



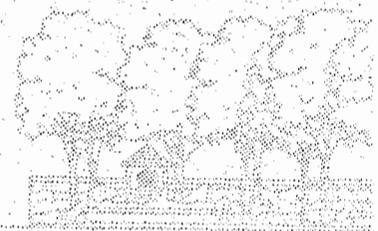
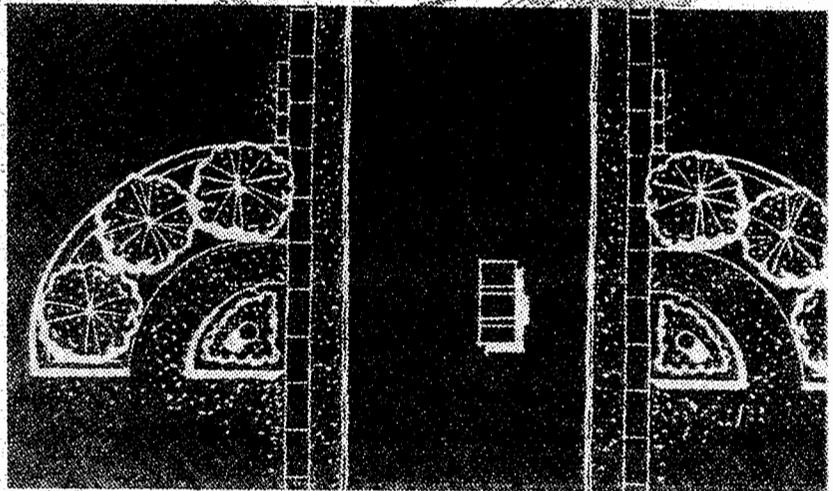
CARLSBERG SPECIFIC PLAN

Prepared for:

City of Moorpark

Amendment 1

September 7, 1994



**CARLSBERG SPECIFIC PLAN
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I. INTRODUCTION

I. INTRODUCTION

A. PURPOSE AND INTENT

The Carlsberg Specific Plan provides the City of Moorpark with a comprehensive set of plans, regulations, conditions and programs for guiding the orderly development of the Specific Plan Area, consistent with the City's General Plan. The Specific Plan assures development of a cohesive, balanced project incorporating a mixture of varying residential, commercial, community facilities, open space and recreational uses.

The Carlsberg Specific Plan has been prepared in accordance with the requirements of the California Government Code (Sections 65450 et seq.) and addresses all issues and topics specified therein. It is adopted by the City Council as "necessary and convenient for the systematic execution" of the Moorpark General Plan. The Amended Carlsberg Specific Plan dated September 7, 1994, supersedes and replaces the previous Plan adopted October 30, 1990.

The Carlsberg Specific Plan Area has been designated as "Specific Plan" in the City of Moorpark General Plan. The "Specific Plan" designation requires that the City Council adopt a Specific Plan for all land included within the Specific Plan Area in order to provide zoning standards for the property and allow development to proceed.

B. LOCATION

The Carlsberg Specific Plan Area is an approximate 500-acre landholding situated in southeastern Ventura County within the City of Moorpark (see Exhibits 1 and 2). The City of Moorpark is located approximately 20 miles northwest of Los Angeles County and 25 miles east of the City of Ventura.

C. PLANNING OBJECTIVES

Goals and objectives for the design of the Carlsberg Specific Plan Area have been in a process of evolution. These goals have been developed in response to the concerns and goals of the City. The goals as reflected in the Specific Plan are as follows:

- . Implement a comprehensive and cohesive program for the physical and economic development of the property, including a development concept which will establish this area as a premier "gateway" to the City.
- . Implement and establish consistency with the City General Plan goals, objectives and related policies for the area.
- . Implement a plan which is responsive to the criteria set forth in the City's growth management ordinance.

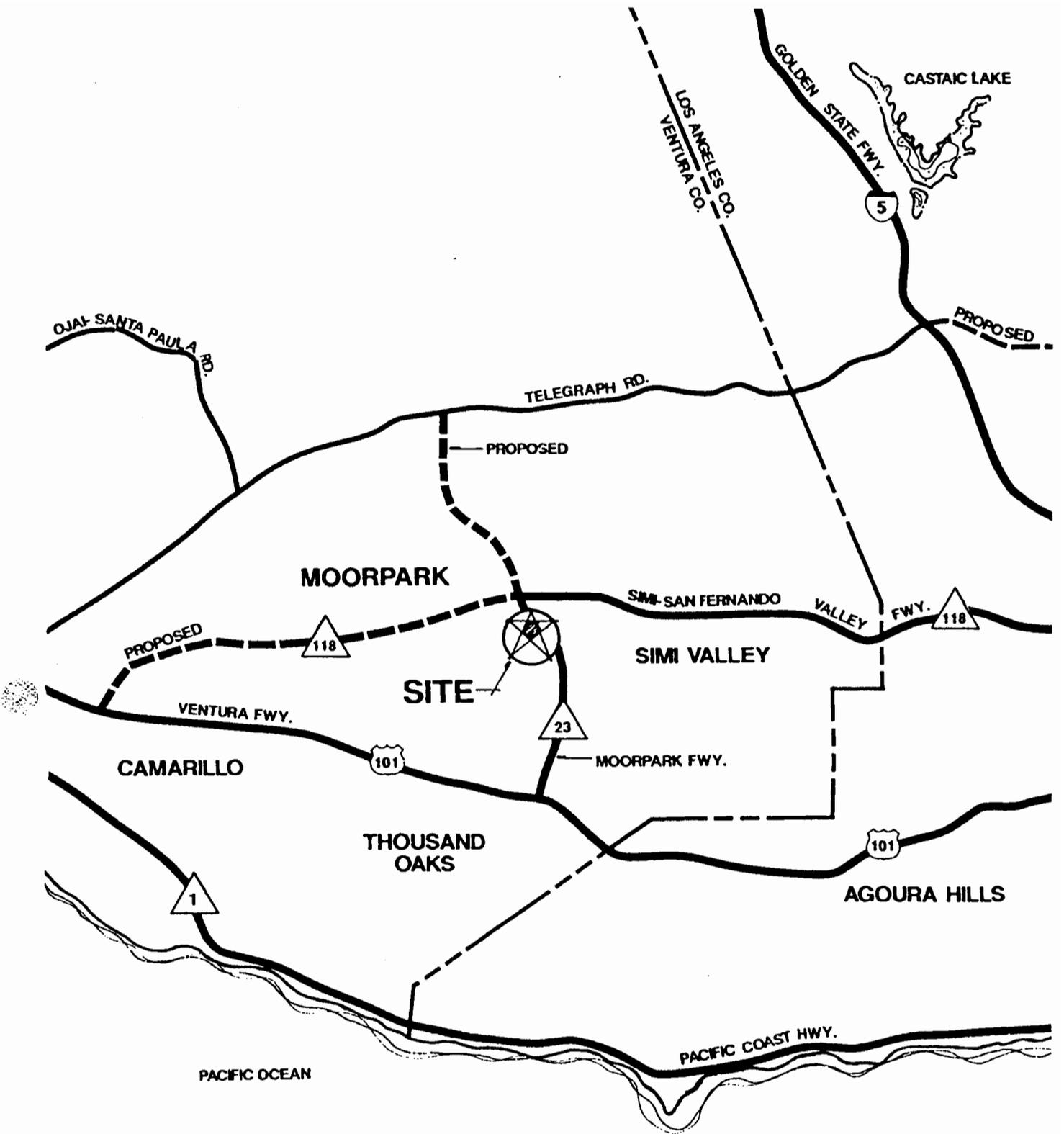
- . Implement a multiple land use concept which will contribute to the realization of the City goal to become a socially "balanced" community from the standpoint of the provision of a housing and employment balance.
- . Contribute to the health of the City economy by developing a balance of land uses ensuring that City revenues will exceed expenditures.
- . Establish a circulation system that meets local and regional transportation needs and accommodates a variety of transportation modes.
- . Implement City residential density goals as identified in the Housing Element for the property while providing housing for a variety of economic levels in proximity to jobs, schools and shopping facilities.
- . Preserve and enhance significant open space lands consistent with the General Plan and the inherent characteristics of the property, and provide for a plan that incorporates environmental resources into plan design.
- . Provide for an overall grading program that complements and preserves significant landforms.
- . Provide for the logical and sequential phasing of development coordinated with the provision of adequate infrastructure systems.
- . Provide a system of public and community facilities to meet the needs of residents of the project and the City of Moorpark.

D. EXISTING CONDITIONS

The Specific Plan Area contains a variety of physical features and natural resources. These environmental features have influenced and set a framework for the design and development of the plan set forth in the Specific Plan. The following summary of site conditions is based upon the detailed analysis contained within the project EIR.

1. Existing Land Use

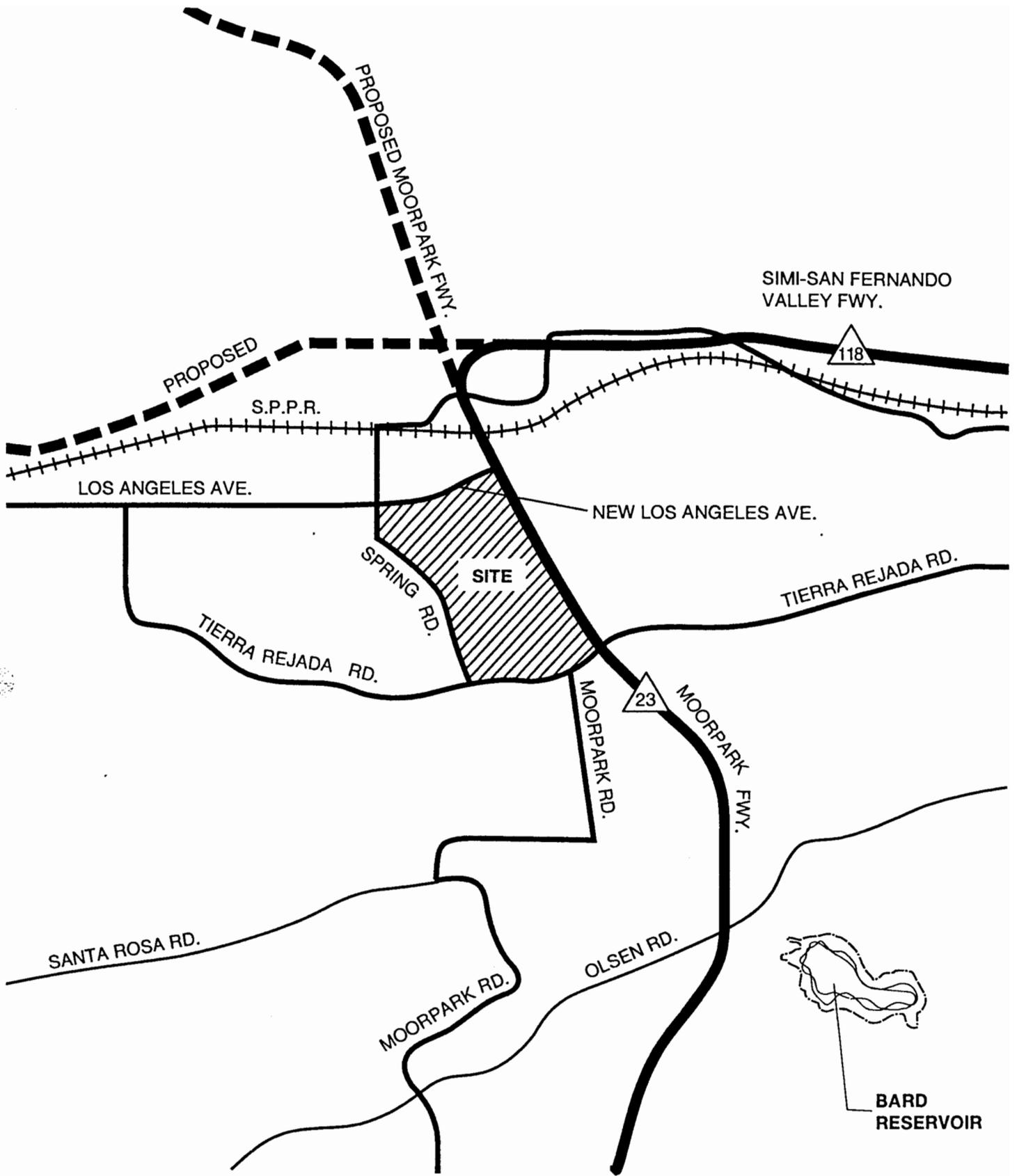
The Specific Plan Area is currently undeveloped. Most of the property has been devoted to livestock grazing. The two church sites and the school site east of Spring Road on Peach Hill Road plus Tract 4037 at the northwest corner of Spring and Peach Hill Roads were a part of the original holdings by the applicant.



**REGIONAL LOCATION
CARLSBERG SPECIFIC PLAN**
CITY OF MOORPARK

EXHIBIT 1

(REVISED 9/21/94)



VICINITY MAP
CARLSBERG SPECIFIC PLAN
 CITY OF MOORPARK

EXHIBIT 2

(REVISED 7/18/94)

2. Existing Circulation

Access to the site is currently available from the Moorpark Freeway (State Highway 23) at two points: northerly at New Los Angeles Avenue and southerly at Tierra Rejada Road. The project is also bounded by Spring Road to the west. The terminus of Peach Hill Road is located at the westerly boundary of the site. Internal access is limited to private, unpaved and gated roads.

3. Topography

The project site ranges in elevation from 520 to 920 feet. The site is characterized by a variety of topographic features (see Exhibit 3). Approximately 110 acres in the central portion of the site have been graded in connection with the development of the middle school site and related off-site improvements. The southern portion of the site consists of a relatively flat alluvial plain overlooking the Tierra Rejada Valley. This southern plain transitions into two prominent peaks in the southeast/southeasterly portion of the site. The terrain then descends in a northerly direction to a mid-sized arroyo area bordered on the north by a steep ridgeline. A large, gently sloping plain extends from this ridge to New Los Angeles Avenue. The site is bisected in an east-west direction by areas with slopes of 20 percent or greater (see Exhibit 4). Near the northwesterly portion of the site is a 20-acre plateau which rises approximately 100 feet above an alluvial plain below.

4. Hydrology

The project site is located within three primary watersheds. Approximately two-thirds of the site drains northwesterly to the Peach Hill and Arroyo Simi watersheds with the remainder draining southerly to the Santa Rosa watershed.

5. Geology and Soils

Exhibit 5 details the character of the soils on the site. The project site is located partly on the northern fringes of a generally east-west trending valley in the Transverse Ranges, and partly in the hilly areas that bound the valley on the south. The City of Moorpark is located on the nearly flat floor of this valley, which is often referred to as the Little Simi Valley.

The site is underlain by various geologic formations, including the Oligocene-age Sespe Formation, Miocene-age Conejo Volcanics; Quaternary-age Terrace Deposits;

colluvium and alluvium; and a small area of artificial fill located at the extreme northwestern portion of the site.

Bedrock of the Sespe Formation (Tsp) underlies the upland ridge in the south and south-central portion of the site. Onsite the formation is primarily massive and structured and consists mainly of tan to bluff medium-grained sandstone, with occasional interbedded brick-red claystone or green-gray silty fine sandstone. A thin ridge of Conejo Volvanics (Tcv) occurs in the southerly upland areas of the site; materials here include weathered and fractured black vesicular to dense basalt, and yellow-brown tuffaceous agglomerate with abundant calich concentration.

Quaternary Terrace Deposits (Qt) cover the central site area, from the area around Spring Road and extending eastward into the hillside areas. These terrace materials are mainly soil-like in consistency and appearance, with no evident structure or bedding; they vary from fine sandy clays to clayey sands to reddish brown medium to very coarse sands and gravels.

Recent alluvium is found in the northern, particularly the northeast, portion of the site. This alluvium is composed of sandy, silty, clay materials. Colluvial materials, composed of sandy, silty clay is found in the southwestern site areas adjacent to Spring Road and Tierra Rejada Roads. A small area of artificial fill is found in the extreme northwest portion of the site. The Simi-Santa Rosa fault is located along Tierra Rejada Road in the southern portion of the site. As noted in the project EIR any proposed development in the area shall be accompanied by a report and recommendations by a registered geologist.

6. Biological Resources

The project site contains three separate vegetative communities (see Exhibit 6). Due to previous cultivation and current livestock grazing on the site, the majority of the site is classified as disturbed grassland. Coastal sage scrub is found on the slope areas of the site. Riparian/oak woodland communities are located within the drainage courses on the site.

The project site contains habitat for two sensitive plant species. The project EIR provides an in-depth assessment of the biological resources present on the site.

7. Cultural Resources

A literature search of the project site was undertaken in 1978 by the University of California, Los Angeles

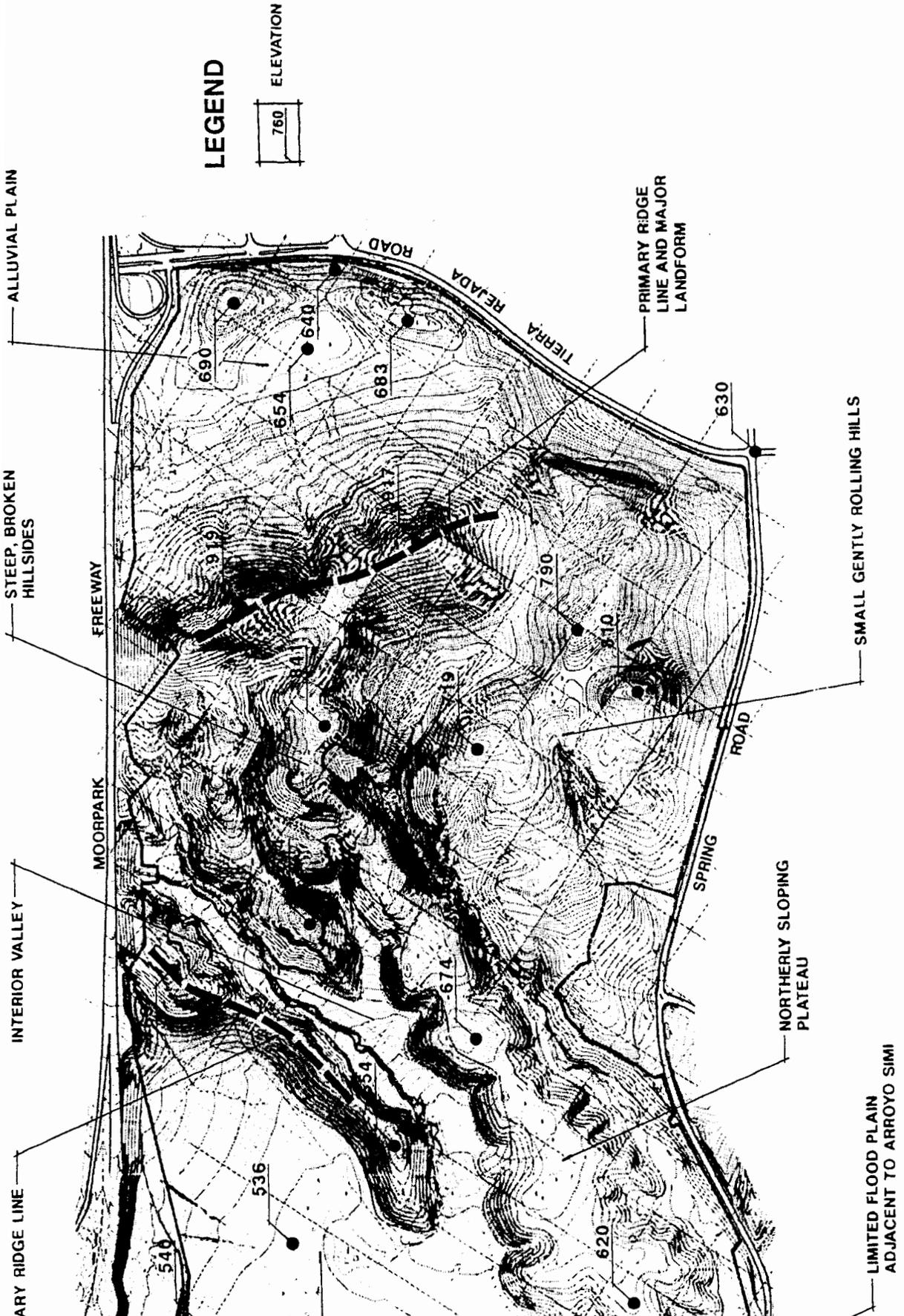


EXHIBIT 3

TOPOGRAPHY & KEY ELEVATIONS BERG SPECIFIC PLAN PARK

(REVISED 9/20/94)



LEGEND

- 0-20%
- OVER 20%

**ANALYSIS
ERG SPECIFIC PLAN
ARK**

EXHIBIT 4

(REVISED 9/21/94)



LEGEND

ISS	TINLAND SAGE SCRUB
AG	ANNUAL GRASSLAND
SO/RW	SOUTHERN OAK/RIPARIAN WOODLAND
RS	RIPARIAN SCRUB
[Cross-hatched pattern]	PENTACHAETA LYUONII
[Diagonal line pattern]	CHOCOLATE LILY
OG	ORCUTT GRASS

**CAL RESOURCES
ERG SPECIFIC PLAN**

ARK

EXHIBIT 6

(REVISED 7/18/94)

Archaeological Survey as a part of the California State Archaeological Survey system. The study found no record of archaeological sites on the property. Four sites have been recorded within approximately one mile of the proposed project, including two sites immediately east of the property, beyond the Moorpark Freeway. It has been determined that none of the sites is sufficiently close to the project area to be affected by development of the property.

Concurrent with submittal of grading plans, applicants shall submit archaeological surveys conducted by a qualified archaeologist.

E. ENVIRONMENTAL IMPACT REPORT

An Environmental Impact Report and Supplemental Environmental Impact Report (collectively "EIR") has been prepared for the Carlsberg Specific Plan. The EIR which has been certified by the City Council contains mitigation measures. Prior to the approval of any future discretionary projects within this Specific Plan, the project shall be reviewed for consistency with the mitigation measures described in the EIR.

F. SETTLEMENT AGREEMENT AND MUTUAL RELEASE

Attached hereto as Exhibit A and incorporated herein as a part of the Carlsberg Specific Plan is the Settlement Agreement and Mutual Release ("Agreement") dated September 7, 1994 between the City of Moorpark, Conejo Freeway Properties, Ltd. and Simi-Moorpark Freeway Properties, Ltd.. In the event there are conflicts between the provisions of the Agreement and the Carlsberg Specific Plan or related ordinances, the provisions of the Agreement shall prevail. Terms and conditions of this Agreement are binding on property owner(s), the developer(s) and their successors and assigns and should be read as an integral part of the Carlsberg Specific Plan.

II. PROJECT DESCRIPTION

II. PROJECT DESCRIPTION

A. LAND USE CONCEPT

The design concept for the Carlsberg Specific Plan Area is depicted in the Land Use Plan (see Exhibit 7), and has been formulated with respect for the natural physical character of the site. The preservation of a significant amount of valleys, hillsides and meandering drainage courses have played an important role in the ultimate land use plan presented herein. Development areas will blend sensitively with the natural environment.

Consistent with the goals of the adopted Moorpark General Plan, the land use plan for the Carlsberg property has been prepared to achieve a "balanced community" offering a complementary mix of residential, shopping, employment-generating, recreational and open space uses. The Specific Plan Area includes 552 residential units, 73 acres of business park with sub-regional retail/commercial overlay uses, 7 acres of institutional use, a 6.5-acre neighborhood park, 220.4 acres of open space and a 9-acre nature preserve. The business park with retail/commercial overlay permits sub-regional retail/commercial uses on the entire 73 acres through the Commercial Planned Development Permit process without amendment of the Specific Plan or EIR as environmental impacts have been assessed at the higher intensity use.

