

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** David A. Bobardt, Planning Director   
Prepared By: Joseph R. Vacca, Principal Planner 

**DATE:** October 24, 2007 (CC Meeting of 11/07/2007)

**SUBJECT:** Consider Modification No. 1 to Industrial Planned Development Permit (IPD/DP) No. 300, a Request to Construct a Three-Level Parking Structure Containing 260 Parking Spaces, at 5898 Condor Drive, on the Application of John Kamus (APNs: 513-0-006-025 and 513-0-006-012)

**BACKGROUND**

On August 16, 2007, John Kamus of Kamus and Keller Architects submitted an application on behalf of Brentwood Capital Partners for a three-level parking structure with 260 spaces proposed at 5898 Condor Drive. The parking structure increases the amount of available parking on-site in order to accommodate office use in the building on the property. The application was determined to be complete on October 18, 2007. On October, 23, 2007, the Planning Commission adopted a resolution recommending to the City Council approval of the project with conditions. As part of this application a Lot Line Adjustment is in process to combine the parking structure property with the adjacent office building property as one lot. This modification, if approved, would not be effective until the Lot Line Adjustment is approved and recorded.

**DISCUSSION**

A full analysis of this project is provided in the attached Planning Commission agenda report. The Planning Commission's discussion focused primarily on architectural details, parking arrangements and landscaping, including the following items:

- The parking structure's design compatibility with the existing office building and its integration into the topography with a partial subterranean layout.
- The incorporation of landscape planters to soften the mass of the structure, provide shade and interest on the architectural facades, and screen parked vehicles.
- The parking ratio exceeding the minimum standard, making the office building more marketable.

- The desire to reconfigure or adjust the drive aisles of the surface parking lot to provide additional landscape areas.
- The requirement for enhanced landscaping along Condor Drive and on the large concrete wall panels of the parking structure with the use of metal trellises or a green screen for vine planting.
- The requirement to limit the height of the lighting on the roof deck to a maximum of fifteen (15) feet.
- The use of decorative security fencing along the southern property line.

The Planning Commission unanimously approved the staff recommendation and recommended that the City Council approve the project based on the special and standard conditions proposed at the meeting. The Planning Commission did not require any additional conditions of approval; nor were any modifications of the proposed conditions of approval suggested or required.

The proposed parking structure is intended to provide a total of 260 parking spaces over three levels, at a total of 96,400 square feet. The structure building height varies due to the partial subterranean construction that is proposed. On the north elevation, the parking structure is fifteen feet (15') high. On the west elevation along Condor Drive, the height ranges between sixteen feet (16') and twenty-one feet (21') above finished grade. The south elevation is between twenty-nine feet (29') and twenty-six feet (26') above the finished grade of the site. Installation of landscaping and a decorative fence along the south facing side yard will ensure compatibility between the parking structure and the adjacent High School site. Facing the Arroyo Simi the structure is at a maximum of twenty-six feet (26') above the finished grade of the site.

The interior of the parking structure has a clear unobstructed height of eleven feet three inches (11'3") throughout the entire structure. The parking structure is characterized as an open air structure with the top deck functioning as the roof, also allowing for roof mounted parking. The structure will be a post tension concrete structure. Generally, there will be an internal framework of steel beams and cables that will then be covered with a poured in place concrete shell. The parking structure has been designed to be compatible with the concrete tilt up office building on the project site. A variety of materials, colors and textures is proposed on the structure. Poured in place, built in planters are provided on the north, west and south elevations of the structure. The parking structure is sited in such a way as to meet or exceed the minimum setbacks required in the M-1 zone. Special conditions of approval are recommended in the attached draft resolution to ensure compatibility in design with the existing office and to enhance the aesthetic quality of the parking structure.

#### **STAFF RECOMMENDATION**

1. Open the public hearing, take public testimony and close the public hearing.
2. Adopt Resolution No. 2007-\_\_\_\_\_ approving Modification No. 1 to Industrial Planned Development Permit / Development Permit No. 300.

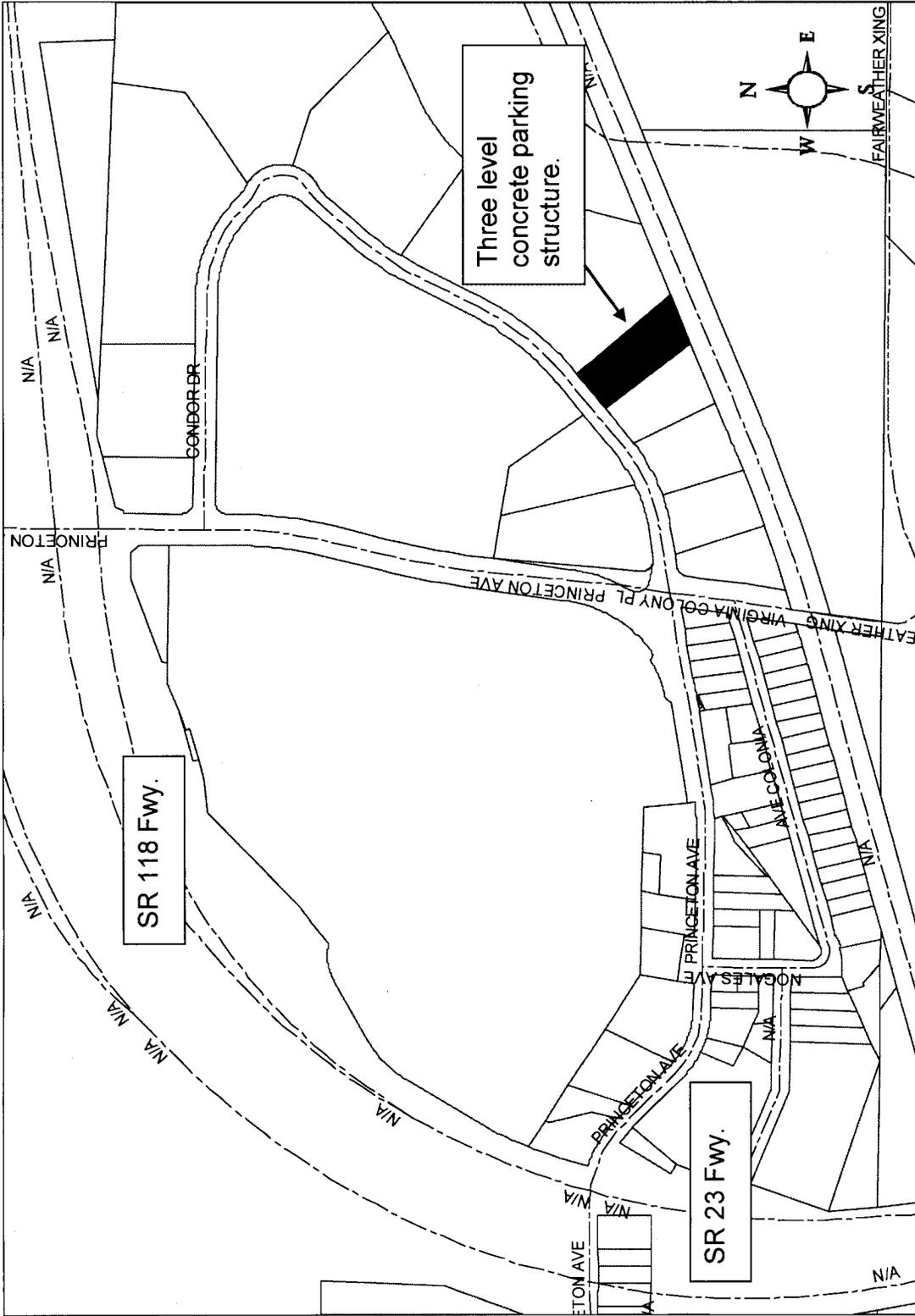
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Honorable City Council  
November 7, 2007  
Page 3

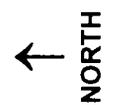
**ATTACHMENTS:**

1. Location Map
2. Aerial Photograph
3. Project Exhibits
4. October 23, 2007, Planning Commission Agenda Report (w/o attachments)
5. Draft Resolution with Conditions of Approval

