark municipal bus transportation system with location and design to the satisfaction of the Community Development Director and the Parks, Recreation and Community Services Director. The bus stop must be constructed at the applicant's expense and completed prior to issuance of a zoning clearance for occupancy of the first building. The applicant shall insure that the gates between this development and the Moorpark Marketplace are kept open or removed.
2. The applicant shall submit a retaining wall plan which demonstrates locations, heights and materials for the retaining wall proposed along the base of the slopes to the east and south of the project site for review and approval of the Community Development Director prior to the issuance of grading permits.
3. The photometric lighting plan must include a lighting system designed to include an automatic shutoff control with manual override capability to reduce at least fifty percent (50%) of the energy usage of the system from twelve (12:00) a.m. until one (1) hour before daylight, unless otherwise approved by the Community Development Director for safety or security reasons and the lighting plan must be reviewed and approved by the Community Development Director prior to the issuance of building permits.
4. All lighting fixtures must be architecturally compatible with the buildings and landscaping subject to the review and approval of the Community Development Director prior to the issuance of building permits.
5. The applicant shall prepare a skylight plan in association with the roof plan to demonstrate methods by which off-site glare during nighttime hours will be minimized. The plan shall be subject to the final review and approval of the Community Development Director prior to the issuance of building permits.
6. Development Fee: Prior to issuance of Zoning Clearance for each building permit, the applicant shall pay the City a Development Fee consistent with the Settlement Agreement requirement for the Amended Carlsberg Specific Plan. The amount of the Development Fee shall be consistent with the terms of the Carlsberg Settlement Agreement.
7. Mitigation Fee: Prior to issuance of Zoning Clearance for each building permit, the applicant shall pay the City a "Mitigation Fee" consistent with the Settlement Agreement requirement for the Amended Carlsberg Specific Plan. The amount

of the Mitigation Fee shall be consistent with the terms of the Carlsberg Settlement Agreement. Institutional uses shall pay on the same basis as commercial and industrial uses, except that institutional uses which are exempt from secured property taxes shall be exempt from the fee.

8. Developer shall participate in intersection improvements for Los Angeles Avenue/Spring Road. The level of participation shall be to the requirements of the City Council Resolution No. 94-1061. Prior to Final Map approval, a traffic report shall be provided by the Developer that shall determine the extent of the impact to this intersection.
9. Prior to Zoning Clearance, the Developer shall make a special contribution to the City representing the Developer's pro-rata share of the cost of improvements at Los Angeles Avenue/Moorpark Avenue (\$165,000). The actual contribution (pro-rata share shall be based upon the additional traffic added to the intersection). The Developer's traffic engineer shall provide the City Engineer a "Fair Share Analysis" of the projects added traffic for calculation of the pro-rata ("fair share") amount.
10. The applicant shall submit a hardscape plan which demonstrates the amount, size and shape of the raised planters for review and approval of the Community Development Director prior to the issuance of building permits.
11. The landscape plan must incorporate specimen size trees subject to the review and approval of the Community Development Director. In the transitional area between this permit area and the adjacent open space the landscaping must consist of city approved native trees, shrubs and groundcover to provide a blending and transition to the existing native plant material.
12. None of the prohibited plants indicated in the Provisionally Acceptable Plant List and the Invasive and Prohibited Plant List contained in the City's Landscape Guidelines may be used on any property in this development.
13. Prior to installation of hardscape building materials, a field check and approval is required by the Community Development Director.
14. Earthen berms, hedges and/or low walls must be provided where needed to screen public views of parked vehicles from adjacent streets subject to the satisfaction of the Community Development Director.
15. The applicant shall submit all of the proposed colors, materials and building finish textures for review and approval and this must be reflected on the plans to the satisfaction of the Community Development Director prior to the issuance of building permits.
16. Roof appurtenances must be no higher than the lowest parapet on the roof and must be painted the same color as the roofing material and there must not be any piping, visible roof ladders, equipment, vents, exterior drains and scuppers or any other exposed equipment on the roof with the exception of air conditioning