The project has also been designed to achieve compatibility with the surrounding properties. A definite, distinct image will be established through the treatment of natural open space, the placement of residential units and attention to overall landscape treatment. These unifying elements will enhance interest through the variety of terrain, views and an extensive open space system.

B. RESIDENTIAL

1. Introduction

Within the Carlsberg Specific Plan Area, a mix of residential product types will be provided ranging from 3.0 single-family residential lots per gross acre to single family dwelling products at a density of 5.0 dwelling units per gross acre. Three residential density classifications are included in the Plan. For purposes of density calculations, the following density ceilings apply:

<u>Legend</u>	<u>Dwelling Units</u>	<u>Percent of Total</u>
A Single family-3.7 U.P.G.A.*	145	26.2
B Single Family-3.0 U.P.G.A.	138	25.0
C Single Family-5.0 U.P.G.A.	160	28.9
D Single Family-3.0 U.P.G.A.	109	19.9
*Dwelling Units per gross acre	<u>552</u>	<u>100.0</u>

The following subsections describe residential land use designations accommodated within the Specific Plan.

2. Single Family - 3.7 U.P.G.A. (A)

Planning Area A located in the southeast portion of the project consists of 40.0 acres. This area will be permitted for medium density single family detached residential dwellings at a maximum density of 3.7 units per gross acre.

3. Single Family - 3.0 U.P.G.A. (B,D)

The residential development of the Single Family - Area B is a 46-acre site located in the north-central portion of the project area. Area D is a 37-acre site located in the southwest portion of the project area. These areas will be permitted at a maximum density of 3.0 units per gross acre.

4. Single Family - 5.0 U.P.G.A. (C)

This planning area containing 32 acres and is located in the central portion of the site east of Science Drive. Development is permitted at 5 dwelling units per acre and may include conventional detached, zero lot line detached and attached duplex single family dwellings.

C. COMMERCIAL USES

1. Introduction

The Carlsberg Specific Plan provides for commercial facilities in the form of Business Park and Sub-Regional Retail/Commercial. Each classification will provide distinct services and employment opportunities to the residents of the project and to the City of Moorpark.

2. Business Park (BP)

The 73-acre site at the southwest corner of New Los Angeles Avenue and the Moorpark Freeway has an underlying land use designation of Business Park ("BP"), however, the intent of the Plan is that no more than 33 acres be developed for Business Park uses unless a single user occupies the entire 73 acres as BP and is consistent with a City Council approved planned development permit. A maximum of 1,900,000 square feet of buildings on the 73 acres would be permitted for a single user in the office configuration. Proposed uses will include research and development, office parks and single user sites, light industry manufacturing and support services. Uses described in the "Sub-Regional Retail/Commercial" section

which follows are also allowed by the overlay zoning.

3. Sub-Regional Retail/Commercial (SR/C)

The sub-regional retail/commercial overlay zoning has been applied to allow flexibility in the final design and size of development with this use. The Plan requires a single user-tenant if the total 73 acres is to be developed for BP uses, otherwise, a minimum of 40 acres of the available 73 acres is to be for sub-regional retail/commercial use. A maximum of 795,000 square feet of buildings on 73 acres are permitted in the sub-regional retail/commercial configuration. Its use is intended as a retail shopping center, perhaps with one or more large anchors, to meet the shopping needs of the local and surrounding communities. Support retail and service uses will be encouraged.

4. Institutional (I)

This 7 acre site identified as Planning Area I is for uses such as a school, church, library, museum, or like uses permitted in the zoning ordinances.

D. OPEN SPACE/NATURE PRESERVE/RECREATION PLAN

The Open Space and Recreation Plan for this property (see Exhibit 8) provides for the protection of views and the preservation of natural features and habitat areas and the provision of recreation areas. The final design and extent of the trail system shall be determined by the City Council. A total of 220.4 acres, excluding the 9 acre nature preserve which is deemed to be park land, or approximately 48 percent of the site is classified as "Open Space".

The open space area meanders through the site and will be retained in its natural condition.

A 9-acre nature preserve and a 6.5-acre park site is proposed in the central portion of the project. Within the boundaries of the Specific Plan Area, the property owners shall dedicate at their sole cost and expense, park land and nature preserve land to the City of Moorpark as shown on Exhibit 7. At their sole cost and expense, property owners shall make improvements to the park land and shall provide maintenance as set forth in this subsection. The park improvements shall include, at the City's sole discretion, the following:

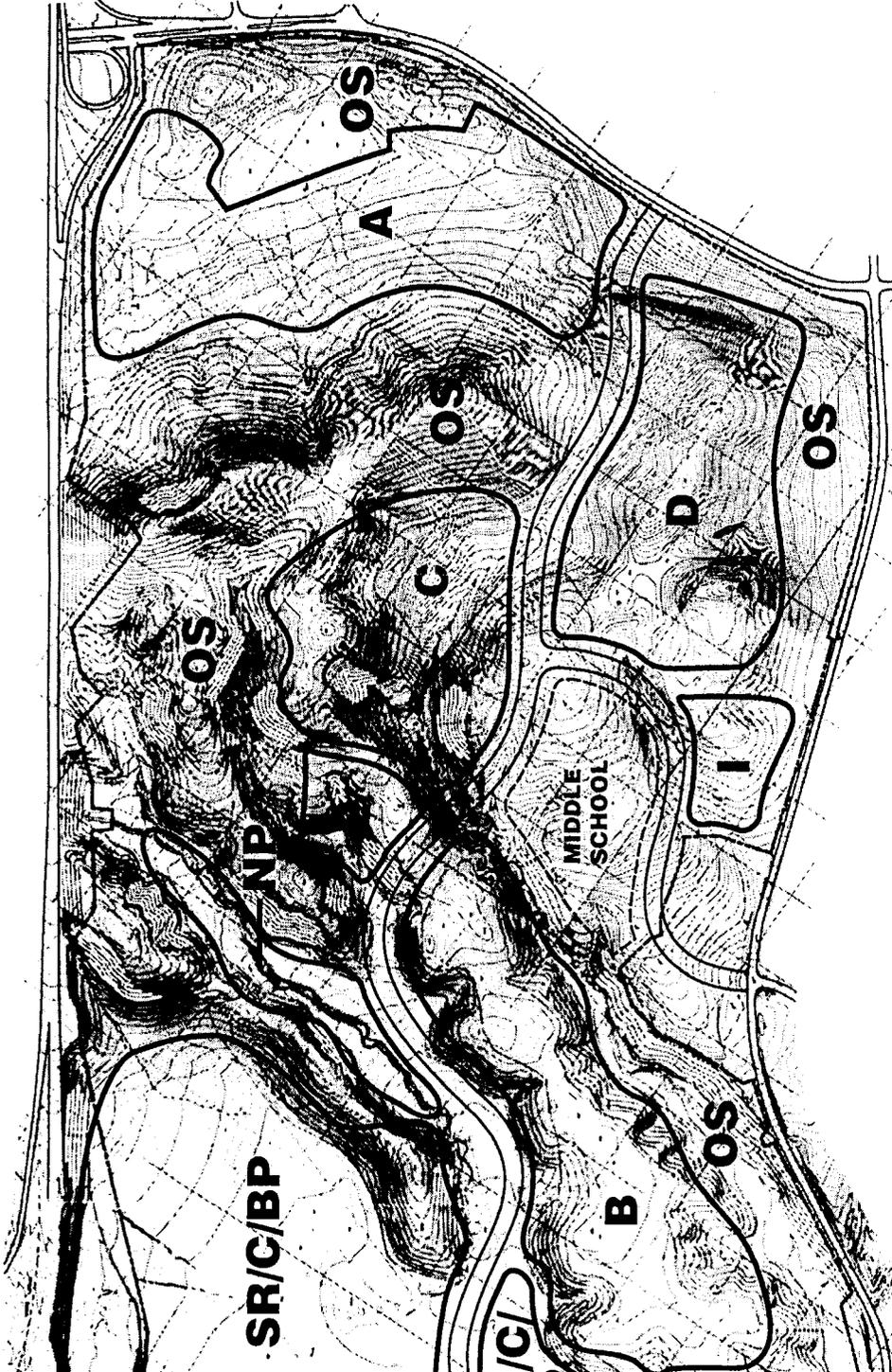
- . Softball field with a minimum of 300 foot outfield radius with no obstructions, backstop, foul line chain link fencing, fenced dugouts with concrete floors and bleachers on concrete pads to seat 150 people;
- . Regulation soccer field, 225 feet wide and 360 feet long

with no obstructions, that does not overlap onto the softball field area, except as approved by the City Council, and two (2) semi-permanent goals;

- . Two (2) tennis courts;
- . Full basketball court;
- . Children's play equipment/apparatus and tot lot similar in size and area as the City's Tierra Rejada Park;
- . Concrete block restroom with tile roof;
- . Picnic shelter with solid roof and matching tile roof to the restroom;
- . Off-street parking with a minimum of 30 standard sized parking spaces.

Final design, plans and specifications shall be as approved by the City Council, including applicable handicapped requirements, and shall include but not be limited to grading, drainage, hardscape (walkways, bike paths, etc.) landscape (trees, shrubs, groundcover and turf), security lighting for the park and parking lot and miscellaneous amenities in the quantities as determined by the City (tot lot and park perimeter fencing, trash receptacles, trash bin enclosures, bike racks, barbecues, picnic tables, pay telephone, identification monument signs, and other signage, etc.). In addition to water, sewer and electrical services, the improvements shall include stub out into the park at a location determined by the City for natural gas, telephone and cable television services. At their sole cost and expense, property owners shall: (i) design the park and submit conceptual plans for City approval, (ii) prepare final design, plans and specifications and submit the same to City Council for approval, (iii) submit the approved final plans and specifications to City for plan check along with appropriate fees, and (iv) pay the City for inspection of park construction.

The park shall be dedicated to the City improved and available (open) to the public prior to the occupancy of the 227th dwelling unit within the boundaries of the Specific Plan. After the park is opened to the public and prior to its formal acceptance by City, owners shall provide a minimum of one year's maintenance for the park land and improvements, including all labor, materials and water, in accordance with the specifications used by the City at its parks. The nature preserve land shall be dedicated to the City of Moorpark at such time as is elected by the City. The above described improvements along with the dedication of the above-described park land and nature preserve shall be deemed to satisfy the "Quimby" requirement set forth at California Government Code Section 66477 et seq. for all subsequent subdivision maps within the Specific Plan Area for a maximum of 552 residential units. Owners shall secure the above described improvements and one year maintenance requirement by execution of City's standard subdivision agreement prior to the approval of the first final tract map or the



STATISTICAL SUMMARY

LAND USE	ACRES	DWELLING UNITS
A SINGLE FAMILY 3.7 UNITS PER GROSS ACRE	40.0	145
B SINGLE FAMILY 3 UNITS PER GROSS ACRE	46.0	138
C SINGLE FAMILY 5 UNITS PER GROSS ACRE	32.0	160
D SINGLE FAMILY 3 UNITS PER GROSS ACRE	37.0	109
SR/C/BP SUB-REGIONAL RETAIL/ COMMERCIAL/ BUSINESS PARK	73.0	
I INSTITUTIONAL	7.0	
NP MATURE PRESERVE	9.0	
P PARK	6.5	
OS OPEN SPACE	220.4	
SUBTOTAL	470.9	552
PRIMARY ROADS	17.5	
TOTAL	488.4	552

**E PLAN
ERG SPECIFIC PLAN**

RK

EXHIBIT 7

(REVISED 7/18/94)

TRAIL ACCESS AT END OF RESIDENTIAL STREET

PARK OVERVIEW

LEGEND

- HIKING TRAIL (SEE DETAIL)
- VISTA POINT
- NEIGHBORHOOD PARK
- NATURE PRESERVE
- NATURAL OPEN SPACE
- PARK ENTRY POINT

DECOMPOSED GRANITE TRAIL,
SLOPED TO DRAIN

REDWOOD HEADER BOARD
CONTINUOUS EACH SIDE

6'

TYPICAL HIKING TRAIL DETAIL

TRAIL UTILIZES NATURAL DRAINAGE COURSE

EXCELLENT TERRITORIAL VIEWS OF TIERRA REJADA GREENBELT

SPACE AND RECREATION PLAN ERG SPECIFIC PLAN

EXHIBIT 8

ARK

(REVISED 9/7/94)

first final parcel map within the Specific Plan Area.

As a condition of the issuance of a building permit for each commercial or industrial use within the boundaries of the Specific Plan, users shall pay City a fee, in an amount set by resolution of the City Council to be used for park improvements within the City of Moorpark. The amount of the fee shall be the same as that paid for other commercial and industrial uses, but in no event shall the fee exceed fifty cents (\$.50) per square foot of gross floor area. Institutional uses shall pay on the same basis as commercial and industrial uses, except that institutional uses which are exempt from secured property taxes shall be exempt from the fee.

E. CIRCULATION PLAN

The Circulation Plan (see Exhibit 9) for the Carlsberg Project Area establishes the roadway network and basic standards for safe vehicular movement within the area. Alignments for arterial and local roadways and typical cross-sections for these roadways by street classification are provided herein.

1. Regional Access

Regional access to the site is provided by way of two state highway corridors: the Simi Valley Freeway (State Route 118) and the Moorpark Freeway (State Route 23).

The Simi Valley Freeway provides access to the City of Simi Valley and the San Fernando Valley to the east. Route 118 continues through the City of Moorpark as a conventional roadway, eventually terminating at the Santa Paula Freeway (SR 126) in the City of Ventura to the west.

The Moorpark Freeway enters at the southeast portion of the City and connects with Simi Valley Freeway at the eastern limits of the City. Route 23 provides access to the Ventura Freeway (U.S. 101) eight miles south of the City.

2. Connector Plan

Local access will be obtained by five planned or future roadways, as follows:

- . New Los Angeles Avenue - classified as a primary highway, six lanes, 118-foot right-of-way with striped median
- . Science Drive - classified as a secondary highway with a varied right-of-way ranging from 104 feet to 108 feet.
- . Spring Road - classified as a secondary highway, two lanes, with dedication for a 94-foot right-of-

way plus, necessary slope easements to maintain the road.

- . Tierra Rejada Road - classified as a secondary highway, four lanes, 94-foot right-of-way with raised median
- . Peach Hill Road - classified as a local collector street, two lanes, with a varied right-of way.

3. Internal Access

Internal access on the project site will be designed as a function of the site specific planning process. All roadways shall meet the required City's standards.

F. GRADING PLAN

1. Conceptual Plan

The conceptual Grading Plan, depicted in Exhibit 10 and the Cut and Fill Plan (Exhibit 11), illustrate the extent of grading necessary to achieve the design concept for Carlsberg. The overall grading operation for the project will balance onsite.

The conceptual Grading Plan reflects the sensitivity to the development/open space interface by preserving significant topographic features, maintaining adequate setbacks and providing sensitive grading and landscaping procedures near park boundaries and natural open space features. The Plan will conform with the intent and provisions of the City of Moorpark grading standards existing at the date of Plan approval. Accordingly, future development of the Plan shall be exempt from hillside and ridgeline preservation and related grading standards enacted after Plan approval, unless, the plan is amended after the enactment of a "hillside ordinance" and or "hillside grading standards" (hereafter call hillside regulations). Such amendment would then be subject to the hillside regulations.

2. Grading Criteria

- a. Landform and grading design shall be consistent with the City of Moorpark grading standards in effect on September 7, 1994.
- b. New slopes adjacent to roadways and development areas shall be graded in such a way that a contoured appearance in the graded plane shall be provided.
- c. Manufactured landforms shall be contoured and use daylight grading techniques to provide a smooth and

gradual transition of graded and natural slopes, while preserving the basic character of the site.

- d. The maximum gradient for any slope shall not exceed a 2:1 slope inclination except where special circumstances exist. In the case of special circumstances where steeper slopes are warranted, plans will be reviewed by a certified geologist and will be subject to the review and approval of the City Engineer and the Director of Community Development.
- e. Planned structures, roadways, paths, vegetation, irrigation and continuing maintenance programs shall be used to stabilize manufactured slopes.
- f. Suitable quantities of trees massed near the landform crest and shrubs of varying sizes on graded slopes shall be used to screen structures and to soften the visual appearance of the graded slope.
- g. All graded slopes shall be planted in a timely manner meeting the approval of the Director of Community Development with groundcover, trees and shrubs that will stabilize slopes and minimize erosion. Interim borrow sites are to be hydroseeded within 30 days of completion of grading, shall include temporary irrigation until established and shall minimize rectilinear form when possible.
- h. All development areas and lots shall be designed so that surface drainage is directed to street frontages or natural or improved drainage courses as approved by the City Engineer.
- i. Grading shall emphasize scenic vistas to the open space areas.
- j. Concrete drainage structures shall be tan colored concrete and, to the extent possible, shall incorporate natural structure and landscape to reduce their visibility.
- k. Manufactured slopes which are greater than ten (10) feet in height shall be rounded at the top and at the toe of slope to simulate natural topography. At the discretion of the Director of Community Development, side slopes may be exempt from this provision if the height of slope does not exceed 15 percent of the width of the lot and has a slope height slope of less than ten (10) feet.
- l. Grading on the perimeter of the site shall not be

designed with perimeter downslopes to property lines unless a homeowners' association, slope maintenance district, or similar entity is established for maintenance of such downslopes.

- m. Interior slopes between lot manufactured building pads shall be designed with up-slope property lines.

G. UTILITIES AND SERVICES PLANS

1. Introduction

Utilities, facilities and services for the Carlsberg Specific Plan Area will be extended and/or constructed in conjunction with its phased development by the master developer as the project proceeds. Major infrastructure facilities are described as follows.

2. Drainage Plan

Drainage within the Specific Plan Area flows primarily toward the Arroyo Simi watershed to the northwest with the remainder draining southerly to the Santa Rosa watershed.

These existing natural drainage courses will be utilized to drain the site along with partially improved semi-natural and improved drainage courses (see Exhibit 12). Where necessary, underground conduit systems also will be utilized. The storm drain system will be designed to accommodate 100-year storm flows.

3. Water Supply

Water service will be supplied by Ventura County Waterworks District No. 1 (VCWWD) (see Exhibit 13). The actual water will be distributed by Calleguas Municipal Water District (CMWD), an agency of the Metropolitan Water District.

A system of reservoirs, turnouts and in-tract infrastructure including a new water tank and relocation of the CMWD line will be designed and constructed to meet the requirements of the proposed land uses and applicable City and VCWWD standards.

4. Wastewater System

Sewer service in the project vicinity is provided by the Ventura County Waterworks District No. 1 (VCWWD) (see Exhibit 14). The wastewater collection and transmission system will ultimately be designed to handle onsite demands adequately and to meet all City and regional requirements.



LEGEND

-  PROPOSED CONTOURS
-  ELEVATION

**AN
SPECIFIC PLAN**

EXHIBIT 10

(REVISED 9/7/94)



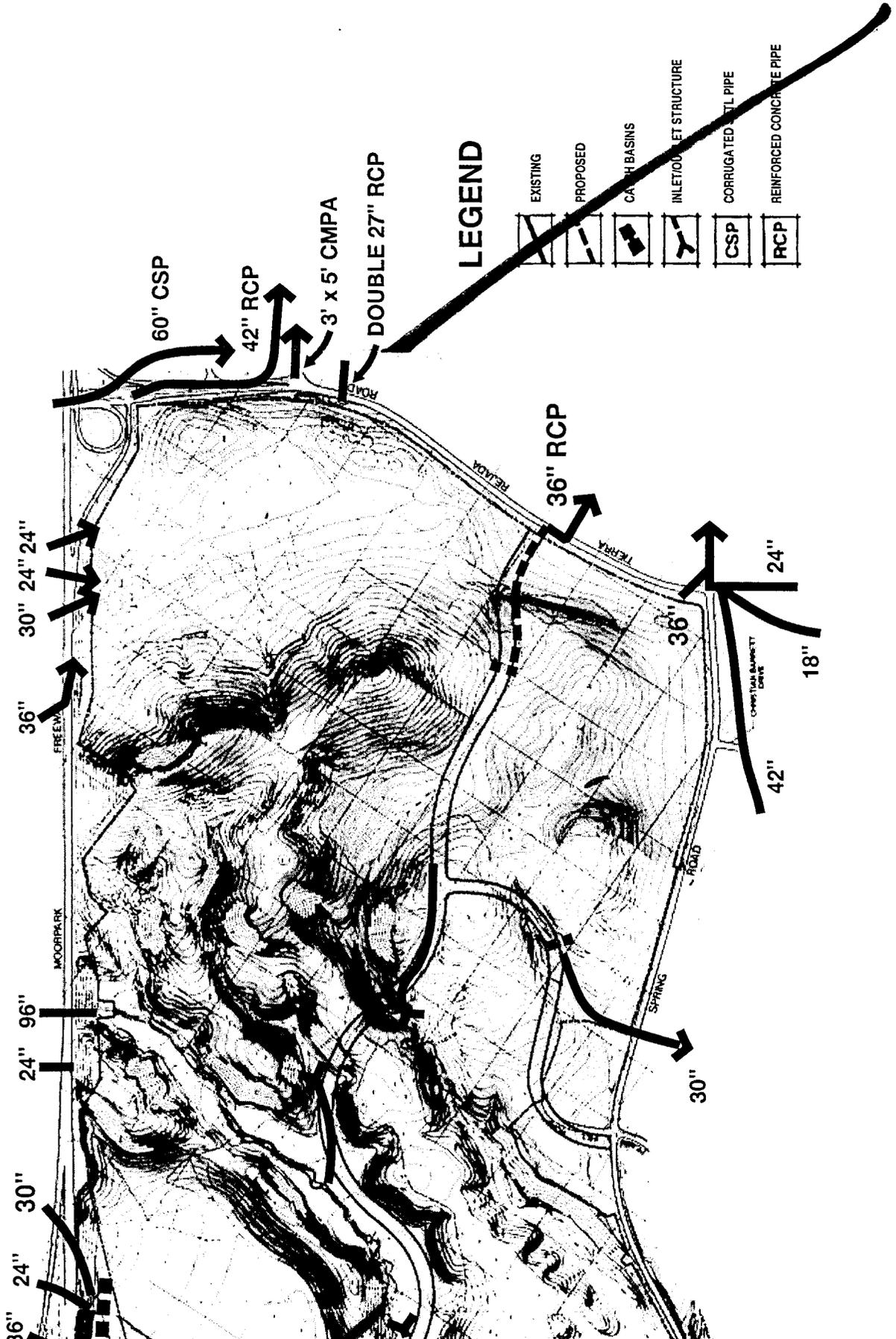
LEGEND

- C CUT
- F FILL

**PLAN
SPECIFIC PLAN**

EXHIBIT 11

(REVISED 9/7/94)



LEGEND

- EXISTING
- PROPOSED
- CATCH BASINS
- INLET/OUTLET STRUCTURE
- CSP
- RCP

EXHIBIT 12

**UTILITIES
SPECIFIC PLAN**

(REVISED 7/11/94)



