

**DEPARTMENT OF COMMUNITY DEVELOPMENT**

**CONDITIONS OF APPROVAL**

**CPD-255, Hiji Investment & TFR Investment Companies**

**FIRE PROTECTION**

92. Fire Lanes - Prior to construction the applicant shall submit two (2) site plans to the Fire District for approval of the location of fire lanes. Prior to occupancy, all fire lanes shall be posted "NO PARKING-FIRE LANE-TOW AWAY" in accordance with California Vehicle Code, the International Fire Code and current VCFPD Fire Lane Standards. All signs and or Fire Lane markings shall be within recorded access easements.
93. Fire Flow (Commercial, Industrial, Multi-family buildings) - The minimum fire flow required shall be determined as specified by the current adopted edition of the International Fire Code Appendix B with adopted Amendments and the applicable Water Manual for the jurisdiction (with ever is more restrictive). The applicant shall verify that the water purveyor can provide the required volume and duration at the project prior to obtaining a building permit.
94. Fire Sprinklers - All structures shall be provided with an automatic fire sprinkler system in accordance with current VCFPD Ordinance at time of building permit application.
95. Fire Alarm System - A fire alarm system shall be installed in all buildings in accordance with California Building and Fire Code requirements.
96. Building Plan Review - Building plans of all A, E, I, H, R-1, R-2 or R-4 occupancies shall be submitted, with payment for plan check, to the Fire District for review and approval prior to obtaining a building permit.
97. Fire Department Clearance - Applicant shall obtain VCFD Form #610B "Requirements for Construction" prior to obtaining a building permit for any new structures or additions to existing structures.

**VENTURA COUNTY ENVIRONMENTAL HEALTH DIVISION**

98. Commercial/Retail Food Facilities - New Facility

Purpose: To ensure that food facilities are designed, constructed, and operated in compliance with all applicable State and local Environmental Health Division (EHD) requirements.

Requirement: The Permittee shall have a plan review and/or obtain a Permit to Operate from Ventura County EHD, Community Services Section for the food service operations.

Documentation: Submit the required applications and plans to Ventura County EHD, Community Services Section for food facility plan review and approval.

Timing: Prior to the issuance of building permits for any food facilities included in the project, the Permittee shall obtain a Permit to Construct a Food Facility from Ventura County EHD, Community Services Section. Prior to operation of any food facilities included in the project, the Permittee shall obtain a Permit to Operate a Food Facility from Ventura County EHD, Community Services Section.

Monitoring: Plan review and construction inspections, as well as routine site inspections to ensure ongoing compliance with regulations related to food facilities, shall be conducted by Ventura County EHD, Community Services staff.

#### **AIR QUALITY**

99. The development must conform to the transportation demand management measures, as set forth under Camarillo Municipal Code § [19.44.190](#).

#### **LANDSCAPING**

100. That a detailed landscaping, irrigation plan, and specifications prepared by a registered Architect or by a registered Landscape Architect must be submitted for all green areas, or public or semi-public areas, including required street trees prior to issuance of a grading permit. Said landscaping must include an automatic irrigation system with moisture sensors and automatic rain shut-off devices and consist of a combination of trees, shrubs, and groundcover utilizing drought-resistant materials with careful consideration given to eventual size, spread, susceptibility to disease and pests, and durability and adaptability to existing soil and climatic conditions. Plans must also include a program for maintenance. The landscaping of the development must be completed prior to occupancy and maintained in accordance with the landscape plans submitted and approved by the City Landscape Architect consultant and the Community Development Director, or designee.
101. Landscaping and irrigation must comply with the City's Landscape and Irrigation Guidelines and Chapter 14.14 – Water Efficient Landscapes of the Camarillo Municipal Code.
102. The Applicant must submit a landscape irrigation audit report to the Department of Community Development in compliance with the State Model Water Efficient Landscape Ordinance prior to occupancy.
103. The landscaping of the development must be completed prior to occupancy and maintained in accordance with the landscape plans submitted and approved by the City Landscape Architect consultant and the Community Development Director, or designee for CPD-255.
104. All planting area must be filled to within two inches (2") of the top of curbs. Planting areas must be cleared of debris, rocks, concrete, and other foreign material preparatory to planting. The Department of Community Development must approve curb design adjacent to planters and no asphalt or concrete must extend into planters.
105. Landscape plans must be at a minimum scale of 1" = 20'; except that slope planting plans may be at 1" = 30' minimum scale.
106. That any tree within five feet (5') of any public sidewalk, or other public improvement, must be provided with a root barrier as approved by the Assistant Director Public Works/City Engineer and Community Development Director, or designee.
107. That *prior* to final inspection, the Applicant must submit *written certification* from the Landscape Architect that the landscaping has been completed in accordance with the approved plans and specifications.
108. All landscape plan check and inspection fees must be paid at the time of submittal of landscape plan.

