TO:        City Council
FROM:    Department of Environmental Services
SUBJECT:   A PUBLIC HEARING TO CONSIDER A REQUEST FROM RICHARD D. AND KATHLEEN PARKINSON FOR A GENERAL PLAN AMENDMENT (GPA-102) TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM GENERAL COMMERCIAL TO INDUSTRIAL; A SPECIFIC PLAN AMENDMENT (SP-S-7, AMD #27) TO CHANGE THE WEST END SPECIFIC PLAN LAND USE DESIGNATION FROM SUBREGIONAL RETAIL TO GENERAL INDUSTRIAL; A ZONE CHANGE (Z-S-742) TO CHANGE THE ZONING DESIGNATION FROM SUBREGIONAL RETAIL – SPECIFIC PLAN [SR (SP)] TO GENERAL INDUSTRIAL – SPECIFIC PLAN [GI (SP)]; AND A CONDITIONAL USE PERMIT (CUP-S-823) TO CONSTRUCT TWO INDUSTRIAL BUILDINGS THAT TOTAL 31,124 SQUARE FEET FOR A GENERAL CONTRACTING BUSINESS LOCATED ON A 2.87-ACRE PARCEL AT THE SOUTH SIDE OF E. COCHRAN STREET, APPROXIMATELY 1,000 FEET WEST OF CAPPER LANE (600-620 E. COCHRAN STREET); INTRODUCTION OF AN ORDINANCE; ADOPTION OF A RESOLUTION AND THE PROJECT’S MITIGATED NEGATIVE DECLARATION

RECOMMENDATION

The Planning Commission recommends that the City Council introduce an ordinance (page 10) approving Specific Plan Amendment No. SP-S-7, AMD #27 and Zone Change No. Z-S-742; adopt a resolution (page 18) approving General Plan Amendment No. GPA-102, Conditional Use Permit No. CUP-S-823 and the project’s Mitigated Negative Declaration.

BACKGROUND AND OVERVIEW

The applicants, Richard D. and Kathleen Parkinson, own a general contracting business and are requesting to construct two industrial buildings on a vacant 2.87-acre site located approximately 1,000 feet west of Capper Lane (600-620 E. Cochran Street), at the south side of E. Cochran Street across from Home Depot, and north of the railroad tracks. The proposed project involves the construction of two 15,562-square foot industrial buildings with 101 parking spaces as shown on the following page and in the project exhibits provided in Exhibit 2.
At the June 19, 2019 Planning Commission meeting, the Planning Commission recommended approval of the project to the City Council by a 3:0 vote. The Planning Commission also recommended the following two Conditions of Approval: (1) to prohibit illuminated signs at the rear side of the proposed buildings (Exhibit C, page 26, Condition *A-9c.); and (2) to limit the storage of materials and equipment to the covered outdoor storage area that is located at the rear side of the two buildings in order to maintain a 30-foot wide access clearance for the Ventura County Fire Protection District (Exhibit C, page 28, Condition *A-19). Condition D-33 (Exhibit C, page 40) was added due to an administrative error in the June 19, 2019 staff report.

The Executive Board of Neighborhood Council #1 (NC #1) heard the project on May 9, 2019 and recommended approval by a vote of 4:0:0. The audience vote was 10:0:0. A summary of the NC #1 meeting is enclosed in Exhibit 2.

On October 30, 2017 the City Council heard the applicants’ General Plan Pre-screening (GPPS-2017-02) request and authorized the project to move forward to change the General Plan land use designation of the site from General Commercial to Industrial.
As referenced, the application requests include a General Plan Amendment, Specific Plan Amendment, Zone Change, and Conditional Use Permit, and are described as follows:

**General Plan Amendment (GPA-102)**

The General Plan Amendment (GPA) would change the Land Use Designation shown on the General Plan Land Use Map from General Commercial to Industrial. As stated in the General Plan, the proposed General Plan land use designation of Industrial is intended to provide areas for most industrial uses. It is of special concern to the City that there be an adequate variety of sizes and locations of industrial parcels. Projects in this category should consist of one to three-story buildings (General Plan Industrial Designations, page 3-50).

The proposed site is surrounded by different land use designations. Commercial land use designations surround the project site to the north (Home Depot), across Cochran Street and to the west. However, the property to the west is owned by Home Depot and is unbuildable due to its substandard lot size. Industrial land use designations surround the property to the south and east. Both buildings will be two-story in height and are compatible with the existing surrounding industrial buildings. This development will further assist to provide more industrial uses in the City.

**General Plan Land Use Map**
Amendment to the West End Specific Plan (SP-S-7, AMD#27)

The proposed Specific Plan Amendment would change the Zoning designation (WESP, Figure 2-1 on pg. 4-23) within the West End Specific Plan (WESP) from Sub-regional Retail to General Industrial for the subject site. The request would implement the Light Industrial land use designation of the General Plan and is intended for development of storage, manufacturing, warehousing, associated administrative offices and commercial recreation while providing safeguards for adjoining industrial property and the community in general (WESP 2.32).

West End Specific Plan Zoning Designations Map

Zone Change (Z-S-742):

The Zone Change for the project would amend the Zoning Map for the site from Sub-regional Retail – Specific Plan [SR (SP)] to General Industrial [GI (SP)]. The applicants are requesting the GI (SP) Zoning designation to develop the site and to provide additional industrial uses within the City. The GI Zoning district in the West End Specific Plan (WESP) implements the Light Industrial land use designation of the General Plan and is intended for development of storage, manufacturing, warehousing, associated administrative offices and commercial recreation while providing safeguards for adjoining industrial property and the community in general. Such uses include fabricated metal products, food and kindred products, furniture, fixtures, motor freight transportation, warehousing and commercial recreation.
Zoning Map Change

Conditional Use Permit (CUP-S-823)

The applicants propose to operate their general contracting business, which requires a Conditional Use Permit (CUP approval in the GI (SP) Zoning district within the WESP). As part of the CUP, they intend to construct two identical industrial buildings that each consist of a combined total of 31,124 square feet. Both buildings will be two-stories with driveway access off Cochran Street. The two industrial buildings and site development will include:

- Two 15,562-square foot concrete tilt-up buildings with a building height of 42 and 43 feet that will include shades of grey
- Architectural features consisting of grey colored decorative form liners and exposed aggregate wall panels, blue window trims and metal canopies, aluminum storefront windows and doors, black anodized with grey reflective glass
- Interior space will include 7,902 square feet of storage space, 7,660 square feet of office space (4,118 square feet, first floor and 3,542 square feet, second floor)
- 101 parking spaces, including a fenced parking area
- Two trash enclosures with a trellis cover
- 29.8% of landscaping
- Retaining walls and black metal tube fencing
- An identification/address monument sign located near the driveway entrance
On August 19, 2019, the applicants submitted a letter (Exhibit 3) requesting removal of Condition of Approval *B-15 (page 30) that reads as follows:

*B-15 Applicant must design and construct a 5-foot ADA-compliant sidewalk with a minimum 4-foot lateral clearance at all vertical obstructions along the project frontage.

Some of the concerns referenced in the applicants' letter include:

- A lack of a continuous sidewalk along the south side to Cochran Street between the Chevron gas station (108 E. Cochran St), to the west and near Capper Lane, to the east;
- The required sidewalk would terminate at each side of the property to no sidewalk;
- Potential concerns about the safety of pedestrians utilizing the areas that do not include a sidewalk.

The Public Works Department has indicated that they cannot support the applicants' request since it would cause inconsistency with the General Plan's Roadway Cross Section Figure 1 (page 5-7) and the Circulation Table (page M-3). Cochran Street is designated as a secondary arterial street that requires a sidewalk per these General Plan Sections. The site is also part of the West End Specific Plan (WESP) that provides that a sidewalk be constructed along the south side of Cochran Street at minimum width of five feet. However, WESP Figure 2, titled Street Sections, includes a footnote, stating construction (if any) of sidewalks on the south side of Cochran Street shall be determined by the Planning Commission. On June 19, 2019, the Planning Commission discussed the proposed sidewalk, and recommended that the sidewalk be required for the project.

The application includes a General Plan Amendment, a Specific Plan Amendment, and a Zone Change request. If these referenced requests were not included, a Conditional Use Permit (CUP) would be approved by the Planning Commission in order to allow the subject use and develop the site. However, the project’s CUP requires a concurrent legislative action pursuant to Simi Valley Municipal Code Section (SVMC) 9-50.030. This section of the SVMC requires the final decision to be made by the City Council.
If the City Council decides to support the applicants’ request, SVMC Section 9-50.030 grants the City Council the authority to make a final decision on the matter.

Should the City Council wish to allow the Public Works Department to work with the applicant to create a modified design of the proposed sidewalk, the City Council can direct staff to modify Condition *B-15. The City Council can also grant the applicant’s request to remove Condition *B-15 altogether. These alternatives are provided in the Finding and Alternatives Section of the staff report.

FINDINGS AND ALTERNATIVES

The findings and supporting evidence for approval of GPA-102, SP-S-7, AMD#27, Z-S-742, and CUP-S-823 and the project’s Mitigated Negative Declaration are provided in the Planning Commission Staff Report and incorporated herein by reference as Exhibit 2.

The following alternatives are available to the City Council:

1. Introduce an ordinance (page 11) approving Specific Plan Amendment No. SP-S-7, AMD #27 and Zone Change No. Z-S-742; adopt a resolution (page 18) approving General Plan Amendment No. GPA-102, Conditional Use Permit No. CUP-S-823 as presented, and the project’s Mitigated Negative Declaration;

2. Introduce an ordinance (page 11) approving Specific Plan Amendment No. SP-S-7, AMD #27 and Zone Change No. Z-S-742; adopt a resolution (page 18) approving General Plan Amendment No. GPA-102, Conditional Use Permit No. CUP-S-823 with a modification to Condition *B-15 to allow the Public Works Department to work with the applicant and modify the design of the proposed sidewalk, and approve the project’s Mitigated Negative Declaration;

3. Introduce an ordinance (page 11) approving Specific Plan Amendment No. SP-S-7, AMD #27 and Zone Change No. Z-S-742; adopt a resolution (page 18) approving General Plan Amendment No. GPA-102, Conditional Use Permit No. CUP-S-823 with a modification to remove Condition *B-15, and approve the project’s Mitigated Negative Declaration;

4. Provide staff with other direction.

The Planning Commission recommends Alternative No. 1

SUGGESTED CITY COUNCIL MOTION

I move to introduce an ordinance approving Specific Plan Amendment No. SP-S-7, AMD #27 and Zone Change No. Z-S-742; and adopt a resolution approving the General Plan Amendment No. GPA-102, Conditional Use Permit No. CUP-S-823 and the project’s Mitigated Negative Declaration.
**SUMMARY**

The applicants, Richard and Kathleen Parkinson, request to build an industrial development that consist of two buildings that total 31,124-square feet buildings with 101 parking spaces located on a vacant 2.87-acre site, located approximately 1,000 feet west of Capper Lane (600-620 E. Cochran Street), at the south side of Cochran Street across from Home Depot, and north of the railroad tracks. The applicants' request includes a General Plan Amendment (GPA-102) to change the Land Use Designation from General Commercial to Industrial; a Specific Plan Amendment (SP-S-7, AMD #27) to change the West End Specific Plan land use designation from Subregional Retail to General Industrial; a Zone Change (Z-S-742) to change the Zoning designation from Subregional Retail - Specific Plan [SR (SP)] to General Industrial - Specific Plan [GI (SP)]; and a Conditional Use Permit (CUP-S-823) to construct the industrial development and operate a general contracting business in one of the buildings. The requested amendments add additional industrial uses within the City and will be consistent with the uses allowed in the GI (WESP) zone.

On June 19, 2019, the Planning Commission, by a 3:0 vote, recommended to the City Council approval of the applicants' request.

Ronald K. Fuchiwaki  
Interim Environmental Services Director

Prepared by: Jennifer Santos, Senior Planner

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Exhibit 1: Planning Commission Resolution and Approved Minutes  
Exhibit 2: Planning Commission Staff Report Packet  
Exhibit 3: Correspondence dated August 19, 2019
PUBLIC HEARING PROCEDURE

HEARING DATE: August 26, 2019

1. **MAYOR:** This is the time and place set for a public hearing to consider a request from Richard D. and Kathleen Parkinson for a General Plan Amendment (GPA-102) to change the General Plan land use designation from General Commercial to Industrial; a Specific Plan Amendment (SP-S-7, AMD #27) to change the West End Specific Plan land use designation from Subregional Retail to General Industrial; a Zone Change (Z-S-742) to change the Zoning designation from Subregional Retail – Specific Plan [SR (SP)] to General Industrial – Specific Plan [GI (SP)]; and a Conditional Use Permit (CUP-S-823) to construct two industrial buildings located on a 2.87-acre parcel at the south side of E. Cochran Street, approximately 1,000 feet west of Capper Lane (600-620 E. Cochran Street); introduction of an ordinance; adoption of a resolution and the project’s Mitigated Negative Declaration

   May I have a reading of the ordinance and resolution?

2. **CLERK:** (Reads resolution and/or ordinance)

3. **MAYOR:** Are there any ex parte communications to report?

4. **ANY COUNCIL MEMBER**: (Report of communications)

5. **MAYOR:** May we have an oral report on this matter by staff?

6. **STAFF:** (Report)

7. **ANY COUNCIL MEMBER**: (Questions of staff and staff responses)

8. **MAYOR:** Does the applicant wish to be heard on this matter?

9. **APPLICANT:** (Comments)

10. **MAYOR:** Is there anyone in the City Council Chamber wishing to be heard on this matter?