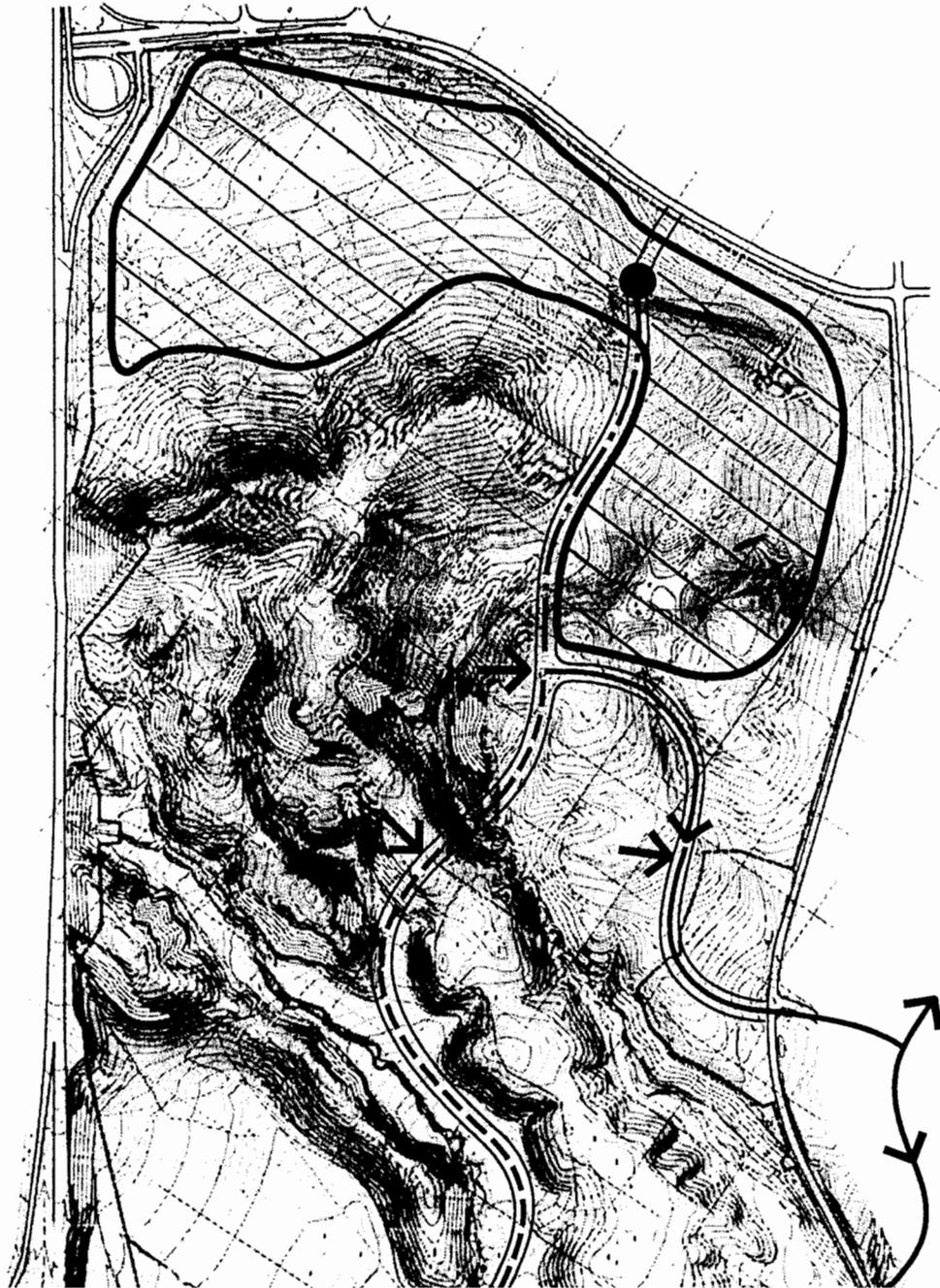
LEGEND

-  PROPOSED WATER LINE
-  EXISTING WATER LINE
-  8" TRUNK SIZE
-  EXISTING CALLEGUAS WATER LINE
-  P.R. PRESSURE REDUCER
-  TURNOUT AND P.R.
-  RESERVOIR SITE

TIES SPECIFIC PLAN

EXHIBIT 13

(REVISED 7/11/94)



LEGEND

- 
 PROPOSED SEWER LINE
- 
 EXISTING SEWER LINE
- 
 PROPOSED FORCE MAIN
- 
 PROPOSED LIFT STATION
- 
 AREA SERVED BY LIFT STATION

**R FACILITIES
SPECIFIC PLAN**

EXHIBIT 14

(REVISED 7/11/94)

Offsite connections will be required at the intersection of Spring and Peach Hill Roads, which will be undertaken with the development of the residential area. The southern development area requires that a lift station and 6-inch force main be constructed to provide for sewage north to the trunk line. The developer will be responsible for the construction of all onsite and offsite sanitary sewer facilities to serve the project. The system will be dedicated to VCWWD No. 1 for maintenance.

5. Other Utilities

Provisions for electrical, natural gas, telephone and solid waste collection services and cable television to the Carlsberg Specific Plan Project Area will be made prior to development of the project area. All services can be extended by each respective company to meet future demands of the Carlsberg Specific Plan Project Area. Natural gas service will be provided by Southern California Gas. Electric service will be provided by Southern California Edison. Telephone service will be provided by Pacific Bell. Solid waste collection will be provided by private companies as regulated by the City, or by the City. These services will be phased in conjunction with development of the project area.

H. PHASING PLAN

1. Introduction

Phasing of the development of the Specific Plan Area has been formulated to reflect current and expected trends in housing demand and absorption rates of dwelling units and development and timing of infrastructure and other improvements. Commercial and business use and related development will be permitted as local and regional demand occurs.

The development phasing program is shown on Exhibit 15. Separate phasing plans for the north portion of the project and the south portion of the project are provided. It is contemplated that each of the two portions will be able to develop separately or concurrently. The north portion is principally business uses with limited residential development and the south portion is residential use with seven acres of institutional use. These phasing increments provide general locations of development and infrastructure improvements. Street improvements to be installed by the developer are identified according to Specific Plan Areas noted below and are also referenced to specific EIR Mitigation Measures (TC1, TC2, etc.).

Utilities such as sewer, water, electrical, gas, phone and cable will be extended to each planning area within each ownership as development occurs. Common area landscape adjacent to or in street right-of-way shall be installed in conjunction with related street improvements.

2. **Simi-Moorpark Freeway Properties (North Portion) - Grading and Street Improvements**

a. Grading Plan

In order to develop the SR/C/BP Planning Areas, dirt will have to be imported from Planning Area B. Accordingly, it will be necessary to perform substantially all of the rough grading in the north portion as part of the first phase development of the commercial and business uses. Final grading of Planning Area B can be performed at the time the residential development is performed.

b. Street Improvements (Exhibit 9)

The issuance of the first zone clearance for occupancy in either the SR/C/BP Area or Planning Area B requires completion of construction of (i) the southbound leg of the intersection at Science Drive (formerly known as "A" Street) and New Los Angeles Avenue; including westbound left-turn lane, eastbound right-turn lane, shared southbound through lane/southbound right-turn lane, northbound left-turn lane, second northbound left-turn lane, northbound right-turn lane, shared northbound through lane/northbound right-turn lane (TC2) and traffic signal modification at New Los Angeles Avenue and the proposed southern extension of Science Drive (TC2 and TC13) and (ii) Science Drive to its four lane configuration from New Los Angeles Avenue to and including the "B" Street intersection (TC1 and TC5).

Prior to the issuance of the first zone clearance for occupancy for either the SR/C/BP Area or Planning Area B, the 94 foot right-of-way for Spring Road adjacent to Simi-Moorpark Freeway Properties, Ltd's west property boundary which extends from APN 500-0-350-29 to the Arroyo Simi bridge will be dedicated to the City. Prior to the issuance of the zone clearance for occupancy of the 70th residential unit in Area B, eastside Spring Road frontage improvements adjacent to the Simi-Moorpark Freeway's property will be completed.

Science Drive is to be extended from "B" Street to Peach Hill Road and intersection improvements, including signalization if determined necessary at

the time of subdivision, at Peach Hill Road are to be completed prior to the issuance of zone clearance for occupancy of the 70th residential unit in Planning Area B or issuance of the zone clearance for occupancy on the 37th acre of SR/C/BP Area (TC3). A traffic signal at Science Drive /"B" Street intersection shall be installed at this time (TC15). Prior to the issuance of the first zone clearance for occupancy for development of the SR/C/BP Area, New Los Angeles Avenue eastbound and westbound from the east terminus of the Arroyo Simi bridge to State Route 23 will be widened to three lanes each direction (TC8).

3. **Conejo Freeway Properties (Southern Portion) - Grading and Street Improvements**

a. Grading Plan

Development of Planning Areas C and D will require a combined grading plan to balance dirt quantities between the two areas. Planning Area I will be graded as one project. Planning Area A is also to be graded as one project, however, import of dirt from Area D prior to final grading is permitted.

b. Street Improvements (Exhibit 9)

Science Drive, including Peach Hill intersection, is to be constructed from Peach Hill Road to Tierra Rejada Road prior to issuance of the first zone clearance for occupancy for residential units in either Planning Areas A, C or D (TC3). North leg intersection improvements at Science Drive and Tierra Rejada Road shall be required at this time as well (TC4).

Tierra Rejada Road street improvements including westbound right-turn lane at the Science Drive and Spring Road intersections, curb, gutter and sidewalks, required on the north side of Tierra Rejada Road, east of the Spring Road intersection shall be constructed prior to issuance of the first zone clearance for occupancy for residential units in Areas A, C or D (TC4).

Prior to the issuance of the first zone clearance for occupancy for Areas A, C, D or I, the 94 foot right-of-way for Spring Road adjacent to the Conejo Freeway Properties, Ltd's west property boundary extending from APN 500-0-350-36 to Tierra Rejada Road will be dedicated to the City. Prior to the issuance of the zone clearance for occupancy of the 55th residential unit in Area D, Spring Road improvements south of Peach Hill Road to Tierra

Rejada Road will be completed.

Traffic signals at the following intersections; Spring Road/Tierra Rejada Road, Moorpark Road/Tierra Rejada Road and Science Drive/Tierra Rejada Road shall be installed or modified prior to the issuance of the first zone clearance for occupancy within the Conejo Freeway Properties ownership (Planning Areas A, C, D and I (TC13., TC14., TC15. and TC16).

4. Other Traffic Mitigation Measures

The following off-project traffic mitigation measures are identified in the EIR, however, the timing and installation of the related improvements are to be determined by the City and are not installed by the developer as a part of the Phasing Plan:

TC6.and TC9. Science Drive/Spring Road/Tierra Rejada Road, developer's fair share of the cost to add a second westbound lane and a second eastbound lane to Tierra Rejada Road.

TC7. Moorpark Road/Tierra Rejada Road, developer's fair share to the extent the following improvements exceed the AOC widening project; cost to add second westbound left-turn lane, second northbound right-turn lane, eastbound right-turn lane, and provide northbound right-turn overlap with the westbound left-turn overlap as part of signal installation.

TC8. Science Drive/New Los Angeles Avenue, developer's fair share to add third westbound lane to New Los Angeles, excluding the required widening of the eastbound and westbound lanes of the New Los Angeles Avenue bridge of the Arroyo Simi.

TC10. Moorpark Avenue/Los Angeles Avenue; developer's fair share of costs to convert the shared southbound left-turn/southbound through lane/southbound right-turn lane to a second southbound left-turn lane and convert southbound right-turn lane to a shared southbound through lane/southbound right-turn lane.

TC11. Spring Road/Los Angeles Avenue; developer's fair share of costs to add a third eastbound through lane, third westbound through lane, remove second eastbound left-turn lane, and modify signal to provide a southbound right-turn overlap with the east-bound left-turn movement and westbound right-turn overlap with the south-bound left-turn movement.

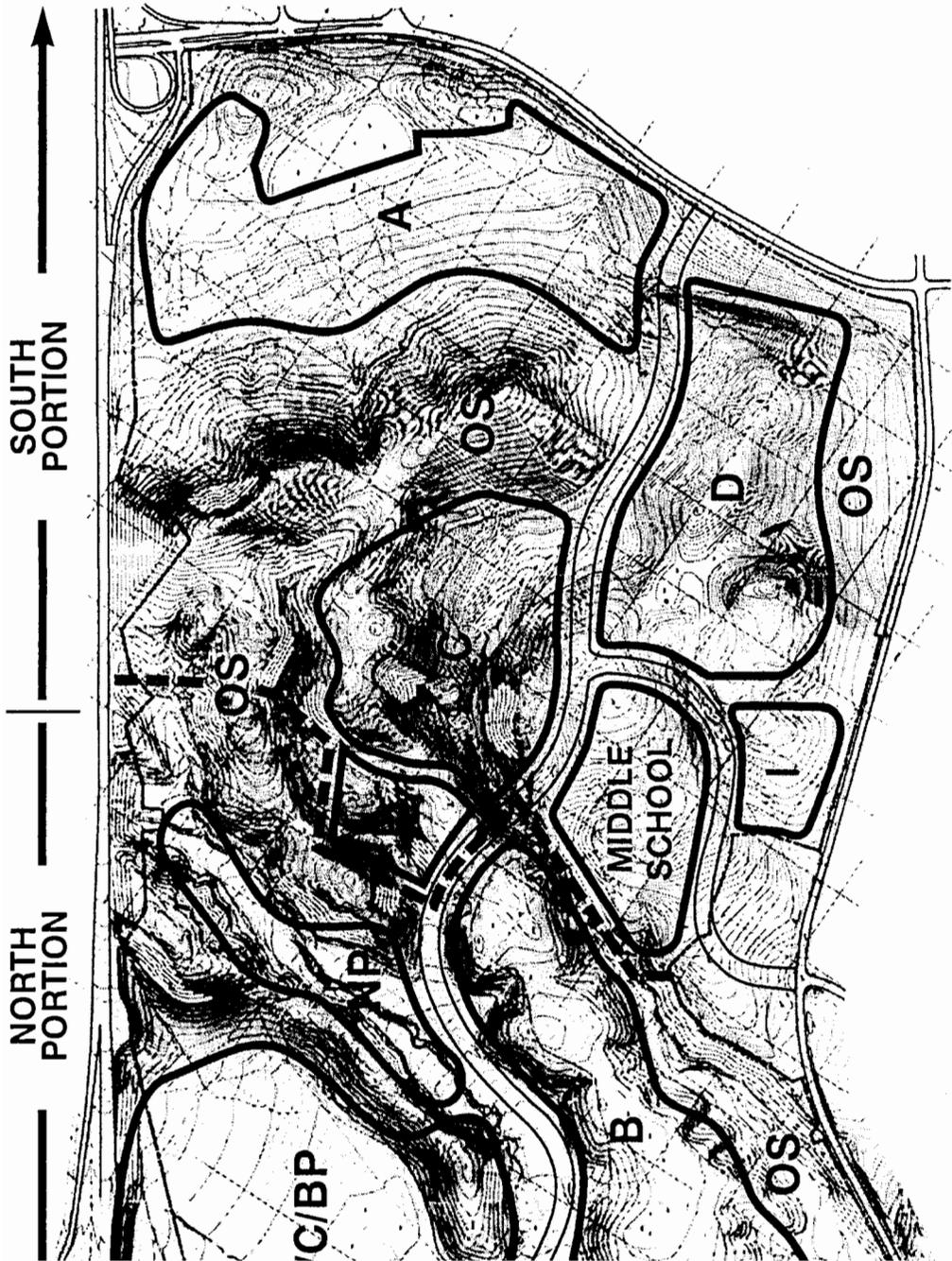


EXHIBIT 15

**N
SPECIFIC PLAN**

(REVISED 7/18/94)

TC12. State Route 23 northbound ramps/Tierra Rejada Road; developer's fair share of costs to covert the shared northbound left-turn lane/northbound right-turn lane to a northbound right-turn lane and to add a second northbound left-turn lane and a second northbound right-turn lane.

TC13. Developer to pay fair share of the costs for the signal reconstruction at Spring Road/Los Angeles Avenue, Spring Road/Tierra Rejada Road, State Route 23 northbound ramps/Tierra Rejada Road and Science Drive/New Los Angeles Avenue.

TC14. and TC17. As determined by the City of Moorpark, the project developer shall contribute a fair share to improvements to County roadways or related facilities (cost of signal installation or modification at State Route 23 southbound ramp/Tierra Rejada Road only) if a reciprocal agreement between the County of Ventura and the City of Moorpark addressing said matter is approved.

5. Air Quality Mitigation Fee

A23. The EIR also identifies an Air Quality Mitigation Measure which requires developer to contribute to the City's TDM fund or fund or implement TDM measures within the Oxnard Plain Airshed that are capable of reducing emissions within the Airshed by 106.6 pounds per day (ppd) of reactive organic compounds (ROC) and 157.7 ppd of oxides of nitrogen (NOx), or a combination of both.

Developer is to pay to the City, concurrent with obtaining each building permits, air quality fees as required to mitigate the above impacts. The amount of the fee shall be determined at the time the fee is due.

6. General

This document does not establish the phasing of certain other improvements and or mitigation measures identified in the SEIR. In the event this document has not specifically determined when an improvement shall be constructed, the timing of the construction of the improvement shall be determined by the City at the time of approval of a discretionary permit for either a subdivision map and/or development permit.

III. COMMUNITY DESIGN PLAN

III. COMMUNITY DESIGN PLAN

A. INTRODUCTION

The design concepts and guidelines for the Carlsberg Specific Plan provide overall guidance for the expression of development for the community. The purpose of these design guidelines is threefold:

- . To provide the City of Moorpark with the necessary assurances that this community will develop in accordance with the quality and character proposed herein;
- . To provide guidance to developers, builders, engineers, architects, landscape architects and other design professionals in order to maintain design continuity during the period of development; and,
- . To provide guidance to the City Staff, City Planning Commission and the City Council in the review of future development phases.

The following guidelines are intended to describe the desired landscape and architectural themes for the community:

B. LANDSCAPE ARCHITECTURE DESIGN GUIDELINES

The Conceptual Landscape Plan for the Carlsberg Specific Plan Area (see Exhibit 16) is an integral element in achieving the intended development character for the project. The landscape concept is intended to achieve the following objectives:

- . Landscape and placement of structures will be designed so as to enhance the entries to the City of Moorpark.
- . Streetscape designs will establish a consistent and coherent application of materials and vegetation and shall be an integral component of the entire Specific Plan Area design.
- . Where feasible, prominent natural features are maintained in a natural state and incorporated into the landscape concept. In addition, oak tree stands and riparian areas are to be maintained and enhanced where possible, and prominent landforms (ridgelines and hillsides) will be preserved. These features serve as a visual backdrop for the community and as the underlying theme for the landscape concept.
- . Development/roadway/open space interface or transition areas will be provided, and these edges shall be softened through the introduction of plant materials.
- . Vegetation indigenous to the area shall be emphasized in the landscape concept and ornamental plantings which fit well with these vegetative types shall be utilized in appropriate areas.

- . A sensitive comprehensive fuel modification program shall be incorporated into project design as identified in Exhibit 27.
- . The ownership and responsibility for maintenance, including landscaped freeway buffer adjacent to Planning Area A, of all landscaped and open space areas within the Specific Plan area will be determined by the City as a condition of subdivision and/or development permit approval.
- . The developer shall plant a variety of drought tolerant fifteen (15) gallon trees (not to exceed a total of 600) randomly located throughout the open space area (with temporary irrigation) in an effort to provide variety to the existing low vegetation. The type and location of the trees will be determined by the City as a condition to subdivision and/or development permit approval.

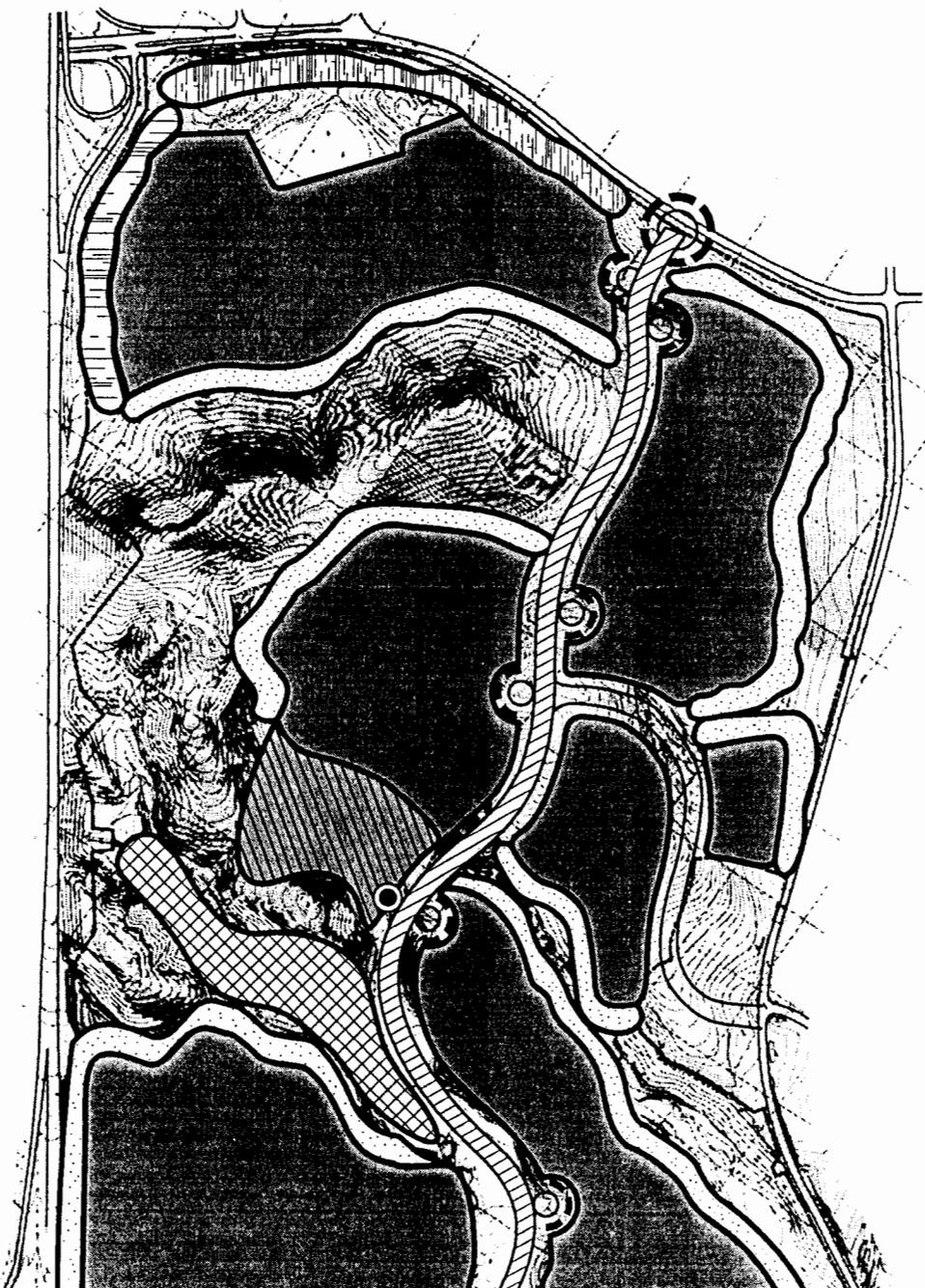
The Conceptual Landscape Plan establishes a framework for consistency of design within the entire project area and individual development increments. The timing for the installation and construction of landscaping and fencing shall be determined at the time of subdivision and/ or development permit approval. Some landscaping and fencing may be required to be installed in areas not a part of a particular map or development permit, such as entry treatments.

There are several master landscape elements of the community which provide landscape continuity. These are described below.