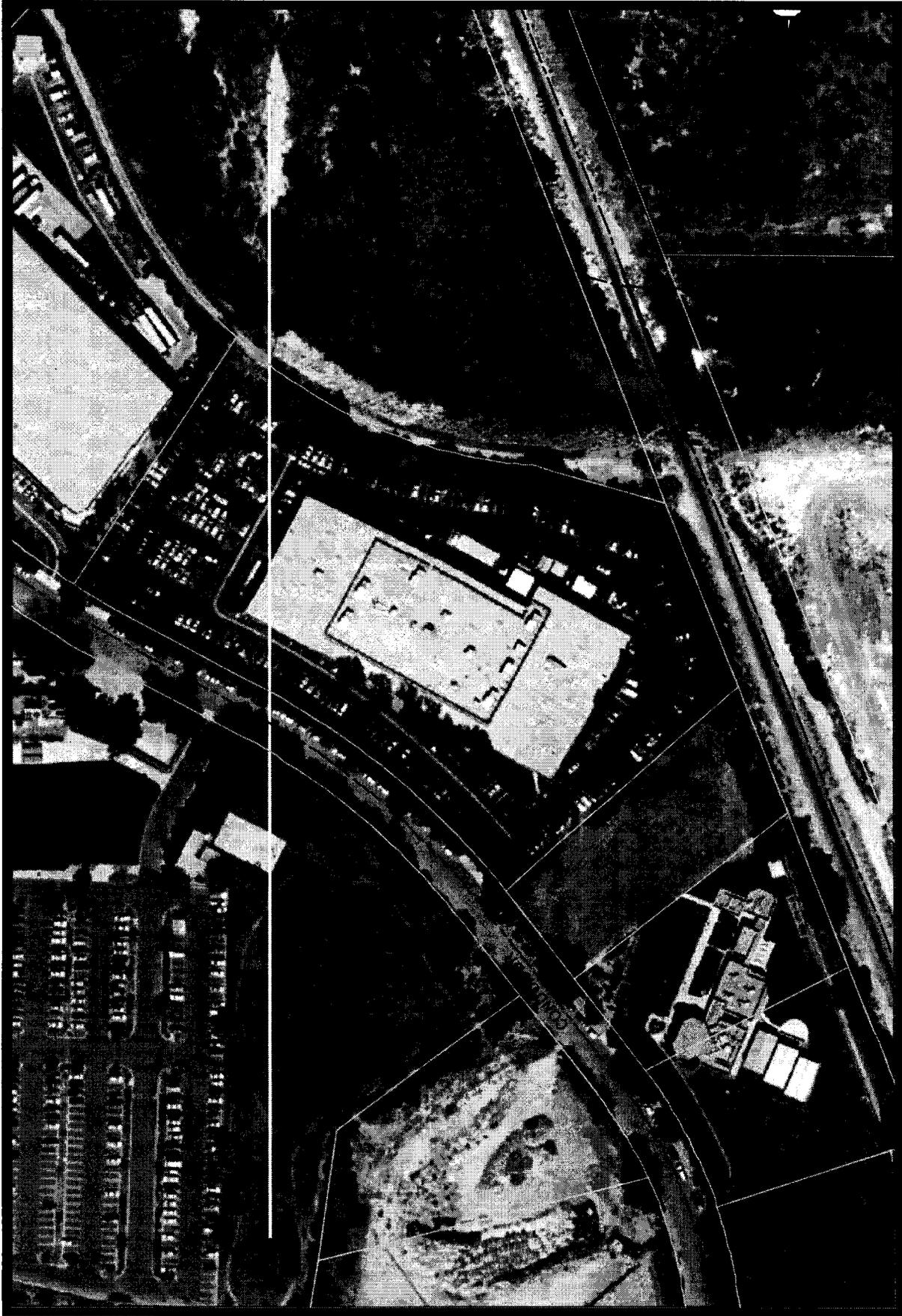
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**LOCATION MAP**  
**CC ATTACHMENT 1**



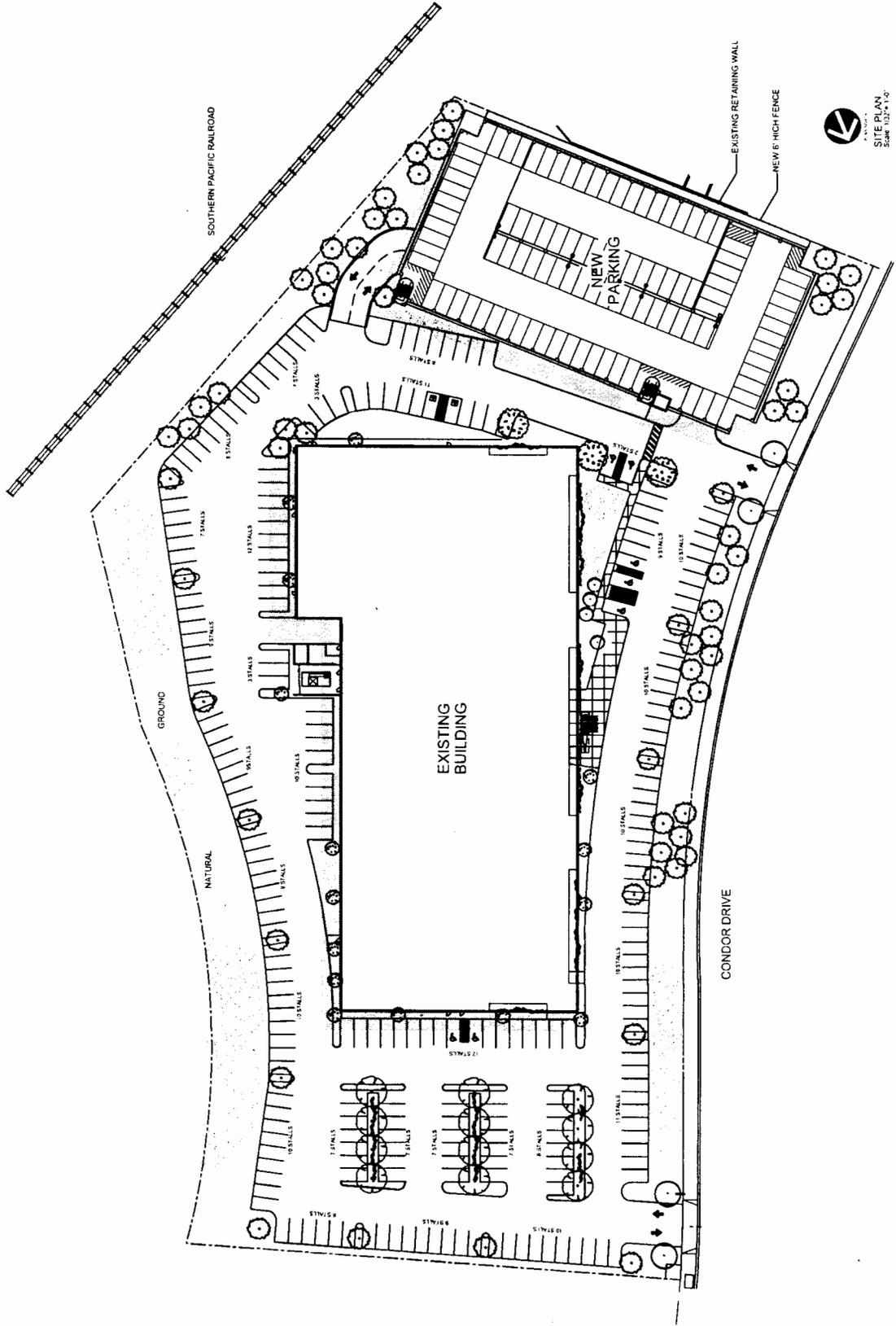
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**AERIAL PHOTOGRAPH  
CC ATTACHMENT 2**

↑  
NORTH

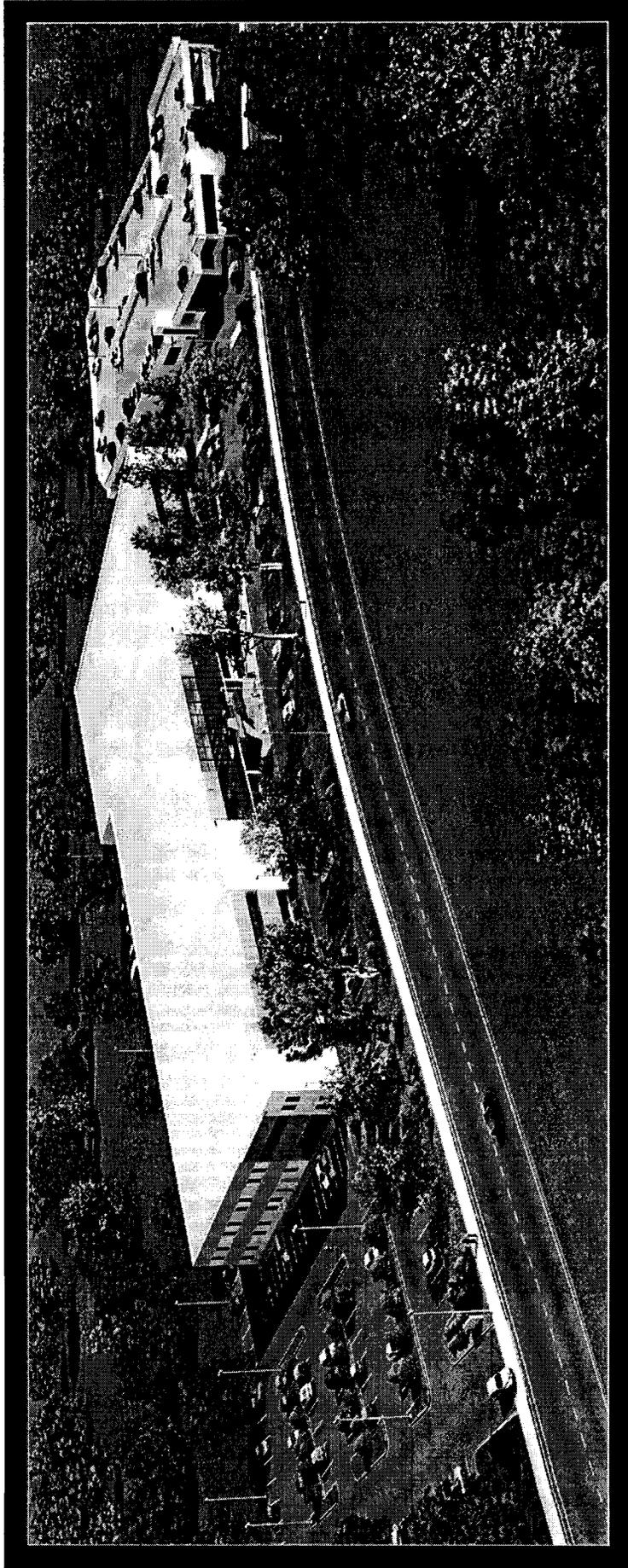
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CONDOR PARKING STRUCTURE  
 3000 CONDOR DRIVE, MOORPARK, CA  
 94029