- handling units and this must be reflected on the plans to the satisfaction of the Community Development Director prior to the issuance of building permits.
17. Ground mounted utility boxes and equipment must be screened with landscaping subject to the review and approval of the Community Development Director.
  18. All gas, electric, water and any other utility meters or boxes must be screened to the degree allowable by the utility companies, and subject to the review and approval of the Community Development Director.
  19. The exact location of the connection to the multipurpose trail must be identified prior and approved by the Community Development Director and the Parks, Recreation and Community Services Director to the issuance of building permits for the fifth building and construction complete prior to issuance of certificate of occupancy for the last building.
  20. Reciprocal access and parking easements or agreements must be provided between the buildings and lots by separate recorded instrument or shown on the Final Map. Wording of the easements or agreements shall be to the satisfaction of the Community Development Director and the City Attorney. The easements or agreements must be completed prior to sale of any parcel.
  21. A property owners association is required to be established for maintenance of all common areas. The articles of formation shall be subject to review and approval of the Community Development Director and the City Attorney. The association must be established prior to the sale of any parcel.
  22. A minimum twenty-foot (20') landscaped building setback from Patriot Drive is required for all buildings
  23. The overnight parking of commercial vehicles in the parking lots and loading areas of the property is prohibited except as specifically approved by the Community Development Director.
  24. The construction of Patriot Drive must be completed and opened and operable to the satisfaction of the City Engineer/Public Works Director and Community Development Director prior to the occupancy of any buildings.
  25. The applicant shall prepare and implement a plan for the posting of "No Loitering" signs for the review and approval of the Community Development Director. All of the "No Loitering" signs must be installed per the approved plan prior to the occupancy of any of the buildings. The applicant shall enforce the no loitering requirement within the permit area to the maximum extent permitted by local, state and federal laws.
  26. The Patriot Drive cul-de-sac must be designed to provide a traffic circle/roundabout to the satisfaction of the City Engineer/Public Works Director and Community Development Director. The design must be able to accommodate fire trucks.

27. Extended "idling" of commercial delivery vehicles is prohibited. Engines must be turned off within five minutes of arrival for all pick-ups and deliveries.
28. All other conditions of the Amended Carlsberg Specific Plan shall continue to apply, except as revised herein.

**STANDARD CONDITIONS**

**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. This planned development permit shall expire one (1) year 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.
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 Report and 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 within thirty (30) days of receipt of a report on the resources found 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.
9. 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.

10. 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**

11. 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.
12. 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.
13. 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 building and 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.
14. 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 the amount of \$.50 per square foot of building area to the satisfaction of the Parks, Recreation, and Community Services Director.
15. Tree and Landscape: Prior to or concurrently with the issuance of a building permit the Tree and Landscape Fee shall be paid to the Building and Safety Division. The fee shall be paid in accordance with City Council adopted Tree and Landscape Fee requirements in effect at the time of building permit application.
16. 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.
17. 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.

18. 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.
19. 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.
20. 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 based on the traffic report prepared for the project and the extent of the impact to these intersections.
21. 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 (\$29,700.00 per acre) 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. In the event the Bid Price Index referred to above in this condition is discontinued or revised, such successor index with which it is replaced shall be used in order to obtain substantially the same result as would otherwise have been obtained if the Bid Price Index had not been discontinued or revised.
22. County Traffic Fee: Prior to the issuance of a Zoning Clearance for each building permit, the applicant shall pay to the Community Development Department the County Traffic Fee for County Traffic District No. 4 in which the project is located. The fee shall be paid in accordance with City Council adopted Reciprocal Traffic Mitigation Agreement fee requirements in effect at the time of building permit application.
23. 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.