1. Project Entries (see Exhibits 17-21 as examples)

Three levels of entry are proposed: primary, secondary and neighborhood. The objectives which framed the design of the entries are as follows:

- . Entries shall be designed as special accent points which "announce" community entry and establish the unique theme and character of the community.
- . The character and concept of entry signage will provide an initial impression of the image of the community.
- . Monumentation, special paving textures, flowering accents and shrubs and the use of a significant number of specimen trees will be used to generate interest at entry points.
- . View corridors from community entries shall be maintained and enhanced through use of vertical trees, accent shrubs and sensitive siting of development.



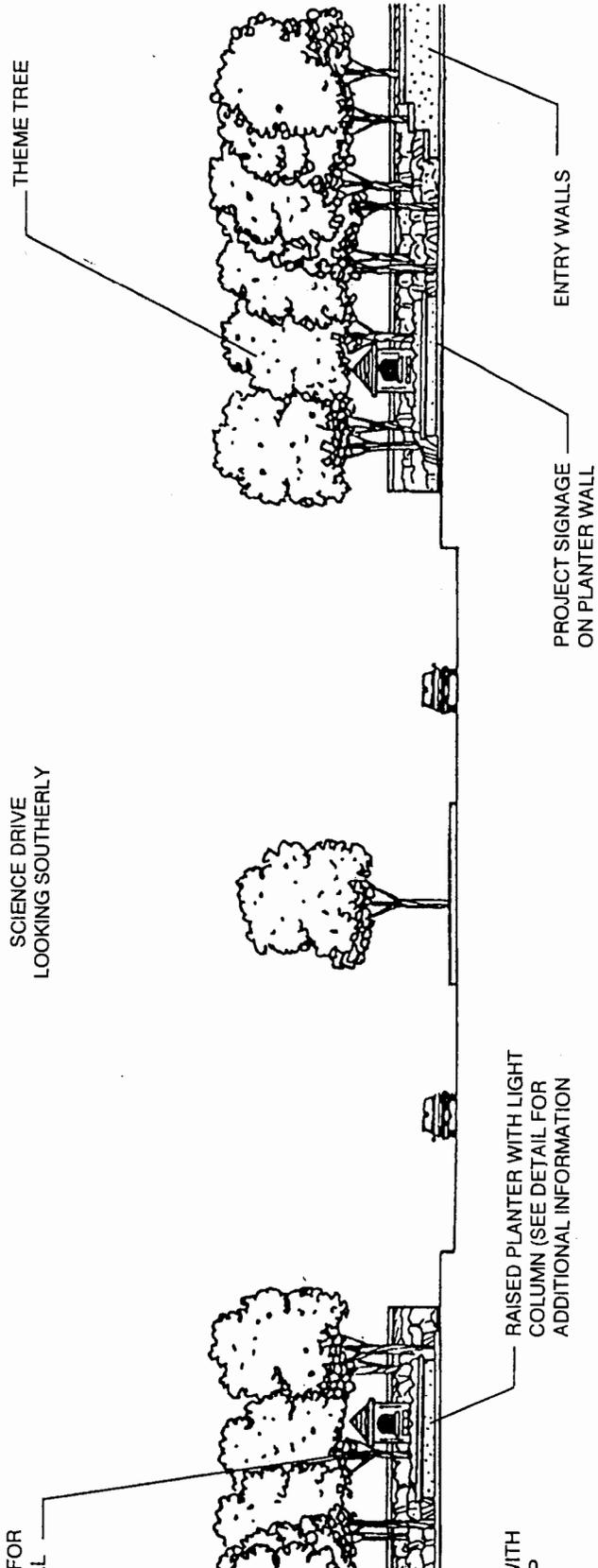
LEGEND

- TERRA REJADA ROAD OPEN SPACE BUFFER
- MOORPARK FREEWAY BUFFER
- SCIENCE DRIVE
- NEW LOS ANGELES AVENUE BUFFER
- NEIGHBORHOOD PARK
- NATURE PRESERVE
- FUEL MODIFICATION ZONE
- DEVELOPMENT AREA
- NATURAL OPEN SPACE
- PRIMARY ENTRY
- SECONDARY ENTRY
- NEIGHBORHOOD ENTRY

**LANDSCAPE PLAN
SPECIFIC PLAN**

EXHIBIT 16

(REVISED 9/7/94)



(EXAMPLE)
ELEVATION

EXHIBIT 17

**RY (NOT TO SCALE)
SPECIFIC PLAN**



TO BE DETERMINED AT THE TIME
 APPROVAL PROCESS AND
 PROPERTY.

**RY (NOT TO SCALE)
 SPECIFIC PLAN**



SCIENCE DRIVE

**(EXAMPLE)
 PLAN**

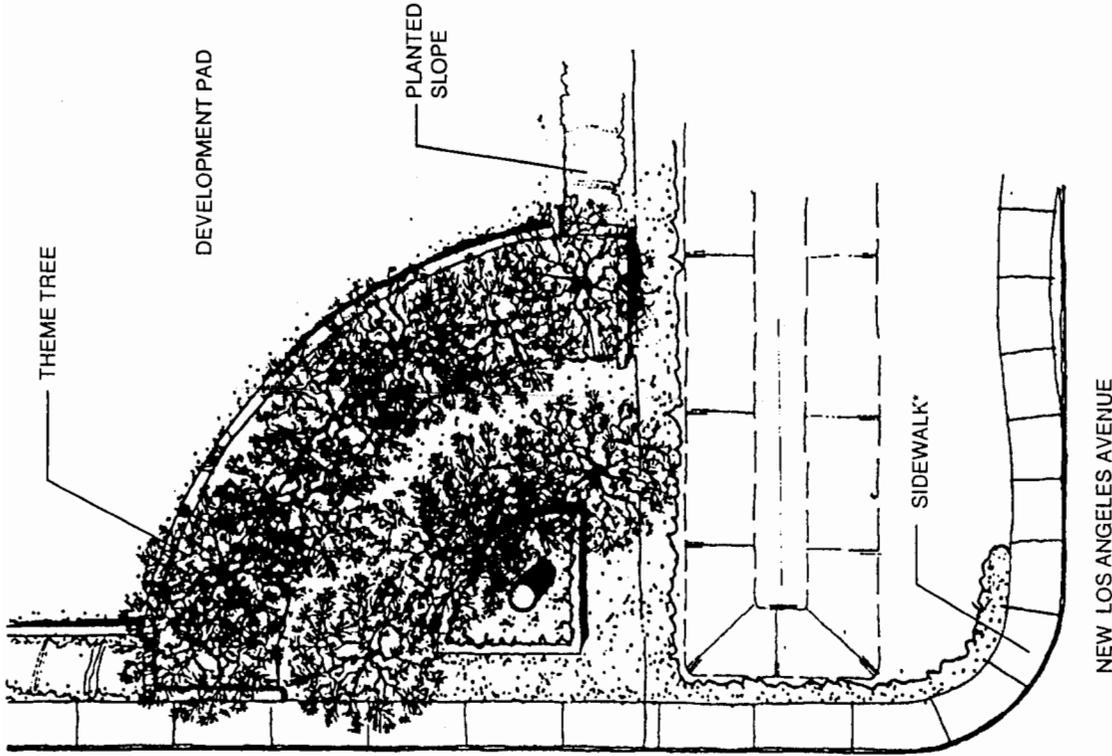
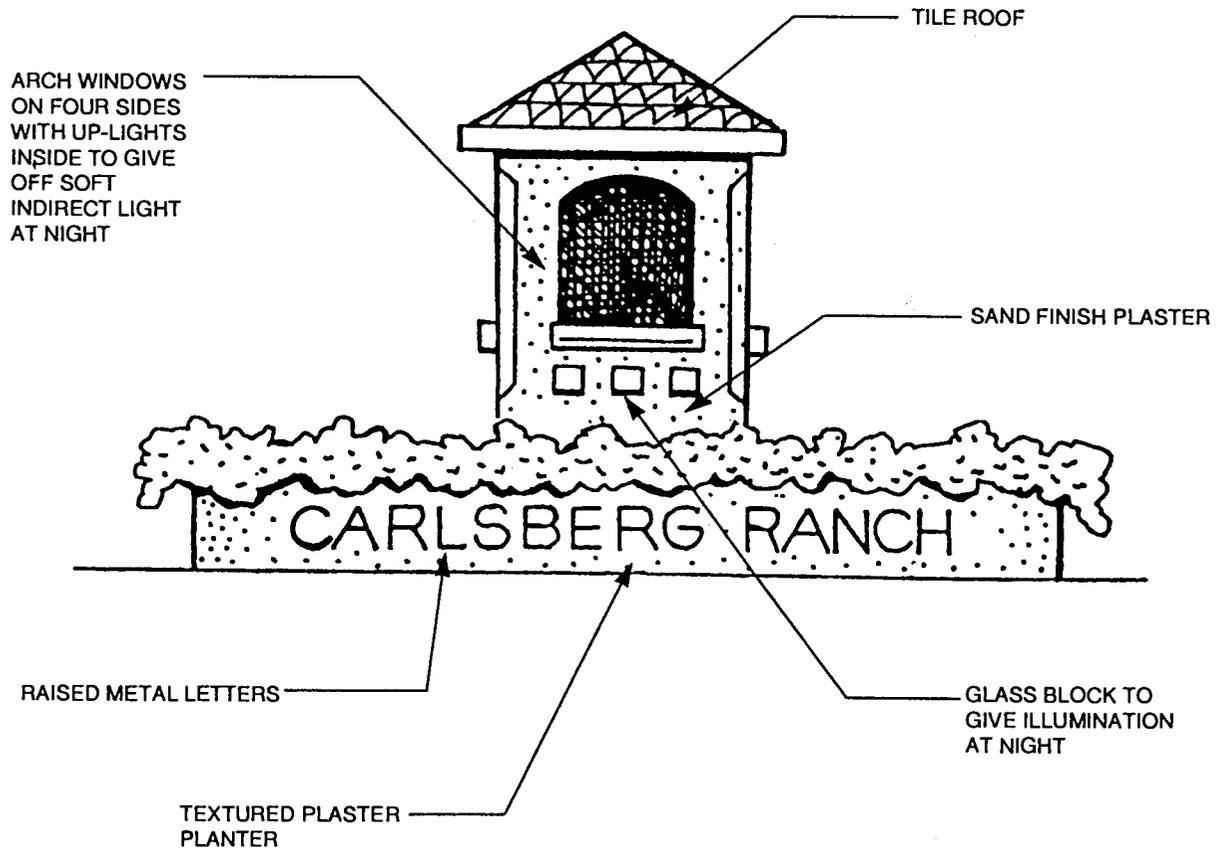


EXHIBIT 18

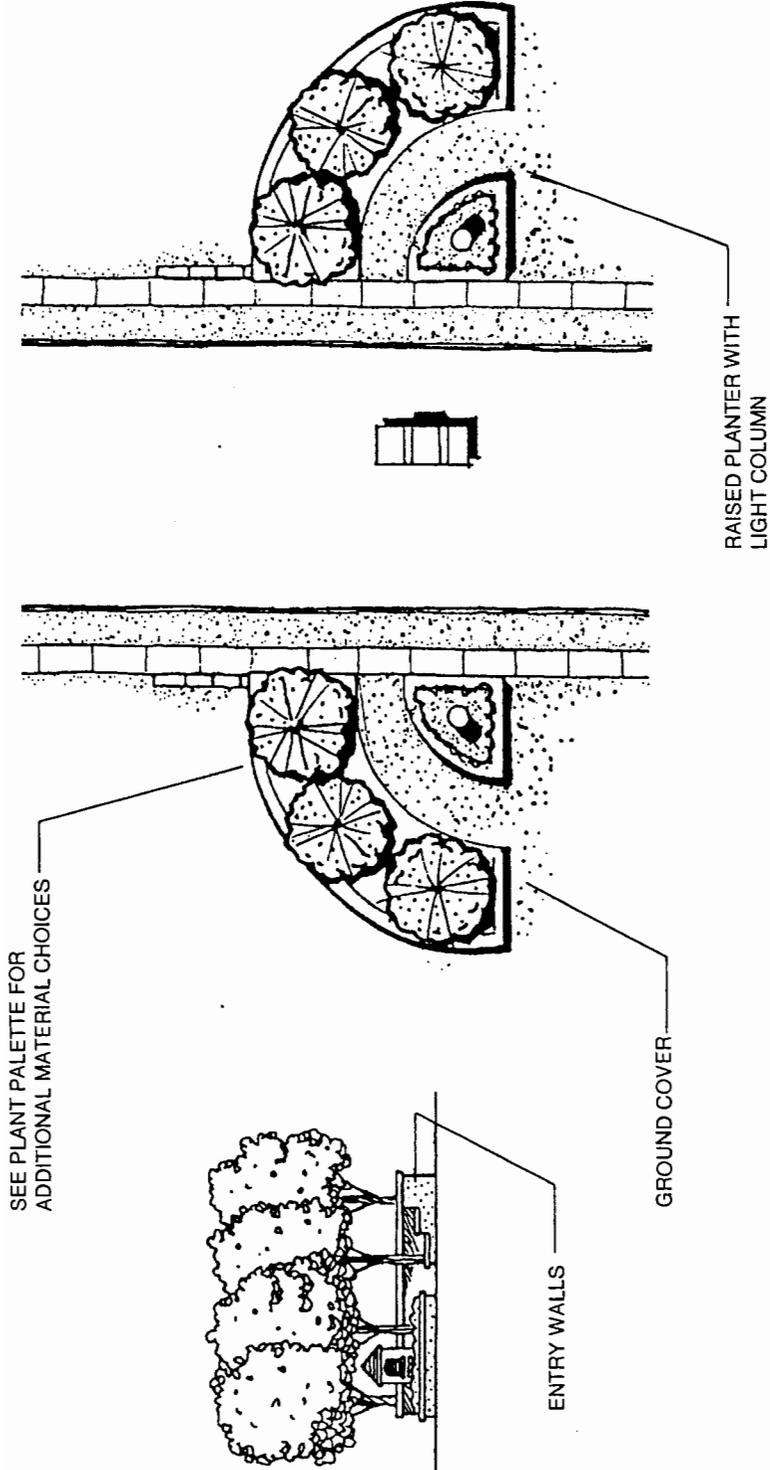
(REVISED 9/7/94)



**PRIMARY ENTRY LIGHT COLUMN
CARLSBERG SPECIFIC PLAN**
CITY OF MOORPARK

EXHIBIT 19

(REVISED 3/18/93)



(EXAMPLE)
PLAN

(EXAMPLE)
ELEVATION

EXHIBIT 20

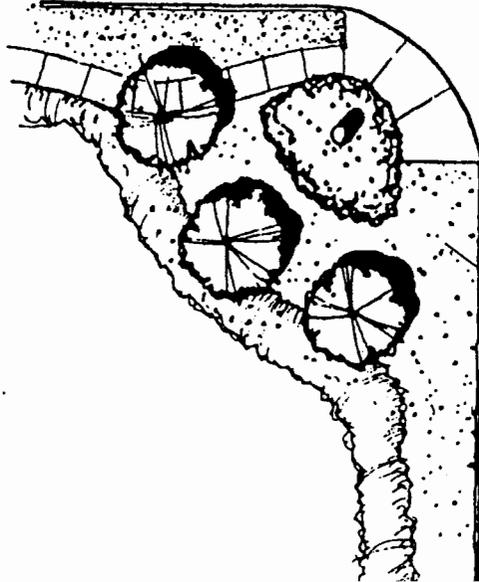
ENTRY TYPICAL (NOT TO SCALE) SPECIFIC PLAN

(REVISED 3/18/93)

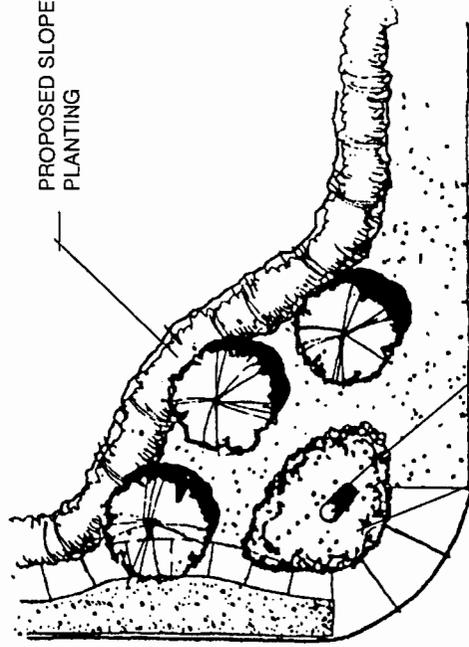
E-SEE PLANT
DR MATERIAL



ELEVATION



PLAN



LIGHT COLUMN

SHRUB MASS

ROAD ENTRY TYPICAL (NOT TO SCALE) SPECIFIC PLAN

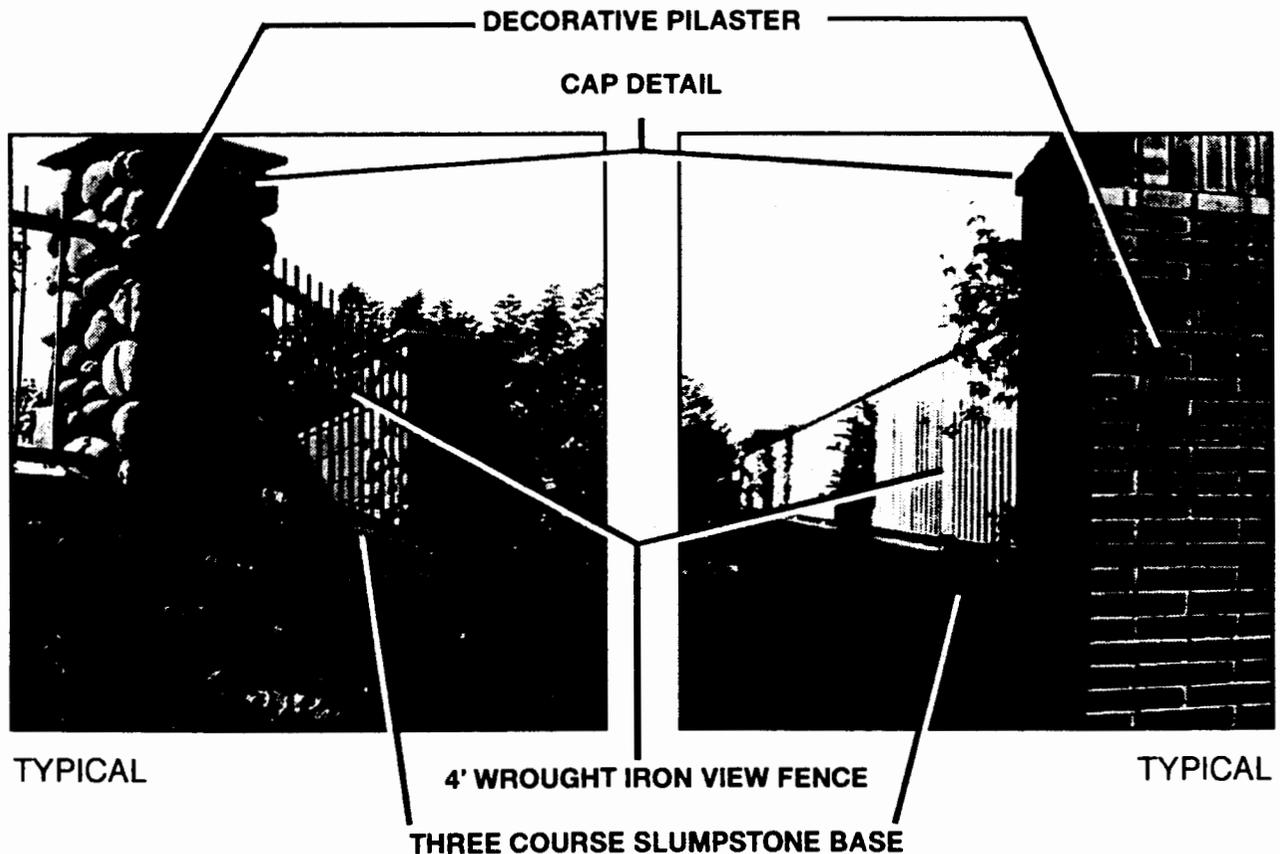
EXHIBIT 21

(REVISED 3/18/93)

2. Fencing/Project Walls

Fencing and walls will provide an element of continuity throughout the Specific Plan Area to ensure visual consistency. The following guidelines shall apply.

- a. Architectural styles materials and heights should be consistent with the architecture of adjoining developments. Wall material, style, height and location shall be determined by the City as a condition of subdivision and/or permit approval. The use of wood fencing is prohibited except for gates.
- b. Fences along open space areas, tops of slopes, ridgelines and hillsides should be of an "open" (wrought iron or combination of block and wrought iron) construction to allow for protection of scenic views.
- c. Project walls along entry roads to the Moorpark community should be designed in a uniform and consistent manner so as to blend with other walls within the community. In addition, such project walls should be consistent with the architecture of adjacent residential projects.



- d. The horizontal form of walls and fences should be screened and softened by landscape planting. Trees/shrubs and vines should be selected from the plant palettes included herein.

3. Signage Plan

The purpose of this section is to provide guidelines and standards for project identification signage throughout the Specific Plan Area to achieve a visually coordinated, balanced and appealing signage system particularly one which promotes compatibility with the architectural design concept, the circulation plan and the landscape concept plan.

The following general provisions will apply:

- a. Prior to painting, erecting, constructing, altering, rebuilding, replacing or moving any sign, approval by the Community Development Department is required.
- b. Applications for sign permits shall be accompanied by information as required for a standard sign plan pursuant to the Moorpark City Code. A master sign plan is required for all new developments and is subject to approval of the Community Development Department. In addition to requirements for standard sign plans, a master sign plan submittal shall include the following information on the proposed signage program for the site:
 - 1) Plan specifications including the type of texture of materials and colors proposed for the signs and the building facade.
 - 2) A colored elevation of the proposed signs and the building facade.
 - 3) Drawings illustrating the lettering styles and sizes proposed and the use of logos, if any.
 - 4) Photographs of buildings and signs on adjacent sites.
- c. General criteria applicable to all signs, proposed signs and their materials, size, color, lettering, location and arrangement shall conform to the following criteria:
 - 1) Signs shall be consistent throughout a development site by incorporating common design elements such as quality of materials, letter style, colors (not more than three excluding black and white per individual sign), external

illumination, sign type or sign shape. All signs and letter colors are subject to the City's design review procedures.

- 2) Signs shall be compatible with, and bear a harmonious relationship to the visual image and architectural design of the buildings they identify in terms of materials, colors, and design motif within the Specific Plan Area.
- 3) Signs shall relate to a human scale, and shall be directed toward pedestrians as well as motorists. Monument signs are preferred.
- 4) Signs shall contain only that information necessary to identify the businesses or uses of the property on which the sign is located.
- 5) Signs shall be appropriately visible, legible, as far as spacing and proportion of letters and details, and shall not dominate the visual quality of the site or obscure from view existing or adjacent signs.
- 6) Signs shall be compatible with the visual characteristics of the development and signs in the surrounding area and shall not detract from, or cause depreciation of the value of adjacent developed properties.
- 7) Monument signs may be located in required setback areas provided the following criteria are met:
 - a) Said location is not within a required visual clearance area as identified by the City Engineer.
 - b) Said location in the event of a lighted sign will not cause negative light and glare impacts on adjacent sensitive land uses.
- 8) All signs shall conform with provisions contained in the Moorpark sign code unless otherwise noted in this section. The actual location, height, size, style, lighting and color of signs shall be determined by the City as a condition of subdivision and/or permit approval.