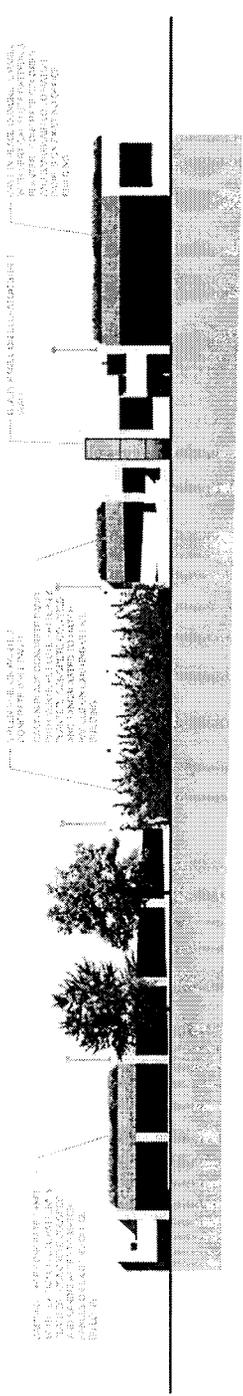
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CC ATTACHMENT 3

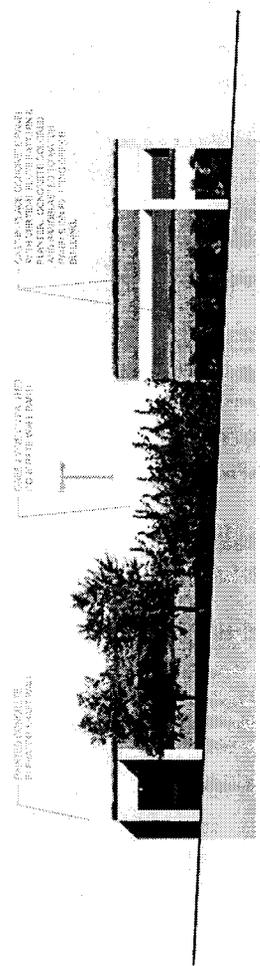


CONDOR PARKING STRUCTURE  
6988 CONDOR DRIVE, MOORPARK, CA  
2014 REVISED

000007



**NORTH ELEVATION**  
Facing North



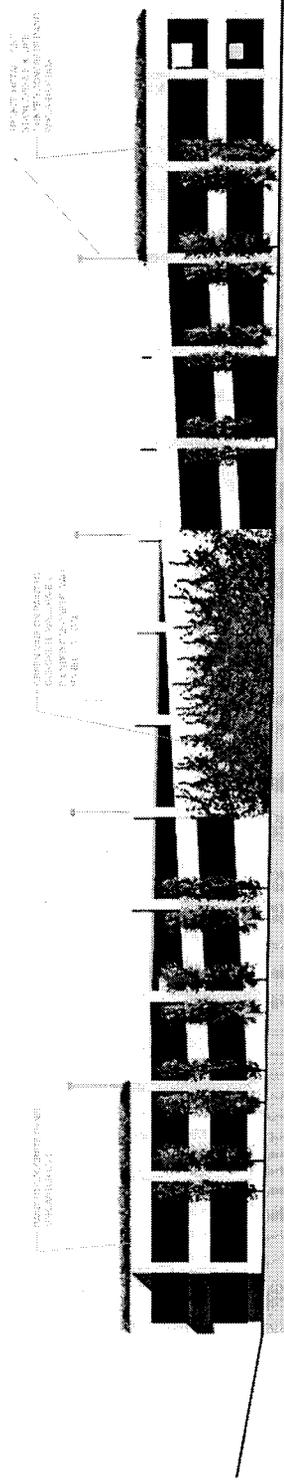
**WEST ELEVATION**  
Facing West



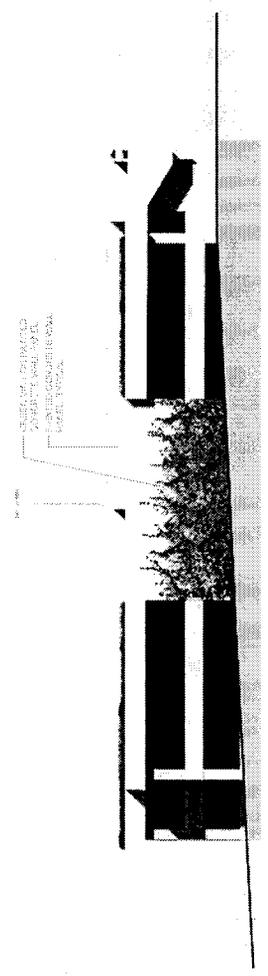
MOORE & LEITCH  
ARCHITECTS

**CONDOR PARKING STRUCTURE**  
CONDOR DRIVE, MOORPARK, CA

000008



SOUTH ELEVATION  
PAGE 2.1



EAST ELEVATION





- CONSTRUCTION LEGEND**
- ENTRY FEATURE - SEE ARCHITECTURAL DRAWINGS
  - SPHERE BOLLARDS
  - FEATURE PAVING
  - PAVING
  - PROJECT SCISSOR
  - GREENSCREEN WITH VINES
  - V-TREE POCKET @ STALL LINE
  - PLANTER BOX ON TOP OF WALL
  - CIRCULAR TREE POCKET
  - CLEANING AND WAXING TRUCK BACK
  - DETENTION BASIN AREAS