- 109. Driveways and parking areas must be separated from landscape areas by means of concrete curbing a minimum of six inches (6") above the parking area.
- 110. All trees are to be double staked per City Standard S-2 or appropriately supported, as approved by the Community Development Director, or designee.
- 111. That *prior* to final inspection, the Applicant must provide a reproducible "as-built" set of landscape plans to the Department of Community Development.
- 112. The Applicant must install landscaping and irrigation in accordance with the approved landscape plans prior to occupancy.

#### **PARKING/ACCESS**

- 113. The Applicant must provide sufficient maneuvering space, as determined by the Community Development Director, or designee, to provide access to the loading areas and must submit and receive approval from the Community Development Director and the Assistant Director of Public Works/City Engineer, or designees. The adjacent accessways will be widened, as necessary, to provide such maneuvering space, so as not to conflict with parking spaces or other loading areas.
- 114. Common access ways with adjoining parcels must be provided with appropriate agreements implementing this condition, to be recorded and run with the land, must name the City as a party, and must be subject to the approval of the Community Development Director, or designee and the City Attorney.
- 115. That all project driveway entries have a decorative pavement design to match the driveways adjacent to the project site.

#### **PARKS**

- 116. Applicant must pay appropriate Park Impact Fees per CMC Chapter 16.52, to be calculated by, and paid directly to, the Pleasant Valley Recreation and Park District. Applicant must provide proof of payment of appropriate fees to the Department of Community Development prior to the issuance of a zone clearance.

#### **SCHOOLS**

- 117. The Applicant must pay school facilities fees as determined by the school districts and the City *prior* to building permit issuance in accordance with City and/or State regulations.

#### **RECYCLING/REFUSE**

- 118. The user must submit a recycling plan illustrating the programs that will be employed by the individual use.
- 119. During construction, the Applicant must divert 65 percent of all non-hazardous construction materials from landfill (CalGreen Building Code Part II of Title 24 California Code of Regulations. Recycling bins must be made available during construction and labeled "Recycling Only," or bins containing mixed material must be sent to a State-approved recycling center or transfer station where the material is to be sorted for proper recycling.  
  
Prior to issuance of a building permit, the Applicant must submit a Construction and Demolition Materials Management Plan Estimate to the Building and Safety Division for recycling of waste materials consistent with the aforementioned requirement. The

Construction and Demolition Materials Management Plan Estimate must include estimated quantities for each type of material to be diverted or landfilled.

Prior to final inspection, the Applicant must submit a Final Report Construction and Demolition Waste Letter of Documentation to the Building and Safety Division, demonstrating compliance with the Construction and Demolition Materials Management Plan Estimate and indicate the total amount of construction and demolition waste diverted.

120. Trash enclosures of a matching masonry material, as used in the building, must be provided with solid-screen gates with overhead trellis and solid roof. Said trash enclosures must be of sufficient size to accommodate the needs of the users and must be constructed in accordance with the Standard Plate S-1, or approved alternate design, to screen the storage of refuse. In addition to the area for trash receptacles, space must be provided for storage/collection of recyclables and organic waste, or a separate enclosure must be provided, to accommodate the amount of recyclable or organic waste material.
121. Trash enclosures must include a lattice structure to cover the enclosure with a solid roof design below to direct stormwater away from entering the enclosure itself. All litter/waste material must be kept in leak-proof containers. The area must be paved with impermeable material. No other area must drain onto these areas. The trash enclosure area must not be designed nor constructed with a drain that is connected directly to the storm drain system or the sanitary sewer.