11. **AUDIENCE:** (Comments)

12. **MAYOR:** Does staff desire to respond to any comments or issues raised?

13. **STAFF:** (Response to comments and additional City Council questions)
14. MAYOR: Does the Applicant desire any rebuttal?

15. APPLICANT: (Rebuttal)

16. MAYOR: The hearing is closed. Are there any comments or questions from members of the City Council? (Note: If the City Council has any further questions of staff or the applicant at this time, the Public Hearing may need to be re-opened.)

17. ANY COUNCIL MEMBER: (Comments)

18. MAYOR: The Chair will now entertain a motion.

19. ANY COUNCIL MEMBER: City Council Actions (by motion of any Council Member):
   
   1) Introduce, modify, or not introduce Ordinance No. 1299 (does not require a second or a vote; requires reading of ordinance);

   2) Adopt, modify, or not adopt Resolution No. 2019-32 and the project’s Mitigated Negative Declaration (requires a second and a vote; requires reading of resolution).

   * Any action to refer the matter back to staff or to continue the matter requires a second and a vote.

20. ANY COUNCIL MEMBER: Second

21. MAYOR: (Call for vote)

22. MAYOR: Proceed to the next item.
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY FOR THE APPROVAL OF SPECIFIC PLAN AMENDMENT NO. SP-S-7, AMENDMENT NO. 27 AND A ZONE CHANGE Z-S-742; AND ADOPTING THE MITIGATED NEGATIVE DECLARATION TO AMEND THE WEST END SPECIFIC PLAN (SP-S-7, AMD #27) TO CHANGE THE LAND USE DESIGNATION FROM SUBREGIONAL RETAIL TO GENERAL INDUSTRIAL AND TO CHANGE THE ZONING DESIGNATION FROM SUBREGIONAL RETAIL – SPECIFIC PLAN [SR (SP)] TO GENERAL INDUSTRIAL – SPECIFIC PLAN [GI (SP)]; FOR THE 2.87-ACRE PARCEL, LOCATED AT THE SOUTH SIDE OF E. COCHRAN STREET, APPROXIMATELY 1,000 FEET WEST OF CAPPER LANE (600-620 E. COCHRAN STREET)

WHEREAS, pursuant to the provisions California Government Code Section 65450, 65860 et. Seq., Simi Valley Municipal Code Titles 9-56, and 9-73, the applicants, Richard D. and Kathleen Parkinson, have requested approval of an Amendment to the West End Specific Plan Map (SP-S-7, AMD #27) and a Zone Change (Z-S-742); for a 2.87-acre located at the south side of E. Cochran Street, approximately 1,000 feet west of Capper Lane (600-620 E. Cochran Street), known as Ventura County Assessor’s Parcel No. 615-0-180-195, and by legal description attached hereto as Exhibit A, for the purpose of amending the West End Specific Plan to change the land use designation from Subregional Retail (SR) to General Industrial (GI); changing the Zoning designation (Z-S-742) from Subregional Retail – Specific Plan [SR (SP)] to General Industrial – Specific Plan [GI (SP)]; and adopting the project’s Mitigated Negative Declaration; and

WHEREAS, June 19, 2019, the Planning Commission of the City of Simi Valley held a public hearing and recommended approval of SP-S-7, AMD #27 and Z-S-742; and the project’s Mitigated Negative Declaration; and

WHEREAS, on August 26, 2019, the City Council considered evidence and public testimony on the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIMI VALLEY DOES ORDAIN AS FOLLOWS:

SECTION 1. The findings for adoption of the Mitigated Negative Declaration, contained in Exhibit 2 of the City Council staff report, dated August 26, 2019, and incorporated herein by reference, are hereby adopted.

SECTION 2. The Mitigated Negative Declaration contained in the City Council staff report Exhibit 2, dated August 26, 2019, and incorporated herein by reference, is hereby adopted.
SECTION 3. The findings for approval of Specific Plan Amendment No. SP-S-7, AMD #27, contained in the City Council staff report Exhibit 2, dated August 26, 2019, and incorporated herein by reference are hereby adopted.

SECTION 4. The amendment to the West End Specific Plan (SP-S-7, AMD #27), attached hereto as Exhibit B are hereby approved.

SECTION 5. The findings for Zone Change No. Z-S-742 contained in the City Council staff report Exhibit 2, dated August 26, 2019, and incorporated herein by reference, are hereby adopted.

SECTION 6. Zone Change No. Z-S-742, amending Zoning Map Sheet 165 of SVMC 9-20.030, contained in Exhibit C, attached hereto is hereby approved.

SECTION 7. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, adjudicated to a final determination, the City Council finds that said voided part is severable, that the City Council would have adopted the remainder of this ordinance without the severed and voided part, and that the remainder of this ordinance shall remain in full force and effect.

SECTION 8. The City Clerk shall cause this ordinance or a summary hereof to be published in a newspaper of general circulation, published in the County of Ventura and circulated in the City, and if applicable, to be posted, in accordance with Section 36933 of the California Government Code; shall certify to the adoption of this ordinance and shall cause a certified copy of this ordinance, together with proof of publication, to be filed in the Office of the Clerk of this City.

SECTION 9. This ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

PASSED and ADOPTED this day of 2019.

Attest:

Julia Fritz, Acting City Clerk

Keith L. Mashburn, Mayor of the City of Simi Valley, California

Approved as to Form:

Lonnie J. Eldridge, City Attorney

Brian Paul Gabler, Interim City Manager

Approved as to Content:

Ronald K. Fuchiwaki, Interim Environmental Services Director
LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF SIMI VALLEY, COUNTY OF VENTURA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 7 OF PARCEL MAP NO. LD-S-567, IN THE CITY OF SIMI VALLEY, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 57, PAGES 5 THROUGH 11 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT AN UNDIVIDED THREE-FOURTH INTEREST IN AND TO ALL MINERAL, OIL, AND OTHER OIL PRODUCTS AND ALL MINERAL PRODUCTS IN, ON OR UNDER THAT PORTION OF SAID LAND LYING WITHIN THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TOGETHER WITH AN EASEMENT CONSISTING OF A RIGHT OF ENTRY AND OF WAY TO DEVELOP SAID MINERAL SUBSTANCES.

BY INSTRUMENT RECORDED DECEMBER 22, 1972, IN BOOK 4052, PAGE 619 OF OFFICIAL RECORDS, ELIZABETH C. SCOVILLE, ET AL., OWNERS OF AN UNDIVIDED 5/9THS INTEREST IN AND TO SAID 3/4THS OF ALL MINERAL, OIL AND OTHER OIL PRODUCTS, AND ALL MINERAL PRODUCTS, QUITCLAIMED ALL RIGHT, TITLE AND INTEREST IN AND TO THE UPPER 550 FEET OF SAID LAND.

ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER A PORTION OF SAID LAND TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THERFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCK OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED NOVEMBER 23, 1971, IN BOOK 3888, PAGE 870 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER A PORTION OF SAID LAND, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING
THEREFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH A MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED OCTOBER 31, 1972, IN BOOK 4029, PAGE 646 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER A PORTION OF SAID LAND, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED OCTOBER 18, 1974, IN BOOK 4327, PAGE 51 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER A PORTION OF SAID LAND, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF,
AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED JULY 21, 1972, IN BOOK 3984, PAGE 445 OF OFFICIAL RECORDS.

ASSESSORS PARCEL NO: 615-0-180-195
WEST END SPECIFIC PLAN AMENDMENT NO. 27 (SP-S-7 AMD #27)

A Specific Plan Amendment to change the Land Use Map from Subregional Retail [SR(SP)] to General Industrial [GI(SP)], as described as follows:

South side of E. Cochran Street, approximately 1,000 feet west of Capper Lane (600-620 E. Cochran Street)

APN: 615-0-180-195
Zone Change No. Z-S-742

A Zone Change from Subregional Retail – Specific Plan [SR (SP)] to General Industrial – Specific Plan [GI (SP)], described as follows:

South side of E. Cochran Street, approximately 1,000 feet west of Capper Lane (600-620 E. Cochran Street)

APN: 615-0-180-195
RESOLUTION NO. 2019-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY APPROVING GENERAL PLAN AMENDMENT NO. GPA-102 AND CONDITIONAL USE PERMIT NO. CUP-S-823, AND ADOPTING THE MITIGATED NEGATIVE DECLARATION TO AMEND THE GENERAL PLAN LAND USE DESIGNATION FOR A 2.87-ACRE PARCEL LOCATED AT THE SOUTH SIDE OF E. COCHRAN STREET, APPROXIMATELY 1,000 FEET WEST OF CAPPER LANE (600-620 E. COCHRAN STREET)

WHEREAS, the applicants, Richard D. and Kathleen Parkinson, have requested approval of a General Plan Amendment (GPA-102) and Conditional Use Permit (CUP-S-823), for a 2.87-acre site located at the south side of E. Cochran Street, approximately 1,000 feet west of Capper Lane (600-620 E. Cochran Street), known as Ventura County Assessor’s Parcel No. 615-0-180-195, and by the legal description attached hereto as Exhibit A, for the purpose of amending the City’s General Plan land use designation from General Commercial to Industrial and to construct two industrial buildings that total 31,124 square feet for a general contracting business; and adopt the project’s Mitigated Negative Declaration; and

WHEREAS, on June 19, 2019, the Planning Commission of the City of Simi Valley held a public hearing recommending amending the Conditions of Approval for CUP-S-823 to prohibit illuminated signage at the rear side of the two industrial buildings, and to limit the location of materials and equipment to the covered outdoor storage; and recommended an approval of GPA-102 and CUP-S-823, and the project’s Mitigated Negative Declaration;

WHEREAS, on August 26, 2019, the City Council considered evidence and public testimony on the project; and

WHEREAS, based upon the findings of the staff report dated August 26, 2019, analysis of the Mitigated Negative Declaration, and presentation by the applicants, the City Council finds and determines that it is in the best interest of the City of Simi Valley to approve GPA-102 and CUP-S-823 and the project’s Mitigated Negative Declaration.

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

SECTION 1. The City Council finds that (1) it is in the best interest of the City of Simi Valley to approve GPA-102 to amend the General Plan land use designation from Commercial to Industrial and CUP-S-823 to construct two industrial buildings that total 31,124 square feet for a general contracting business; and adopt the project’s Mitigated Negative Declaration.
SECTION 2. The findings for adoption of GPA-102, CUP-S-823, and the Mitigated Negative Declaration, contained in Exhibit 2 of the City Council staff report dated August 26, 2019, and incorporated herein by reference, are approved.

SECTION 3. The Project Mitigated Negative Declaration contained in Exhibit 2 of the City Council staff report dated August 26, 2019, is hereby adopted.

SECTION 4. General Plan Amendment No. GPA-102 as specified in Exhibit B attached hereto is hereby approved.

SECTION 5. Conditional Use Permit No. CUP-S-823, is hereby approved, subject to the Conditions of Approval shown in Exhibit C, attached hereto.

SECTION 6. The time within which judicial review must be sought for administrative decisions is governed by California Code of Civil Procedure Section 1094.6.

SECTION 7. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the Office of the City Clerk.

PASSED and ADOPTED this 26th day of August 2019.

Attest:

Julia Fritz, Acting City Clerk

Keith L. Mashburn, Mayor of the City of Simi Valley, California

Approved as to Form:

Lonnie J. Eldridge, City Attorney

Approved as to Content:

Brian Paul Gabler, Interim City Manager

Ronald K. Fuchiwaki, Interim Environmental Services Director
LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF SIMI VALLEY, COUNTY OF VENTURA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 7 OF PARCEL MAP NO. LD-S-567, IN THE CITY OF SIMI VALLEY, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 57, PAGES 5 THROUGH 11 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT AN UNDIVIDED THREE-FOURTH INTEREST IN AND TO ALL MINERAL, OIL, AND OTHER OIL PRODUCTS AND ALL MINERAL PRODUCTS IN, ON OR UNDER THAT PORTION OF SAID LAND LYING WITHIN THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TOGETHER WITH AN EASEMENT CONSISTING OF A RIGHT OF ENTRY AND OF WAY TO DEVELOP SAID MINERAL SUBSTANCES.

BY INSTRUMENT RECORDED DECEMBER 22, 1972, IN BOOK 4052, PAGE 619 OF OFFICIAL RECORDS, ELIZABETH C. SCOVILLE, ET AL., OWNERS OF AN UNDIVIDED 5/9THS INTEREST IN AND TO SAID 3/4THS OF ALL MINERAL, OIL AND OTHER OIL PRODUCTS, AND ALL MINERAL PRODUCTS, QUITCLAIMED ALL RIGHT, TITLE AND INTEREST IN AND TO THE UPPER 550 FEET OF SAID LAND.

ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER A PORTION OF SAID LAND TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCK OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED NOVEMBER 23, 1971, IN BOOK 3888, PAGE 870 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT
MAY BE WITHIN OR UNDER A PORTION OF SAID LAND, TOGETHER WITH THE
PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND,
INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS
WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH A MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED OCTOBER 31, 1972, IN BOOK 4029, PAGE 646 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDORCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER A PORTION OF SAID LAND, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED OCTOBER 18, 1974, IN BOOK 4327, PAGE 51 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDORCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER A PORTION OF SAID LAND, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM
SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREIN ABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED JULY 21, 1972, IN BOOK 3984, PAGE 445 OF OFFICIAL RECORDS.