**PLANTING NOTES**

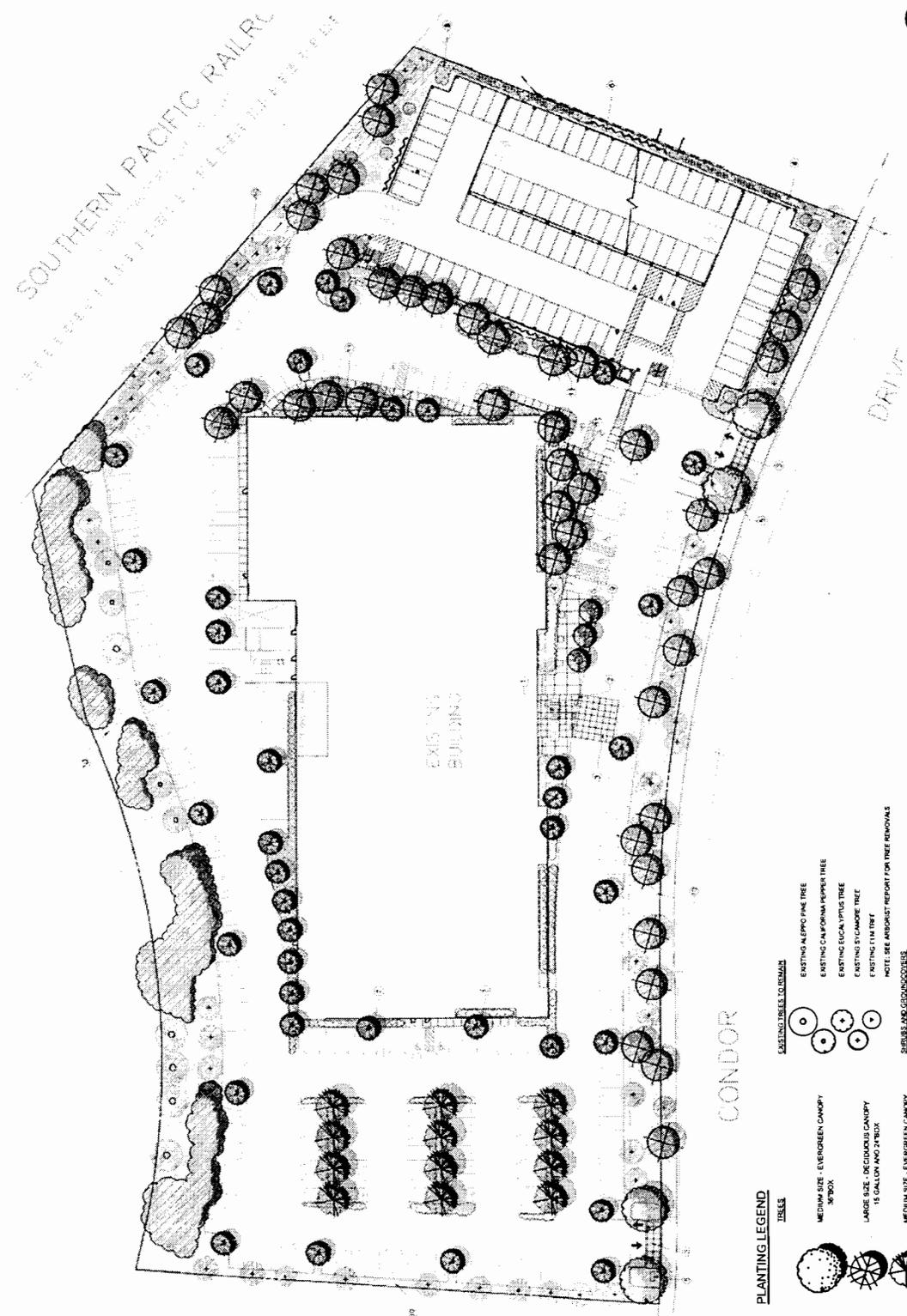
**WIND CONTROL**  
 WIND BREAK WALLS SHALL BE LOCATED AS SHOWN IN THIS PLAN. LEAN AND STRENGTHEN THE EXISTING WALLS TO SUPPORT THE WEIGHT OF ALL PLANT MATERIALS. WIND BREAK WALLS SHALL BE CONSTRUCTED TO WITHSTAND THE DESIGN WIND SPEEDS. WIND BREAK WALLS SHALL BE CONSTRUCTED TO WITHSTAND THE DESIGN WIND SPEEDS. WIND BREAK WALLS SHALL BE CONSTRUCTED TO WITHSTAND THE DESIGN WIND SPEEDS.

**TREE PLACEMENT NOTES**  
 ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LOS ANGELES PLANTING SPECIFICATIONS. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LOS ANGELES PLANTING SPECIFICATIONS. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LOS ANGELES PLANTING SPECIFICATIONS.

**STREET TREES**  
 STREET TREES WITHIN PUBLIC RIGHT OF WAY ARE TO BE PLANTED PER APPROVED LOCAL DEPARTMENT PLAN.

**IRRIGATION**  
 ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LOS ANGELES PLANTING SPECIFICATIONS. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LOS ANGELES PLANTING SPECIFICATIONS. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LOS ANGELES PLANTING SPECIFICATIONS.

**MAINTENANCE SCHEDULES**  
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- PLANTING LEGEND**
- TREES**
- MEDIUM SIZE - EVERGREEN CANOPY 8" DBH
  - LARGE SIZE - DECIDUOUS CANOPY 15 GALLON AND 2" DBH
  - MEDIUM SIZE - EVERGREEN CANOPY 2" DBH
  - SMALL SIZE - DECIDUOUS ACCENT 2" DBH
  - SMALL SIZE - DECIDUOUS ACCENT 2" DBH
  - EVERGREEN COLUMNAR 15 GALLON
  - LARGE SIZE - DECIDUOUS CANOPY 1 GALLON @ 1" C.C.
- EXISTING TREES TO REMAIN**
- EXISTING CALIFORNIA PEPPER TREE
  - EXISTING EUCALYPTUS TREE
  - EXISTING SYCAMORE TREE
  - EXISTING LILAC TREE
- NOTE: SEE AIRBORNE REPORT FOR TREE REMOVALS
- SCREENS AND GROUNDSCAPES**
- LARGE SCREENING SPIRALS
  - ACCENT SPIRALS
  - ACCENT GROUND COVER
  - LOW GROWING, SPREADING GROUND COVER
  - WATER CONSERVING UNDERGRASS MAX. 1" TO 1.5" TALL
  - WATER CONSERVING UNDERGRASS MAX. 1" TO 1.5" TALL
  - CLIMBING, 11' OVERHANG W/IN



**CONDOR PARKING STRUCTURE**  
 1000 CONDOR DRIVE, MOORE PARK, CA

00011

**MOORPARK PLANNING COMMISSION  
AGENDA REPORT**

**TO:** Honorable Planning Commission

**FROM:** David A. Bobardt, Planning Director   
Prepared by Joseph R. Vacca, Principal Planner 

**DATE:** October 18, 2007 (PC Meeting of 10/23/07)

**SUBJECT:** Consider Modification No. 1 to Industrial Planned Development Permit (IPD/DP) No. 300, a Request to Construct a Three Level Parking Structure Containing 260 Parking Spaces, at 5898 Condor Drive, on the Application of John Kamus (513-0-006-025; 513-0-006-012)

**BACKGROUND**

On August 16, 2007, John Kamus of Kamus and Keller Architects, submitted an application on behalf of Brentwood Capital Partners for a three level parking structure with 260 spaces proposed at 5898 Condor Drive. The parking structure increases the amount of available parking on-site in order to accommodate office use in the building on the property. The application was determined to be complete on October 18, 2007.

**DISCUSSION**

**Project Setting**

Existing Site Conditions:

The parking structure is proposed on 1.02 acres of existing vacant land at the south end of the project site, which totals 6.4 acres. There are 5.38 acres of the site that are already improved with surface parking and an existing thirty-one (31') foot high, two story building. The vacant portion of the site is rectangular in shape and it is relatively flat. There is a moderate slope that drops from north to south approximately ten (10') feet in elevation. Therefore, the vacant land is ten to eleven feet lower in elevation than the existing developed portion of the property. The adjacent property to the south is approximately four (4') lower in elevation than the vacant land, and this property is improved with the Moorpark Unified School District's (MUSD) Community High School. There is an existing four foot (4') high retaining wall along the southern property line that is shared with MUSD. The Arroyo Simi is located east of the property and Condor Drive is directly west of the lot. There are Eucalyptus trees on the perimeter of property, proposed to be removed and replaced with new trees. The remainder of the lot is dirt, without any introduced landscaping.

Previous Applications:

On March 21, 1987, the City Council adopted Resolution No. 84-73 which approved Development Permit No. 300, to allow construction of a 97,680 square foot industrial building at 5898 Condor Drive. The building was owned by Cabot, Cabot and Forbes and occupied by Terminal Data Corporation who conducted engineering and manufacturing of imaging, storage and retrieval equipment. Out of the total 97,680 square feet, 64,000 square feet was office, 20,000 square feet was manufacturing and 16,000 square feet was warehouse space.

On January 16, 2007, the Community Development Director approved Administrative Permit No. 2006-12, to allow an addition of 29,809 square feet of second floor mezzanine within the existing 97,680 square foot, two story building and to convert the entire building to a total of 127,489 square feet of office space; with the addition of surface parking on the adjacent vacant lot. The conditions of approval required that the adjacent 1.02 acre vacant lot to the south of the development on the 5.38 acre property at 5898 Condor Drive, be combined through a lot line adjustment. Lot Line Adjustment 2007-05 to combine the vacant lot with the improved project site at 5898 Condor Drive was submitted on August 17, 2007 and is currently under review, pending final approval and recordation. The applicant decided to pursue a parking structure instead of the surface parking due to the need for extensive retaining walls for the surface parking.

<b>GENERAL PLAN/ZONING</b>			
<b>Direction</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Land Use</b>
Site	<u>Light Industrial</u>	<u>Industrial Park M-1</u>	<u>Vacant lot, office building and parking</u>
North	<u>Light Industrial</u>	<u>Industrial Park M-1</u>	<u>Light Industrial building</u>
South	<u>Open Space I 1DU/10-40Ac</u>	<u>Open Space 10Ac</u>	<u>Arroyo Simi</u>
East	<u>Light Industrial</u>	<u>Industrial Park M-1</u>	<u>Office building</u>
West	<u>Light Industrial/ School</u>	<u>Industrial Park M-1</u>	<u>MUSD High School</u>

General Plan and Zoning Consistency:

The development of supplemental parking within the proposed parking structure to accommodate office use on the subject property is consistent with the Light Industrial General Plan land use designation of the property. The development of this parking structure to provide necessary and supplemental parking for the office use as conditioned is consistent with the property's Industrial Park, M-1, zoning designation.