Prohibited Signs:

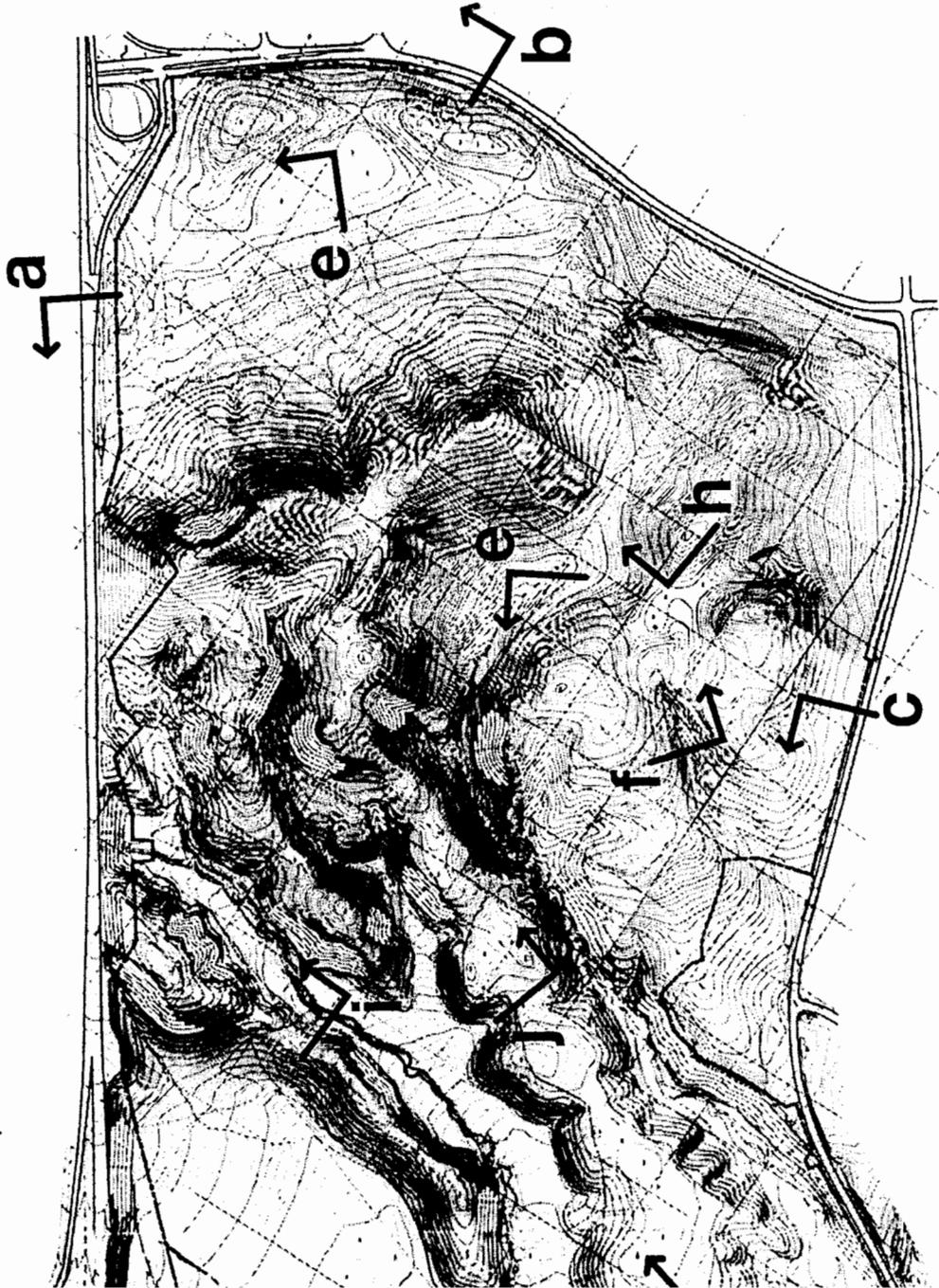
- Pole or pylon signs

- Any sign mounted onto a roof, or projecting above the roof or top of parapet
- Temporary or permanent advertising devices or displays, except temporary real estate sale or leasing signs
- Rotating, revolving, flashing or moving signs
- Signs that project vertically or horizontally from the building face
- Time/temperature signs
- Any permanent banner, or other device designed to wave, flap, rotate or otherwise move with the wind, except U.S. and State flags flown from flag poles
- Sign painted directly on building
- No junction boxes or exposed conduit on the exterior of a sign
- No signs are to be located within public rights-of-way

4. **Streetscapes (see Exhibits 22-27)**

The design of streetscapes will provide a sense of continuity and relationship between various uses and locations within the community. The following objectives formed the basis for the design of the streetscapes:

- . View windows to special use areas such as parks, schools, commercial areas and open space will be incorporated into the overall concept.
- . Special intersection treatment should include variations in paving material and plantings where major pedestrian and vehicular circulation elements intersect.
- . Special accent areas should be used as transitional elements where open space, local parks, and/or community trails intersect streetscape themes. These accents may include plant materials, special paving or signage. They may also be accented with street furniture or major monumentation elements.
- . Plant selections are to emphasize native southern California varieties which blend well in to the natural open space surroundings. Drought tolerant or low water requirements are to be



LEGEND

SECTION LOCATION

ON KEY MAP
SPECIFIC PLAN

EXHIBIT 22

(REVISED 3/18/93)

given consideration where possible.

The plant palettes to be used in all plant selections within the project should be selected from the "Ventura County Guide to Landscape Plans" and apply to developers, builders, commercial and business park owners, residential homeowner, and recreational park areas (including City or County agencies). To allow for personal preference, individual residential homeowners may select additional shrubs and groundcovers.

The following is a description of the streetscape design as depicted in Exhibits 22-27.

a. Moorpark Freeway Buffer

Traveling northward on the Moorpark Freeway, the Carlsberg property provides excellent opportunities to create and emphasize landscape opportunities.

In the northern portion of the site where the Sub-regional Retail Commercial and Business Park uses are located, the topography is so much lower than the freeway that visual impacts will be minimal. Travelling southeasterly, the majority of the project is devoted to natural open space. A landscaped freeway buffer will be incorporated into the design of the residential development of Planning Area A.

b. Tierra Rejada Road Buffer

The buffer zone located 30 feet beyond the right-of-way along Tierra Rejada Road should transition from the parkway to the natural vegetation. The transition will be subject to City approval at the time landscape plans are submitted (see Exhibit 23b).

c. Spring Road

With the exception of the two existing church sites and the proposed institutional site, the entire length of Spring Road is located adjacent to Open Space (see Exhibit 24c). The intent of the landscape concept for this area is to maintain it in its natural condition. The sidewalk on the east side of Spring Road north of Peach Hill Road shall be built adjacent to the curb. South of Peach Hill Road the sidewalk will be built within the thirty-two (32) foot landscaped parkway at a location determined by the City.

d. New Los Angeles Avenue

New Los Angeles Avenue is located adjacent to the northwest boundary of the Sub-regional Retail Commercial land use designation. The landscape concept for this buffer zone will include groupings of trees, shrubs and groundcover intermittently spaced within the thirty (30) foot park way to provide visual relief while also allowing for public views into the development. The final location of the sidewalk will be determined at the time of the initial SR/C/BP permit approval and may be located on a private property easement (see Exhibit 24d).

e. Science Drive

Science Drive is the major north-south circulation element through the project and bisects the project area from New Los Angeles Avenue to Tierra Rejada Road. Science Drive from New Los Angeles Avenue south six-hundred (600) feet to "B" Street, allows for either an eight (8) foot sidewalk or an eight (8) foot landscape parkway on both the east and west side within the one hundred and eight (108) foot right-of-way. The final location of the sidewalk is to be determined at the time of the initial SR/C/BP permit approval and may be located on a private property easement to allow for both landscaping and sidewalk. South of "B" Street to Tierra Rejada Road, Science Drive will feature enhanced twenty (12) foot landscape parkways and eight (8) foot sidewalks located on the east and west sides within the one hundred four (104) foot extended right-of-way (see Exhibit 25e). Major theme trees, randomly spaced, will define the corridor, with shrubs and other plantings providing an understory.

f. Peach Hill Road Extension

Peach Hill Road will be extended from its terminus east to Science Drive. It will be bounded on one side by institutional development and on the other side by a school site. Landscape on private property adjacent to the public street right-of-way will be determined by the City as a condition of subdivision or development permit approval.

g. & h. Neighborhood Streets

The neighborhood through and cul-de-sac streets will be planted with uniformly placed trees and groundcover (see Exhibit 26). Landscape shall be placed on private property adjacent to adjoining public street right-of-way.

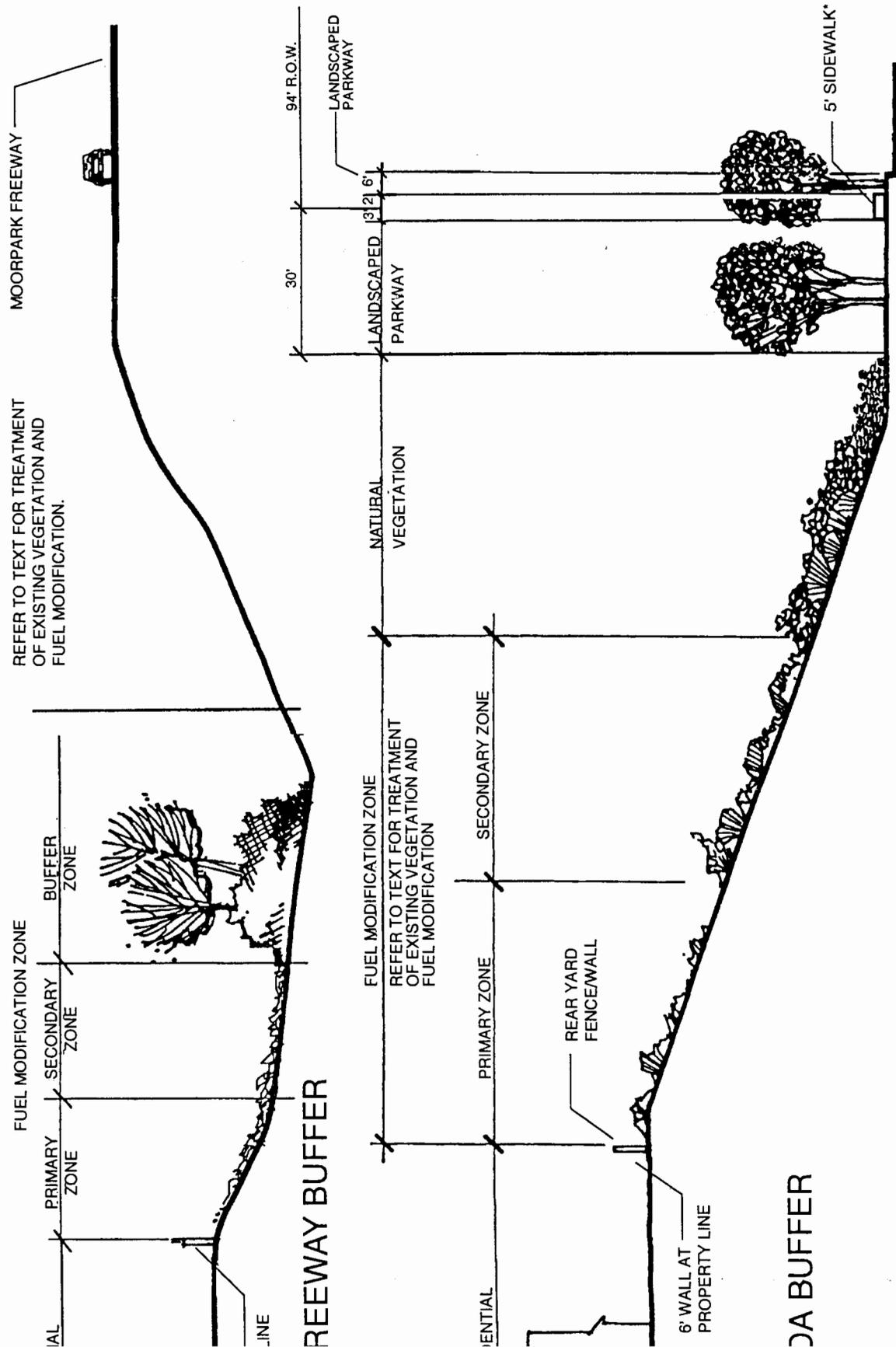
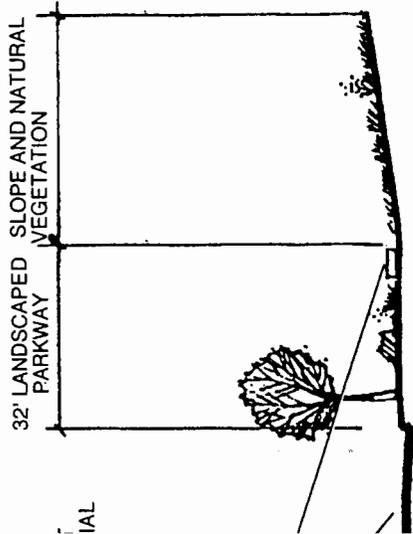


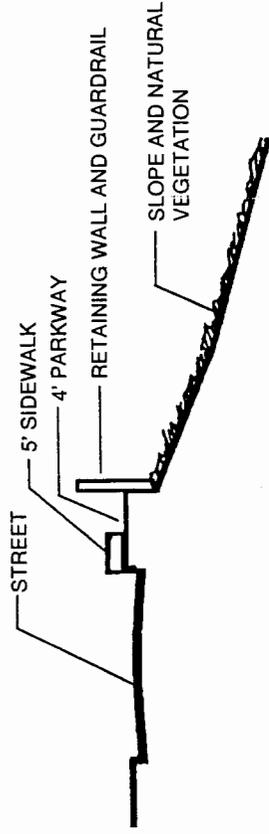
EXHIBIT 23

* LOCATION OF SIDEWALK TO BE DETERMINED AT THE TIME OF THE DEVELOPMENT OR PERMIT APPROVAL.

IONS SPECIFIC PLAN

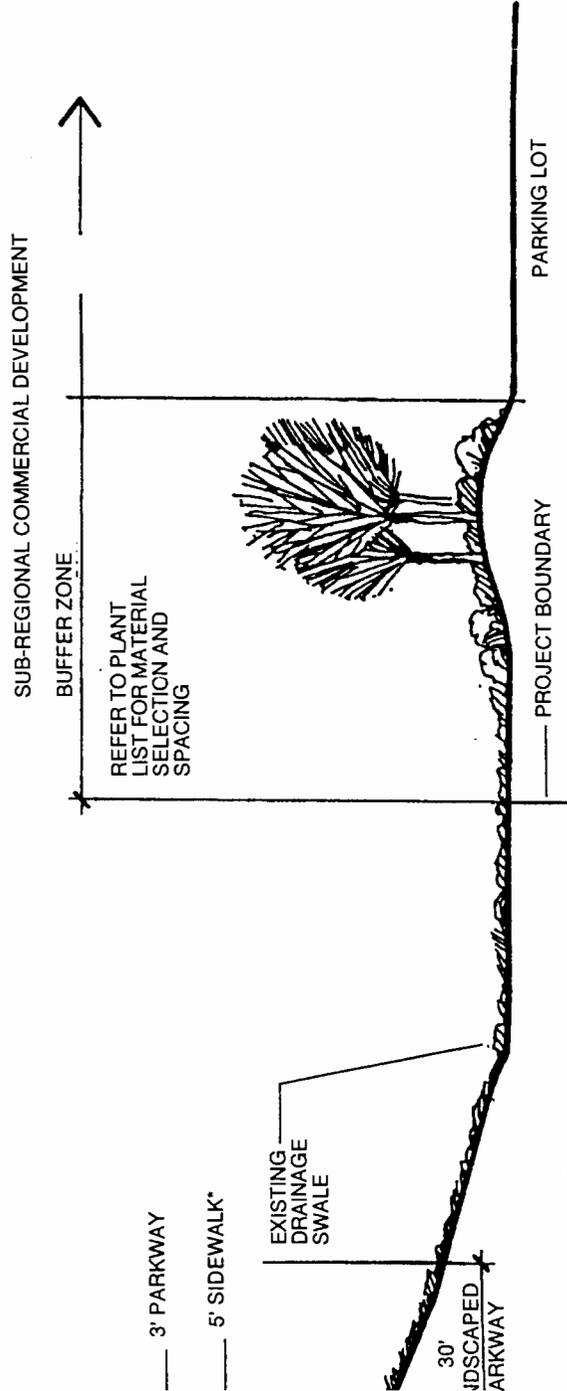


REFER TO TEXT FOR TREATMENT OF EXISTING VEGETATION AND FUEL MODIFICATION



South of Peach Hill Road

c. SPRING ROAD—North of Peach Hill Road



PELES AVENUE

* LOCATION OF SIDEWALK TO BE DETERMINED AT THE TIME OF THE DEVELOPMENT OR PERMIT APPROVAL.

EXHIBIT 24

**IONS
SPECIFIC PLAN**

(REVISED 9/7/94)

i. Riparian/Oak Woodland

It is envisioned that the lush natural vegetation within the site will remain with removal to be kept at a minimum (see Exhibit 27i).

Guidelines for the preservation of existing trees and other biological resources are found herein and in the project EIR.

j. Fuel Modification

Fuel modification zones shall be created within the project area. Generally, graduated decreases in native plant densities and the substitution of fire-resistant plants near development areas shall be provided in favor of standard fire breaks. The pattern of vegetation removal and introduction will be consistent with the City's requirements and the principles of wildlife habitat conservation. Fuel modification zones should be established according to the pattern of development as depicted in Exhibit 27j and as provided for below.

1) Primary Zone

The primary zone of fuel modification includes the development areas as delineated by the extent of grading and road rights-of-way. When development occurs, these areas should be revegetated using irrigated plant materials in development areas along with the introduction of fire-resistant and drought tolerant materials. In development areas where existing vegetation is retained, a program of thinning, pruning and select removal (up to 70 percent) of high fuel species shall be implemented as identified in the Tentative Tract Map review procedures in a manner meeting the approval of the City.

2) Secondary Zone

The secondary zone is defined as an area of varying size which surrounds the primary zone and acts as a buffer between areas of development and undisturbed open space. Within the secondary zone the removal of high fuel species and the introduction of fire-resistant materials will occur. From the primary zone to the natural landscape, through the secondary zone, removal of high fuel species and the introduction of fire-resistant materials will occur. Removal will take place in decreasing

amounts in order to create effective transitions to undisturbed vegetation. The amount of removal and the extent of the transition will depend on the plant material present, prevailing wind patterns and topography.

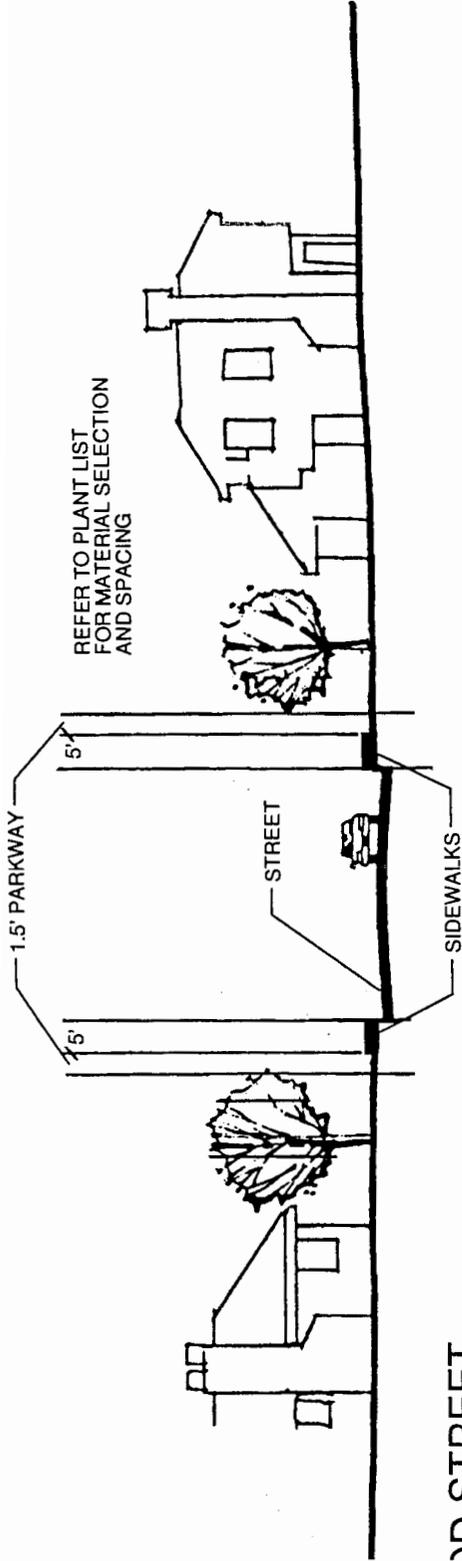
Detailed fuel modification and maintenance plans shall be determined as a condition of subdivision and/or development permit approval.

5. Tree Preservation

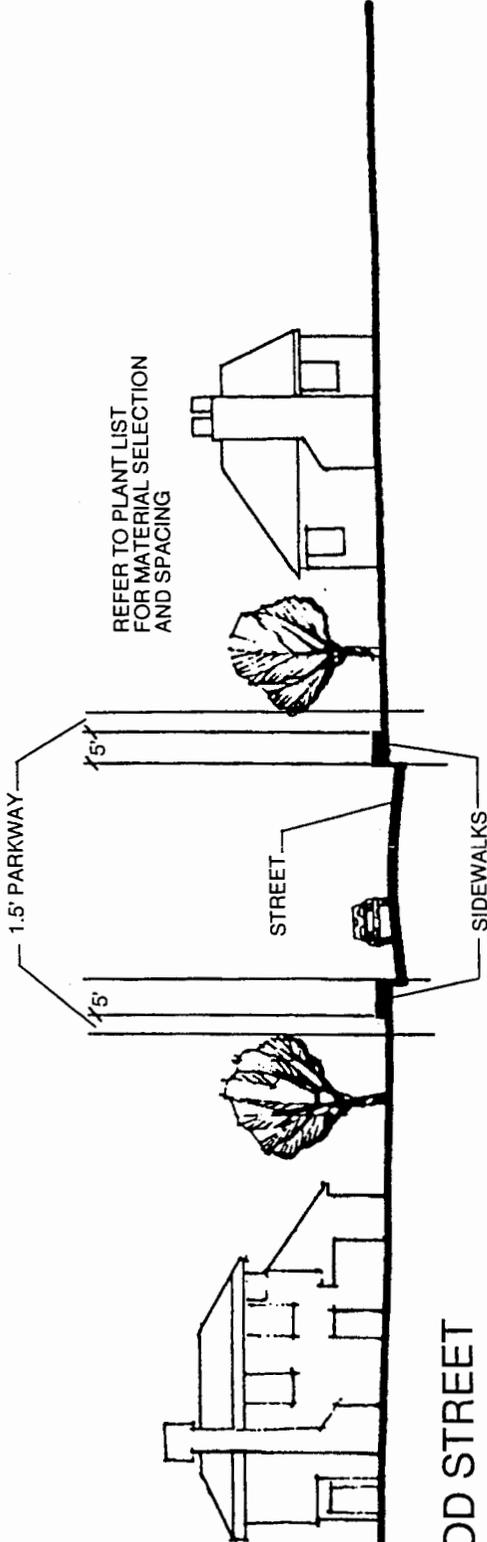
The City of Moorpark has determined that the preservation of historic, native oak, and mature trees holds a high priority in terms of the public health, safety and welfare and the aesthetic values of the community.