ASSESSORS PARCEL NO: 615-0-180-195
GENERAL PLAN AMENDMENT NO. GPA-102

A General Plan Land Use Map change from General Commercial to Industrial, as described as follows:

South side of E. Cochran Street, approximately 1,000 feet west of Capper Lane (600-620 E. Cochran Street)

APN: 615-0-180-195
EXHIBIT C

CASE NO.: CUP-S-823/GPA-102 (REF: SP-S-7, AMD #27/Z-S-742)
APPLICANT: RICHARD D. AND KATHLEEN PARKINSON

PROJECT PERMIT CONDITIONS

The conditions marked with an asterisk (*) are Special Conditions applicable specifically to this permit. These conditions of approval will supersede any conflicting notations, specifications, dimensions, and typical sections that may be shown on a development plan or exhibit. Unless otherwise stated, all conditions of approval must be complied with prior to the issuance of a Zoning Clearance. Applicant will assume all costs incurred in complying with the conditions contained herein. All facilities and uses other than those specifically approved by the approving authority are prohibited. In consideration of the benefits conferred by this Permit, Applicant, on behalf of him/herself, intending to be bound hereby for the life of this permit, consents to City Personnel entering the Project property during daylight hours without a warrant and with written notice to verify compliance with the terms and conditions of this Permit. "Applicant" or "Developer" or "Owner" as used in these conditions means all applicants, developers, permittees, and all owners of the subject property and all successors and assigns thereto. These conditions are deemed to touch and concern the real property, which is the subject hereof, and will run with the land. Compliance with these conditions must be maintained for the life of the permit. The Simi Valley Municipal Code (SVMC) contains penalty provisions for the violation of development conditions, which could result in any available administrative, civil, or criminal remedies that could include one or more of the following: 1) revocation of the development permit; 2) penalties of up to $1,000 in fines and/or six months in jail for each day of violation; and 3) the prohibition of further violations through court injunction. Applicant must comply with all of the conditions.

A. ENVIRONMENTAL SERVICES CONDITIONS:

Planning Division:

A-1 This permit is granted for all of the buildings, roadways, parking areas, landscaping, lighting, colors and materials, and other features which must be as shown on the formal application and exhibits specifically labeled as Exhibits Architectural Site Plan; Grading/Drainage Plan; Utility Plan; Details/Section Plan; Driveway Line of Sight Plan; Driveway Line of Sight Profile; Topography Survey; Street Front Sections; Floor -1, -2,-3, and -4; Roof Plan-1 and -2; Elevations -1-4; Site Sections; Trash Enclosure Plans; (dated February 21, 2019); Colors and Materials Sample Board, (dated October 30, 2018).

A-2 If this permit has not been use inaugurated prior to thirty-six (36) months following this approval, the permit will automatically expire.

A-3 Applicant must defend, indemnify, and hold harmless the City, its agents, officials, and employees from any claim, action, or proceeding against the City or its agents, officials, or employees in any action to attack, set aside, void, or annul the approval of this permit. The City will promptly notify Applicant of any claim, action, or proceeding; and the City will cooperate
fully in the defense. The City shall also have the right to consult and participate with Applicant in the development of litigation strategy. Further, Applicant must select an attorney, acceptable to the City, who will defend such proceeding. Such approval of an attorney will not be unreasonably withheld.

A-4 During the lifetime of the permit, Applicant must comply with all applicable laws and regulations of every local, state, and federal entity; and all such requirements and enactments will be incorporated by reference as conditions of this permit. The duty of inquiry as to such requirements and any amendments thereto will be upon Applicant and his or her transferees or successor in interest.

A-5 Applicant agrees that if any of the conditions or limitations of this permit are held to be invalid by a court of competent jurisdiction, that holding will render this permit to be null and void.

*A-6 Approval of this project requires certain legislative determinations by the City Council. The approval of the Conditional Use Permit No. CUP-S-823 is hereby expressly made contingent upon the approval of the General Plan Amendment No. GPA-102 and Specific Plan Amendment SP-S-7, Amendment #27 by the City Council.

A-7 Applicant must provide to the Deputy Environment Services Director/City Planner a copy of all conditions of approval recorded with the Ventura County Recorder's Office.

*A-8 Applicant must submit to the Deputy Environment Services Director/City Planner an irrevocable offer to dedicate an easement to the City of Simi Valley for the portion of the enriched parkway that is located within the project boundaries.

*A-9 Applicant must submit a comprehensive sign program for all permanent signs on the project site to the Deputy Environment Services Director/City Planner for review and approval in accordance with the Planning Commission's approval and approved exhibits. The Deputy Environment Services Director/City Planner will review the sign program and plan for compliance with the following criteria:

a. Such sign program must identify the maximum size, type(s), color(s), and specific location(s) of all permanent signs to be placed on the site. The maximum height and size of any permanent free-standing sign will be eight (8) feet in height and a maximum of forty (40) square feet of sign area; and

b. Provide additional requirements and/or criteria as related to the project’s signage.
If an application for an Administrative Action is filed to change the size of the building footprint, changes in the sign face area of all signs authorized in the sign program may be authorized with the Administrative Action in proportion to the percentage of building footprint area revision. Changes in the sign type, color, or specific location may be processed in conjunction with an application for an Administrative Action for minor changes in the architectural features of the building as specified in Section 9-52.030.B of the SVMC.

c. Signage at the rear side of the buildings must not be illuminated.

A-10 Applicant must not attach signs, flags, pennants, streamers, or banners of any type to the light poles or landscaping.

A-11 Applicant must submit to the Deputy Environment Services Director/City Planner for review and approval a trash and recycling enclosure plan. The Deputy Environment Services Director/City Planner will review the enclosure plan for compliance with the following criteria:

a. The enclosure must incorporate the same architectural treatment and use the same approved exterior colors and the materials of the main building;

b. The enclosure must incorporate an opaque gate and include a roof or trellis, which will be designed to preclude trash from being blown out of the bins;

c. The height of the enclosure walls and gate must be the same or greater than the height of the bins within the enclosure; and

d. Exception when the bins are being accessed, the bins must be stored at all times within the enclosure with the gate closed.

A-12 Applicant must submit a utility plan to the Deputy Environment Services Director/City Planner for review and approval. The plan must include:

a. Size and location of all above-ground utility cabinets and underground utility vaults for electric, telephone, cable communications, backflow prevention devices, and fire sprinkler pressure detector check valves (utility equipment);

b. Screening design and location for all above-ground utility equipment by method of masonry walls, landscaping, or a combination of both;

c. A minimum of three feet of clearance between all above-ground utility equipment and the screening;

d. Access panels oriented away from all public rights-of-way;
e. Fire sprinkler pressure detector check valves located a minimum of 20 feet from all property lines adjacent to public rights-of-way;

f. Depiction of the Traffic Sight Safety Area (TSSA); and

g. Location of all above-ground utility equipment outside of the TSSA.

A-13 In the event of the encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation must cease in the immediate area, and the find left untouched. Applicant must select and provide a qualified professional archaeologist certified by the Register of Professional Archaeologists or paleontologist with a degree(s) in paleontology or geology to evaluate and make recommendations as to disposition, mitigation and/or salvage. The recommendation must be implemented before work may proceed. Applicant will be liable for all costs associated with the professional investigation and implementation.

A-14 Prior to the time of occupancy inspection, Applicant must provide to the Deputy Environmental Services Director/City Planner and the Deputy Environmental Services Director/Building Official written certification from the project architect or engineer that the project has been constructed in accordance with the approved plans.

A-15 Applicant must continually maintain, repair and replace all structures, landscaping, irrigation equipment, sidewalks, parking lot surfacing, and all other improvements within the project described in the approved plans.

*A-16 Prior to issuance of a Zoning Clearance, Applicant must prepare a Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and Common Area Operating and Maintenance (CAM) Agreement and submit them to the Senior Assistant City Attorney, Deputy Environmental Services Director/City Planner, and Deputy Public Works Director/Development Services for review and approval. Applicant must have the approved CC&Rs and CAM Agreement recorded with the Ventura County Recorder's Office concurrent with the final map. Any future revision of the CC&Rs and CAM Agreement, as they pertain to the requirements set forth below, must require the approval of the City.

*A-17 Applicant must submit photometric and luminaire plans which comply with Simi Valley Municipal Code Section 9-30.040. All exterior light fixtures depicted on this plan must have fully recessed lenses and cut-off features that limit illumination at the property line to 0.5 foot-candles. A note will be placed on the plan that states: "All downcast light fixtures will be installed and permanently maintained in a horizontal position."

*A-18 Applicant must allow all of the 22 parking spaces that are located at the west side of the property to be utilized for employees and visitors during hours of operation.
*A-19 Materials and equipment must be confined to the covered outdoor storage area located directly behind the two industrial buildings to maintain a 30-foot access clearance for the Ventura County Fire Protection District.

B. PUBLIC WORKS CONDITIONS:

General

B-1 These Conditions of Approval shall supersede all conflicting notations, specifications, dimensions and typical sections which may be shown on development plans or exhibits. The Conditions stated herein shall not be considered a comprehensive listing of all State and Municipal Code requirements and City ordinances and policies. All of the following Conditions, including the payment of all the miscellaneous fees, must be completed prior to the issuance of a Zoning Clearance, unless other timing has been approved by the Deputy Public Works Director/City Engineer. The conditions marked with an asterisk (*) are Special Conditions applicable specifically to this project. In the event of a conflict between a Standard Condition and a Special Condition, the Special Condition will take precedence.

B-2 Prior to issuance of a Grading Permit, Applicant must submit improvement plans on 24" x 36" sheets having the City's standard signature blocks. All lettering on the plans must be a minimum of .08 inch in size and the plans must be drawn to ensure reproduction and record keeping. All plans must be drawn in ink and must be signed by a California State Registered Civil Engineer at the time of first submittal. All improvement plans must comply with Chapter 7 of the Ventura County Land Development Manual adopted by City Council Resolution No. 69-8. Applicant must submit improvement plans for the entire project as one package and must include all project improvements shown on the approved project exhibits and those to be designed per these Conditions. (Piecemeal submittal of plans is not acceptable.) This package must include all supporting studies. Plans and studies must be signed by a California State Registered Civil Engineer at the time of first submittal.

B-3 Applicant must obtain an encroachment permit for construction of public infrastructure. Prior to the permit's issuance, all improvement plans and submittals must be accepted by the Deputy Public Works Director/City Engineer, all applicable fees must be paid, all securities must be posted and insurance documentation provided. The above submittals must comply with SVMC Section 7-1.

B-4 Prior to requesting a final inspection for release of securities, Applicant must submit record drawings, certifications, final soils report, and a digital file of record drawings (in an ARC Info or DXF format compatible with the City GIS database) to the Department of Public Works.
B-5 Prior to occupancy Applicant must complete all improvements per the accepted plans and approved conditions, and obtain acceptance for the improvements from the City.

*B-6 Applicant must design improvements such that all existing and proposed utilities are underground per SVMC Section 9-30 and 9-64.

Grading

B-7 Prior to issuance of a Grading Permit, Applicant must submit a site paving, drainage and grading plan, subject to review and approval by the Deputy Public Works Director/City Engineer. The plans must be in conformance with Chapter 7 of the Ventura County Land Development Manual adopted by City Council Resolution No. 69-8. The site paving, drainage and grading plan must be accompanied by a soils report, prepared to comply with the Guidelines for Geotechnical and Geological Reports in the City of Simi Valley.

B-8 Prior to the issuance of a Grading Permit, Applicant must post improvement securities for all grading, must pay all applicable fees, and must provide insurance documentation. The above submittals must comply with SVMC Section 7-1.

B-9 Applicant must obtain a Grading Permit, must complete the grading according to the approved plans, and must provide certifications by the soils engineer and civil engineer.

Drainage

B-10 Prior to the issuance of a Grading Permit, Applicant must provide a final drainage study prepared by a California State Registered Civil Engineer. This study must include hydrologic and hydraulic calculations and comply with the City of Simi Valley Drainage Study Guidelines, Goal VIII-3 of the General Plan, the Ventura County Hydrology Manual, and the Hydraulic Design Manual of the Los Angeles County and Ventura County Watershed Protection Districts.

B-11 Applicant must incorporate storm water detention into the improvement plans. Detention design must conform to the City of Simi Valley Drainage Study Guidelines. Site runoff cannot exceed the 10-year undeveloped storm runoff from the site area. The hydrograph flood routing method or unit volume method using 1,000/2,500 cubic feet per acre (bypass/flow through respectively) may be used for detention design when the project does not exceed 10 acres of developable area. For projects of 10 acres or more of developable area, the unit volume method must be used. Detention facilities must be privately maintained by the property owner(s) or homeowner(s) association.
*B-12 Prior to the issuance of a Grading Permit, Applicant must prepare a Storm Water Pollution Prevention Plan (SWPPP) and shall incorporate permanent storm water quality treatment devices into the site improvements for review, prior to approval by the Deputy Public Works Director (Development Services). The SWPPP shall be prepared and implemented to comply with:

a. State Water Resources Control Board, Division of Water Quality Order No. 2009-0009-DWQ: National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, NPDES No. CAS000002, dated September 2, 2009; and

b. State of California, California Regional Water Quality Control Board, Los Angeles Region Order No. R4-2010-0108: Waste Discharge Requirements for Storm Water (Wet Weather) and Non-Storm Water (Dry Weather) Discharges from the Municipal Separate Sewer Systems within the Ventura County Watershed Protection District, County of Ventura, and the Incorporated Cities Therein, dated July 8, 2010; and,

c. A Notice of Intent (NOI) shall be submitted to the Los Angeles Regional State Water Resources Control Board to comply with General Permit No. 2009-0009-DWQ.

Applicant must identify pollutant sources and shall include design and recommended construction, implementation and maintenance measures in order to eliminate or reduce the discharges of pollutants from the project site to the public storm drain system during and after the construction period. For any work in progress, updated SWPPP and erosion control plans shall be submitted during the period from November 1 to April 1 of each year.