## **Proposed Project**

### Architecture:

The proposed parking structure is intended to provide a total of 260 parking spaces. The parking structure has three levels and it totals 96,400 square feet. The structure is proposed to be built into the sloped topography of the site so that the lowest level is below grade on the north and west sides of the structure and at grade at the east and south sides of the structure. The building heights vary due to the partial subterranean construction that is proposed. Therefore, on the north elevation, the parking structure is fifteen feet (15') high with an elevator tower at a maximum height of twenty-three feet (23'). The west elevation along Condor Drive ranges between sixteen feet (16') and twenty-one feet (21') in height above finished grade. The south elevation is at a height between twenty-nine feet (29') and twenty-six feet (26') above the finished grade of the site; and facing the Arroyo Simi the structure is proposed to be a maximum of twenty-six feet (26') above the finished grade of the site. The interior of the parking structure has a clear unobstructed height of eleven feet three inches (11'3") throughout the entire structure. The parking structure is characterized as an open air structure with the top deck functioning as the roof, also allowing for roof mounted parking. The structure will be a post tension concrete structure. Generally, there will be an internal framework of steel beams and cables that will then be covered with a poured in place concrete shell. The parking structure has been designed to be compatible with the concrete tilt up office building on the project site. A variety of materials, colors and textures is proposed on the structure. Poured in place, built in planters are provided on the north, west and south elevations of the structure. Issues on the architectural façade and treatments of the parking structure are presented in more detail in the analysis section of this report.

### Setbacks:

The development standards of the M-1 zone require a minimum twenty foot (20') deep front yard setback, a minimum five foot (5') side yard setback and a minimum ten foot (10') rear yard setback. The proposed front yard off Condor Drive, ranges between twenty-two feet (22') and twenty-five feet (25'). The side yard along the southern property line is proposed to be seven (7) feet. At the closest points, the rear yard is proposed to be twenty feet (20') from the drive aisle to the property line and at least twenty-five feet (25') from the parking structure to the rear property line. In some instances the built in planters project two feet (2') into the proposed setbacks. In all instances, the proposed setbacks meet and or exceed the minimum required setbacks of the M-1 zone, (even with the two foot (2') planter projections). Based on the proposed location of the parking structure, there should not be any view or shade impacts on any adjoining property. Furthermore, light and ventilation of adjoining property should not be impacted by the proposed placement of the open air parking structure.

Circulation:

The overall property has two main points of access off of Condor Drive, a northerly entrance and a southerly entrance. The original placement of the existing building allows for circulation all around the building with surface parking being provided on all four sides of the building. The proposed parking structure is only accessible from within the property. Ingress and egress into the parking structure is located at the north-west and north-east corners of the structure. The north-west access area is at an intersection with a prominent drive aisle and the southerly entrance to the property. The north-east access into the parking structure is provided via an arced drive aisle that has a thirty-two foot (32') turning radius. This drive aisle exceeds the minimum required width, which is appropriate to ensure safety of patrons entering the structure at this access point. The three level parking structure has two way drive aisles throughout the structure. After entering the structure, drivers can go either down to the bottom level, or around the middle level or up to park on the roof which is the top level. Staircases are located at both the north-west and north-east access areas and an elevator is also provided at the north-west access area of the parking structure.

Parking:

The project proposes to use only standard sized parking stalls, no compact parking spaces are proposed. There will be a combination of surface mounted parking surrounding the existing building and there will be additional parking within the parking structure. The lack of available land on-site, coupled with the need for additional parking required the construction of a parking structure so that the building owner could gain more parking and lease the entire gross floor area of 127,489 square foot building to office users; and meet the minimum requirements of the parking ordinance. A summary of the amount of required and proposed parking is provided in the following table:

<b>Proposed Use</b>	<b>Spaces Required</b>	<b>Spaces Provided</b>
127,489 square foot office	<b>425</b>	<b>256</b> (standard sized surface parking stalls around the existing building)
		<b>260</b> (standard sized parking stalls within the proposed parking structure)
<b>Total</b>		<b>516 (including accessible parking spaces)</b>

The proposed parking structure would provide for a surplus of parking on the site allowing the use of the building to be fully occupied by office use.

Landscaping:

The project proposes on-site landscaping around the parking structure. Sufficient landscape areas exist surrounding all sides of the proposed parking structure, within the established setback areas. Staff has encouraged the use of built-in planters on the parking structure to soften the concrete massing of the structure with landscaping. Tree planting is proposed on all four sides of the structure. The landscaping of the parking structure is presented in more detail in the analysis section of this report.

Site Improvements and National Pollution Discharge Elimination Standards Requirements (NPDES):

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. Best Management Practices Drainage Facilities are required to be provided so that surface flows are intercepted and treated.

Air Quality:

As is required with all commercial/industrial projects, staff incorporates a standard condition requiring a contribution to the Moorpark Traffic Systems Management Fund to off-set air pollutants, consistent with the 2000 Ventura County Air Quality Assessment Guidelines.

**ANALYSIS**

**Issues**

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

- Parking Structure Design
- Landscaping
- Lighting

Parking Structure Design:

The parking structure has been designed to be compatible with the existing concrete tilt up office building on the project site. The existing building is comprised mostly of smooth concrete panels with paint applications. Fluted concrete panels with an exposed aggregate, sandblasted finish are present along the front of the building facing Condor Drive and above the main entrance into the office building. The applicant proposes to mimic this design attribute on the parking structure. Conditions of approval are proposed to ensure that the materials and textures of the parking structure are compatible with the existing building on the project site. On the north elevation a well proportioned elevator shaft is introduced as a tower element and it is comprised mostly of glass. A condition has been recommended requiring the use of clear glass, which is less reflective than a mirrored or dark tinted glass.

Landscaping:

In order to try to soften the appearance of the parking structure and screen cars that are contained in the structure, planters are proposed on the parking structure's north, west and south facing elevations. The planters are to be poured in place along with the standard construction technique proposed for the parking structure. The planters are three and a half feet (3.5') high with a soil profile that is a minimum of two feet (2') deep by two feet (2') wide, of varying lengths. Staff supports the introduction of planters but, recommends a condition that requires the final approval of the profiles of the planters be subject to the review and approval of the City's landscape architect consultant and the Planning Director.

There are two very prominent wall panels on the parking structure that are proposed to be smooth painted concrete covered with vine landscaping. One wall panel is located on the north elevation facing the existing office building and it is approximately twelve feet (12') high by fifty-six feet (56') wide totaling 672 square feet in size. The other panel is located on the elevation facing Condor Drive and it is approximately eighteen feet (18') high by forty feet (40') wide totaling 720 square feet in size. Wall vines that attach themselves to smooth concrete walls take many years to mature to the point that is represented in the applicant's photo simulations. The use of metal vine trellises provides a broader opportunity to select from various vine species and a metal trellis can accommodate more mature vines which can be laced onto the trellis to provide a fuller landscaped appearance. Therefore, conditions are recommended requiring use of an approved metal trellis on the north and west wall panels and use of mature vines to offer a shorter maturation period for the vine growth. This will ensure that the applicant achieves the vine covered planting over these wall panels as depicted on the photo simulation in a more effective manner. Therefore, the recommended condition states that the vines must be a minimum of fifteen gallon in size with the final vine species and amount to be planted on an approved metal trellises to be placed on the north and west wall panels, subject to a final plan being reviewed and approved of the City's landscape architect consultant and the Planning Director prior to issuance of building permits.

Also, the preliminary landscaping plan shows fifteen (15) gallon sized trees being planted in the front yard setback between Condor Drive and the parking structure. A condition is recommended that the trees proposed in the front yard setback be a minimum of thirty-six (36) inch box trees with the final species to be subject to the review and approval of the City's landscape architect consultant and the Planning Director. Since the parking structure is an open air structure it is appropriate to incorporate security fencing along the southern property line. Therefore, a condition is recommended that decorative fencing must be installed along the southern property line and the final fencing design must be reviewed and approved by the Planning Director prior to issuance of building permits for the parking structure.

Lighting:

Lighting the inside of the parking structure is important for the safety of the patrons that will use the parking structure. Since light poles are proposed on the top of the parking structure, a condition is recommended that limits the height of the light poles on the top level of the structure to a maximum height of fifteen (15) feet. A condition is recommended that states that the lighting of the internal and external areas of the parking structure be subject to review by the City's lighting consultant and Planning Director as part of the condition compliance process.

**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, 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 parking structure.
- B. The site design would not create negative impacts on or impair the utility of the neighboring properties, structures or uses in the surrounding area as the proposed structure is compatible in design with surrounding buildings and land uses and; the circulation system provides for logical connections between the surface parking and the parking structure, both located on the same property.
- C. The proposed use is compatible with the existing and permitted uses in the surrounding area and the parking structure is intended to supplement the parking needs of the office building on the same property.

**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:

<b>Date Application Determined Complete:</b>	<b>October 18, 2007</b>
<b>Planning Commission Action Deadline:</b>	<b>Not Applicable</b>
<b>City Council Action Deadline:</b>	<b>January 17, 2008</b>

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.

The Director has reviewed this project and found it to be Categorically Exempt in accordance with Section 15332 (Class 32- In-Fill Development Projects) of the California Code of Regulations (CEQA Guidelines). No further environmental documentation is required.