To this end, the City adopted Ordinance No. 102 on March 15, 1989 amending Section 14.09 of the Moorpark Municipal Code. All provisions of Ordinance No. 102 shall apply to development in the Specific Plan Area. In addition, the following procedures shall be followed as a part of individual project review:

- . Prior to the issuance of a grading permit, a survey shall be conducted by a qualified arborist of all trees as defined in Section 14.09.030 of the Moorpark Municipal Code. This survey shall include an assessment of the health of the trees.
- . Plans shall be prepared, utilizing the above information, which minimizes, to the extent possible, impacts or disruptions to said trees.
- . When it is determined which trees will be preserved, the following guidelines shall apply.
 - a. Design
 - 1) Grading and/or the placement of structures shall be prohibited within the dripline or three feet from the trunks of the tree, whichever is greater. Grading and trenching within this area is to be prohibited. No fill material shall be placed within this area.
 - 2) No landscaping, including ornamental groundcovers or other vegetation requiring year-round irrigation, shall be installed against tree trunks or around root crown areas.
 - 3) No type of surface, either pervious or



REFER TO PLANT LIST
FOR MATERIAL SELECTION
AND SPACING



REFER TO PLANT LIST
FOR MATERIAL SELECTION
AND SPACING

IONS SPECIFIC PLAN

EXHIBIT 26

(REVISED 9/7/94)

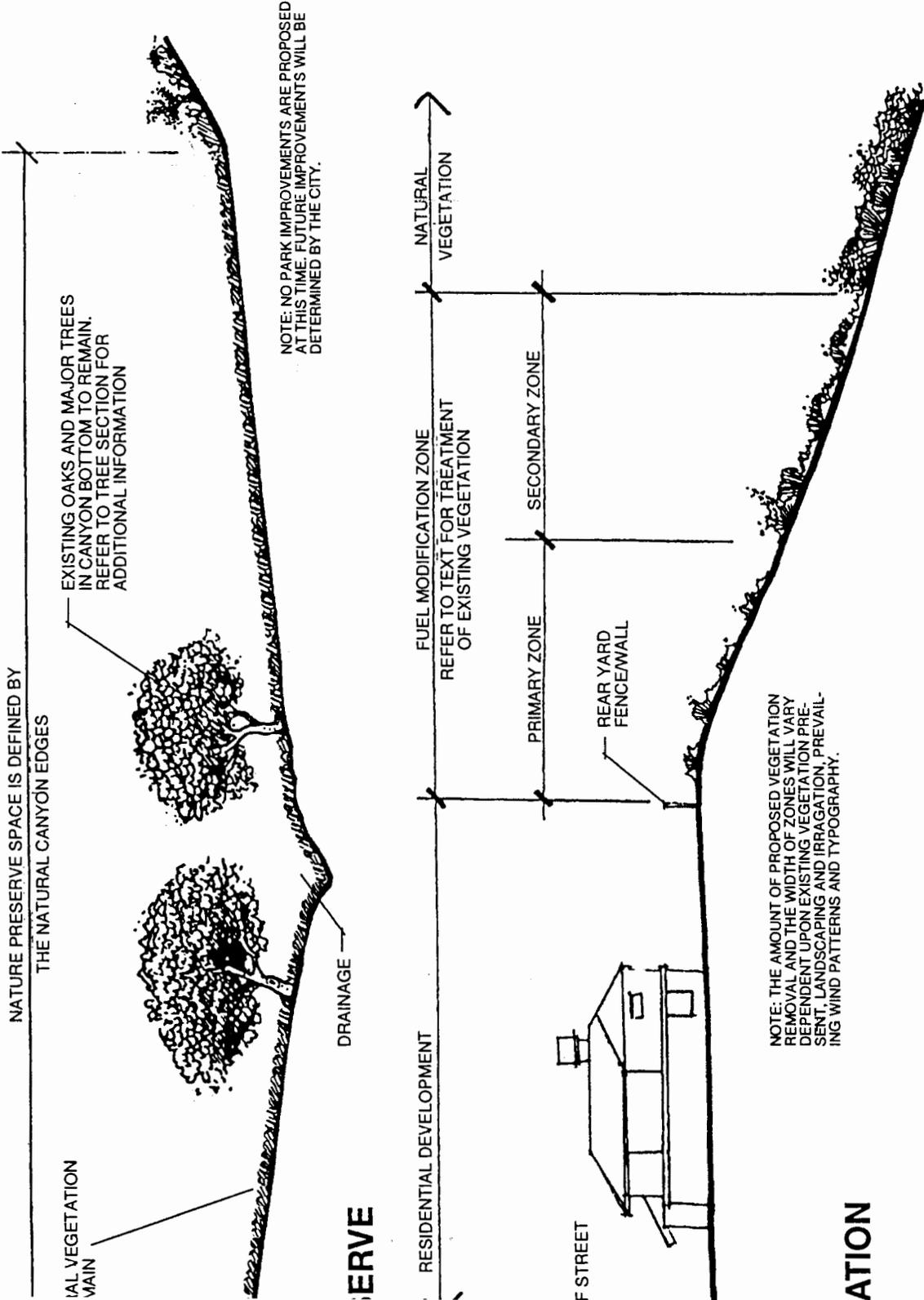
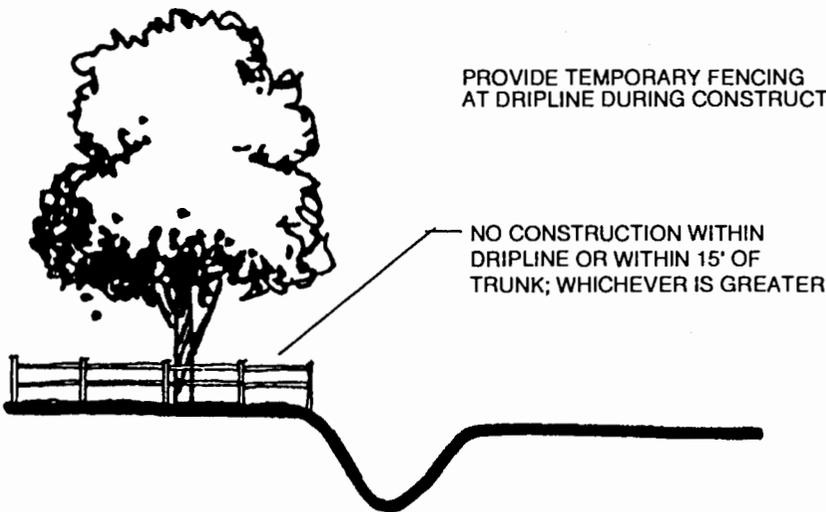
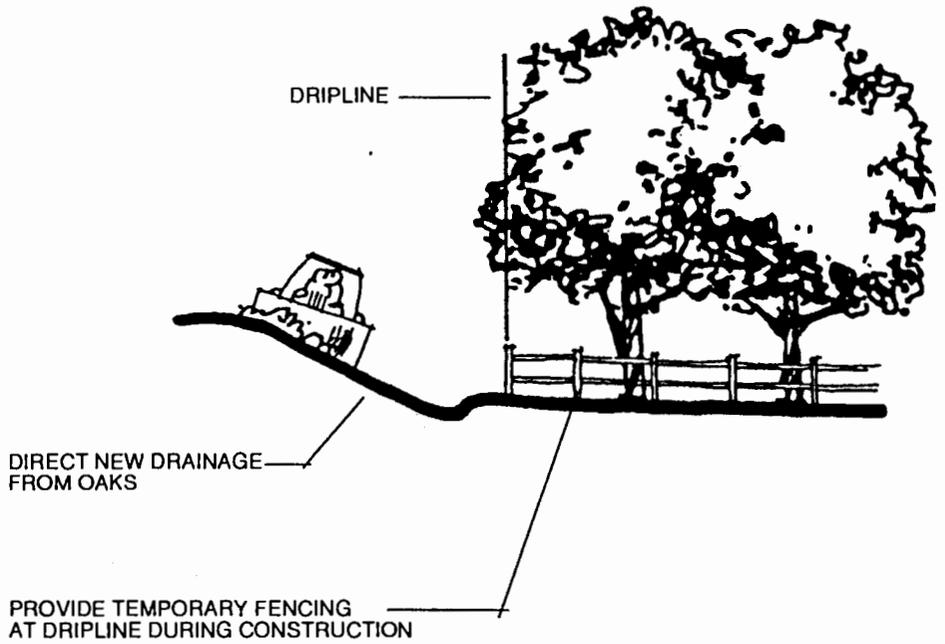
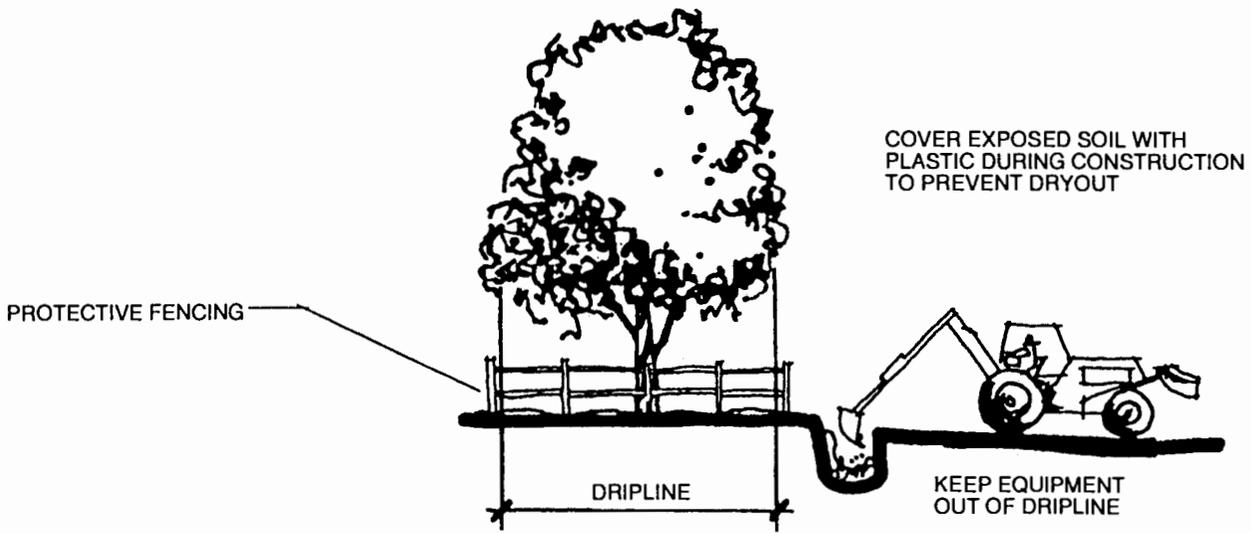


EXHIBIT 27

IONS SPECIFIC PLAN

(REVISED 9/7/94)



**OAK TREE GUIDELINES
CARLSBERG SPECIFIC PLAN**
CITY OF MOORPARK

EXHIBIT 28

(REVISED 3/18/93)

impervious, shall be placed within a six-foot radius of tree trunks. These areas shall remain uncovered and natural.

- 4) Alternative pervious types of paving such as gravel, redwood chips, porous brick with sand joints, etc. shall be utilized.
- 5) Retaining walls shall be used to protect existing grades within the driplines of trees. However, these walls shall not alter drainage from around trees.
- 6) Drainage shall be directed away from tree trunks to ensure that water will not stand at the crown. To avoid drowning trees, water shall not be allowed to pond or collect within the dripline.
- 7) Careful consideration shall be given to planning structures near trees to avoid unnecessary or excessive pruning.

b. Construction

- 1) Trees within a construction area shall be protected from damage by equipment by installing temporary barriers such as fencing at the dripline.
- 2) Equipment, debris, building materials and/or excess soil shall not be stored within the dripline.
- 3) Trenches for utilities or irrigation shall be routed around the dripline where possible.
- 4) Only one trench shall be dug to accommodate all utilities for lots and where necessary, the roots shall be carefully pruned by a specialist in proportion to the total amount of root zone lost. The boring of a conduit for underground utilities shall be used where possible.
- 5) The operation of heavy construction equipment shall avoid the driplines of trees where possible.

c. Maintenance

- 1) Tree pruning shall be kept to a minimum. Heavy pruning can cause a decline in vigor and increase disease problems.

- 2) No tree shall be pruned substantially to alter its size or conformation, except as necessary to relieve a potential safety or fire hazard.
- 3) Trees shall be maintained free of dead and diseased wood.

6. Oak Tree Protection

Oak trees are sensitive to changes in the environment which modify the amount of water and nutrients they normally receive and utilize. Damage which frequently occurs during construction are root injury from soil cuts, fills, compaction, trenching, and wounding from excessive pruning and construction equipment. The purpose of these guidelines is to ensure that the site alterations that occur do not adversely affect oak trees which are intended to remain.

Consideration of the oaks is necessary in the design phase, implementation (construction) phase and post-construction/maintenance phase if preservation is to be successful. Oak tree guidelines will apply to all areas within the Carlsberg Specific Plan Area. They shall be administered by a homeowners association or other responsible authority, as approved by the Director of Community Development. Sketches depicting general oak tree guidelines are shown on Exhibit 28.

The following guidelines will apply specifically to oak trees:

a. Irrigation

Under natural conditions, oak trees do not require supplemental water. However, when development occurs within proximity to the tree, the tree's ability to absorb water and nutrients is reduced because roots may be damaged. Supplementary irrigation may be required to provide adequate water to the tree.

b. Fertilization

Oak trees normally receive adequate nutrients from decomposition of their own leaf litter and from the soil. If the litter is removed and/or roots damaged, additional nutrients may need to be added. The determination as to the amount of water and fertilization shall be made by a City-approved arborist.

c. Insect and disease control

Many insects and diseases attack native oaks. Usually the trees can withstand these attacks unless they have been weakened. For this reason, it is important to maintain vigorous trees. In addition to irrigation, fertilization and proper pruning, insect and disease control measures performed by a qualified arborist/plant pathologist may be required.

C. ARCHITECTURE DESIGN GUIDELINES

The goal of the Carlsberg Specific Plan is to create a high quality mixed use development nestled within the natural environment of the site. To best complement the setting and surrounding development the majority of the project will reflect a "California Contemporary" style. This style draws heavily upon the historic Spanish/Mediterranean architecture so dominant in the days of early California. The general character of development reflects the warm mediterranean climate of the region thus dictating design which included thick walls, deep window features, archways and low pitched clay tile roofs. The combination of contemporary architecture reflecting early California architectural style, together with the use of colors, textures and materials which reflect the surrounding natural environment, will further the goal of building a community suited to the project's setting.

The purpose of these guidelines is to provide specific design criteria for development of various parcels within the site. Conformance with the guidelines will create a desirable living environment and enhance the community's overall value. To that end, these guidelines provide a documented basis for evaluating the architectural design of projects within the Specific Plan and will also:

- . Provide the City of Moorpark with the necessary assurance that the Specific Plan Area will develop in accordance with the quality and character proposed;
- . Provide guidance to the City staff and Planning Commission in the review of future development projects in the Specific Plan Area;
- . Provide guidance to developers, builders, engineers, architects, and home owners in order to maintain the integrity of the design theme;
- . Provide parameters for the formulation of Covenants, Conditions, and Restrictions.

The approach taken in the architectural design guidelines is one which encourages project developers to achieve both diversity and harmony in architectural design, and to achieve excellence in building quality and construction.

The concept is not intended to limit design possibilities, but to allow flexibility and freedom for builders to design architectural solutions most appropriate for the product planned while staying within the overall theme and guidelines. The architecture to be developed in each planning area should maintain an individual identity, yet blend into and contribute to the design goals of the community as a whole. Through implementation of these guidelines, a community of varied yet

harmonious architectural expressions will emerge which will be both appropriate and respectful of the special quality of the surrounding environment.

The Design Guidelines will be used by the City to review each builder's proposal to conform with the overall community design objectives. There is no intent to modify applicable Federal, State or City codes and ordinances.

The following guidelines specific to each particular land use intended to carry out the specified design theme are as follows:

1. Residential

a. Single Family Detached - Areas A, B and D

One hundred forty-five (145) medium density residential homes are planned for the residential enclave in the southeast corner of the Specific Plan (Area A). The prominence of the site and the potential exposure of these homes to both the freeway corridor and adjacent greenbelt areas makes it one of the most visually sensitive in the Specific Plan Area and thus necessitate special considerations.

Single family detached production homes are planned in Areas B, and D. These constitute 247 of the anticipated total of 552 units. The roof tile and stucco colors, as well as the single underlying California contemporary expression, will create the sense of community and common village character that will reinforce the Specific Plan Area as a special place to live.

These planning areas have a large percentage of rear elevations as the primary visual backdrop from Science Drive, Spring Road, Los Angeles Avenue and the adjacent Peach Hill residential community. Because of this predominance of rear elevations, it is imperative that special attention be paid to the second story portion of all structures which back onto either roads or open space, or are elevated more than 20 feet above the rear adjoining building pad. The second story of those affected structures should incorporate the same level of overhang, recessed windows, and heightened detailing as the streetscape elevations.

Homes along the perimeter of housing area "D" which parallel Spring Road shall be limited to one-story structures in order to reduce visual impacts. Not more than the roof of the house will be allowed

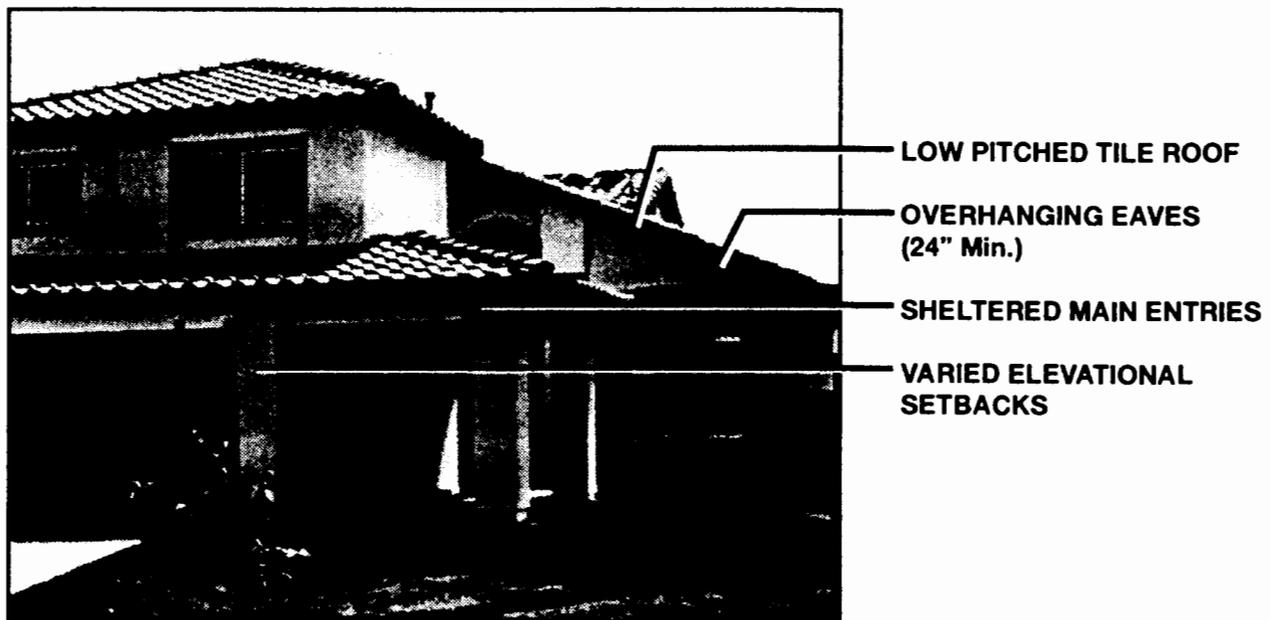
to be visible from any point along Spring Road. Two story homes may be allowed if the set back from top-of-slope is increased to a point where the two-story houses will exhibit the same profile as the one-story houses as seen from Spring Road. The caveat to this condition is that the amount of grading of the Spring Road slope may not be increased in order to accomplish the larger setback.

In addition to the Specific Plan Development Standards, there are several guidelines which will work to enhance the on- and off-site visual quality unique to these homes.

1) Building Form and Massing

Building form and massing are the most prominent design feature perceived of a project. Subtle variations are strongly encouraged and include:

- Variation of front and rear yard setbacks to further enhance the streetscape variations in setbacks shall be great enough to be obvious as viewed from a distance.



- Combination of one and two story elements within this planning area to create a variety of vertical scale.
- Patios, balconies and decks shall reflect the same architectural theme as the dwelling.
- Deeply recessed entries and/or varied elevations to provide visual relief.

- . Accessory on detached buildings shall reflect the same architectural theme as the dwelling.
- . Fenestration shall be provided on all four sides of the residence.
- . Recessed or projected "pop out" windows so as to effect shadow relief.
- . Roof forms employing eaves with significant detail.
- . Corner houses shall be given special attention relative to treatment of side yard elevations.

2) Roofs

Roofs, a highly visible and strong unifying element of the community can add interest and warmth to the overall design. Although no one particular form is desired, the following guidelines will apply:

- . All roofs shall be pitched, gabled, hip or shed style with a minimum roof pitch of 3 in 12 and a roof pitch maximum of 6 in 12. An all flat roof design is not acceptable, however, a combination of sloped and flat roofs will be considered provided that the sloped roofs are the predominate feature.
- . Variation of roof pitch direction on adjacent homes.
- . Variation in roof plane shall be accomplished by varied elevational setbacks.
- . Variation of roof colors of adjacent homes within the earthen tone range.

Roof Materials

- mission style natural clay tile or
- concrete tile

Prohibited Roof Materials

- wood shake
- wood shingle
- crushed rock
- metal
- asphalt shingle or similar materials
- fiberglass

Roof Colors

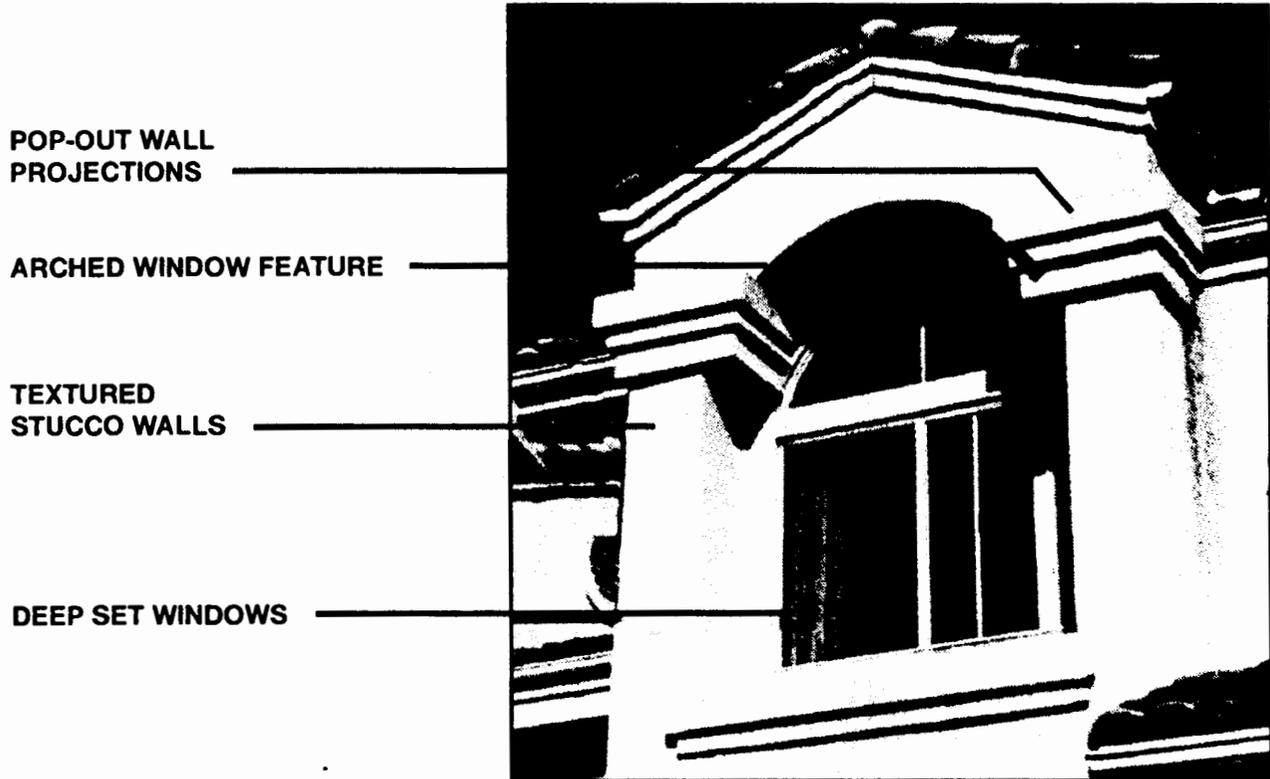
- rich earthen tones - red/orange through red to brown, flesh or tan

Prohibited Roof Colors

- all others

3) Fenestration

Fenestration within the Specific Plan Area will be directed toward reinforcing the California contemporary style. Windows and wall openings should be deep-set and wall projections wide to encourage shadows and create a sense of depth. These features shall be provided on all sides of the building



4) Building Materials

The preferred building materials for the Specific Plan Area will weave a common thread throughout the Specific Plan Area, even though individual custom homes will differ in architectural detail.