Traffic and Roadways

*B-13 Applicant must design and construct LED street lighting in accordance with Standard SV 20-10, “Street Lighting” on both sides of Cochran Street within the project limits, coordinated with Southern California Edison at applicant’s expense, with street light spacing and underground conduit per City Standard Plan SV 20-10, as directed by the Deputy Public Works Director/Development Services.

*B-14 Applicant must design and construct all project driveways in accordance with City Standard SV 11-20, “Commercial Driveway Approach”, as directed by the Deputy Public Works Director/Development Services.
*B-15 Applicant must design and construct a 5-foot ADA-compliant sidewalk with a minimum 4-foot lateral clearance at all vertical obstructions along the project frontage.

*B-16 Applicant must dedicate 5.5’ of right-of-way from the southerly face of curb on the south side of Cochran Street along the project frontage for the construction of required sidewalk.

*B-17 Applicant must design and construct any landscaping to incorporate and provide for the minimum safe vehicle/driver sight distances at the project driveways, restricting the height of any planting material to 30 inches or less within the driver’s sight distance area; in addition, no walls, berms, slopes, backflow prevention devices, on-site project monuments, signs, or other impediments to the driver’s sight visibility will be allowed within that restricted area; all as directed by the Deputy Public Works Director/City Engineer. Any proposed decorative pavement, on-site project monuments, or signs must be located outside of the public right-of-way, as directed by the Deputy Public Works Director/City Engineer.

*B-18 Applicant must pay the Traffic Impact Fee specified in the City of Simi Valley Schedule of Service Charges in effect at the time of payment, as stated in the current Traffic Impact Fee Resolution. The total fee is based on daily vehicle trip ends, with the current fee of $83.00 per trip. The total fee is based on this project generating 159 daily vehicle trip ends. Using the current fee of $83 per trip, the fee would be $13,197, but the fee in effect at the time of payment applies.

*B-19 Applicant must pay the Ventura County Reciprocal Traffic Impact Fee as stated in City Council Resolution No. 2002-22. The total fee is based on daily vehicle trip ends, with the current fee of $5.28 per daily trip end. The total fee is based on this project generating 159 daily vehicle trip ends. Using the current fee of $5.28 per trip, the fee would be $839.52, but the fee in effect at the time of payment applies.

**Maintenance**

B-20 Applicant must submit, to the Department of Public Works, final Landscape and Irrigation Plans for review and approval.

B-21 Applicant must insure that the Landscape and Irrigation design plans include provision for installing root barriers (18 inches deep by 10 feet long, minimum), adjacent to back side of sidewalk, when planting on-site tree(s) within 10 feet from the public rights-of-way and public sidewalk.

*B-22 Applicant must design and install landscaping, within the “Line of Sight” areas at driveways, such that the plant material does not exceed 30” maximum plant height at maturity. This may require that some of the oaks,
and crape myrtle trees proposed for the site that are near or within the sight line, be moved back or relocated from their proposed location as shown on the current landscape plan for the project.

B-23 Applicant must include a note on the Final Landscape Plans stating that the street trees/plant material/irrigation system, within the street right-of-way, are to be maintained by the Development/HOA/property owner in perpetuity and pursuant to SVMC 7-3.19.

*B-24 Prior to issuance of a Grading Permit,” Applicant must have received Public Works approval for the projects Landscape and irrigation design plans and must pay the public works plan check and inspection fee.

B-25 Prior to the issuance of Certificate of Occupancy, Applicant must have completed installation of on-site and Right-of-Way landscape improvements as shown on the City Approved Landscape Plans.

*B-26 Applicant must revise the landscape design by moving the Jacaranda trees farther into the property so the canopy of those trees at maturity do not overhang the sidewalk or right-of-way.

Sewer

B-27 Applicant must apply for, and obtain, a Sewer Will-Serve Letter from the Sanitation Services Division.

B-28 Prior to issuance of a Sewer Will-Serve Letter, Applicant must submit a utility plan to the Sanitation Services Division for review.

*B-29 Prior to issuance of a Sewer Will-Serve Letter, Applicant must pay all applicable sewer connection fees. The total estimate of $29,043 is based on the current rate of $350 per 1,000 square feet of warehouse space ($5,555) and $1,444 per 1,000 square feet of office space ($23,488). Credits may apply and the actual fees will be determined at the time of payment.

*B-30 Applicant must submit the private sewage pumping system construction plans to the Building and Safety Division for review and approval.

Water

*B-31 Applicant must construct all water facilities in compliance with the Water Design and Construction Standards, adopted by the District Board of Directors on June 21, 1999, and subsequent revisions.

B-32 Applicant must apply for, and obtain, a Water Will-Serve Letter from Waterworks District No. 8 (WWD8).
B-33 Prior to issuance of a Water Will-Serve Letter, Applicant must submit water improvement plans to WWD8 for review and approval.

B-34 Prior to approval of water improvement plans, Applicant must have the fire hydrant location(s) approved by the Ventura County Fire Protection District (VCFPD).

*B-35 Prior to issuance of a Water Will-Serve Letter, Applicant must pay the Capital Improvement Charge of $26,000 for a water service. An estimate of this charge, is based on the current rate of $26,000 for a 2-inch domestic meter. The actual charge will be determined based on the rates in effect at the time of payment.

B-36 Prior to the installation of landscaping or the issuance of a Certificate of Occupancy, whichever comes first, Applicant shall purchase and install the domestic and irrigation water meters.

C. LANDSCAPING CONDITIONS:

C-1 Applicant must submit final landscape and irrigation plans, and supporting materials, to the Deputy Environmental Services Director/City Planner for review and approval. The final plans/materials must:

a. Comply with the City of Simi Valley Landscape Design Guidelines;

b. Comply with the conceptual landscape plan as approved by the Planning Commission;

c. Comply with the recommendations of the City's Consulting Landscape Architect, to ensure plans conform to the Planning Commission approval, the City's Landscape Design Guidelines, and the 2015 State Model Water Efficient Landscape Ordinance as implemented by the City of Simi Valley;

d. Comply with the approved site plan and Public Works grading and improvement plans;

e. Include an agronomic soils report as specified in the 2015 State Model Water Efficient Landscape Ordinance as implemented by the City of Simi Valley. The soils report must be based on soil conditions after the establishment of final grades, and final landscape plans must incorporate the report recommendations;

f. Include a Water Efficient Landscape Worksheet with each submittal of landscape and irrigation plans;

g. Show all protected trees pursuant to Section 9-38.050 of the SVMC;
h. Provide root barriers for all trees planted in parking lot, perimeter, and foundation planting areas, per Simi Valley Standard Plans 51-20 and 51-60;

i. Include planting and irrigation with native compatible, fire-resistant plants in areas adjacent to existing native vegetation. All plants materials must be low-water use and must not include any live turf areas. The plant palette must not include invasive plants as listed in the California Invasive Plant Council (Cal-IPC) Invasive Plant Inventory; and

j. Clearly identify required temporary landscape-related improvements and irrigation (e.g., for erosion control), separately from permanent systems;

k. Provide an estimate of the total landscape construction cost.

C-2 All landscaping must be low water use, with drought-tolerant plant materials irrigated by a low-precipitation or drip-irrigation system. Materials must be from the Water Use Classification of Landscape Species (WUCOLS) Low Water-Using Plant List, and the irrigation system will utilize in-ground moisture sensors, which are connected to the automatic controller governing the rate and frequency of irrigation.

C-3 The prescriptive compliance option of the 2015 State Model Landscape Ordinance as implemented by the City of Simi Valley may be used to demonstrate compliance with the Landscape Ordinance.

C-4 Prior to the issuance of a Zoning Clearance or a Grading Permit, whichever comes first, Applicant must obtain a Tree Removal Permit in accordance with SVMC Section 9-38.070 et. seq. for any protected trees designated for removal on the plan. Unless otherwise approved by the Deputy Environmental Services Director/City Planner, Applicant will not remove any of the mature trees prior to the commencement of any grading.

*C-5 From the date of this approval until final inspection or certificate of occupancy for the last building to be built pursuant to this permit, Applicant must protect and preserve existing protected trees identified in Exhibit 4, dated October 30, 2018 (tree report), pursuant to SVMC Chapter 9-38 and City’s Landscape Design Guidelines, unless a Tree Removal Permit authorizing their removal has been issued by the Department of Environmental Services.

C-6 For the lifetime of the permit, Applicant must mitigate the loss of all protected trees, relocated trees, and trees identified on the Final Landscape Plan, pursuant to SVMC Chapter 9-38 and the City’s Landscape Design Guidelines.
C-7 Prior to the issuance of a Certificate of Occupancy or a Final Inspection request, whichever comes first, Applicant must:

a. Install all landscaping so as to be consistent with the approved landscape plans referred to in Condition C-1;
b. Require that the landscape architect be present during the final landscape inspection by the City and certify that the installation of landscape materials and irrigation systems are in compliance with the approved landscape plan; and

c. Provide required Landscape Documentation Package following completion of the landscape installation.

C-8 For the lifetime of this permit, Applicant must adhere to the City's Landscape Maintenance Requirements as follows:

a. Trees will be thinned as defined by the Tree Care Industry Association, ANSI A300 Standards to eliminate crowding or x-crossing branches, to remove dead or broken limbs, and to remove structurally weak branch attachments;
b. Tree canopies will not be topped (to remove or cut the top of the tree) or pollarded (to cut back to the trunk to promote the growth of a dense head of foliage) as defined by the Tree Care Industry Association, ANSI A300 Standards;
c. All pruning will comply with the International Society of Arboriculture, Best Management Practices-Tree Pruning, current edition;
d. No more than 20% of tree canopy will be removed during a growing season;
e. Branches will be removed as needed to allow for a 14-foot vehicular path clearance and an eight-foot pedestrian path clearance;
f. All pruning will be supervised by a certified or consulting arborist; and

g. Replace all dead or missing plants so as to comply with the approved landscape plan. The minimum replacement size will be at least a 24” boxed tree or five-gallon shrub/vine, or a one-gallon groundcover.

D. VENTURA COUNTY FIRE PROTECTION DISTRICT:

D-1 Private roads must comply with Public Road Standards.
a. Access road width of 24 feet is required;

b. Where one-way traffic and off-street parking occurs, a 20-foot driveway width must be provided (Note: limited use only and not for high hazard occupancies: H, R-1 over 2 stories, R-2) (Review with VCFPD); and

c. Industrial buildings or portions of buildings or facilities with perimeter eave lines exceeding 30 feet in height above the lowest level of Fire District access must include an approved aerial ladder fire apparatus access roads and driveways. Aerial fire apparatus access roads and driveways must have a minimum clear width of 30 feet. Overhead utility and power lines must not be located within the aerial ladder fire apparatus access roads and driveways. At least one of the required access routes meeting this condition must be located a minimum of 15 feet and a maximum of 30 feet parallel to one side of the buildings, as approved by the Fire District. Buildings exceeding 50,000 square feet must have the required access route along a minimum of two sides. Parking must be prohibited along the required width of the access roads and driveways. Landscaping and other improvements between the required access and the buildings must not interfere with aerial ladder fire apparatus operations, as approved by the Fire District.

D-2 Prior to combustible construction, Applicant must provide a paved all-weather access road/driveway suitable for use by a 20-ton Fire District vehicle and must be installed at locations approved by the Fire District.

D-3 Prior to combustible construction, all utilities located within the access road and the first lift of the access road pavement must be installed. A minimum 20-foot clear width must remain free of obstruction during any construction activities within the development once combustible construction starts.

D-4 Applicant must construct the access road of a sufficient width to allow for a 40-foot centerline turning radius at all turns in the road.

D-5 All access roads/driveways must have a minimum vertical clearance of 13 feet 6 inches (13'-6'"), clear of building to sky.

D-6 Applicant must extend the access road/driveway to within 150 feet of all portions of the exterior walls of the first story of any building and must be in accordance with Fire District access standards. Where the access roadway cannot be provided, approved fire protection system or systems must be installed as required and acceptable to the Fire District.

D-7 Prior to construction, Applicant must submit two site plans to the Fire District for approval of the location of fire lanes. Prior to occupancy, Applicant must post all fire lanes as “NO PARKING-FIRE LANE-TOW AWAY” in accordance with California Vehicle Code, the International Fire...
CASE NO.: CUP-S-823/GPA-102 (REF: SP-S-7, AMD #27/Z-S-742)
APPLICANT: RICHARD D. AND KATHLEEN PARKINSON

Code and current VCFPD Fire Lane Standards. All signs and or Fire Lane markings must be within recorded access easements.

D-8 Any gates to control vehicle access are to be located to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of 15 feet in each direction must be provided for separate entry/exit gates and a minimum 20 feet for combined entry/exit gates. If gates are to be locked, a Knox system must be installed. The method of gate control, including operation during power failure (battery back-up), must be subject to review by the Fire Prevention Division. Gate plan details must be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.

D-9 Applicant must provide approved walkways from all building openings to the public way or fire department access road/driveway.

D-10 If gates are to be locked, Applicant must install a Knox system. The method of gate control, including operation during power failure (battery back-up), must be subject to review by the Fire Prevention Division. Gate plan details must be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.

D-11 Prior to Occupancy, Applicant must install building address numbers, a minimum of ten inches (10") high, be of contrasting color to the background, and be readily visible at night. Brass or gold plated numbers must not be used. Where structures are set back more than 150 feet from the street, larger numbers will be required so that they are distinguishable from the street. In the event a structure is not visible from the street, the address numbers must be posted adjacent to the driveway entrance on an elevated post. Individual unit numbers must be a minimum of four inches in height and be posted at the front and rear entrance to each unit. Additional address directional signs may be required at common building entrances and stairways.