### **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 IPD/DP 300.

### **ATTACHMENTS:**

1. Location Map
2. Aerial Photograph
3. Project Exhibits
  - A. Site Plan
  - B. Photo Simulations
  - C. Elevations
  - D. Cross Sections
  - E. Preliminary Landscaping Plan
4. Draft PC Resolution with 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/DP) PERMIT NO. 300, LOCATED 5898 CONDOR DRIVE, ON THE APPLICATION OF JOHN KAMUS

WHEREAS, on October 23, 2007, the Planning Commission held a public hearing on proposed Modification No. 1 to Industrial Planned Development (IPD/DP) Permit No. 300 on the application of John Kamus for construction of a three level parking structure for parking of 260 cars, located at 5898 Condor Drive and recommended to the City Council approval of the project with conditions; and

WHEREAS, at a duly noticed public hearing held on November 7, 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 this project is Categorically Exempt in accordance with Section 15332 (Class 32- In-Fill Development Projects) of the California Code of Regulations (CEQA Guidelines). No further environmental documentation 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, 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 parking structure.
- B. The site design would not create negative impacts on or impair the utility of the neighboring properties, structures or uses in the surrounding area as the proposed structure is compatible in design with surrounding buildings and land uses and; the circulation system provides for logical connections between the surface parking and the parking structure, both located on the same property.

- C. The proposed use is compatible with the existing and permitted uses in the surrounding area and the parking structure is intended to supplement the parking needs of the office building on the same property.

SECTION 2. CITY COUNCIL APPROVAL: The City Council hereby approves Modification No. 1 to Industrial Planned Development (IPD/DP) Permit No. 300, 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 7th day of November, 2007.

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

ATTEST:

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

Attachment:

Exhibit A - Special and Standard Conditions of Approval for Modification No. 1 to Industrial Planned Development (IPD/DP) Permit No. 300

**EXHIBIT A**

**SPECIAL AND STANDARD CONDITIONS OF APPROVAL  
FOR MODIFICATION NO. 1 TO INDUSTRIAL PLANNED DEVELOPMENT (IPD/DP)  
PERMIT NO. 300**

**SPECIAL CONDITIONS**

1. The applicant shall submit samples of the colors, materials and textures to the Planning Director for review and approval prior to the issuance of building permits. Paint colors are subject to final approval in the field by the Planning Director prior to painting the structure.
2. The elevator tower must contain clear or lightly-tinted glass, and the applicant shall submit a sample of the glass to the Planning Director for review and approval prior to the issuance of building permits.
3. The applicant shall submit scaled profiles of the planters for the review and approval of the Planning Director prior to the issuance of building permits.
4. The applicant shall submit a sample of the metal vine trellises to be installed in front of the wall panels on the north and west elevations, the sample metal trellis material must be reviewed and approved by the Planning Director prior to the issuance of building permits.
5. The vines to be planted on the metal trellises along the wall panels on the north and west elevations must be a minimum of fifteen (15) gallon in size and the applicant shall submit a plan which includes the vine species and amount and number of vines to be planted for review and approval by the Planning Director prior to issuance of building permits.
6. The applicant shall provide a landscaping plan that indicates that the trees in the front yard setback between Condor Drive and the parking structure must be a minimum of thirty-six inch box in size with the final species on the plan to be subject to the review and approval of the Planning Director prior to the issuance of building permits.
7. The metal trellises and all landscaping plant materials associated with a landscaping plan that has been reviewed and approved by the Planning Director for the parking structure project, must be installed prior to the final occupancy and use of the parking structure.
8. Decorative fencing must be installed along the southern property line and the final fencing design must include appropriately spaced decorative pilasters and, the applicant shall submit a fencing plan including the materials and pilaster spacing, to the Planning Director for review and approval prior to issuance of building permits.

9. All approved fencing must be installed prior to the final occupancy and use of the parking structure.
10. The applicant shall submit a lighting plan for the illumination of the internal and external areas of the parking structure and the plan must be reviewed and approved by the City's lighting consultant and Planning Director prior to issuance of building permits for the parking structure.
11. The lighting plan must demonstrate that the illumination for security purposes within the parking structure must be no less than Six (6) Foot Candles on the pavement, with a uniformity ratio of four to one (4:1), average to minimum; and vertical luminance must also be no less than 0.6 Foot Candles at five (5) feet above the ground and review; and the lighting plan must light the exterior of the facility in such a fashion as to prevent disabling glare upon entry and exit to the structure.
12. The light poles on the top level of the parking structure must not exceed a maximum height of fifteen (15) feet.
13. All other conditions of approval of City Council Resolution No. 84-73 shall continue to apply, except as revised herein.
14. All other conditions of approval of Administrative Permit No. 2006-12 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. The Final Map shall include the final Conditions of Approval and a reference to the adopted City Council resolution in a format acceptable to the Community Development Director.
3. This subdivision shall expire three (3) years from the date of its approval. The Community Development Director may, at his/her discretion, grant up to two (2) additional one-year extensions for map recordation, if there have been no changes in the adjacent areas and if the applicant can document that he/she has diligently worked towards Map recordation during the initial period of time. The request for extension of this Map shall be made in writing, at least thirty (30) days

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

4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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). All specimens shall be the property of the City of Moorpark unless the City chooses otherwise. 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.

10. 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.
11. 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.
12. 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**

13. 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.

14. 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.
15. 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.
16. Parks: Prior to issuance of Zoning Clearance for a building permit, the applicant shall submit to the Community Development Department Park and Recreation Fees in accordance with the Moorpark Municipal Code and to the satisfaction of the Community Services Director.
17. 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. **(This Condition Applies to Commercial and Industrial Projects)**
18. 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.
19. 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.
20. 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.
21. 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.

22. 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.
23. 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. On the date the Standard Fee Resolution is adopted, the amount of the Citywide Traffic Fee shall be Six-Thousand Six-Hundred Dollars (\$6,600.00) per residential unit, and Twenty-Nine-Thousand, Seven-Hundred Dollars (\$29,700.00) per acre of commercial, industrial or institutional land on which the proposed use is located. Commencing on January 1, 2008, and annually thereafter, the contribution amount shall be increased to reflect the change in the Caltrans Highway Bid Price Index for Selected California Construction Items 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.
24. 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.
25. 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.
26. 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.
27. 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 accordance with Municipal Code Chapter 17.50. Contribution is 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 approved, constructed and maintained in accordance with Chapter 17.50.

28. 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.
29. 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.
30. 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).
31. Affordable Housing Agreement/Plan: Prior to the preparation of an Affordable Housing Agreement and/or an Affordable Housing Implementation and Resale Restriction Plan, the applicant shall pay to the City the City's cost to prepare the required Plan and Agreement. **(This Condition Applies to Residential Projects)**
32. Storm Drain Discharge Maintenance Fee: Prior to or concurrently with the issuance of a Zoning Clearance for building permit, the applicant shall pay to the Community Development Department citywide Storm Drain Discharge Maintenance Fee. The fee shall be paid in accordance with City Council adopted Storm Drain Discharge Maintenance Fee requirements in effect at the time of building permit application.

**CABLE TELEVISION (These Conditions Apply to Residential Projects)**

33. Prior to commencement of project construction the applicant shall provide notice of its construction schedule to all persons holding a valid cable television franchise issued by the City of Moorpark (Cable Franchisees) sufficiently in advance of construction to allow the Cable Franchisees to coordinate installation of their equipment and infrastructure with that schedule. The City shall provide the applicant a list of Cable Franchisees upon request. During construction, the applicant shall allow the Cable Franchisees to install any equipment or

infrastructure (including conduit, power supplies, and switching equipment) necessary to provide Franchisee's services to all parcels and lots in the Project.

34. In the event the cable television services or their equivalent are provided to the project or individual lots under collective arrangement or any collective means other than a Cable Franchisee (including, but not limited to, programming provided over a wireless or satellite system contained within the Project), the Home Owners Association (HOA) shall pay monthly to City an access fee of five percent (5%) of gross revenue generated by the provision of those services, or the highest franchise fee required from any City Cable Franchisee, whichever is greater. "Gross revenue" is as defined in Chapter 5.06 of the Moorpark Municipal Code and any successor amendment or supplementary provision thereto.
35. In the event cable television services or their equivalent are provided to the project by any means other than by a City Cable Franchisee, the City's government channel shall be available to all units as part of any such service, on the same basis and cost as if the project was served by a City Cable Franchisee.

**AFFORDABLE HOUSING REQUIREMENTS (These Conditions Apply to Residential Projects)**

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

respective role of the City and the applicant, and any other item determined necessary by the City shall be set forth in the Plan.