#### **PLANNING**

122. This permit shall not be valid until such time an ordinance adopting a change of zone from CMU to CPD on Parcel A of LD-563A becomes effective.
123. The Applicant must form an Owners Association (OA) to provide maintenance of common areas, parking and landscaping. The CC&Rs establishing the OA must be approved by the City Attorney and Community Development Director, or designee prior to occupancy.
124. That the Applicant must obtain appropriate permits and a zone clearance must be obtained from the City Departments of Community Development, Public Works/Land Development Division, and Building and Safety. Additional information and fees may be required from these departments, including such fees as: school, traffic, soils reports, geologic studies, grading plans, utilities, encroachment permit, and building code requirements. The building plans will also be coordinated with other governmental agencies (i.e., fire, water, environmental health, etc.). It is the Applicant's responsibility to ensure that all City of Camarillo and interested parties' requirements have been met.
125. That the location of all buildings, fences, roadways, parking areas, landscape and other facilities or features must be substantially as shown on the plan labeled, Exhibit "A," and in conformance with the conditions labeled, Exhibit "B".
126. The Applicant must attest and submit a declaration certifying having read and understood the Project Conditions and agreeing to comply with the Project Conditions.
127. The development must be provided with bicycle racks in a location and of a suitable design, as approved by the Community Development Director, or designee.
128. That, if archaeological or historical artifacts are uncovered during land modification activities, the site must be preserved until a qualified Archaeologist is consulted for proper disposition

of site and a concurrence received from the Department of Public Works/Engineering and the Department of Community Development.

129. That unless the use is inaugurated, or construction is commenced and diligently pursued not later than twelve (12) months from the date this permit is granted, this permit will automatically expire on that date. However, if there have been no changes in the proposed plot plan or adjacent area, the Community Development Director, or designee may grant additional time extensions for use inauguration.
130. That the final colors, textures, and materials be submitted for approval by the Community Development Director, or designee prior to issuance of the zone clearance.
131. All exterior light fixtures and location be approved by the Community Development Director, or designee. On-site lighting must be shielded and directed away from adjoining properties, so as to produce no annoyance or nuisance or traffic hazard. A photometric lighting plan must be submitted for review and approval by the Community Development Director or designee prior to issuance of a zone clearance.
132. All exterior mechanical equipment must be shown on plans and screened by appropriately-designed treatment approved by the Community Development Director, or designee.
133. All rooftop mechanical equipment and vents must be no higher than the top of the lowest parapet wall and this must be reflected on the building plans to the satisfaction of the Community Development Director prior to issuance of a zone clearance.
134. That the applicant demonstrate all electrical cabinets and/or panels will be located within a utility room that is architecturally integrated within the buildings to the satisfaction of the Community Development Director prior to issuance of a zone clearance.
135. No exterior access ladders of any kind to the roof are permitted.
136. The Applicant must notify the Community Development Director of any transfer of the use to another user.
137. Additions, changes, exterior modifications, rooftop equipment, storage, or equipment enclosures may be built only after receiving Department of Community Development approval and appropriate permits.
138. That the Applicant submit a zone clearance for review and approval by the Departments of Community Development and Public Works for any temporary construction trailer, sales office, and temporary power poles.
139. That a comprehensive sign program be designed and submitted to the Community Development Director, or designee for approval to provide a uniform sign arrangement and design.
140. All temporary and permanent signage must be submitted under a sign permit for review and approval by the Department of Community Development prior to issuance of a building permit. All signage must comply with the requirements of the Camarillo Municipal Code.
141. Applicant agrees, as a condition of issuing this permit, to pay all legal and expert fees and expenses of the City in defending any legal action brought against the City, other than one by the Applicant, challenging the issuance of the permit, or any action or failure to act by the City relating to the environmental review process pursuant to the California Environmental

Quality Act. In the event such a legal action is filed against the City, City must estimate its expenses for the litigation, and Applicant must deposit said amount with the City, or enter into an agreement with the City, to pay such expenses, as they become due.