D-12 All exit doors must swing in the direction of travel (outwards) when leaving the building.

D-13 Applicant must install all exit doors with panic hardware when serving A, E, I occupancies with an occupant load of 50 or more persons.

D-14 Applicant must maintain all emergency lights and exit signs in an operable condition at all times.

D-15 Prior to construction, Applicant must submit plans to the Fire District for placement of fire hydrants. On plans, show existing hydrants within 500
feet of the development. Indicate the type of hydrant, number, and size of
outlets.

D-16 Applicant must provide fire hydrant(s) in accordance with current adopted
edition of the International Fire Code, Appendix C and adopted
amendments. On-site fire hydrants may be required as determined by the
Fire District.

D-17 Applicant must install Fire hydrants and in place service prior to
combustible construction, and must conform to the minimum standard of
the City of Simi Valley Water Works Manual and the following.

a. Each hydrant must be a 6-inch wet barrel design and must have (1)
   4-inch and (2) 2½-inch outlet(s);

b. The required fire flow must be achieved at no less than 20-psi
   residual pressure;

c. Fire hydrants must be spaced 300 feet on center and so located
   that no structure will be farther than 150 feet from any one hydrant;

d. Fire hydrants must be set back in from the curb face 24 inches on
   center;

e. No obstructions, including walls, trees, light and sign posts, meter,
   must be placed within three (3) feet of any hydrant;

f. A concrete pad must be installed extending 18 inches out from the
   fire hydrant; and

g. Ground clearance to the lowest operating nut must be between 18
   to 24 inches.

D-18 Prior to combustible construction on any parcel, a fire hydrant capable of
providing the required fire flow and duration must be installed by Applicant
and in service along the access road/driveway at a location approved by
the Fire District, but no further than 250 feet from the building site.
Applicant is responsible for the cost of this installation.

D-19 Prior to occupancy of any structure, blue reflective hydrant location
markers must be placed on the access roads by Applicant in accordance
with Fire District standards. If the final asphalt cap is not in place at time
of occupancy, hydrant location markers must still be installed and must be
replaced by Applicant when the final asphalt cap is completed.

D-20 The minimum fire flow required will 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
(whichever is more restrictive). Applicant must verify that the water
purveyor can provide the required volume and duration at the project prior to obtaining a Building Permit.

D-21 Applicant must provide all structures with an automatic fire sprinkler system in accordance with current VCFPD Ordinance at time of Building Permit application.

D-22 Applicant must submit plans for all fire protection systems (sprinklers, dry chemical, hood systems, etc.), with payment for Plan Check, to the Fire District for review and approval prior to installation. Note: Fire sprinkler systems with 20 or more heads must be supervised by a fire alarm system in accordance with Fire District requirements.

D-23 Applicant must install a fire alarm system in all buildings in accordance with California Building and Fire Code requirements.

D-24 Applicant must submit, with payment for Plan Check, plans for any fire alarm system or sprinkler monitoring system to the Fire District for review and approval prior to installation.

D-25 Applicant must service and maintain the building fire sprinkler system in a proper working order at all times. Required maintenance inspections and service personnel must be in accordance with CCR Title 19, and VCFPD Ordinance. Applicant must maintain service and maintenance records on-site and must have available for review by the Fire Department upon request.

D-26 Applicant must maintain a current Five-Year Fire Sprinkler System certification at all times in accordance with CCR Title-19 and VCFPD requirements. Applicant must submit the required Five-Year Report to the Fire Department prior to expiration of the previous Five-Year certification.

D-27 Applicant must service and maintain the building fire alarm system in a proper working order at all times. Required maintenance inspections and service personnel must be in accordance with NFPA 72. Applicant must maintain service records on-site and be made available for review by the Fire Department upon request.

D-28 Applicant must submit building plans of all A, E, I, H, R-1, R-2 or R-4 occupancies, with payment for Plan Check, to the Fire District for review and approval prior to obtaining a Building Permit.

D-29 Applicant must install fire extinguishers in accordance with the International Fire Code. The placement of extinguishers is subject to review by the Fire District.
D-30 Commercial trash dumpsters and containers with an individual capacity of 1.5 cubic yards or greater must not be stored or placed within 5 feet of openings, combustible walls, or combustible roof eave lines unless protected by approved automatic fire sprinklers.

D-31 Applicant must obtain VCFPD Form #126 "Requirements for Construction" prior to obtaining a Building Permit for any new structures or additions to existing structures.

D-32 Applicant must obtain all applicable International Fire Code (IFC) permits prior to occupancy or use of any system or item requiring an IFC permit.

D-33 All accessory room doors must be labeled on the doors indicating use of the room (i.e., Electrical Room, Riser Room, Fire Alarm Panel Inside, Storage Room, Janitor, Roof Access, etc.).

I. MITIGATION MONITORING CONDITIONS

*I-1 In the event that Native American Tribal Cultural Resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. The Fernandeño Tataviam Band of Mission Indians (FTBMI) shall be contacted to consult if any such find occurs. The archaeologist shall complete all relevant California State Department of Parks and Recreation (DPR) 523 Series forms to document the find and submit this documentation to the applicant, Lead Agency, and FTBMI. Should monitoring be required, the archaeologist will have the authority to request ground disturbing activities cease within the immediate area of a discovery to assess potential finds in real time.

*I-2 The applicant must, in good faith, consult with the Fernandeño Tataviam Band of Mission Indians on the disposition and treatment of any artifacts or other cultural materials if encountered during the Project grading.

*I-3 If human remains or funerary objects are encountered during project grading activities, work in the immediate vicinity (within a 100-foot buffer of the find) cease and the County Coroner must be contacted. California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Los Angeles County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Los Angeles County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours.
The Native American Heritage Commission must then immediately identify the “most likely descendant(s)” for purposes of receiving notification of discovery. A representative from the Fernandeño Tataviam Band of Mission Indians shall be contacted and consulted regarding the find. The most likely descendant(s) shall then make recommendations within 48 hours and engage in consultation concerning the treatment within 48 hours and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.
EXHIBIT 1

PLANNING COMMISSION RESOLUTION
AND APPROVED MINUTES

June 19, 2019

GPA-102/SP-S-7, AMD #27
Z-S-742/CUP-S-823

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RESOLUTION NO. SVPC 09-2019

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIMI VALLEY RECOMMENDING TO THE CITY COUNCIL APPROVAL OF SPECIFIC PLAN AMENDMENT NO. SP-S-7, AMENDMENT NO. 27 AND THE PROJECT MITIGATED NEGATIVE DECLARATION

WHEREAS, the applicants, Richard and Kathleen Parkinson, have requested approval of Map Amendments to the West End Specific Plan to modify the Land Use Designation from Subregional Retail (SR) to General Industrial (GI); and

WHEREAS, an initial study and Mitigated Negative Declaration were prepared for the project, and advertised from May 29, 2019 to June 18, 2019.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SIMI VALLEY DOES RESOLVE AS FollowS:

SECTION 1. The findings for the Mitigated Negative Declaration contained in the Planning Commission staff report dated June 19, 2019, and incorporated herein by reference, are recommended to the City Council for adoption.

SECTION 2. The project Mitigated Negative Declaration contained in the Planning Commission staff report dated June 19, 2019 prepared for SP-S-7, Amendment No. 27 is recommended to the City Council for adoption.

SECTION 3. The findings, for approval, for SP-S-7, Amendment No. 27, contained in the Planning Commission staff report dated June 19, 2019, and incorporated herein by reference, are hereby recommended to the City Council for approval.

SECTION 4. Specific Plan Amendment No. SP-S-7, Amendment No. 27 is hereby recommended to the City Council for approval, as attached hereto as Exhibit A.
SECTION 5. The time within which judicial review must be sought for administrative decisions is governed by California Code of Civil Procedure Section 1094.6.

PASSED and ADOPTED this 19th day of June, 2019.

Attest:

Jennifer Dodson
Recording Secretary

Tim Hodge, Chairperson
Planning Commission

Approved as to Form:

David Caceres
Assistant City Attorney

Approved as to Content:

Stratis Perros, Deputy Environmental Services Director/City Planner
I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Planning Commission of the City of Simi Valley, California, at a regular meeting held on June 19, 2019 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

ATTEST:

[Signature]

Jennifer Dodson
Recording Secretary
RESOLUTION NO. SVPC 08-2019

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIMI VALLEY RECOMMENDING TO THE CITY COUNCIL APPROVAL OF GPA-102, Z-S-742, CUP-S-823, AND THE PROJECT'S MITIGATED NEGATIVE DECLARATION, TO CONSTRUCT TWO INDUSTRIAL BUILDINGS THAT TOTAL 31,124 SQUARE FEET FOR A GENERAL CONTRACTING BUSINESS ON A 2.87-ACRE PARCEL, LOCATED AT THE SOUTH SIDE OF E. COCHRAN STREET, APPROXIMATELY 1,000 FEET WEST OF CAPPER LANE (600-620 E. COCHRAN STREET), AS AMENDED

WHEREAS, the applicants, Richard D. and Kathleen Parkinson, has requested approval of a General Plan Amendment (GPA-102); Zone Change (Z-S-742); and Conditional Use Permit (CUP-S-823) for a 2.87-acre site located at the south side of E. Cochran Street, approximately 1,000 feet west of Capper Lane (600-620 E. Cochran Street), known as Ventura County Assessor's Parcel Nos. 615-0-180-195, and by legal description attached hereto as Exhibit A, for the purpose of amending the City's General Plan land use designation from General Commercial to Industrial; to change the site's Zoning designation from Subregional Retail – Specific Plan [SR (SP)] to General Industrial – Specific Plan [GI (SP)]; to construct two industrial buildings that total 31,124 square feet for a general contracting business; and adopt the project's Mitigated Negative Declaration; and

WHEREAS, an Initial Study and Negative Declaration were prepared for the project, and advertised from May 29, 2019 to June 18, 2019.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SIMI VALLEY DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings for the Mitigated Negative Declaration contained in the staff report dated June 19, 2019, and incorporated herein by reference, are recommended to the City Council for adoption.

SECTION 2. The Mitigated Negative Declaration contained in the Planning Commission staff report dated June 19, 2019 prepared for GPA-102, Z-S-742, and CUP-S-823, are recommended to the City Council for adoption.

SECTION 3. The findings, for approval, for General Plan Amendment GPA-102, Zone Change Z-S-742, and Conditional Use Permit CUP-S-823 contained in the staff report dated June 19, 2019, and incorporated herein by reference, are hereby recommended to the City Council for approval.
SECTION 4. General Plan Amendment GPA-102 to change the General Plan Land Use Map from Commercial to Industrial, as specified in Exhibit B, attached hereto and incorporated herein by reference, is recommended to the City Council for approval.

SECTION 5. Zone Change No. Z-S-742, to change the Zoning classification and map of the subject site from Subregional Retail – Specific Plan [SR (SP)] to General Industrial – Specific Plan [GI (SP)], as specified in Exhibit C, attached hereto and incorporated herein by reference, is hereby recommended to the City Council for approval.

SECTION 6. Conditional Use Permit No. CUP-S-823, is are hereby recommended to the City Council for approval, subject to compliance with all the conditions, attached hereto as Exhibit D. Violation of any such condition will be grounds for revocation of the permit, as well as any other remedy which is available to the City.

SECTION 6. The time within which judicial review must be sought for administrative decisions is governed by California Code of Civil Procedure Section 1094.6.

PASSED and ADOPTED this 19th day of June, 2019.

Attest:

Jennifer Dodson
Recording Secretary

Tim Hodge, Chairperson
Planning Commission

Approved as to Form:

David Caceres
Assistant City Attorney

Approved as to Content:

Stratis Perros, Deputy Environmental Services Director/City Planner
I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Planning Commission of the City of Simi Valley, California, at a regular meeting held on June 19, 2019, by the following vote:

AYES: Commissioners Casselberry, Jr. and Tolson, and Chairperson Hodge

NAYS: None

ABSTAIN: None

ABSENT: Commissioner Rice and Vice Chairperson Mann

ATTEST:

[Signature]
Jennifer Dodson
Recording Secretary
LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF SIMI VALLEY, COUNTY OF VENTURA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 7 OF PARCEL MAP NO. LD-S-567, IN THE CITY OF SIMI VALLEY, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 57, PAGES 5 THROUGH 11 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT AN UNDIVIDED THREE-FOURTH INTEREST IN AND TO ALL MINERAL, OIL, AND OTHER OIL PRODUCTS AND ALL MINERAL PRODUCTS IN, ON OR UNDER THAT PORTION OF SAID LAND LYING WITHIN THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, TOGETHER WITH AN EASEMENT CONSISTING OF A RIGHT OF ENTRY AND OF WAY TO DEVELOP SAID MINERAL SUBSTANCES.

BY INSTRUMENT RECORDED DECEMBER 22, 1972, IN BOOK 4052, PAGE 619 OF OFFICIAL RECORDS, ELIZABETH C. SCOVILLE, ET AL., OWNERS OF AN UNDIVIDED 5/9THS INTEREST IN AND TO SAID 3/4THS OF ALL MINERAL, OIL AND OTHER OIL PRODUCTS, AND ALL MINERAL PRODUCTS, QUITCLAIMED ALL RIGHT, TITLE AND INTEREST IN AND TO THE UPPER 550 FEET OF SAID LAND.

ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER A PORTION OF SAID LAND TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THERFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCK OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED NOVEMBER 23, 1971, IN BOOK 3888, PAGE 870 OF OFFICIAL RECORDS.
ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER A PORTION OF SAID LAND, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH A MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED OCTOBER 31, 1972, IN BOOK 4029, PAGE 646 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER A PORTION OF SAID LAND, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED OCTOBER 18, 1974, IN BOOK 4327, PAGE 51 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THE REMAINING INTEREST IN AND TO ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER A PORTION OF SAID LAND, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING
THEREOF AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN DEED RECORDED JULY 21, 1972, IN BOOK 3984, PAGE 445 OF OFFICIAL RECORDS.

ASSESSORS PARCEL NO: 615-0-180-195
GENERAL PLAN AMENDMENT NO. GPA-102

A General Plan Land Use Map change from General Commercial to Industrial, as described as follows:

South side of E. Cochran Street, approximately 1,000 feet west of Capper Lane (600-620 E. Cochran Street)

APN: 615-0-180-195
Zone Change No. Z-S-742

A Zone Change from Subregional Retail – Specific Plan [SR (SP)] to General Industrial – Specific Plan [GI (SP)], described as follows:

South side of E. Cochran Street, approximately 1,000 feet west of Capper Lane (600-620 E. Cochran Street)

APN: 615-0-180-195
EXHIBIT D

CASE NO.: CUP-S-823 (REF: GPA-102/Z-S-742)
APPLICANT: RICHARD D. AND KATHLEEN PARKINSON

PROJECT PERMIT CONDITIONS

The conditions marked with an asterisk (*) are Special Conditions applicable specifically to this permit. These conditions of approval will supersede any conflicting notations, specifications, dimensions, and typical sections that may be shown on a development plan or exhibit. Unless otherwise stated, all conditions of approval must be complied with prior to the issuance of a Zoning Clearance. Applicant will assume all costs incurred in complying with the conditions contained herein. All facilities and uses other than those specifically approved by the approving authority are prohibited. In consideration of the benefits conferred by this Permit, Applicant, on behalf of him/herself, intending to be bound hereby for the life of this permit, consents to City Personnel entering the Project property during daylight hours without a warrant and with written notice to verify compliance with the terms and conditions of this Permit. "Applicant" or "Developer" or "Owner" as used in these conditions means all applicants, developers, permitees, and all owners of the subject property and all successors and assigns thereto. These conditions are deemed to touch and concern the real property, which is the subject hereof, and will run with the land. Compliance with these conditions must be maintained for the life of the permit. The Simi Valley Municipal Code (SVMC) contains penalty provisions for the violation of development conditions, which could result in any available administrative, civil, or criminal remedies that could include one or more of the following: 1) revocation of the development permit; 2) penalties of up to $1,000 in fines and/or six months in jail for each day of violation; and 3) the prohibition of further violations through court injunction. Applicant must comply with all of the conditions.

A. ENVIRONMENTAL SERVICES CONDITIONS:

Planning Division:

A-1 This permit is granted for all of the buildings, roadways, parking areas, landscaping, lighting, colors and materials, and other features which must be as shown on the formal application and exhibits specifically labeled as Exhibits Architectural Site Plan; Grading/Drainage Plan; Utility Plan; Details/Section Plan; Driveway Line of Sight Plan; Driveway Line of Sight Profile; Topography Survey; Street Front Sections; Floor -1, -2,-3, and -4; Roof Plan-1 and -2; Elevations -1-4; Site Sections; Trash Enclosure Plans; (dated February 21, 2019); Colors and Materials Sample Board, (dated October 30, 2018).

A-2 If this permit has not been use inaugurated prior to thirty-six (36) months following this approval, the permit will automatically expire.

A-3 Applicant must defend, indemnify, and hold harmless the City, its agents,
officials, and employees from any claim, action, or proceeding against the City or its agents, officials, or employees in any action to attack, set aside, void, or annul the approval of this permit. The City will promptly notify Applicant of any claim, action, or proceeding; and the City will cooperate fully in the defense. The City shall also have the right to consult and participate with Applicant in the development of litigation strategy. Further, Applicant must select an attorney, acceptable to the City, who will defend such proceeding. Such approval of an attorney will not be unreasonably withheld.

A-4 During the lifetime of the permit, Applicant must comply with all applicable laws and regulations of every local, state, and federal entity; and all such requirements and enactments will be incorporated by reference as conditions of this permit. The duty of inquiry as to such requirements and any amendments thereto will be upon Applicant and his or her transferees or successor in interest.

A-5 Applicant agrees that if any of the conditions or limitations of this permit are held to be invalid by a court of competent jurisdiction, that holding will render this permit to be null and void.

*A-6 Approval of this project requires certain legislative determinations by the City Council. The approval of the Conditional Use Permit No. CUP-S-823 is hereby expressly made contingent upon the approval of the General Plan Amendment No. GPA-102 and Specific Plan Amendment SP-S-7, Amendment #27 by the City Council.

A-7 Applicant must provide to the Deputy Environment Services Director/City Planner a copy of all conditions of approval recorded with the Ventura County Recorder's Office.

*A-8 Applicant must submit to the Deputy Environment Services /City Planner an irrevocable offer to dedicate an easement to the City of Simi Valley for the portion of the enriched parkway that is located within the project boundaries as required in Appendix D of the General Plan.

*A-9 Applicant must submit a comprehensive sign program for all permanent signs on the project site to the Deputy Environment Services/City Planner for review and approval in accordance with the Planning Commission's approval and approved exhibits. The Deputy Environment Services /City Planner will review the sign program and plan for compliance with the following criteria:

a. Such sign program must identify the maximum size, type(s), color(s), and specific location(s) of all permanent signs to be placed on the site. The maximum height and size of any permanent free-standing sign will be eight (8) feet in height and a maximum of forty (40) square feet of sign area; and
b. Provide additional requirements and/or criteria as related to the project's signage.

If an application for an Adjustment is filed to change the size of the building footprint, changes in the sign face area of all signs authorized in the sign program may be authorized with the Adjustment in proportion to the percentage of building footprint area revision. Changes in the sign type, color, or specific location may be processed in conjunction with an application for an Adjustment for minor changes in the architectural features of the building as specified in Section 9-52.030.B of the SVMC.

c. Signage at the rear side of the buildings must not be illuminated.

A-10 Applicant must not attach signs, flags, pennants, streamers, or banners of any type to the light poles or landscaping.

A-11 Applicant must submit to the Deputy Environment Services/City Planner for review and approval a trash and recycling enclosure plan. The Deputy Environment Services/City Planner will review the enclosure plan for compliance with the following criteria:

a. The enclosure must incorporate the same architectural treatment and use the same approved exterior colors and the materials of the main building;

b. The enclosure must incorporate an opaque gate and include a roof or trellis, which will be designed to preclude trash from being blown out of the bins;

c. The height of the enclosure walls and gate must be the same or greater than the height of the bins within the enclosure; and

d. Except when the bins are being accessed, the bins must be stored at all times within the enclosure with the gate closed.

A-12 Applicant must submit a utility plan to the Deputy Environment Services/City Planner for review and approval. The plan must include:

a. Size and location of all above-ground utility cabinets and underground utility vaults for electric, telephone, cable communications, backflow prevention devices, and fire sprinkler pressure detector check valves (utility equipment);

b. Screening design and location for all above-ground utility equipment by method of masonry walls, landscaping, or a combination of both;

c. A minimum of three feet of clearance between all above-ground utility equipment and the screening;
d. Access panels oriented away from all public rights-of-way;

e. Fire sprinkler pressure detector check valves located a minimum of 20 feet from all property lines adjacent to public rights-of-way;

f. Depiction of the Traffic Sight Safety Area (TSSA); and

g. Location of all above-ground utility equipment outside of the TSSA.

A-13 In the event of the encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation must cease in the immediate area, and the find left untouched. Applicant must select and provide a qualified professional archaeologist certified by the Register of Professional Archaeologists or paleontologist with a degree(s) in paleontology or geology to evaluate and make recommendations as to disposition, mitigation and/or salvage. The recommendation must be implemented before work may proceed. Applicant will be liable for all costs associated with the professional investigation and implementation.

A-14 Prior to the time of occupancy inspection, Applicant must provide to the Deputy Director/City Planner and the Building Official written certification from the project architect or engineer that the project has been constructed in accordance with the approved plans.

A-15 Applicant must continually maintain, repair and replace all structures, landscaping, irrigation equipment, sidewalks, parking lot surfacing, and all other improvements within the project described in the approved plans.

*A-16 Prior to issuance of a Zoning Clearance, Applicant must prepare a Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and Common Area Operating and Maintenance (CAM) Agreement and submit them to the Senior Assistant City Attorney, Deputy Environment Services/City Planner, and Deputy Director/City Engineer for review and approval. Applicant must have the approved CC&Rs and CAM Agreement recorded with the Ventura County Recorder's Office concurrent with the final map. Any future revision of the CC&Rs and CAM Agreement, as they pertain to the requirements set forth below, must require the approval of the City.

*A-17 Applicant must submit photometric and luminaire plans which comply with Simi Valley Municipal Code Section 9-30.040. All exterior light fixtures depicted on this plan must have fully recessed lenses and cut-off features that limit illumination at the property line to 0.5 foot-candles. A note will be placed on the plan that states: "All downcast light fixtures will be installed and permanently maintained in a horizontal position."

*A-18 Applicant must allow all of the 22 parking spaces that are located at the west side of the property to be utilized for employees and visitors during hours of operation.
*A-19 Materials and equipment must be confined to the covered outdoor storage area located directly behind the two industrial buildings to maintain a 30-foot access clearance for the Ventura County Fire District.

B. PUBLIC WORKS CONDITIONS:

General

B-1 These Conditions of Approval shall supersede all conflicting notations, specifications, dimensions and typical sections which may be shown on development plans or exhibits. The Conditions stated herein shall not be considered a comprehensive listing of all State and Municipal Code requirements and City ordinances and policies. All of the following Conditions, including the payment of all the miscellaneous fees, must be completed prior to the issuance of a Zoning Clearance, unless other timing has been approved by the City Engineer. The conditions marked with an asterisk (*) are Special Conditions applicable specifically to this project. In the event of a conflict between a Standard Condition and a Special Condition, the Special Condition will take precedence.

B-2 Prior to issuance of a Grading Permit, Applicant must submit improvement plans on 24" x 36" sheets having the City's standard signature blocks. All lettering on the plans must be a minimum of .08 inch in size and the plans must be drawn to ensure reproduction and record keeping. All plans must be drawn in ink and must be signed by a California State Registered Civil Engineer at the time of first submittal. All improvement plans must comply with Chapter 7 of the Ventura County Land Development Manual adopted by City Council Resolution No. 69-8. Applicant must submit improvement plans for the entire project as one package and must include all project improvements shown on the approved project exhibits and those to be designed per these Conditions. (Piecemeal submittal of plans is not acceptable.) This package must include all supporting studies. Plans and studies must be signed by a California State Registered Civil Engineer at the time of first submittal.

B-3 Applicant must obtain an encroachment permit for construction of public infrastructure. Prior to the permit’s issuance, all improvement plans and submittals must be accepted by the City Engineer, all applicable fees must be paid, all securities must be posted and insurance documentation provided. The above submittals must comply with SVMC Section 7-1.

B-4 Prior to requesting a final inspection for release of securities, Applicant must submit record drawings, certifications, final soils report, and a digital file of record drawings (in an ARC Info or DXF format compatible with the City GIS database) to the Department of Public Works.
Prior to occupancy Applicant must complete all improvements per the accepted plans and approved conditions, and obtain acceptance for the improvements from the City.

Applicant must design improvements such that all existing and proposed utilities are underground per SVMC Section 9-30 and 9-64.

Grading

Prior to issuance of a Grading Permit, Applicant must submit a site paving, drainage and grading plan, subject to review and approval by the City Engineer. The plans must be in conformance with Chapter 7 of the Ventura County Land Development Manual adopted by City Council Resolution No. 69-8. The site paving, drainage and grading plan must be accompanied by a soils report, prepared to comply with the Guidelines for Geotechnical and Geological Reports in the City of Simi Valley.

Prior to the issuance of a Grading Permit, Applicant must post improvement securities for all grading, must pay all applicable fees, and must provide insurance documentation. The above submittals must comply with SVMC Section 7-1.

Applicant must obtain a Grading Permit, must complete the grading according to the approved plans, and must provide certifications by the soils engineer and civil engineer.

Drainage

Prior to the issuance of a Grading Permit, Applicant must provide a final drainage study prepared by a California State Registered Civil Engineer. This study must include hydrologic and hydraulic calculations and comply with the City of Simi Valley Drainage Study Guidelines, Goal VIII-3 of the General Plan, the Ventura County Hydrology Manual, and the Hydraulic Design Manual of the Los Angeles County and Ventura County Watershed Protection Districts.

Applicant must incorporate storm water detention into the improvement plans. Detention design must conform to the City of Simi Valley Drainage Study Guidelines. Site runoff cannot exceed the 10-year undeveloped storm runoff from the site area. The hydrograph flood routing method or unit volume method using 1,000/2,500 cubic feet per acre (bypass/flow through respectively) may be used for detention design when the project does not exceed 10 acres of developable area. For projects of 10 acres or more of developable area, the unit volume method must be used. Detention facilities must be privately maintained by the property owner(s) or homeowner(s) association.
*B-12 Prior to the issuance of a Grading Permit, Applicant must prepare a Storm Water Pollution Prevention Plan (SWPPP) and shall incorporate permanent storm water quality treatment devices into the site improvements for review, prior to approval by the City Engineer. The SWPPP shall be prepared and implemented to comply with:

a. State Water Resources Control Board, Division of Water Quality Order No. 2009-0009-DWQ: National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, NPDES No. CAS000002, dated September 2, 2009; and

b. State of California, California Regional Water Quality Control Board, Los Angeles Region Order No. R4-2010-0108: Waste Discharge Requirements for Storm Water (Wet Weather) and Non-Storm Water (Dry Weather) Discharges from the Municipal Separate Sewer Systems within the Ventura County Watershed Protection District, County of Ventura, and the Incorporated Cities Therein, dated July 8, 2010; and,

c. A Notice of Intent (NOI) shall be submitted to the Los Angeles Regional State Water Resources Control Board to comply with General Permit No. 2009-0009-DWQ.