24. 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.
25. 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.
26. Art in Public Places: Prior to or concurrently with the issuance of a Zoning Clearance for building permit, the applicant shall contribute to the Art in Public Places Fund in the amount of one percent (1%) of the building valuation, to be submitted to the Community Development Department. If the applicant is required to provide a public art project on or off-site in lieu of contributing to the Art in Public Places Fund the art work shall have a value corresponding to or greater than the contribution, and shall be constructed prior to Final Occupancy of the first building. All art shall be approved in accordance with Municipal Code Chapter 17.50.
27. 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.
28. 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.
29. 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).

30. 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 must be paid in accordance with City Council adopted Storm Drain Discharge Maintenance Fee requirements in effect at the time of building permit application.

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

**DEVELOPMENT REQUIREMENTS**

31. Prior to the issuance of a certificate of occupancy for any building, the applicant shall submit a Master Sign Program to the Community Development Director for review and approval. The Master Sign Program must be designed to provide comprehensive on-site sign arrangement and design consistent with the commercial/industrial center architecture and the City's Sign Ordinance requirements.
32. For all flat roofed portions of buildings, a minimum eighteen-inch (18") parapet wall above the highest point of the flat roof must be provided on all sides.
33. Skylights are prohibited unless approved through the Planned Development Permit process or as a Modification to the Planned Development Permit.
34. Exterior downspouts are not permitted unless designed as an integral part of the overall architecture and approved by the city as part of the planned development permit.
35. Mechanical equipment for the operation of the building must be Ground-mounted and screened to the satisfaction of the Community Development Director. The Community Development Director may approve roof-mounted equipment, in which case, the height of roof mounted equipment (such as vents, stacks, blowers, air conditioning equipment, etc.) must be below the lowest parapet on the roof; and shall be painted the same color as the roofing material; and there shall not be any piping, visible roof ladders, equipment, vents, exterior drains and scuppers or any other exposed equipment on the roof.
36. Roof-mounted equipment and other noise generation sources on-site must be attenuated to 45 decibels (dBA) or to the ambient noise level at the property line measured at the time of the occupancy, whichever is greater. Prior to the issuance of a Zoning Clearance for initial occupancy or any subsequent occupancy, the Community Development Director may request the submittal of a noise study for review and approval. The noise study would need to show that the current project attenuates all on-site noise generation sources to the required level or provide recommendations as to how the project could be modified to comply. The noise study must be prepared by a licensed acoustical engineer in accordance with accepted engineering standards.

37. Any outdoor ground level equipment, facilities or storage areas including, but not limited to loading docks, trash enclosures, cooling towers, generators, must be architecturally screened from view with masonry wall and/or landscaping as determined by the Community Development Director.
38. A utility room with common access to house all meters and the roof access ladder must be provided unless an alternative is approved by the Community Development Director.
39. No exterior access ladders of any kind to the roof are permitted.
40. Prior to issuance of a grading permit, the Applicant shall provide an Irrevocable Offer of Dedication to the City of an easement for the purpose of providing ingress/egress access, drainage and parking to the adjacent commercial/industrial properties. The City of Moorpark shall not assume any responsibility for the offered property or any improvements to the property until this action has been accepted by the City Council. If accepted by the City of Moorpark, this easement may be fully assignable to the adjacent property owners, as an easement appurtenant for parking, ingress/egress access purposes and all uses appurtenant thereto. The form of the Irrevocable Offer of Dedication and other required pertinent documents required to satisfy the above requirements must be to the satisfaction of the Community Development Director, City Engineer and the City Attorney.
41. Parking areas must be developed and maintained in accordance with the requirements of the Moorpark Municipal Code. All parking space and loading bay striping must be maintained so that it remains clearly visible during the life of the development.
42. Prior to any re-striping of the parking area a Zoning Clearance is required. All disabled parking spaces and paths of travel must be re-striped and maintained in their original approved locations unless new locations are approved by the community development director.
43. All parking areas must be surfaced with asphalt or concrete and must include adequate provisions for drainage, National Pollution Discharge Elimination System (NPDES) compliance, striping and appropriate wheel blocks, curbs, or posts in parking areas adjacent to landscaped areas. All parking and loading areas must be maintained at all times to insure safe access and use by employees, public agencies and service vehicles.
44. The Building Plans must be in substantial conformance to the plans approved under this entitlement and must specifically reflect the following:
  - a. Transformer and cross connection water control devices (subject to approval by Ventura County Waterworks District No. 1) must be shown on the site plan and landscaping and irrigation plan and screened from street view with masonry wall and/or landscaping as determined by the Community Development Director.