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

**DEVELOPMENT REQUIREMENTS**

39. 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 shall 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. **(This Condition Applies to Commercial/Industrial Projects)**
40. For all flat roofed portions of buildings, a minimum eighteen-inch (18") parapet wall above the highest point of the flat roof shall be provided on all sides. **(This Condition Applies to Commercial/Industrial Projects)**
41. Skylights are prohibited unless approved through the Planned Development Permit process or as a Modification to the Planned Development Permit. **(This Condition Applies to Commercial/Industrial Projects)**
42. Exterior downspouts shall not be permitted unless designed as an integral part of the overall architecture and approved by the city as part of the planned development permit. **(This Condition Applies to Commercial/Industrial and Multi-Family Residential Projects)**
43. Mechanical equipment for the operation of the building shall 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.) shall 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. **(This Condition Applies to Commercial/Industrial Projects)**
44. Roof-mounted equipment and other noise generation sources on-site shall 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. **(This Condition Applies to Commercial/Industrial Projects)**

45. Any outdoor ground level equipment, facilities or storage areas including, but not limited to loading docks, trash enclosures, cooling towers, generators, shall be architecturally screened from view with masonry wall and/or landscaping as determined by the Community Development Director. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
46. A utility room with common access to house all meters and the roof access ladder shall be provided unless an alternative is approved by the Community Development Director. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
47. No exterior access ladders of any kind to the roof shall be permitted. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
48. 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 shall be to the satisfaction of the Community Development Director, City Engineer and the City Attorney. **(This Condition Applies to Commercial/Industrial Projects)**
49. Parking areas shall be developed and maintained in accordance with the requirements of the Moorpark Municipal Code. All parking space and loading bay striping shall be maintained so that it remains clearly visible during the life of the development. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
50. Prior to any re-striping of the parking area a Zoning Clearance shall be required. All disabled parking spaces and paths of travel shall be re-striped and maintained in their original approved locations unless new locations are approved by the community development director. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
51. All parking areas shall be surfaced with asphalt or concrete and shall 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 shall be maintained at all times to insure safe access and use by employees, public agencies and service vehicles. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**

52. The Building Plans shall be in substantial conformance to the plans approved under this entitlement and shall specifically reflect the following:
- a. Transformer and cross connection water control devices (subject to approval by Ventura County Waterworks District No. 1) shall 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. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
  - b. Bicycle racks or storage facilities, in quantities as required by the Community Development Director. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
  - c. Required loading areas with 45-foot turning radii shall 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. **(This Condition Applies to Commercial/Industrial Projects)**
  - d. Final exterior building materials and paint colors shall be consistent with the approved plans under this permit. Any changes to the building materials and paint colors are subject to the review and approval of the Community Development Director.
  - e. All exterior metal building surfaces, including roofing, shall be coated or sealed with rust inhibitive paint to prevent corrosion and release of metal contaminants into the storm drain system. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
  - f. Trash disposal and recycling areas shall 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 shall be depicted on the final construction plans, the size of which shall 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 shall 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. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**

53. 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.
54. 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) shall only be allowed, if, in the judgment of the Community Development Director such change is compatible with the surrounding area. Any approval granted by the Director shall be consistent with the approved Design Guidelines (if any) for the planned development and applicable Zoning Code requirements.
55. All air conditioning or air exchange equipment shall be ground mounted. The equipment shall be located in a side yard in such a manner that it is not within 15-feet of an opening window at ground floor level of any residential structure, and shall be located to maintain a minimum 5-foot yard area. The Director may approve rear yard locations where side yard locations are not possible. **(This Condition Applies to Single-family Residential Projects)**
56. A minimum twenty-foot (20') by twenty-foot (20') clear and unobstructed parking area for two (2) vehicles shall be provided in a garage for each dwelling unit. Single garages shall measure a minimum of twelve-foot (12') wide by twenty-foot (20') deep clear and unobstructed area. Steel roll-up garage doors shall be provided. Garage doors shall be a minimum of sixteen feet (16') wide by seven feet (7') high for double doors and nine feet (9') wide by seven feet (7') high for single doors. A minimum twenty-foot (20') long concrete paved driveway shall be provided in front of the garage door outside of the street right-of-way. **(This Condition Applies to Single-family Residential Projects)**
57. All homes/units shall be constructed employing energy saving devices. These devices shall include, but not be limited to ultra low flush toilets (to not exceed 1.6 gallons), low water use shower controllers, natural gas fueled stoves, pilotless ovens and ranges, night set back features for thermostats connected to the main space-heating source, kitchen ventilation systems with automatic dampers, hot water solar panel stub-outs. **(This Condition Applies to Residential Projects)**
58. When required by Title 15 of the Moorpark Municipal Code, rain gutters and downspout shall be provided on all sides of the structure for all structures where there is a directional roof flow. Water shall be conveyed to an appropriate drainage system, consistent with NPDES requirements, as determined by the City Engineer.

#### **OPERATIONAL REQUIREMENTS**

59. Loading and unloading operations are allowed only between the hours of 6:00 a.m. and 10:00 p.m. unless additional hours are approved by the City Council. **(This Condition Applies to Commercial/Industrial Projects)**

60. All uses and activities shall be conducted inside the building(s) unless otherwise authorized by the Community Development Director and consistent with applicable Zoning Code provisions. **(This Condition Applies to Commercial/Industrial Projects)**
61. 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. **(This Condition Applies to Commercial/Industrial Projects)**
62. The applicant agrees not to protest the formation of an underground Utility Assessment District.
63. The continued maintenance of the subject site and facilities shall be 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. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
64. No noxious odors shall be generated from any use on the subject site. **(This Condition Applies to Commercial/Industrial Projects)**
65. The applicant and his/her successors, heirs, and assigns shall remove any graffiti within five (5) days from written notification by the City of Moorpark. All such graffiti removal shall be accomplished to the satisfaction of the Community Development Director. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
66. 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). **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
67. Prior to the issuance of a Zoning Clearance for tenant occupancy, the prospective tenant shall 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. **(This Condition Applies to Commercial/Industrial Projects)**

68. 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. **(This Condition Applies to Commercial/Industrial Projects)**
69. 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 shall avoid, to the extent possible, construction traffic impacts to existing adjacent residential, commercial and industrial areas, if any.
70. 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 shall 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. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
71. 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 shall be coordinated through the City's Solid Waste Management staff. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
72. Loading and unloading operations are allowed only between the hours of 6:00 a.m. and 10:00 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. **(This Condition Applies to Commercial/Industrial Projects)**
73. No overnight parking, repair operations or maintenance of trucks shall occur on site.
74. 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. **(This Condition Applies to Commercial/Industrial Projects)**

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

75. 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.

76. The landscape plan shall 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.
77. Prior to or concurrently with the submittal of the Landscaping and Irrigation Plans the specific design and location of the neighborhood identification monument sign shall be submitted for review and approval by the Community Development Director. The sign shall be installed concurrent with perimeter project wall installation. **(This Condition Applies to Single-family Residential Projects)**
78. Prior to the issuance of a Zoning Clearance for final building permit (occupancy) the applicant shall install front yard landscaping, including sod and an automatic irrigation system, as approved on the landscape plans. **(This Condition Applies to Single-family Residential Projects)**
79. Prior to or concurrently with the submittal of the landscape and irrigation plan, a lighting plan, along with required deposit, shall 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, shall be in conformance with the Moorpark Municipal Code. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
80. Unless otherwise stipulated in the Special Conditions of Approval, the applicant shall be responsible for the maintenance of any and all parkway landscaping constructed as a requirement of the project, whether said parkway landscaping is within the street right-of-way or outside of the street right-of-way. Any parkway landscaping outside of the street right-of-way shall be within a landscape easement.
81. All required landscape easements shall be clearly shown on the Final Map or on other recorded documents if there is no Final Map.

82. 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. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
83. When available, use of reclaimed water shall be required for landscape areas subject to the approval of the Community Development Director, the City Engineer and Ventura County Waterworks District No. 1.
84. Landscaped areas shall be designed with efficient irrigation to reduce runoff and promote surface filtration and minimize the use of fertilizers and pesticides, which can contribute to urban runoff pollution. Parking and associated drive areas with five (5) or more spaces shall be designed to minimize degradation of storm water quality. Best Management Practice landscaped areas for infiltration and biological remediation or approved equals, shall be installed to intercept and effectively prohibit pollutants from discharging to the storm drain system. The design shall be submitted to the Community Development Director and City Engineer for review and approval prior to the issuance of a building permit.
85. All landscaping shall be maintained in a healthy and thriving condition, free of weeds, litter and debris.
86. Prior to the issuance of Zoning Clearance for occupancy all fences/walls along lot boundaries shall be in place, unless an alternative installation is approved by the Community Development Director.
87. 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**

88. Grading, drainage and improvement plans and supporting reports and calculations shall be prepared in conformance with the "Land Development Manual" and "Road Standards" as promulgated by Ventura County; "Hydrology Manual" and "Design Manual" as promulgated by Ventura County Watershed Protection District; "Standard Specifications for Public Works Construction" as published by BNI (except for signs, traffic signals and appurtenances thereto; for signs, traffic signals and appurtenances thereto, the provisions of Chapter 56 for signs and Chapter 86 for traffic signals, and appurtenances thereto, of the "Standard Specifications," most recent edition, including revisions and errata thereto, as published by the State of California Department of Transportation); "Engineering Policies and Standards" of the City of Moorpark, "Policy of Geometric Design of Highways and Streets," most recent edition, as published by

the American Association of State Highway and Transportation Officials. In the case of conflict between the standards, specifications and design manuals listed above, the criteria that provide the higher 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 shall be modified to conform with the Standard or Special Condition to the satisfaction of the City Engineer.