142. Applicant must reimburse the City for all attorneys' fees expended by the City, which are directly related to the processing of this development/project. No Certificate of Occupancy or other final occupancy approval must be given until the attorneys' fees billed to date have been paid.
143. There must be no outdoor storage, sales, or displays in accordance with the CPD Zone.
144. The project must comply with the requirements of the CPD Zone.
145. The Applicant must regularly and promptly remove graffiti from the Property, must maintain exteriors in a clean and attractive condition, and must maintain all landscaping required for the Project in a healthy, orderly, and aesthetically pleasing condition. In instances where the Community Development Director, or designee, determines that a violation of this condition exists, and upon notice to the Applicant, the Applicant must act promptly to correct the condition, in accordance with the direction of the Community Development Director, or designee.
146. That accessible ramps and parking spaces be provided to serve all buildings with required signage and blue markings.
147. All persons doing business in the City of Camarillo in connection with the project must have a current Business Tax Certificate prior to commencing construction.
148. Any fee, deposit, or security required by any City of Camarillo regulations governing conditions for construction projects and for the purpose of guaranteeing the performance of any act or agreement by an Applicant must be delivered to the City in the form of a time certificate of deposit or passbook account with principal only payable to the City of Camarillo. An assignment agreement must be executed and delivered to the City setting forth the conditions for the time certificate of deposit or passbook account.
149. Applicant, by acceptance of the approval of this commercial planned development (CPD-255), agrees to indemnify, defend, and hold the City harmless from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including reasonable attorney fees and disbursements (collectively, "Claims"), which the City may suffer or incur, or to which the City may become subject by reason of, or arising out of, the City's approval of this project, or the activities undertaken by the Applicant under this permit and any related project approvals. If any Claim is brought against the City by legal action or otherwise, Applicant agrees to defend the City at the City's request and with counsel satisfactory to the City. For the purposes of this section, "City" includes the City of Camarillo's officials, officers, employees, and agents.
150. The owners must sign all necessary documents for conditions that are required to be recorded and run with the land.
151. Prior to occupancy, all uses must be submitted for review with approval by the Community Development Director, or designee to ensure conformance with the provisions of the CPD Zone and the performance standards contained within the Zoning Ordinance, as per

Chapter 19.54. Additional conditions may be added to any use to mitigate any inherent objectionable operating characteristics.

152. That the drive through speaker have automatic volume control that will adjust the outbound volume based on the outdoor, ambient noise level. When ambient noise levels naturally decrease in the early morning and night, the outbound speaker volume will also decrease.

### **ENVIRONMENTAL**

153. **MC** The contractor shall prepare a dust control plan at the time that grading permits are requested. The dust control plan shall include, but not be limited to, the following measures, which should be implemented by the contractor. *(Mitigation condition for Section C of MND 2009-6)*
- Sufficiently water active portions of the construction site.
  - Replace ground cover, cover bare soil, or apply environmentally safe soil stabilizers on inactive portions of the construction site.
  - Apply water or environmentally safe soil stabilizers to unpaved parking or staging areas or unpaved road surfaces.
  - Suspend all excavating and grading operations when wind speeds exceed 20 mph averaged over one hour. Contact the VCAPCD meteorologist for current information about average wind speeds.
  - Sufficiently water or securely cover all material transported off site and all fill material transported on site.
  - Provide employees involved in grading operations with face masks during dry periods to reduce inhalation of dust, which may exacerbate health problems of the respiratory tract.
  - Limit speeds on all unpaved roads to 15 mph or less.
  - Sweep streets at the end of the day if visible soil material is carried over the adjacent roads.
154. **MC** Contractors shall keep records on the project site demonstrating that equipment engines are maintained in good condition and in proper tune as per manufacturers' specifications to prevent excessive emissions. Such records will be available for review during grading and construction inspections. *(Mitigation condition for Section C of MND 2009-6)*
155. **MC** Emissions generated by demolition activities shall be reduced by the following. *(Mitigation condition for Section C of MND 2009-6)*
- Trucks transporting loose debris such as waste asphalt and wallboard off site shall be covered.
  - All diesel-powered equipment should be turned off when not in use for more than 30 minutes and gasoline-powered equipment should be turned off when not in use for more than 5 minutes.
156. **MC** Lighting for public streets, parking areas, and recreational areas shall utilize energy-efficient mechanical, computerized, or photo cell switching devices to reduce energy usage. *(Mitigation condition for Section C of MND 2009-6)*