Applicant must identify pollutant sources and shall include design and recommended construction, implementation and maintenance measures in order to eliminate or reduce the discharges of pollutants from the project site to the public storm drain system during and after the construction period. For any work in progress, updated SWPPP and erosion control plans shall be submitted during the period from November 1 to April 1 of each year.

Traffic and Roadways

*B-13 Applicant must design and construct LED street lighting in accordance with Standard SV 20-10, “Street Lighting” on both sides of Cochran Street within the project limits, coordinated with Southern California Edison at applicant’s expense, with street light spacing and underground conduit per City Standard Plan SV 20-10, as directed by the City Engineer.

*B-14 Applicant must design and construct all project driveways in accordance with City Standard SV 11-20, “Commercial Driveway Approach”, as directed by the City Engineer.

*B-15 Applicant must design and construct a 5-foot ADA-compliant sidewalk with a minimum 4-foot lateral clearance at all vertical obstructions along the project frontage.
*B-16 Applicant must dedicate 5.5' of right-of-way from the southerly face of curb on the south side of Cochran Street along the project frontage for the construction of required sidewalk.

*B-17 Applicant must design and construct any landscaping to incorporate and provide for the minimum safe vehicle/driver sight distances at the project driveways, restricting the height of any planting material to 30 inches or less within the driver's sight distance area; in addition, no walls, berms, slopes, backflow prevention devices, on-site project monuments, signs, or other impediments to the driver's sight visibility will be allowed within that restricted area; all as directed by the City Engineer. Any proposed decorative pavement, on-site project monuments, or signs must be located outside of the public right-of-way, as directed by the City Engineer.

*B-18 Applicant must pay the Traffic Impact Fee specified in the City of Simi Valley Schedule of Service Charges in effect at the time of payment, as stated in the current Traffic Impact Fee Resolution. The total fee is based on daily vehicle trip ends, with the current fee of $83.00 per trip. The total fee is based on this project generating 159 daily vehicle trip ends. Using the current fee of $83 per trip, the fee would be $13,197, but the fee in effect at the time of payment applies.

*B-19 Applicant must pay the Ventura County Reciprocal Traffic Impact Fee as stated in City Council Resolution No. 2002-22. The total fee is based on daily vehicle trip ends, with the current fee of $5.28 per daily trip end. The total fee is based on this project generating 159 daily vehicle trip ends. Using the current fee of $5.28 per trip, the fee would be $839.52, but the fee in effect at the time of payment applies.

**Maintenance**

B-20 Applicant must submit, to the Department of Public Works, final Landscape and Irrigation Plans for review and approval.

B-21 Applicant must insure that the Landscape and Irrigation design plans include provision for installing root barriers (18 inches deep by 10 feet long, minimum) adjacent to back side of sidewalk, when planting on-site tree(s) within 10 feet from the public rights-of-way and public sidewalk.

*B-22 Applicant must design and install landscaping, within the “Line of Sight” areas at driveways, such that the plant material does not exceed 30” maximum plant height at maturity. This may require that some of the oaks, and crape myrtle trees proposed for the site that are near or within the
sight line, be moved back or relocated from their proposed location as shown on the current landscape plan for the project.

B-23 Applicant must include a note on the Final Landscape Plans stating that the street trees/plant material/irrigation system, within the street right-of-way, are to be maintained by the Development/HOA/property owner in perpetuity and pursuant to SVMC 7-3.19.

*B-24 Prior to issuance of a Grading Permit,” Applicant must have received Public Works approval for the projects Landscape and irrigation design plans and must pay the public works plan check and inspection fee.

B-25 Prior to the issuance of Certificate of Occupancy, Applicant must have completed installation of on-site and Right-of-Way landscape improvements as shown on the City Approved Landscape Plans.

*B-26 Applicant must revise the landscape design by moving the Jacaranda trees farther into the property so the canopy of those trees at maturity do not overhang the sidewalk or right-of-way.

Sewer

B-27 Applicant must apply for, and obtain, a Sewer Will-Serve Letter from the Sanitation Services Division.

B-28 Prior to issuance of a Sewer Will-Serve Letter, applicant must submit a utility plan to the Sanitation Services Division for review.

*B-29 Prior to issuance of a Sewer Will-Serve Letter, applicant must pay all applicable sewer connection fees. The total estimate of $29,043 is based on the current rate of $350 per 1,000 square feet of warehouse space ($5,555) and $1,444 per 1,000 square feet of office space ($23,488). Credits may apply and the actual fees will be determined at the time of payment.

*B-30 Applicant must submit the private sewage pumping system construction plans to the Building and Safety Division for review and approval.

Water

*B-31 Applicant must construct all water facilities in compliance with the Water Design and Construction Standards, adopted by the District Board of Directors on June 21, 1999, and subsequent revisions.

B-32 Applicant must apply for, and obtain, a Water Will-Serve Letter from Waterworks District No. 8 (WWD8).
B-33 Prior to issuance of a Water Will-Serve Letter, applicant must submit water improvement plans to WWD8 for review and approval.

B-34 Prior to approval of water improvement plans, applicant must have the fire hydrant location(s) approved by the Ventura County Fire Protection District (VCFPD).

*B-35 Prior to issuance of a Water Will-Serve Letter, applicant must pay the Capital Improvement Charge of $26,000 for a water service. An estimate of this charge, is based on the current rate of $26,000 for a 2-inch domestic meter. The actual charge will be determined based on the rates in effect at the time of payment.

B-36 Prior to the installation of landscaping or the issuance of a Certificate of Occupancy, whichever comes first, applicant shall purchase and install the domestic and irrigation water meters.

C. **LANDSCAPING CONDITIONS:**

C-1 Applicant must submit final landscape and irrigation plans, and supporting materials, to the Deputy Director/City Planner for review and approval. The final plans/materials must:

a. Comply with the City of Simi Valley Landscape Design Guidelines;

b. Comply with the conceptual landscape plan as approved by the Planning Commission;

c. Comply with the recommendations of the City’s Consulting Landscape Architect, to ensure plans conform to the Planning Commission approval, the City’s Landscape Design Guidelines, and the 2015 State Model Water Efficient Landscape Ordinance as implemented by the City of Simi Valley;

d. Comply with the approved site plan and Public Works grading and improvement plans;

e. Include an agronomic soils report as specified in the 2015 State Model Water Efficient Landscape Ordinance as implemented by the City of Simi Valley. The soils report must be based on soil conditions after the establishment of final grades, and final landscape plans must incorporate the report recommendations;

f. Include a Water Efficient Landscape Worksheet with each submittal of landscape and irrigation plans;

g. Show all protected trees pursuant to Section 9-38.050 of the SVMC;
h. Provide root barriers for all trees planted in parking lot, perimeter, and foundation planting areas, per Simi Valley Standard Plans 51-20 and 51-60;

i. Include planting and irrigation with native compatible, fire-resistant plants in areas adjacent to existing native vegetation. All plants materials must be low-water use and must not include any live turf areas. The plant palette must not include invasive plants as listed in the California Invasive Plant Council (Cal-IPC) Invasive Plant Inventory;

j. Clearly identify required temporary landscape-related improvements and irrigation (e.g., for erosion control), separately from permanent systems;

k. Provide an estimate of the total landscape construction cost.

C-2 All landscaping must be low water use, with drought-tolerant plant materials irrigated by a low-precipitation or drip-irrigation system. Materials must be from the Water Use Classification of Landscape Species (WUCOLS) Low Water-Using Plant List, and the irrigation system will utilize in-ground moisture sensors, which are connected to the automatic controller governing the rate and frequency of irrigation.

C-3 The prescriptive compliance option of the 2015 State Model Landscape Ordinance as implemented by the City of Simi Valley may be used to demonstrate compliance with the Landscape Ordinance.

C-4 Prior to the issuance of a Zoning Clearance or a Grading Permit, whichever comes first, Applicant must obtain a Tree Removal Permit in accordance with SVMC Section 9-38.070 et. seq. for any protected trees designated for removal on the plan. Unless otherwise approved by the Deputy Director/City Planner, Applicant will not remove any of the mature trees prior to the commencement of any grading.

*C-5 From the date of this approval until final inspection or certificate of occupancy for the last building to be built pursuant to this permit, Applicant must protect and preserve existing protected trees identified in Exhibit 4, dated October 30, 2018 (tree report), pursuant to SVMC Chapter 9-38 and City's Landscape Design Guidelines, unless a Tree Removal Permit authorizing their removal has been issued by the Department of Environmental Services.

C-6 For the lifetime of the permit, Applicant must mitigate the loss of all protected trees, relocated trees, and trees identified on the Final Landscape Plan, pursuant to SVMC Chapter 9-38 and the City’s Landscape Design Guidelines.

C-7 Prior to the issuance of a Certificate of Occupancy or a Final Inspection request, whichever comes first, Applicant must:
a. Install all landscaping so as to be consistent with the approved landscape plans referred to in Condition C-1;

b. Require that the landscape architect be present during the final landscape inspection by the City and certify that the installation of landscape materials and irrigation systems are in compliance with the approved landscape plan; and

c. Provide required Landscape Documentation Package following completion of the landscape installation.

C-8 For the lifetime of this permit, Applicant must adhere to the City's Landscape Maintenance Requirements as follows:

a. Trees will be thinned as defined by the Tree Care Industry Association, ANSI A300 Standards to eliminate crowding or x-crossing branches, to remove dead or broken limbs, and to remove structurally weak branch attachments;

b. Tree canopies will not be topped (to remove or cut the top of the tree) or pollarded (to cut back to the trunk to promote the growth of a dense head of foliage) as defined by the Tree Care Industry Association, ANSI A300 Standards;

c. All pruning will comply with the International Society of Arboriculture, Best Management Practices-Tree Pruning, current edition;

d. No more than 20% of tree canopy will be removed during a growing season;

e. Branches will be removed as needed to allow for a 14-foot vehicular path clearance and an eight-foot pedestrian path clearance;

f. All pruning will be supervised by a certified or consulting arborist; and

g. Replace all dead or missing plants so as to comply with the approved landscape plan. The minimum replacement size will be at least a 24” boxed tree or five-gallon shrub/vine, or a one-gallon groundcover.

D. VENTURA COUNTY FIRE PROTECTION DISTRICT:

D-1 Private roads must comply with Public Road Standards.
a. Access road width of 24 feet is required;

b. Where one-way traffic and off-street parking occurs, a 20-foot driveway width must be provided (Note: limited use only and not for high hazard occupancies: H, R-1 over 2 stories, R-2) (Review with FPD).

c. Industrial buildings or portions of buildings or facilities with perimeter eave lines exceeding 30 feet in height above the lowest level of Fire District access must include an approved aerial ladder fire apparatus access roads and driveways. Aerial fire apparatus access roads and driveways must have a minimum clear width of 30 feet. Overhead utility and power lines must not be located within the aerial ladder fire apparatus access roads and driveways. At least one of the required access routes meeting this condition must be located a minimum of 15 feet and a maximum of 30 feet parallel to one side of the buildings, as approved by the Fire District. Buildings exceeding 50,000 square feet must have the required access route along a minimum of two sides. Parking must be prohibited along the required width of the access roads and driveways. Landscaping and other improvements between the required access and the buildings must not interfere with aerial ladder fire apparatus operations, as approved by the Fire District.

D-2 Prior to combustible construction, Applicant must provide a paved all-weather access road/driveway suitable for use by a 20-ton Fire District vehicle and must be installed at locations approved by the Fire District.

D-3 Prior to combustible construction, all utilities located within the access road and the first lift of the access road pavement must be installed. A minimum 20-foot clear width must remain free of obstruction during any construction activities within the development once combustible construction starts.

D-4 Applicant must construct the access road of a sufficient width to allow for a 40-foot centerline turning radius at all turns in the road.

D-5 All access roads/driveways must have a minimum vertical clearance of 13 feet 6 inches (13'-6'"), clear of building to sky.

D-6 Applicant must extend the access road/driveway to within 150 feet of all portions of the exterior walls of the first story of any building and must be in accordance with Fire District access standards. Where the access roadway cannot be provided, approved fire protection system or systems must be installed as required and acceptable to the Fire District.
D-7 Prior to construction, Applicant must submit two site plans to the Fire District for approval of the location of fire lanes. Prior to occupancy, Applicant must post all fire lanes as "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 must be within recorded access easements.

D-8 Any gates to control vehicle access are to be located to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of 15 feet in each direction must be provided for separate entry/exit gates and a minimum 20 feet for combined entry/exit gates. If gates are to be locked, a Knox system must be installed. The method of gate control, including operation during power failure (battery back-up), must be subject to review by the Fire Prevention Division. Gate plan details must be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.

D-9 Applicant must provide approved walkways from all building openings to the public way or fire department access road/driveway.

D-10 If gates are to be locked, Applicant must install a Knox system. The method of gate control, including operation during power failure (battery back-up), must be subject to review by the Fire Prevention Division. Gate plan details must be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.