89. 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. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
90. All paved surfaces; including, but not limited to, the parking area and aisles, drive-through lanes, on-site walkways shall be maintained free of litter/debris. Walkways, parking areas and aisles and drive-through lanes shall be swept, washed or vacuumed regularly. When swept or washed, debris shall be trapped and collected to prevent entry to the storm drain system in accordance with NPDES requirements. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
91. 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 shall be submitted to Ventura County Waterworks District No. 1 for approval.)
92. 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.
93. Reactive organic compounds, Nitrogen oxides (ozone/smog precursor), and particulate matter (aerosols/dust) generated during construction operations shall be minimized in accordance with the City of Moorpark standards and the standards of the Ventura County Air Pollution Control District (APCD). When an air pollution Health Advisory has been issued, construction equipment operations (including but not limited to grading, excavating, earthmoving, trenching, material hauling, and roadway construction) and related activities shall cease in order to minimize associated air pollutant emissions.
94. 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.
95. 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.

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

### **GRADING**

97. 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.
98. 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.

### **FINAL MAP**

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

### **PUBLIC AND PRIVATE STREETS**

101. 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.
102. Prior to issuance of the first building permit all existing and proposed utilities that are less than 67Kv shall be under-grounded as approved by the City Engineer.

#### **DRAINAGE AND HYDROLOGY**

103. 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.
104. Drainage and improvement plans shall be designed so that after-development, drainage to adjacent parcels would not be increased above pre-development drainage quantities for any stormwater model between and including the 10 year and 100 year storms, nor will surface runoff be concentrated by this project. Acceptance of storm drain waters by the project and discharge of storm drain waters from the project shall be in type, kind and nature of predevelopment flows unless the affected upstream and/or downstream owners provide permanent easement to accept such changed storm drainage water flow. All drainage measures necessary to mitigate stormwater flows shall be provided to the satisfaction of the City Engineer. The applicant shall make any on-site and downstream improvements, required by the City, to support the proposed development.

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

105. 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 shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practice (BMP) to effectively prohibit the entry of pollutants from the construction site into the storm drain system streets and water courses. The Plans shall be implemented as part of the grading, improvements and development of the project.
106. 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.

107. 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**

108. Unless otherwise stipulated in the Special Conditions of Approval, any median landscaping constructed by the project shall be maintained by the City. An Assessment District shall be formed to fund the City maintenance costs for any such median landscaping.
109. Unless otherwise stipulated in the Special Conditions of Approval, parkway landscaping shall be maintained by a Home Owners' Association, a Property Owners' Association or by the property owner [collectively herein "Private Responsible Party"]. In such case, any required landscape easements, shall be conveyed to the Private Responsible Party.
110. Unless otherwise stipulated in the Special Conditions of Approval, all required on-site drainage improvements and/or stormwater quality [NPDES] features or facilities shall be maintained by the Private Responsible Party.
111. When, and if stipulated in the Special Conditions of Approval, that certain identified parkway landscaping and/or drainage improvements are to be maintained by the City, an Assessment District shall be formed to fund City costs for such maintenance. In such event, any required landscaping and/or drainage improvements shall be conveyed to the City in easements for such purposes.
112. Any Final Map identifying any landscape easement or drainage easement granted to a Private Responsible Party shall also be irrevocably offered for dedication to the City and shown on said Final Map. The City reserves the right to assume the maintenance of parkway landscaping, median landscaping or

drainage improvements being maintained by a Private Responsible Party, should it be determined by the City, at its sole discretion, that the maintenance being provided by the Private Responsible Party is inadequate.

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

'A' the City approved final draft Engineer's Report prepared by the Assessment Engineer retained by the City.]

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

115. 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:**

116. Prior to issuance of a Zoning Clearance for building permit, a Ventura County Air Pollution Control District (APCD) "Authority to Construct" shall be obtained for all equipment subject to APCD Permit (see APCD Questionnaire, AB3205). Final Certificate of Occupancy shall not be granted until compliance with all applicable APCD Rules & Regulations has been satisfactorily demonstrated. **(This Condition Applies to Commercial/Industrial Projects)**
117. 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**

118. Prior to combustible construction, an all weather access road/driveway and the first lift of the access road pavement shall be installed. Once combustible construction starts a minimum twenty-foot (20') clear width access road/driveway shall remain free of obstruction during any construction activities within the development. All access roads/driveways shall have a minimum vertical clearance of thirteen feet-six inches (13'-6") and a minimum outside turning radius of forty feet (40').
119. Approved turnaround areas for fire apparatus shall be provided when dead-end Fire District access roads/driveways exceed 150-feet. Turnaround areas shall not exceed a five percent cross slope in any direction and shall be located within one-hundred-fifty feet (150') of the end of the access road/driveway.

120. The access road/driveway shall 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.
121. When only one (1) access point is provided, the maximum length shall not exceed eight-hundred feet (800').
122. Public and private roads shall be named if serving more than four (4) parcels or as required by the Fire District.
123. Approved walkways shall be provided from all building openings to the public way or Fire District access road/driveway.
124. Structures exceeding three stories or forty-eight-feet (48') in height shall 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. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
125. Structures greater than 5,000 square feet and/or five (5) miles from a fire station shall be provided with an automatic fire sprinkler system in accordance with current Ventura County Fire Protection District Ordinance.
126. 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. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**

#### **FINAL MAP**

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

water purveyor that the water purveyor can provide the required fire flow as determined by the Fire District.

#### **DEVELOPMENT REQUIREMENTS**

131. 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.
132. Minimum six-inch (6") high address numbers shall be installed prior to occupancy, shall be contrasting color to the background, and shall be readily visible at night Brass or gold plated number shall not be used. Where structures are set back more that one-hundred-fifty 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) shall be posted adjacent to the driveway entrance on an elevated post.
133. Prior to combustible construction, fire hydrants shall be installed to the minimum standards of the City of Moorpark and the Fire District, and shall be in service.
134. Prior to occupancy of any structure, blue reflective hydrant location markers shall be placed on the access roads in accordance with Fire District standards. If the final asphalt cap is not in place at time of occupancy, hydrant location markers shall still be installed and shall be replaced when the final asphalt cap is completed.
135. Prior to the issuance of a building permit, building plans for all A, E, H, I, R-1 and R-2 Occupancies shall be submitted, with payment for plan check, to the Fire District for review and approval. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
136. Prior to issuance of a building permit the applicant shall submit a phasing plan and two (2) site plans (for the review and approval of the location of fire lanes) to the Fire District.
137. Prior to occupancy the fire lanes shall be posted "NO PARKING FIRE LANE TOW-AWAY" in accordance with California Vehicle Code and the Fire District.
138. 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) shall be provided in accordance with current adopted edition of the Uniform Fire Code, Appendix 111-B and adopted amendments. On-site fire hydrants may be required as determined by the Fire District. Fire hydrants, if required, shall be installed and in service prior to combustible construction and shall conform to the minimum standard of the Ventura County Waterworks Manual and the Fire District.

- 139. Prior to installation of any fire protection system; including, but not limited to sprinklers, dry chemical, hood systems, the applicant shall submit plans, along with the required fee for plan check, to the Fire District for review and approval. Fire sprinkler systems with one-hundred or more heads shall be supervised by a fire alarm system in accordance with Fire District requirements.
- 140. Prior to installation of the fire alarm system (if required), the applicant shall submit plans, along with the required fee for plan check, to the Fire District for review and approval. The fire alarm system shall be installed in all buildings in accordance with California Building and Fire Code.
- 141. Prior to the issuance of a certificate of occupancy by the Building Division the applicant shall obtain all applicable Uniform Fire Code (UFC) permits.
- 142. 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."
- 143. 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 shall be subject to review and approval by the Fire District. **(This Condition Applies to Commercial/Industrial and Multi-family Residential Projects)**
- 144. 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:***

- 145. 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.
- 146. 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.
- 147. At the time water service connection is made, cross connection control devices shall be installed on the water system in a manner approved by the Ventura County Waterworks District No. 1.
- 148. Gating of private streets or parking areas shall 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:***
- 149. 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:***
- 150. Prior to initiation of the building plan check process for the project, the applicant shall submit plans in sufficient detail to the Police Department for review and approval of defensible space concepts to reduce demands on police services. To the degree feasible and to the satisfaction of the Community Development Director and the Police Chief, public safety planning recommendations shall be incorporated into the project plans. The applicant shall prepare a list of project features and design components that demonstrate responsiveness to defensible space design concepts.

- END -