- b. Bicycle racks or storage facilities, in quantities as required by the Community Development Director.
  - c. Required loading areas with 45-foot turning radii must be provided for loading zones consistent with the AASHO WB-50 design vehicle and as required by the Community Development Director. If drains from the loading area are connected to the sewer system, they are subject to the approval of Ventura County Waterworks District No. 1.
  - d. Final exterior building materials and paint colors must 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.
  - e. All exterior metal building surfaces, including roofing, must be coated or sealed with rust inhibitive paint to prevent corrosion and release of metal contaminants into the storm drain system.
  - f. Trash disposal and recycling areas must be provided in a location which will not interfere with circulation, parking or access to the building. Exterior trash areas and recycling bins shall use impermeable pavement, be designed to have a cover and so that no other area drains into it. The trash areas and recycling bins must be depicted on the final construction plans, the size of which to be approved by the Community Development Director, City Engineer and the City's Solid Waste Management staff. When deemed appropriate, drains from the disposal and recycling areas must be connected to the sewer system, and are subject to the approval of Ventura County Waterworks District No. 1. Review and approval shall be accomplished prior to the issuance of a Zoning Clearance for building permit.
45. 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.
46. 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 be visible from abutting street(s) may 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 must be consistent with the approved Design Guidelines (if any) for the planned development and applicable Zoning Code requirements.
47. When required by Title 15 of the Moorpark Municipal Code, rain gutters and downspout must 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.

## **OPERATIONAL REQUIREMENTS**

48. All uses and activities must be conducted inside the building(s) unless otherwise authorized by the Community Development Director and consistent with applicable Zoning Code provisions.
49. Prior to the issuance of a Zoning Clearance for any use which requires handling of hazardous or potentially hazardous materials, the applicant shall provide proof that he/she has obtained the necessary permits from Ventura County Environmental Health Division. Should the Community Development Director determine that a compatibility study is required; the applicant shall apply for a Modification to the entitlement.
50. The applicant agrees not to protest the formation of an underground Utility Assessment District.
51. The continued maintenance of the subject site and facilities is subject to periodic inspection by the City. The Applicant and his/her successors, heirs, and assigns shall be required to remedy any defects in ground or building maintenance, as indicated by the City within five (5) days from written notification.
52. No noxious odors may be generated from any use on the subject site.
53. The applicant and his/her successors, heirs, and assigns shall remove any graffiti within three (3) days from written notification by the City of Moorpark. All such graffiti removal must be accomplished to the satisfaction of the Community Development Director.
54. Should continued compliance with these Conditions of Approval not be met the Community Development Director may declare the project to be out of compliance, or the Director may declare, for some other just cause, the project to be a public nuisance. The applicant shall be liable to the City for any and all costs and expenses to the City involved in thereafter abating the nuisance and in obtaining compliance with the Conditions of Approval or applicable codes. If the applicant fails to pay all City costs related to this action, the City may enact special assessment proceedings against the parcel of land upon which the nuisance existed (Municipal Code Section 1.12.080).
55. Prior to the issuance of a Zoning Clearance for tenant occupancy, the prospective tenant must obtain a Business Registration Permit from the City of Moorpark. All contractors doing work in Moorpark shall have or obtain a current Business Registration Permit.
56. Prior to or concurrently with the issuance of a Zoning Clearance for occupancy of any of the buildings, the applicant shall request that the City Council approve a resolution to enforce Vehicle Codes on the subject property as permitted by the Vehicle Code.
57. Prior to or concurrently with the issuance of a Zoning Clearance for a grading permit, the applicant shall submit the construction phasing plan for approval by

the Community Development Director and City Engineer. Phasing must avoid, to the extent possible, construction traffic impacts to existing adjacent residential, commercial and industrial areas, if any.