157. **MC** Solar or low emission water heaters shall be installed into proposed buildings to reduce natural gas consumption and emissions. *(Mitigation condition for Section C of MND 2009-6)*
158. **MC** Energy-efficient, automated controls for air conditioners shall be installed into proposed buildings to reduce energy consumption and emissions. *(Mitigation condition for Section C of MND 2009-6)*
159. **MC** Automatic lighting on/off controls and energy-efficient lighting shall be installed into proposed buildings to reduce electricity consumption and associated emissions. *(Mitigation condition for Section C of MND 2009-6)*
160. **MC** Light-colored roofing materials as opposed to dark roofing materials shall be used on proposed buildings. Light-colored materials reflect sunlight and minimize heat gains in buildings. This measure would lessen the overall demand for mechanical air conditioning systems. *(Mitigation condition for Section C of MND 2009-6)*
161. **MC** Wall and attic insulation shall be provided in proposed buildings beyond the requirements of Title 24, California Code of Regulations. *(Mitigation condition for Section C of MND 2009-6)*
162. **MC** Special sunlight filtering window coatings or double-paned windows shall be installed into proposed buildings to reduce thermal gain in hot weather and loss in the cold weather, thus reducing emissions associated with heaters and air conditioners. *(Mitigation condition for Section C of MND 2009-6)*
163. **MC** Shade trees shall be provided to reduce heating/cooling needs. *(Mitigation condition for Section C of MND 2009-6)*
164. **MC** The project shall mitigate 24.84 pounds per day of ROC and 34.64 pounds per day of NOx. Specifically, the project applicant shall contribute funds to an off-site Transportation Demand Management (TDM) plan. The fee shall be in the amount of \$1,150.00 per residential dwelling unit plus the amount for the commercial share of the air quality impacts as determined by the Village at the Park Specific Plan EIR, in accordance with the VCAPCD Air Quality Assessment Guidelines. The contributions shall be calculated based on the amount of emissions that must be reduced to bring the project below the thresholds established by the VCAPCD, and will be based on the year of completion of the development. The applicant shall submit the calculations for air quality fees to be reviewed and approved by the Director of Community Development. *(Mitigation condition for Section C of MND 2009-6)*
165. **MC** Prior to the design and construction of any structural improvements, the project developers shall have comprehensive design level geotechnical evaluations conducted that include subsurface exploration and laboratory testing. Recommendations for grading/earthwork, surface and subsurface drainage, foundations, pavements structural sections, and other pertinent geotechnical design considerations shall be formulated and implemented based on the findings of this evaluation. *(Mitigation condition for Section F of MND 2009-6)*
166. **MC** In order to safeguard against major seismic-related structural failures, all buildings within the project site shall be constructed in conformance with the Uniform Building Code, as adopted by the City Council. *(Mitigation condition for Section F of MND 2009-6)*

167. **MC** The fault hazard area and Structural Setback Zone shall be identified on the tract map or other appropriate document to provide notice to property purchasers of the limitation on the use of the property. *(Mitigation condition for Section F of MND 2009-6)*
168. **MC** Prior to the initiation of any construction activity on the project site, the project developer shall provide proof of coverage under the current State General Construction NPDES permit (GCP) available from the State Water Resources Control Board. The developer shall be responsible for complying with all applicable requirements under the State GCP. *(Mitigation condition for Section H of MND 2009-6)*
169. **MC** Project improvement plans shall incorporate appropriate stormwater mitigation requirements into the project design consistent with the current Ventura County Municipal Stormwater NPDES Permit and related Stormwater Quality Urban Impact Mitigation Plan (SQUIMP). The project will be required to implement all applicable requirements under the Municipal Permit. *(Mitigation condition for Section H of MND 2009-6)*