Building Materials

- cement stucco
- stone
- wood
- clay tile
- concrete tile
- ceramic tile

Prohibited Building Materials

- splitface block
- bare smooth faced concrete block
- exterior plywood
- all prefabricated materials
- metal

5) Building Color

Color will play a predominant role in unifying the overall visual image of the project.

While a predominance of one color throughout the community is not encouraged, the range of colors is kept to a fairly narrow spectrum.

Accent colors are encouraged to break up the tedious repetition caused when all structures are painted similarly. Areas such as window and door trim, awnings, tile, and eave undersides may all be utilized for accent opportunities. Accent areas may be painted or stained to coordinate with stucco colors, and will be subject to review and approval by the City.

Colors

- Whites
- Earthtones
- Greys

Prohibited Colors

All others

6) Exterior Lighting

All exterior lighting shall be designed to provide direction and safety. It should be indirect and shielded to reduce glare and shall have sharp cutoff features to prohibit light from intruding onto adjacent properties. Colored exterior lighting is prohibited.

7) Mechanical Equipment

All mechanical equipment, air conditioning, and utility meters shall be screened and located away from primary entrances and patios. No roof-mounted mechanical equipment such as air conditioning condensers will be permitted. Dish antennas shall not be located on the roof or within required setback areas. Exterior service utilities (electric) should be placed in a cabinet. Cabinets should be compatible with architectural style and color of building. All utility service boxes shall be placed underground. Solar panels shall be designed as part of the roof structure of the building and not set on racks. Wherever possible, solar panels should be shielded from street view.

Pool and spa equipment shall be screened and provide noise mitigation in a manner compatible with the architecture of the main structure and consistent with City standards.

8) Sunlight and Ventilation

Existing sunlight and ventilation characteristics should be a strong design consideration on all buildings. Shadows and shade areas give depth and add interest to building fenestration. Architectural elements to achieve this include offsets, projections, roof overhangs, recesses, stucco surrounds, and applied devices (awnings). Consideration should be given to sunlight and prevailing wind patterns design features as they relate to interior heating and cooling.

b. Conventional Single Family/Zero Lot Lines/Duplex - Area C

In Area C there is a rigorous need for common design elements of color, texture, and material. The architectural standards should be strictly enforced to cover the variety of buildings, garages, and private recreational facilities associated with duplex or zero lot line housing projects.

Conventional small lots, attached duplex or zero lot line residences constitute approximately 160 of the 552 total planned units and are a major residential component to the overall appearance of the Specific Plan Area. In addition to the architectural standards for Areas A, B, and D noted previously, the following shall apply:

- . Siting should shield units from Science Drive and be oriented inward to internal open space. Usable open areas shall be designed to incorporate pedestrian circulation, passive and active recreation facilities.
- . Every duplex or zero lot line unit shall have usable private outdoor open space. This private open space shall not be located in front or side setback areas and shall be at least 500 square feet in size with a minimum depth of 15 feet.
- . Berms or special design features should be used to separate vehicular areas from residential units and to create park-like settings oriented to pedestrian open spaces.
- . All off-street guest parking is limited to one double loaded row of cars per location, with a landscape break every ten parking spaces.
- . All patio covers and shade devices shall incorporate the architectural materials and colors of the main structure. Metal, fiberglass and other incompatible materials will not be allowed.
- . Internal circulation and siting should allow for view corridors to surrounding open space, the park and from roadways.

**RECESSED
WINDOWS**

**HEIGHTENED
DETAILING ON
ALL ELEVATIONS**

**OVERHANGING
EAVES**

**VARIED WALL
SETBACKS**

**LOW PITCHED
TILE ROOF**



**HEIGHTENED
DETAILING**

**VARIATION
IN PITCH
DIRECTION**

**VARIED WALL
SETBACKS**

**DEEP SET
WINDOWS**

**PRIVATE OUTDOOR
PATIO SPACE**

2. Business Park

The Business Park area adjacent to the Moorpark Freeway is an independent entity unrelated to the California Contemporary design vocabulary. The design theme can therefore be one that is appropriate to the business environment expected to occupy the site.

Envisioned as a straightforward, contemporary architectural expression, a heightened level of urban design will ensure a consistent and compatible business park image. The following design standards will apply:

a. Building Form and Massing

- Building facades abutting the Moorpark Freeway shall not have the appearance of excessive massing or shading. The use of grading techniques and grade changes shall be considered in order to minimize mass and bulk of buildings.
- Building entrances shall utilize enhanced urban design elements, such as plazas, fountains, special paving materials, sculpture, and sophisticated and spacious vehicular entrance layouts.

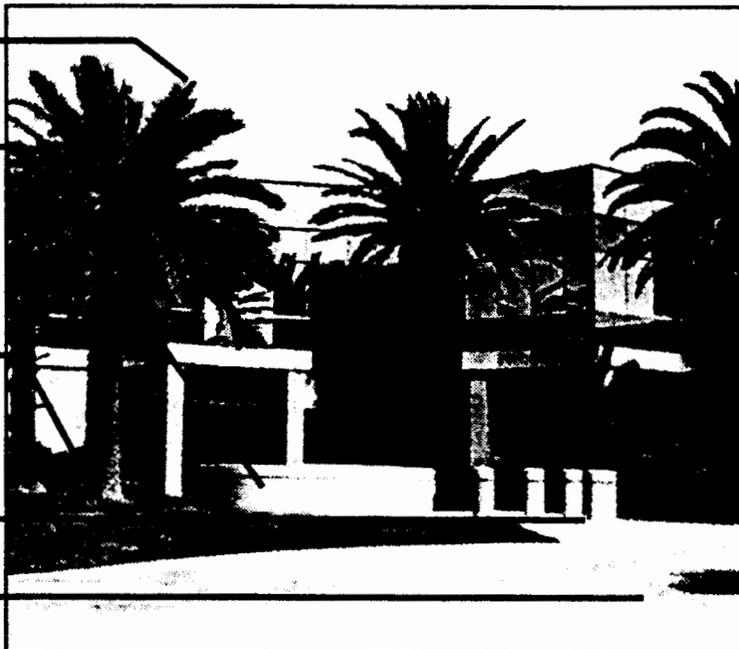
**MATURE LANDSCAPING
SOFTENS BUILDING MASS**

FOUNTAIN

**EARTH; MOUNDING
MINIMIZES BUILDING MASS**

BOLLARDS

TEXTURED PAVING



- . Buildings clustered around a pedestrian area, such as a courtyard/plaza, shall be designed to minimize excessive shading and maximize light exposure.
 - . Long, uninterrupted exterior walls shall be avoided on all buildings. For architectural interest, walls shall incorporate relief features and negative space to create an interesting blend with the landscaping, other buildings and the casting of shadows.
 - . Incorporation of small-scale elements such as planters, installation of mature landscaping and landform manipulation will aid in softening the overall mass of structures.
 - . Buildings located on the outside perimeter of the business park should limit truck loading areas, storage yards and trash facilities to their rear yard areas only.
 - . Trash enclosures shall be conveniently located and enclosed with a 6-foot minimum enclosure and screened from above with an architecturally compatible structure or trellis. Trash enclosures should be architecturally compatible with buildings. They should not interfere with internal circulation.
- b. Roofs
- . Particular consideration as to color, materials and form shall be given to the design and treatment of roofs because of their potential visual exposure.
 - . A combination of pitched roofs and flat roofs will be encouraged. Flat roofs with parapet walls and or sloped mansards should be employed to create a strong sense of geometry and massing. Emphasis on screening of roof mounted equipment and visual relief should be considered in roof designs.
 - . Roof flashing, rain gutters, downspouts and vents shall be treated to match materials and/or colors of the overall building.
- c. Building Materials
- . Building technologies using wood, steel, lift-slab, pre-cast, and poured in place concrete may all be used. The use of concrete blocks is permitted if it is covered by stucco. The use of concrete panels is discouraged unless the exterior surface of the wall is treated to provide architectural relief.

RELIEF FEATURES

FLAT ROOF

SUBDUED USE
OF GLASS

PAINTED CONCRETE
EXTERIOR WALLS



- Stucco, plaster, concrete, pre-cast paneling, aluminum, polished stone, and colored glass may all be employed as exterior materials as long as they fit within the band of allowable colors.
- The use of glass shall be subdued and in harmony with the building and the natural surroundings. Glazing shall be used predominately for the purpose of lighting interior space. Glazing shall not be used as a major architectural element, but may be used as an accent feature to add variety to building facades. Mirrored glazing shall not be used.

d. Building Color

Color will play a predominant role in unifying the overall visual image of the business park.

While a predominance of one color throughout the business park is not encouraged, the range of colors is kept to a fairly narrow spectrum.

Accent colors are encouraged to break up the tedious repetition caused when all structures are painted similarly. Choice of accent colors will be subject to review and approval by the City.

Colors

- White
- Off-white
- Earthtones
- Greys

Prohibited Colors

- All others

e. Exterior Lighting

All exterior lighting shall be designed to provide direction and safety. It should be indirect and shielded to reduce glare. Colored exterior lighting is prohibited. Accent lighting shall be encouraged both to highlight landscaping and to provide an accent to the building exterior.

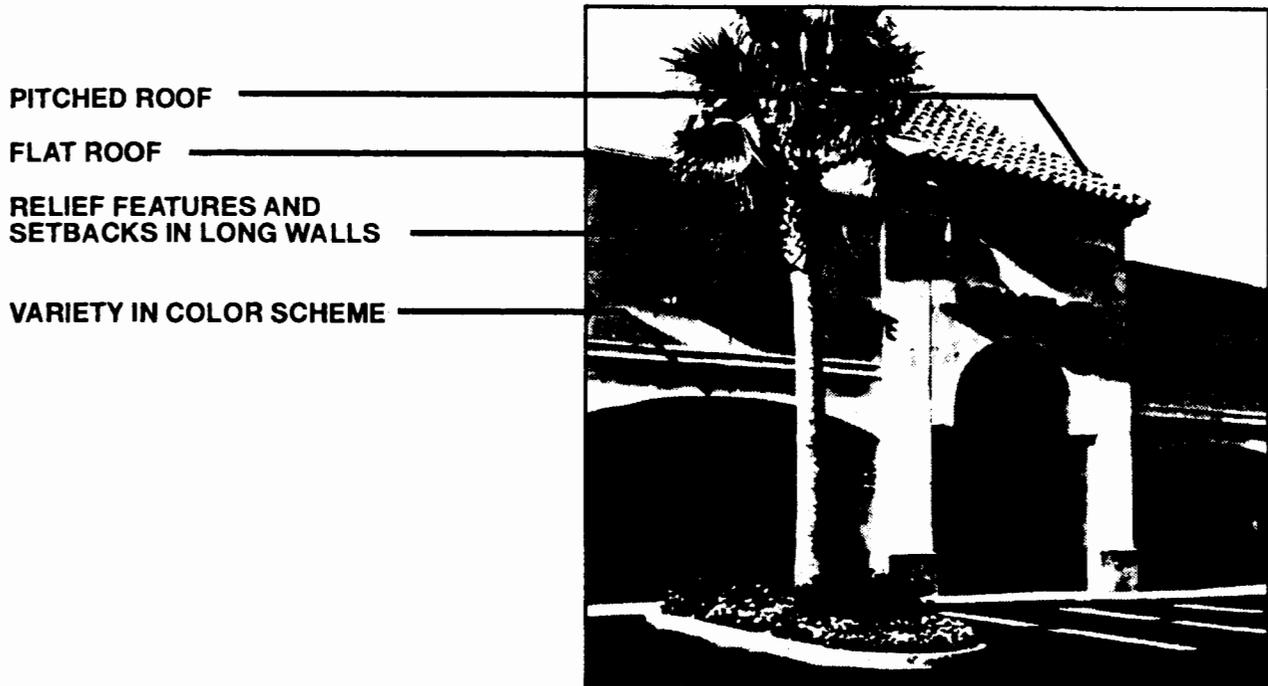
f. Mechanical Equipment

- . Roof-mounted mechanical equipment shall be screened from view with materials finished to match materials and colors in the roof and building roof screening shall be designed to blend with the architecture of the building. In some cases screening from view from freeway, adjacent roadways or adjacent development may not be practical.
- . Passive solar design orientation is encouraged. Solar collectors, if used, shall be oriented away from public view or designed as an integral element of the roof structure.

g. Sunlight

Sunlight effects should be a strong design consideration on all buildings. Shadows and shade areas give depth and add visual interest.

3. Sub-Regional Retail/Commercial



The sub-regional retail/commercial planning area is conveniently located along New Los Angeles Avenue west of the Moorpark Freeway.

As with the business park area, the sub-regional retail/commercial use is an independent entity unrelated to the California Contemporary design vocabulary. The design theme can therefore be one that is appropriate to the unique volume, area and site requirements characteristic of the large single tenant user.

Envisioned as a straightforward contemporary architectural expression with Mission/Mediterranean architectural accents, a heightened level of design and attention to color will help to ensure consistency and compatibility with the adjacent business park. The following design standards shall apply:

a. Building Form and Massing

- Long, uninterrupted exterior walls shall be avoided. For architectural interest, walls shall incorporate relief features and negative space to create an interesting blend with the landscaping, other buildings and the casting of shadows.

- . Incorporation of small-scale elements such as planters, installation of mature landscaping and landform manipulation will aid in softening the overall mass of structures.
- . Buildings located on the outside perimeter of the sub-regional commercial center should limit truck loading areas, storage yards and trash facilities to their rear yard areas only.
- . Trash enclosures shall be conveniently located and enclosed with a 6-foot minimum enclosure and screened from above with an architecturally compatible structure or trellis and shall include recycling facilities.

b. Roofs

- . Particular consideration as to color, materials and form shall be given to the design and treatment of roofs because of their potential visual exposure.
- . A combination of pitched roofs and flat roofs will be encouraged. Flat roofs with parapet walls and or sloped mansards should be employed to create a strong sense of geometry and massing. Emphasis on screening roof mounted equipment and visual relief should be consider in roof design.
- . Roof flashing, rain gutters, downspouts and vents shall be treated to match materials and/or colors of the overall building and shall be hidden from view to the extent feasible.

c. Building Materials

- . Building technologies using wood, steel, concrete block, lift-slab, pre-cast, and poured in place concrete may all be used.
- . Stucco, plaster, concrete, pre-cast paneling, aluminum, polished stone, and glass may all be employed as exterior materials as long as they fit within the band of allowable colors. The use of concrete block is permitted if covered with stucco. The use of concrete panels is discouraged unless the exterior surface of the wall is treated to provide architectural relief.
- . The use of glass shall be subdued and in harmony with the building and the natural surroundings. Glazing shall be used predominately for the purpose of lighting interior space. Glazing shall not be used as a major architectural element, but may be used as an accent feature to add variety to building facades. Mirrored glazing shall not be used.

d. Building Color

Color will play a predominant role in unifying the overall visual image of the structures with the adjacent business park and

neighborhood commercial uses.

While a predominance of one color throughout the commercial area is not encouraged, the range of colors is kept to a fairly narrow spectrum.

Accent colors are encouraged to break up the tedious repetition caused when all structures are painted similarly. Choice of accent colors will be subject to review and approval by the City.

Colors

- White
- Off-white
- Earthtones
- Greys

Prohibited Colors

- All others

e. Exterior Lighting

All exterior lighting shall be designed to provide direction and safety. It should be indirect and shielded to reduce glare. Lighting should have sharp cut-off features at property lines.

f. Mechanical Equipment

Roof-mounted mechanical equipment shall be screened from view with materials finished to match materials and colors in the roof and building. In some cases screening from view from freeway, adjacent roadways or surrounding development may not be practical.

4. Institutional

These uses are located near residential uses. As such, these planning areas will employ a lower key architectural style very similar to and harmonious with the residential areas.

a. Building Siting and Massing

- . Building massing shall be articulated to reinforce an intimate human scale. Random and frequent variations in building mass are encouraged.
- . Building elevations must be enhanced with an emphasis on deep-set windows, sheltered patios and decks, deep overhangs, distinctive, punctuated entrances, and broken roof planes.
- . Service areas shall be fully shielded from view.
- . Deep, recessed entry elements, small-scale vertical accents and simple high-quality materials will enhance the structure.

b. Roofs

. All roofs shall be pitched, gabled, hip or shed style with minimum roof pitch of 3 in 12. An all flat roof design is not acceptable, however, a combination of sloped and flat roofs will be considered provided they do not become visually predominant.

. Mansard roof elements may be used, but are limited in pitch to a minimum of 3.5:12 and a maximum of 5:12.

. Roof Materials

- clay tile
- concrete tile

. Prohibited Roof Materials

- wood shake
- wood shingle
- crushed rock
- metal
- asphalt shingle
- fiberglass

. Roof Colors

- rich earthen tones - orange through red to brown, tan or flesh

. Prohibited Roof Colors

- all others

. Building Materials

- cement stucco
- stone
- wood
- clay tile
- concrete tile
- ceramic tile

. Prohibited Building Materials

- splitface block
- bare concrete block
- slumpstone
- exterior plywood
- all prefabricated materials
- metal
- brick

c. Building Color

Color will play a predominant role in unifying the overall visual image of the structures.

One color throughout the community is not permitted, however, the range of colors is kept to a fairly narrow spectrum.

Accent colors are encouraged to break up the tedious repetition caused when all structures are painted similarly. Areas such as window and door trim, awnings, tile and eave undersides may all be utilized for accent opportunities. Accent areas may be painted or stained to coordinate with stucco colors, and will be subject to review and approval by the City.

Colors

- Whites
- Earthtones
- Greys

Prohibited Colors

- All others

**IV. DEVELOPMENT
STANDARDS**

IV. DEVELOPMENT STANDARDS

A. PURPOSE AND INTENT

The purpose of these regulations is to act as the controlling mechanism of the implementation of development within the Carlsberg Specific Plan Area. Implementation of the standards set forth in this section will ensure that future development proceeds in a coordinated manner consistent with the goals and policies of the Carlsberg Specific Plan and the City of Moorpark General Plan. Future review of site plans and other necessary discretionary approvals by the City of Moorpark will ensure the realization of these standards.

The following standards apply to development of all residential, business park, commercial, institutional and open space areas. All such development shall conform to the development standards as set forth in the Specific Plan for the permitted uses.

It is recognized that certain development standards generally included as conditions of approval on development permit approvals may not be contained in this Section IV of the Carlsberg Specific Plan or the City's existing Zoning Ordinance or Subdivision Ordinance. Such items include but are not limited to: on-site lighting standards; fixtures, lumin levels, coverage mounting and pole height; street lighting standards; front yard landscaping; bus shelters; private recreational areas for residential projects; quantities and sizing of trees and shrubs; general review/approval of landscaping and irrigation plans; review and approval of conditions, covenants and restrictions; requirements for homeowner/property associations; wall and fence style, location and height; rain gutters; yard drains; trash and recycling enclosures; slough wall for slopes adjacent to street rights-of-way and concrete driveways. The City may, at its discretion, condition any subdivision and/or development permit on all such matters.

The City zoning ordinance and/or subdivision ordinance shall have effect on all areas, except as specified by the standards contained herein. As the development standards of the Specific Plan are adopted by ordinance, in any areas of conflict between the City's zoning ordinance and/or subdivision ordinance and these provisions, this Specific Plan shall control. Where the Specific Plan does not address development standards or provisions, the City's zoning ordinance and/or subdivision ordinance shall control. Any future amendments to the City zoning ordinance and/or subdivision ordinance which are not addressed by the Specific Plan or existing Zoning and/or Subdivision Ordinance shall also apply to the Specific Plan Area as applicable.

B. GENERAL PROVISIONS

1. Terms used in these regulations shall have the same definitions as given in the City of Moorpark Zoning Code unless otherwise defined herein. Because it is infeasible to compose language which encompasses all conceivable

situations, the Director of Community Development shall have the power to interpret the regulations and standards contained in the ordinance, when such interpretation is necessitated by a lack of specificity in such regulations and standards.

2. Any details or issues not specifically covered in these regulations shall be subject to the regulations of the City of Moorpark Zoning Code.
3. These regulations are adopted pursuant to Section 65450 et seq. of the State of California Government Code. It is specifically intended by such adoption that the development standards herein shall regulate all development within the Specific Plan Area.
4. All construction and development within the Specific Plan Area shall comply with applicable provisions of the Uniform Building Code as amended and the various other mechanical, electrical, plumbing and fire codes related thereto, as well as the City's standards for public improvements in effect at the time of construction of each public improvement.
5. Grading plans submitted for all projects in the Specific Plan Area shall be based on the City grading ordinance and shall be accompanied by geological and soils engineer's reports which shall incorporate all recommendations as deemed appropriate by the City Engineer. The soils engineer and engineering geologist must certify the suitability of a graded site prior to issuance of a building permit. The final grading plan as it reflects development in the Specific Plan Area shall be approved by the City Engineer.
6. Water within the Specific Plan Area will be supplied by the Ventura County Waterworks District No. 1.
7. Sewage disposal facilities to handle wastewater generated within the Specific Plan Area will be furnished by Ventura County Waterworks District No. 1.
8. Planning Areas are defined as each land use area depicted in Exhibit 7, Land Use Plan.
9. All landscape and/or grading plans shall include provisions for temporary erosion control on all graded sites which are scheduled to remain unimproved during the winter months consistent with the applicable City requirements.
10. All setbacks are measured from the property line.