58. Prior to issuance of Zoning Clearance for the first building permit, the applicant shall submit a Waste Reduction and Recycling Plan to the City's Solid Waste Management staff and the Community Development Director for review and approval. The Plan must include a designated building manager, who is responsible for initiating on-site waste materials recycling programs, including acquiring storage bins for the separation of recyclable materials and coordination and maintenance of a curbside pickup schedule.
59. The building manager or designee shall be required to conduct a routine on-site waste management education program to educating and alerting employees and/or residents to any new developments or requirements for solid waste management. This condition must be coordinated through the City's Solid Waste Management staff.
60. Loading and unloading operations are allowed only between the hours of 8:00 a.m. and 9:00 p.m. More restrictive hours for loading and unloading may be imposed by the Community Development Director if there are noise and other issues that make the loading and unloading incompatible with the adjacent residential uses. There shall be no idling of trucks while loading or unloading.
61. No overnight parking, repair operations or maintenance of trucks may occur on site.
62. Prior to occupancy of any of the buildings, the Developer shall request that the City Council approve a resolution to enforce Vehicle Codes on the subject property as permitted by Vehicle Code Section 21107.7.

#### **LANDSCAPING, LIGHTING AND MAINTENANCE REQUIREMENTS**

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

64. The landscape plan must incorporate specimen size trees and other substantial features subject to the review and approval of the Community Development Director. Prior to the issuance of a grading permit, a tree survey shall be prepared to determine the valuation of the mature trees to be removed. Enhanced replacement landscaping of equal or greater value, as determined by the Community Development Director, shall be installed in accordance with the Tree Ordinance.
65. Prior to or concurrently with the submittal of the landscape and irrigation plan, a lighting plan, along with required deposit, must be submitted to the Community Development Director for review and approval. The lighting plan, prepared by an electrical engineer registered in the State of California, must be in conformance with the Moorpark Municipal Code.
66. 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 must be within a landscape easement.
67. All required landscape easements must be clearly shown on the Final Map or on other recorded documents if there is no Final Map.
68. Tree pruning, consisting of trimming to limit the height and/or width of tree canopy and resulting in a reduction of required shade coverage for the parking lot area, is prohibited and will be considered a violation of the Conditions of Approval.
69. When available, use of reclaimed water is required for landscape areas subject to the approval of the Community Development Director, the City Engineer and Ventura County Waterworks District No. 1.
70. Landscaped areas must 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 must be designed to minimize degradation of storm water quality. Best Management Practice landscaped areas for infiltration and biological remediation or approved equals, must be installed to intercept and effectively prohibit pollutants from discharging to the storm drain system. The design must be submitted to the Community Development Director and City Engineer for review and approval prior to the issuance of a building permit.
71. All landscaping must be maintained in a healthy and thriving condition, free of weeds, litter and debris.
72. Prior to the issuance of Zoning Clearance for occupancy all fences/walls along lot boundaries must be in place, unless an alternative installation is approved by the Community Development Director.

73. Prior to the issuance of a Zoning Clearance for occupancy, the applicant shall enter into the standard Caltrans tri-party maintenance agreement to maintain any landscaping within Caltrans right-of-way.