D-11 Address Numbers (Commercial, Industrial, Multi-family buildings) - Prior to Occupancy, Applicant must install building address numbers, a minimum of ten inches (10") high, of contrasting color to the background, and be readily visible at night. Brass or gold plated numbers must not be used. Where structures are set back more than 150 feet from the street, larger numbers will be required so that they are distinguishable from the street. In the event a structure is not visible from the street, the address numbers must be posted adjacent to the driveway entrance on an elevated post. Individual unit numbers must be a minimum of four inches in height and be posted at the front and rear entrance to each unit. Additional address directional signs may be required at common building entrances and stairways.

D-12 All exit doors must swing in the direction of travel (outwards) when leaving the building.

D-13 Applicant must install all exit doors with panic hardware when serving A, E, I occupancies with an occupant load of 50 or more persons.
D-14 Applicant must maintain all emergency lights and exit signs in an operable condition at all times.

D-15 Prior to construction, Applicant must submit plans to the Fire District for placement of fire hydrants. On plans, show existing hydrants within 500 feet of the development. Indicate the type of hydrant, number, and size of outlets.

D-16 Applicant must provide fire hydrant(s) in accordance with current adopted edition of the International Fire Code, Appendix C and adopted amendments. On-site fire hydrants may be required as determined by the Fire District.

D-17 Applicant must install Fire hydrants and in place service prior to combustible construction, and must conform to the minimum standard of the City of Simi Valley Water Works Manual and the following.

a. Each hydrant must be a 6-inch wet barrel design and must have (1) 4-inch and (2) 2½-inch outlet(s);

b. The required fire flow must be achieved at no less than 20-psi residual pressure;

c. Fire hydrants must be spaced 300 feet on center and so located that no structure will be farther than 150 feet from any one hydrant;

d. Fire hydrants must be set back in from the curb face 24 inches on center;

e. No obstructions, including walls, trees, light and sign posts, meter, must be placed within three (3) feet of any hydrant;

f. A concrete pad must be installed extending 18 inches out from the fire hydrant; and

g. Ground clearance to the lowest operating nut must be between 18 to 24 inches.

D-18 Prior to combustible construction on any parcel, a fire hydrant capable of providing the required fire flow and duration must be installed by Applicant and in service along the access road/driveway at a location approved by the Fire District, but no further than 250 feet from the building site. Applicant is responsible for the cost of this installation.

D-19 Prior to occupancy of any structure, blue reflective hydrant location markers must be placed on the access roads by Applicant in accordance with Fire District standards. If the final asphalt cap is not in place at time of occupancy, hydrant location markers must still be installed and must be replaced by Applicant when the final asphalt cap is completed.
D-20 The minimum fire flow required will 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 (whichever is more restrictive). Applicant must verify that the water purveyor can provide the required volume and duration at the project prior to obtaining a Building Permit.

D-21 Applicant must provide all structures with an automatic fire sprinkler system in accordance with current VCFPD Ordinance at time of Building Permit application.

D-22 Applicant must submit plans for all fire protection systems (sprinklers, dry chemical, hood systems, etc.), with payment for Plan Check, to the Fire District for review and approval prior to installation. Note: Fire sprinkler systems with 20 or more heads must be supervised by a fire alarm system in accordance with Fire District requirements.

D-23 Applicant must install a fire alarm system in all buildings in accordance with California Building and Fire Code requirements.

D-24 Applicant must submit, with payment for Plan Check, plans for any fire alarm system or sprinkler monitoring system to the Fire District for review and approval prior to installation.

D-25 Applicant must service and maintain the building fire sprinkler system in a proper working order at all times. Required maintenance inspections and service personnel must be in accordance with CCR Title 19, and VCFPD Ordinance. Applicant must maintain service and maintenance records on-site and must have available for review by the Fire Department upon request.

D-26 Applicant must maintain a current Five-Year Fire Sprinkler System certification at all times in accordance with CCR Title-19 and VCFPD requirements. Applicant must submit the required Five-Year Report to the Fire Department prior to expiration of the previous Five-Year certification.

D-27 Applicant must service and maintain the building fire alarm system in a proper working order at all times. Required maintenance inspections and service personnel must be in accordance with NFPA 72. Applicant must maintain service records on-site and be made available for review by the Fire Department upon request.

D-28 Applicant must submit building plans of all A, E, I, H, R-1, R-2 or R-4 occupancies, with payment for Plan Check, to the Fire District for review and approval prior to obtaining a Building Permit.
D-29 Applicant must install fire extinguishers in accordance with the International Fire Code. The placement of extinguishers is subject to review by the Fire District.

D-30 Commercial trash dumpsters and containers with an individual capacity of 1.5 cubic yards or greater must not be stored or placed within 5 feet of openings, combustible walls, or combustible roof eave lines unless protected by approved automatic fire sprinklers.

D-31 Applicant must obtain VCFPD Form #126 "Requirements for Construction" prior to obtaining a Building Permit for any new structures or additions to existing structures.

D-32 Applicant must obtain all applicable International Fire Code (IFC) permits prior to occupancy or use of any system or item requiring an IFC permit.

D-33 All accessory room doors must be labeled on the doors indicating use of the room (i.e., Electrical Room, Riser Room, Fire Alarm Panel Inside, Storage Room, Janitor, Roof Access, etc.).

I. MITIGATION MONITORING CONDITIONS

*I-1* In the event that Native American Tribal Cultural Resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. The Fernandeño Tataviam Band of Mission Indians (FTBMI) shall be contacted to consult if any such find occurs. The archaeologist shall complete all relevant California State Department of Parks and Recreation (DPR) 523 Series forms to document the find and submit this documentation to the applicant, Lead Agency, and FTBMI. Should monitoring be required, the archaeologist will have the authority to request ground disturbing activities cease within the immediate area of a discovery to assess potential finds in real time.

*I-2* The applicant must, in good faith, consult with the Fernandeño Tataviam Band of Mission Indians on the disposition and treatment of any artifacts or other cultural materials if encountered during the Project grading.

*I-3* If human remains or funerary objects are encountered during project grading activities, work in the immediate vicinity (within a 100-foot buffer of the find) cease and the County Coroner must be contacted. California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Los Angeles County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Los Angeles County Coroner determines the remains to
be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" for purposes of receiving notification of discovery. A representative from the Fernandeño Tataviam Band of Mission Indians shall be contacted and consulted regarding the find. The most likely descendant(s) shall then make recommendations within 48 hours and engage in consultation concerning the treatment within 48 hours and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

END OF ALL CONDITIONS
11. NEW BUSINESS

A. PUBLIC HEARINGS

1. GPA-102, SP-S-7 AMD#27, Z-S-742, CUP-S-823; Richard D. and Kathleen Parkinson: To consider a General Plan Amendment (GPA-102) to change the General Plan land use designation from General Commercial to Industrial; a Specific Plan Amendment (SP-S-7, AMD#27) to change the West End Specific Plan land use designation from Subregional Retail to General Industrial; a Zone Change (Z-S-742) to change the Zoning Designation from Subregional Retail – Specific Plan [SR (SP)] to General Industrial – Specific Plan [GI (SP)]; and a Conditional Use Permit (CUP-S-823) to construct two industrial buildings that total 31,124 sq. ft. for a general contracting business on a 2.87-acre parcel, and intent to adopt the project's Mitigated Negative Declaration

Location: 1,000 feet west of Capper Lane (600-620 E. Cochran Street)

Staff Contact: Jennifer Santos
(805) 583-6897

There were no ex parte communications to report.

Senior Planner Jennifer Santos gave a presentation of the staff report.

Commissioner Casselberry, Jr., commented on the lack of sidewalks, and asked what the height of the fence would be. Senior Planner Jennifer Santos responded that the General Plan and Specific Plan call for a 5-foot sidewalk, and the height of the fence would be 6 feet.

Commissioner Tolson asked what type of vehicles would be parking in the fenced area on the west side of the property. Senior Planner Jennifer Santos indicated that there was a condition requiring that parking in that area be designated for employees and visitors during business hours.

Chairperson Hodge requested clarification as to removal of trees. Senior Planner Jennifer Santos indicated that one Jacaranda tree would be removed and replaced. The other trees would be placed outside the parkway.

Chairperson Hodge noted that the staff report commented on the benefits of the industrial site, however did not discuss the loss of retail. Senior Planner Jennifer Santos indicated that there was not an analysis done on the loss of commercial space, but indicated that there is a good deal of vacant commercial space throughout the City. Ms. Santos also indicated that the surrounding uses of space for this project are industrial, making the project consistent with the surrounding uses.
Chairperson Hodge referred to the courtyard front portion of the project, and the covered storage area, inquiring if there was a condition which precluded storage anywhere other than in the back covered area. Ms. Santos indicated there was not a specific condition regarding storage being limited to the back covered area.

Chairperson Hodge asked if there was any envisioned lighting on the south side of the property. Ms. Santos indicated that as part of the condition, the applicant is required to submit a photometric plan to ensure that lighting standards are met.

Chairperson Hodge was specifically concerned with the signage on the rear elevation of the property.

Chairperson Hodge opened the public testimony portion of the hearing.

The Applicant, Rick Parkinson, gave a brief presentation of the project.

Eric Lind, the applicant’s architect, commented briefly on the project.

Commissioner Tolson asked the applicant if there were any prospective lessees interested in the other building. The applicant indicated that they would not attempt to line up prospective tenants until construction on the project is underway.

Chairperson Hodge asked the applicant if they were okay with a condition for no lighted signage, backlit or otherwise, on the rear elevation of the property, and no storage in the rear of the property other than the covered area and interior of the building. The applicant indicated that as long as storage didn’t include trucks on the property loaded with crates to be delivered, the conditions were acceptable.

The following members of the public submitted cards in support of the project, but did not wish to speak:

- Gary Seaton, Simi Valley

Speakers:

- Keith Kelly, Simi Valley

Mr. Kelly filled out a speaker card, however he did not indicate whether he was in support or opposition to the project. Mr. Kelly expressed his concern regarding the stability of the retaining walls and hillside slippage, and asked what type of provisions had been made for drainage to deal with heavy rains resulting in excess water.

The Applicant, Mr. Parkinson, addressed Mr. Kelly’s concerns by indicating that the retaining wall and storm drains were highly engineered to specifically address the possibility of heavy rains and excess water.
Chairperson Hodge closed the public testimony portion of the hearing.

Commission comments:

Commissioner Tolson wanted clarification as to whether a sidewalk is necessary.

Commissioner Casselberry, Jr. responded to Commissioner Tolson indicating that the goal is to build a more walkable community so people can to walk and bike to work, and felt it would be nice to have a sidewalk in place. He also indicated that he was happy to see that the project is utilizing solar on both buildings. He felt the rezoning makes sense, providing jobs and expansion of local business.

He also commented that he liked the design and landscaping. Commissioner Casselberry Jr. noted the wall with the fencing on top, indicating that it would help limit trespassing from the rail corridor. He felt that the two condition amendments recommended by Chairperson Hodge would nicely tie up the project.

Chairperson Hodge requested two amendments to the resolution: 1) signage at the rear side of the building must not be illuminated, and 2) materials and equipment must be confined to the covered outdoor storage area located directly behind the two industrial buildings to maintain a 30-foot access clearance for the Ventura County Fire District. Chairperson Hodge noted that the project and the land use designation from General Retail to General Industrial is in the public interest. He stated that the Specific Plan Amendment, Zone Change and Conditional Use Permit are consistent with the purposes, intent, goals, policies and programs of the Land Use Plan. He indicated support for the project.

COMMISSIONER TOLSON MOVED THAT THE PLANNING COMMISSION OF THE CITY OF SIMI VALLEY ADOPT A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIMI VALLEY RECOMMENDING TO THE CITY COUNCIL APPROVAL OF GPA-102, Z-S-742, CUP-S-823, AND THE PROJECT’S MITIGATED NEGATIVE DECLARATION, TO CONSTRUCT TWO INDUSTRIAL BUILDINGS THAT TOTAL 31,124 SQUARE FEET FOR A GENERAL CONTRACTING BUSINESS ON A 2.87-ACRE PARCEL, LOCATED AT THE SOUTH SIDE OF E. COCHRAN STREET, APPROXIMATELY 1,000 FEET WEST OF CAPPERS LANE (600-620 E. COCHRAN STREET), AS AMENDED

Commissioner Casselberry, Jr. seconded the motion.

AYES: Commissioners Casselberry, Jr. and Tolson; and Chairperson Hodge
NAYS: None

ABSTAIN: None

ABSENT: Commissioner Rice and Vice Chairperson Mann

The appeal period for the Conditional Use Permit is 14 calendar days.


Commissioner Tolson seconded the motion.

AYES: Commissioners Casselberry, Jr., and Tolson; and Chairperson Hodge

NAYS: None

ABSTAIN: None

ABSENT: Commissioner Rice and Vice Chairperson Mann

The appeal period for the Specific Plan Amendment is 5 calendar days.

B. OTHER – None

12. ORAL COMMUNICATIONS AND REPORTS

A. STAFF

Deputy Environmental Services Director/City Planner Stratis Perros advised the Commission of presentations made with Senior Planner Jennifer Santos to the four Neighborhood Councils regarding a proposed text amendment to add a microbrewery definition to be allowed within the City’s industrial zones. These presentations were made at the direction of City Council. The item will be coming to the Commission at an upcoming public hearing, and will ultimately go before the City Council.
B. PLANNING COMMISSION – None

C. MOBILE HOME RENT MEDIATION BOARD – None

D. TREE ADVISORY BOARD – None

13. ADJOURNMENT

The regular meeting of the Planning Commission of the City of Simi Valley was adjourned at 7:25 p.m. The next scheduled Planning Commission meeting is on August 7, 2019.

Minutes prepared by:
Jennifer Dodson