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

**GENERAL**

74. Grading, drainage and improvement plans and supporting reports and calculations must 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 lever 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 must be modified to conform with the Standard or Special Condition to the satisfaction of the City Engineer.
75. The applicant and/or property owner shall provide verification to the City Engineer that all on-site storm drains have been cleaned at least twice a year, once immediately prior to October 1st (the rainy season) and once in January. The City Engineer may require additional cleaning depending upon site and weather conditions.
76. All paved surfaces; including, but not limited to, the parking area and aisles, drive-through lanes, on-site walkways must be maintained free of litter/debris. Walkways, parking areas and aisles and drive-through lanes must be swept, washed or vacuumed regularly. When swept or washed, debris must be trapped and collected to prevent entry to the storm drain system in accordance with NPDES requirements.
77. Prior to improvement plan approval the applicant shall obtain the written approval on the improvement plans Mylar® sheets for the location of fire hydrants by the Ventura County Fire Prevention Division. (Water and Sewer improvements plans must be submitted to Ventura County Waterworks District No. 1 for approval.)
78. 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.

79. Reactive organic compounds, Nitrogen oxides (ozone/smog precursor), and particulate matter (aerosols/dust) generated during construction operations must 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 has been issued, construction equipment operations (including but not limited to grading, excavating, earthmoving, trenching, material hauling, and roadway construction) and related activities must cease in order to minimize associated air pollutant emissions.
80. The applicant shall comply with Chapters 9.28, 10.04, 12.24, 17.53 of the Moorpark Municipal Code standard requirements for construction noise reduction.
81. The applicant shall utilize all prudent and reasonable measures (including installation of a 6-foot high chain link fence around the construction sites or provision of a full time licensed security guard) to prevent unauthorized persons from entering the work site at any time and to protect the public from accidents and injury.
82. The applicant shall post in a conspicuous location the construction hour limitation and make each construction trade aware of the construction hour limitations.

#### **GRADING**

83. 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, 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.
84. 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 that any and all wells that may exist or have existed within the project have been properly sealed or have been destroyed or abandoned per Ventura County Ordinance No. 2372 or Ordinance No. 3991 and per Division of Oil and Gas requirements.

### **PUBLIC AND PRIVATE STREETS**

85. Prior to construction of any public improvement the applicant shall submit to the City Engineer, 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.
86. Prior to issuance of the first building permit all existing and proposed utilities that are less than 67Kv must be under-grounded as approved by the City Engineer.

### **DRAINAGE AND HYDROLOGY**

87. 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.
88. Drainage and improvement plans must 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 must 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 must be provided to the satisfaction of the City Engineer. The applicant must make any on-site and downstream improvements, required by the City, to support the proposed development.

### **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)**

89. The applicant shall submit to the City Engineer 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 must identify potential pollutant sources that may affect the quality of discharges to stormwater and must 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 must be implemented as part of the grading, improvements and development of the project.
90. 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 as proof of permit application. The improvement plans and grading plans shall contain the WDID number for the project.

91. 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 totaling no less than 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**

92. Unless otherwise stipulated in the Special Conditions of Approval, any median landscaping constructed by the project will be maintained by the City. An Assessment District will be formed to fund the City maintenance costs for any such median landscaping.
93. Unless otherwise stipulated in the Special Conditions of Approval, parkway landscaping must 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, must be conveyed to the Private Responsible Party.
94. Unless otherwise stipulated in the Special Conditions of Approval, all required on-site drainage improvements and/or stormwater quality [NPDES] features or facilities must be maintained by the Private Responsible Party.
95. 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 will be formed to fund City costs for such maintenance. In such event, any required landscaping and/or drainage improvements will be conveyed to the City in easements for such purposes.
96. Any Final Map identifying any landscape easement or drainage easement granted to a Private Responsible Party must 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.

97. If required by a Special Condition of Approval, an Assessment District [herein "Back-Up District"] will 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 is 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.
98. 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 must 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:**

99. 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:**

100. Prior to issuance of a Zoning Clearance for building permit, a Ventura County Air Pollution Control District (APCD) "Authority to Construct" must be obtained for all equipment subject to APCD Permit (see APCD Questionnaire, AB3205). Final occupancy will not be granted until compliance with all applicable APCD Rules & Regulations has been satisfactorily demonstrated.
101. 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**

102. Prior to combustible construction, an all weather access road/driveway and the first lift of the access road pavement must be installed. Once combustible construction starts a minimum twenty-foot (20') clear width access road/driveway must remain free of obstruction during any construction activities within the development. All access roads/driveways must have a minimum vertical clearance of thirteen feet-six inches (13'-6") and a minimum outside turning radius of forty feet (40').
103. Approved turnaround areas for fire apparatus must 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 feet (150') of the end of the access road/driveway.

104. The access road/driveway must be extended to within one-hundred-fifty feet (150') 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.
105. When only one (1) access point is provided, the maximum length may not exceed eight-hundred feet (800').
106. Public and private roads must be named if serving more than four (4) parcels or as required by the Fire District.
107. Approved walkways must be provided from all building openings to the public way or Fire District access road/driveway.
108. Structures exceeding three stories or forty-eight-feet (48') in height must meet current VCFPD Ordinance for building requirements. Structures exceeding seventy-five-feet (75') in height shall be subject to Fire District high rise building requirements.
109. Structures greater than 5,000 square feet and/or five (5) miles from a fire station must be provided with an automatic fire sprinkler system in accordance with current Ventura County Fire Protection District Ordinance.
110. Commercial trash dumpsters and containers with an individual capacity of 1.5 cubic yards or greater shall not be stored or placed within five feet of openings, combustible walls, or combustible roof eave lines unless protected by approved automatic sprinklers.

#### **DEVELOPMENT REQUIREMENTS**

111. 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.
112. Minimum six-inch (6") high address numbers must be installed prior to occupancy, must be contrasting in color to the background, and must be readily visible at night Brass or gold plated number may not be used. Where structures are set back more that one-hundred-fifty feet (150') 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) must be posted adjacent to the driveway entrance on an elevated post.
113. Prior to combustible construction, fire hydrants must be installed to the minimum standards of the City of Moorpark and the Fire District, and must be in service.
114. Prior to occupancy of any structure, blue reflective hydrant location markers must 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

- must still be installed and must be replaced when the final asphalt cap is completed.
115. Prior to the issuance of a building permit, building plans for all A, E, H, I, R-1 and R-2 Occupancies must be submitted, with payment for plan check, to the Fire District for review and approval.
  116. Prior to issuance of a building permit the applicant must submit a phasing plan and two (2) site plans (for the review and approval of the location of fire lanes) to the Fire District.
  117. Prior to occupancy the fire lanes must be posted "NO PARKING FIRE LANE TOW-AWAY" in accordance with California Vehicle Code and the Fire District requirements.
  118. 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 feet (300') of the proposed project and showing the location, type and number of proposed hydrants, and the size of the outlets. Fire hydrant(s) must 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, must be installed and in service prior to combustible construction and must conform to the minimum standards of the Ventura County Waterworks Manual and the Fire District.
  119. 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 must be supervised by a fire alarm system in accordance with Fire District requirements.
  120. 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 must be installed in all buildings in accordance with California Building and Fire Code.
  121. Prior to the issuance of a certificate of occupancy by the Building Division the applicant shall obtain all applicable Uniform Fire Code (UFC) permits.
  122. 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."
  123. Prior to the issuance of a certificate of occupancy by the Building Division the applicant shall install fire extinguishers in accordance with the Uniform Fire Code. The placement of extinguishers is subject to review and approval by the Fire District.
  124. 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:**

125. 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.
126. 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.
127. At the time water service connection is made, cross connection control devices must be installed on the water system in a manner approved by the Ventura County Waterworks District No. 1.
128. Gating of private streets or parking areas must meet the requirements of Chapter 17.32 of the Moorpark Municipal Code and of the Ventura County Fire Protection District.

**H. Please contact the VENTURA COUNTY WATERSHED PROTECTION DISTRICT for compliance with the following conditions:**

129. 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:**

130. 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 must 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 -