C. GENERAL STANDARDS

1. Screening

The following standards shall apply to all development except for single family detached subdivisions, which shall be exempt from screening:

- a. Parking areas abutting street: A screen such as a hedge, wall or berm, or other similar structure shall be installed along all parking areas abutting any street. Except as otherwise provided below, the screening shall have a maximum height of three and one-half (3-1/2) feet.
- b. Where the finished elevation of the property is lower than an abutting property or street, appropriate landscape screening shall be employed to screen structures/parking areas.
- c. A screen as referred to above shall consist of one or any combination of the following:
 - 1) Walls, including retaining walls: A wall shall consist of stone, tile or similar type of solid masonry material a minimum of eight (8) inches thick.
 - 2) Berms: A berm shall be constructed of earthen materials and it shall be landscaped. A berm shall be a minimum of three (3) feet high.
 - 3) Fences: A fence shall be constructed of materials having a nominal thickness of one (1) inch. Wrought iron or chain link fencing will not be permitted for screening purposes. (See design guidelines for acceptable materials.)
- d. Mechanical equipment: Roof-mounted mechanical equipment shall be screened from view with materials finished to match material and colors in the roof and building. In some cases screening from view from freeway, adjacent roadways or surrounding development may not be practical.

2. Landscaping

The following standards shall apply to all development except, however, single family detached subdivisions not having common areas shall be exempt. Landscaping, consisting of evergreen or deciduous trees, shrubs, or groundcover, shall be installed and permanently maintained subject to the following conditions and standards:

- a. Separation: Any landscaped area shall be separated from an adjacent vehicular area by a wall or concrete curb at least six (6) inches higher than the adjacent vehicular area.
- b. All areas to be commonly maintained, as determined by the City, shall be designated as separate lettered lots on subdivision maps.
- c. Water: Permanent automatic watering facilities with water sensors shall be provided for all landscaped areas. This system may be augmented by drought-resistant vegetation.
- d. Maintenance: All landscaping shall be permanently maintained in a neat, clean and healthful condition.
- e. Landscape Plan: Prior to the issuance of a building permit, detailed landscape and irrigation plans prepared by a registered landscaped architect, shall be submitted to, reviewed and approved by the Director of Community Development. The Plan shall provide for substantial screening and breakup of parking areas, as well as buffering the structural elevations. Failure to maintain all landscape materials and irrigation systems in a permanently healthy and functional manner shall constitute a violation of the City's zoning ordinance. Upon completion of the project and prior to the issuance of a Certificate of Occupancy, the registered landscape architect shall submit a letter of certification to the City stating the landscape and irrigation system have been installed per the approved plans. All landscape and irrigation designs shall meet all current City standards and codes. The detailed landscape plans shall include the specific palette recommendations and requirements for the area. All landscape and irrigation plans shall incorporate drought-tolerant plant material and water efficient irrigation systems.

D. SINGLE FAMILY - AREAS A, B and D

1. Purpose and Intent

These single family residential planning areas are intended to provide for the development and maintenance of medium density residential neighborhoods offering detached dwelling units. These regulations allow for a variety of residential uses, and community facilities and accessory uses which are complementary to and harmonize with such neighborhoods.

It is the intent of these regulations to set standards which can be applied in response to individual community needs and to encourage innovative community design.

This use category allows for a maximum density of 3.7 dwelling units per gross acre in Planning Area A and 3.0 dwelling units per gross acre in Planning Areas B and D.

2. Permitted Uses

- a. Conventional subdivisions of detached single family residential dwellings (one dwelling per building site)
- b. Open space uses
- c. Public facilities
- d. Public utility buildings and structures
- e. Public or private parks

3. Conditional Uses (subject to Conditional Use Permit)

- a. Communication, transmitting or relay facilities
- b. Churches, temples, and other places of worship
- c. Fire and police stations
- d. Any other use which the Director of Community Development finds consistent with the purpose and intent of this category

4. Accessory Uses and Structures

- a. Fences, walls and patios
- b. Garages
- c. Greenhouses (non-commercial)
- d. Private recreation facilities, including but not limited to passive parks, swimming pools accessory to a primary residential use, tennis courts, putting greens, lakes, and trails
- e. Other accessory uses which are clearly incidental to permitted uses and for the exclusive use of residents of the site

5. Site Development Standards

- a. Height of all buildings: 35 feet maximum measured

from the grade of the slab

b. Setbacks measured from property line:

1) Front: 20 feet

2) Side:

a) Interior: 5 feet minimum. For lots over 70 feet in width; sum of side yards must equal 15 percent of lot width. For the second story of a dwelling with windows; 10 feet minimum.

b) Exterior: Same as interior lots except reverse corner lots; 20 feet on street side.

3) Rear: 20 feet

4) Special:

Homes along the perimeter of housing area "D" which parallel Spring Road shall be limited to one-story structures in order to reduce visual impacts. Not more than the roof of the house will be allowed to be visible from any point along Spring Road. Two story homes may be allowed if the set back from top-of-slope is increased to a point where the two-story houses will exhibit the same profile as the one-story houses as seen from Spring Road. The caveat to this condition is that the amount of grading of the Spring Road slope may not be increased in order to accomplish the larger setback.

c. Minimum lot size: 6,000 square feet

d. Minimum lot width: 65 feet at setback line in Area D. 55 feet at setback line in Areas A and B.

e. Parking standards: Pursuant to Section 9.13.010, Required Off Street Parking, of the City of Moorpark Zoning Code.

f. Animal Regulations: Same as required for R-1 and the City's Zoning Ordinance.

E. SINGLE FAMILY - AREA C

1. Purpose and Intent

Area C residential planning area is intended to provide for the development and maintenance of higher density

residential neighborhoods offering attached duplex, detached conventional units or zero lot line patio homes. These regulations allow for a variety of residential uses, and community facilities and accessory uses which are complementary to and harmonize with such neighborhoods.

It is the intent of these regulations to set basic standards which can be applied in response to individual community needs and to encourage innovative community design.

The use category allows for a maximum density of 5.0 dwelling units per acre.

2. Permitted Use

- a. Conventional subdivisions, attached duplex and detached patio/zero lot line single family residential dwellings (1 or 2 dwellings per building site)
- b. Open space uses
- c. Planned Unit Developments (PUD's) including zero-lot line homes and patio homes.
- d. Public facilities
- e. Public utility buildings and structures
- f. Public or private parks

3. Conditional Uses (subject to Conditional Use Permit)

- a. Communication, transmitting or relay facilities
- b. Churches, temples and other places of worship
- c. Fire and police stations
- d. Any other use which the Director of Community Development finds consistent with the purpose and intent of this category.

4. Accessory Uses and Structures

- a. Fences, walls and patios
- b. Garages
- c. Greenhouses (non-commercial)
- d. Private recreation facilities, including but not

limited to passive parks, swimming pools accessory to a primary residential use, tennis courts, putting greens, lakes, and trails.

- e. Other accessory uses which are clearly incidental to permitted uses and for the exclusive use of residents of the site.

5. Site Development Standards

- a. Height of all buildings: 35 feet maximum measured from the grade of the slab.
- b. Setbacks measured from property line:
 - 1) Front: 20 feet
 - 2) Side:
 - a) Interior: 5 feet minimum. For lots over 70 feet in width; sum of side yards must equal 15 percent of lot width. For the second story of a dwelling with windows; 10 feet minimum.
 - b) Exterior: Same as interior lots except reverse corner lots; 20 feet on street side.
 - 3) Rear: 15 feet
- c. Minimum lot size: 4,000 square feet
- d. Minimum lot width: 40 feet at setback line
- e. Parking standard: Pursuant to Section 9.13.010, Required Off Street Parking, of the City of Moorpark Zoning Code.
- f. Animal Regulations: Same as for the R-1 residences in the City's Zoning Ordinance.

F. SUB-REGIONAL RETAIL/COMMERCIAL (SR/C)

1. Purpose and Intent

The sub-regional retail/commercial overlay area is intended to provide for a shopping center featuring both retail and service commercial uses for the convenience of residents of the development as well as of the surrounding community.

The physical effects of permitted and conditional uses in this planning area will be limited so that negative impacts, such as noise, odor, glare, visual impacts, and other such effects that could be harmful to life or nearby property, will not be generated. All permitted and conditional uses shall be conducted entirely within a completely enclosed building, and no outdoor storage of supplies, equipment or materials shall be allowed, except for company vehicles, garden centers and other similar uses and as otherwise noted herein.

2. Permitted Uses

- a. Business/Commercial Services (eg., office supply stores, communication services, courier services, etc.)
- b. Civic Uses
- c. Commercial Entertainment Uses (eg., theater, meeting hall or other indoor spectator type uses)
- d. Commercial Recreation Uses (eg., miniature golf, bowling alley, commercial gym)
- e. Cultural Uses (eg., museums, art galleries)
- f. Educational Uses (eg., public or private schools, colleges or universities)
- g. Food Services, including fast-food and full-service facilities
- h. Minor Repair Service (e.g. T.V./radio repair)
- i. Office Uses (e.g. accounting, barbershop)
- j. Personal Services (eg., architectural, doctors, lawyers, real estate or other professional uses)
- k. Photographic Reproduction and Graphic Service
- l. Public Safety Uses
- m. Religious Uses/offices

- n. Retail Sales
- o. Any other use which the Director of Community Development finds consistent with the purpose and intent of this land use category

3. Accessory Uses and Structures

- a. Fences and walls
- b. Security and construction and storage offices, during construction
- d. Signs, per the City Zoning Ordinance and an approved Master Sign Program (see page 18).
- e. Accessory structures or uses the Director of Community Development finds to be consistent with, and subordinate to, a principal use on the same site.

4. Site Development Standards

- a. Height of all buildings: 35 feet (2 stories) measured from the grade of the slab
- b. Setbacks measured from property line:
 - 1) Front: 30 feet
 - 2) Side:
 - a) Adjacent to residential lot - 50 feet
 - b) Adjacent to street - 30 feet
 - c) Adjacent to alley - 5 feet
 - d) None of the above - 0 feet
 - 3) Rear:
 - a) Adjacent to Residential lot - 50 feet
 - b) Adjacent to street - 30 feet
 - c) Adjacent to alley - 5 feet
 - d) None of the above - 0 feet
- c. Parking standards: Pursuant to the City of Moorpark Zoning Code.
- d. Minimum site landscaping: 10 percent

G. BUSINESS PARK (BP)

1. Purpose and Intent

The business park designation is intended to provide for the development of a wide variety of office, light industrial/assembly, research and development and service uses, which will serve the City of Moorpark and the surrounding communities. In addition, this land use category allows a limited amount of business, commercial, and personal services that directly serve the users and employees of the business park. The business park is intended to provide a high quality business environment which will take advantage of convenient access to the Moorpark Freeway and New Los Angeles Avenue (SR 118/23).

The physical effects of permitted and conditional uses in this planning area will be limited so that negative impacts, such as noise, odor, glare, visual impacts, and other such effects that could be harmful to life or nearby property, will not be generated. All permitted and conditional uses shall be conducted entirely within a completely enclosed building, and no outdoor storage of supplies, equipment or materials shall be allowed, except for company vehicles and as otherwise noted herein.

2. Permitted Uses

- a. Business/Commercial Services (eg., office supply stores, communication services, courier services, etc.*
- b. Civic uses
- c. Clinical services
- d. Food services not open to the public, ie. a cafeteria, in conjunction with the principal use.
- e. Light industrial/assembly uses
- f. Office uses
- g. Personal services (eg., architectural, doctors, lawyers, real estate or other professional uses)*
- h. Research and development uses
- i. Service uses
- j. Warehousing and storage uses
- k. Wholesaling

1. Any other use which the Director of Community Development finds consistent with the purpose and intent of this land use category.

* Business, commercial and personal service uses combined shall be limited to a total of 50 percent of the gross floor area of structures in the business park.

3. Conditional Uses (subject to a Conditional Use Permit)

- a. Commercial recreation uses
- b. Educational uses
- c. Food services not in conjunction with the principal use.
- d. Minor automotive service
- e. Public utilities
- f. Religious uses

4. Site Development Standards

- a. Height of all buildings: 35 feet measured from the grade of the slab, however, if the site is to be utilized by one single user the height limit shall not exceed 50 feet measured from the grade of the slab.
- b. Setbacks measured from property line:
 - 1) Front: 20 percent of lot width or depth with a minimum of 30 feet.
 - 2) Side:
 - a) Interior: 15 percent of lot width or depth with a minimum of 30 feet
 - b) Exterior: 10 percent of lot width or depth with a minimum of 30 feet
 - 3) Rear: 15 percent of lot width or depth with a minimum of 10 feet
- c. Minimum lot size: 20,000 square feet
- d. Minimum lot width: None specified
- e. Parking standards: Pursuant to the City of Moorpark Zoning Code.
- f. Minimum site landscaping: 10 percent

g. All other applicable City codes/standards apply.

H. OPEN SPACE (OS)

1. Purpose and Intent

The open space area is intended to provide for the preservation of natural physical and visual resources in recognition of the environmental and aesthetic value of the area with private ownership.

2. Permitted Uses (subject to Site Plan Review)

- a. Open space
- b. Agricultural uses (subject to Conditional Use Permit approval)
- c. Pedestrian trails
- d. Nature preservation and study areas
- e. Infrastructure service facilities
- f. Structures and other uses accessory to permitted uses
- g. Utility easements
- h. Any other use which the Director of Community Development finds consistent with the purpose and intent of this land use category.

3. Site Development Standards

Development standards for those uses permitted shall be established by the site plan review process. When uses proposed in the Open Space land use classification are permitted in other land use classifications of the Specific Plan, the development standards in those other applicable classifications shall apply.

I. INSTITUTIONAL (I)

1. Purpose and Intent

The institutional area is intended to provide for the development and maintenance of institutional uses such as a library, museum or similar uses. The physical effects of such uses will be limited so that negative impacts such as; noise, odor, glare, visual impacts, and other such effects that could be harmful to life or nearby property will not be generated.

2. Permitted Uses

Includes public facility uses: government building; museum; library; fire station; non profit organization uses; church; community service center; private or public school; day care facility; health services and hospital; art gallery or similar uses which the Director of Community Development finds consistent with the purpose and intent of this land use.

3. Accessory Uses and Structures

- a. Fences and Walls
- b. Security and construction and storage offices, during construction
- c. Signs, per City Zoning Ordinance and the approved Master Sign Program.
- d. Accessory structures or uses the Director of Community Development finds to be consistent with, and subordinate to, a principal use on the same site.

4. Site Development Standards

- a. Height of all buildings: 35 feet (2 stories) measured from the grade of the slab
- b. Setbacks measured from property line:
 - 1) Front: 30 feet
 - 2) Side:
 - a) Adjacent to residential lot - 50 feet
 - b) Adjacent to street - 30 feet
 - c) Adjacent to alley - 5 feet
 - d) None of the above - 0 feet
 - 3) Rear:
 - a) Adjacent to residential lot - 50 feet
 - b) Adjacent to street - 30 feet
 - c) Adjacent to alley - 5 feet
 - d) None of the above - 0 feet
 - 4) Parking Standards: Pursuant to the City of Moorpark Zoning Code.
 - 5) Minimum site landscaping: 10 percent

V. IMPLEMENTATION

V. SPECIFIC PLAN IMPLEMENTATION

A. REVIEW PROCEDURES

The Carlsberg Specific Plan shall be implemented through the Tentative Tract Map, and Planned Development Review process.

1. Master Tentative Tract Maps

Master Tentative Tract Map(s) or parcel map(s), as applicable, shall be filed to subdivide according to each planning area (the "Lot(s)") within the Specific Plan Area. Submittal and review requirements shall be as specified in the Subdivision Map Act and the City of Moorpark Subdivision Ordinance and other City ordinances resolutions, policies and regulations. Recorded phased final maps of each Lot within the Master Tentative Tract Map(s) shall be permitted. Additional tentative tract subdivision maps of the Lots are to be filed subsequent to or concurrent with the Master Tentative Tract Maps.

2. Residential Planned Development Review (RPD)

Residential Planned Development Permit approval shall be required for all residential projects within the Carlsberg Specific Plan, in accordance with City's Zoning Code.

3. Commercial Planned Development Review (CPD)

Commercial Planned Development Permit approval shall be required for all commercial projects within the Carlsberg Specific Plan in accordance with the City's Zoning Code.

4. Industrial Planned Development Review (IPD)

Industrial Planned Development Permit approval shall be required for all industrial projects within the Carlsberg Specific Plan in accordance with the City's Zoning Code.

B. GENERAL PROVISIONS

1. Administrative ("Minor") Modifications to the Specific Plan, Tentative Maps or Development Permits

Certain modifications to the Specific Plan text or tract maps are specifically deemed not to require formal amendments (ie., through public hearing) to the Specific Plan as originally approved. These are modifications which will not materially affect the overall purpose and intent of the Specific Plan.

Minor variations to development areas will occur through implementation of the Specific Plan. The following transfer program will serve both the public and the

planned development. It will:

- . Minimize City staff, Commission and Council time spent on minor adjustments and technical matters.
- . Set criteria/findings that demonstrate consistency with Specific Plan goals and objectives.
- . Assure that levels of development throughout the life of the Specific Plan are consistent with adequacy and provisions of infrastructure and services.

Transfer of dwelling units between development areas may be allowed as long as total number of dwelling units approved (552) is not exceeded. Transfer of acreage between development areas shall be allowed as long as combined developed acreage of the transferring area and the receiving area is not exceeded by more than five percent for each area. The transfer shall be approved based on the following findings:

- . Total dwelling units and development area as approved in the Specific Plan is not exceeded.
- . Demands on parks, schools and community facilities are not significantly affected.
- . Demands on public improvements and infrastructure are not exceeded.
- . Grading and landform alteration do not significantly differ from that approved by the Specific Plan.
- . The overall design and visual quality of the planned community are not significantly affected.

Planning Area Boundaries adjustments will be allowed provided that:

- . Adjustments in the planning area boundaries, which do not exceed a cumulative total of ten percent of the original size in acres, resulting from final road alignments, geotechnical or engineering refinements to the site plan, tentative and/or final tract maps shall not require an amendment of the Specific Plan where such adjustments are consistent with the intent of the City's General Plan and this Specific Plan.
- . Boundaries not dimensioned on the Land Use Plan shall be established through the final subdivision map process and shall be generally consistent with the exhibits within this Specific Plan.

Any proposed change that is not extensive enough to be considered a substantial or fundamental change in land use relative to the permit, would not have a substantial adverse impact on surrounding properties, and would not change any findings contained in the environmental document prepared for the permit, shall be deemed a minor modification and be acted upon by the Director of Community Development in accordance with applicable procedures for minor modifications.

2. **("Major") Modifications to the Specific Plan, Tract Maps and Development Permits**

All amendments shall be consistent with the requirements of California Government Code Sections 65500 et seq. and shall be subject to the public notice and other requirements of the Government Code.

Any proposed modification not determined to be addressed by section B.1. above and is considered to be a substantial change in land use relative to the Specific Plan, tract map or permit, and/or would alter the findings contained in the environmental document prepared for the Specific Plan, tract map or permit, shall be deemed a major modification and/or an amendment and shall be acted upon by the decision-making authority which approved the Specific Plan, tract map or permit.

**VI. GENERAL PLAN
CONFORMANCE**

VI. CONFORMANCE WITH THE GENERAL PLAN

In 1985, the City amended the General Plan designation for this property to "Specific Plan" at the request of the property owner's representative to provide for the flexibility necessary to ensure a comprehensive plan compatible with the City's goals and policies.

The Carlsberg Specific Plan implements each of the elements of the City of Moorpark General Plan. As such, the Specific Plan is supportive of and consistent with the existing goals and policies of the General Plan. The following is a discussion of the relationship of this Specific Plan to each of the applicable General Plan Elements.

A. LAND USE ELEMENT

The Land Use Element of the General Plan presents policies for the purpose of guiding land use within the City of Moorpark. The following is a discussion of the compatibility of the Specific Plan with applicable land use policies.

Urban Form

1. General Plan Policy(ies)

Confine urban development in or adjacent to existing urban areas; maintain open space between urban areas; integrate residential, commercial, and industrial uses to achieve balanced communities; discourage outward expansion of development when suitable developable areas exist within the service areas.

Specific Plan Conformance

The project site is located adjacent to existing urban areas as well as containing 235.9 acres of parks and open space. Services are available to the site and the land use plan for the project has been prepared to achieve a "balanced community," with a complementary mix of residential, shopping, employment-generating, recreational, and aesthetic uses.

2. General Plan Policy(ies)

To promote the integration of environmentally oriented and architecturally sensitive design into the development of all facilities and types of land uses.

Specific Plan Conformance

Large expanses of natural open space as well as adherence to the architectural guidelines contained herein will ensure the development of an aesthetically sensitive project.

3. General Plan Policy(ies)

A definite, distinct image shall be established through entry monumentation, architecture, and landscape themes/trails.

To encourage the enhancement of community appearance in the urban areas through beautification efforts and the preservation of aesthetic resources.

Specific Plan Conformance

The Specific Plan has been formulated with respect for the natural physical character of the site, and development will blend sensitively with the natural environment. Approximately forty eight (48) percent of the site will remain in natural parks and open space. This area has been designed to protect views of the natural environment.

Residential

4. General Plan Policy(ies)

Encourage a variety of housing densities and varying densities within developments.

Specific Plan Conformance

A mix of housing types will be provided ranging from single-family residential lots at 3.0 units per gross acre to attached duplex and detached patio/zero lot line dwelling units at a density of 5.0 units per acre. Three residential density classifications are included in the Plan.

5. General Plan Policy(ies)

Establish a phasing plan which will prevent scattered urban development and will provide for orderly growth.

Specific Plan Conformance

The Specific Plan provides for the logical and sequential phasing of development coordinated with the provision of adequate infrastructure systems.

6. General Plan Policy(ies)

Designate hilly areas as rural or open space.

Specific Plan Conformance

The more sensitive areas of the site have been designated as open space in the approved Plan.

7. General Plan Policy(ies)

Encourage residential development with properly planned and adequate public services.

Specific Plan Conformance

The Specific Plan provides for a system of public and community facilities to meet the needs of residents of the project.

8. General Plan Policy(ies)

To provide for a variety of land uses which complement adjacent communities in eastern Ventura County.

Specific Plan Conformance

The project provides a complementary mix of housing, commercial, business park, public park and open space uses.

9. General Plan Policy(ies)

To provide a range of residential densities which will ensure a variety of housing types to the residents of Moorpark.

Specific Plan Conformance

A mix of housing types will be provided ranging from single-family residential lots at 3.0 units per acre to attached duplex/ patio, zero lot line dwelling units at a density of 5.0 units per acre. Three residential density classifications are included in the Plan.

10. General Plan Policy(ies)

To ensure that the location of residential land uses provides a harmonious relationship between adjoining uses, natural features and the total environment.

Specific Plan Conformance

All development areas are designed to blend sensitively with the natural environment, and to achieve compatibility with surrounding properties.

11. General Plan Policy(ies)

New residential development should incorporate good design standards and maintain the character of the community. Design standards include open space, landscaping, circulation, off-street parking, architectural compatibility with the surroundings, and others.

Specific Plan Conformance

The Specific Plan contains detailed architectural and landscape guidelines, the intent of which are to ensure a cohesive and high quality development.

Commercial

12. General Plan Policy(ies)

New commercial development should incorporate good design standards. Design standards include landscaping, circulation, off-street parking, agricultural compatibility with the surroundings, and others. New strip commercial development should be discouraged; existing strip commercial development should be encouraged to consolidate driveways, provide adequate parking areas and landscaped areas.

Specific Plan Conformance

The Specific Plan contains detailed architectural and landscape guidelines, the intent of which are to ensure a cohesive and high quality development.

13. General Plan Policy(ies)

To encourage commercial developments to adopt a harmonious architectural style with appropriate landscaping and buffer areas.

To provide for a range of commercial facilities which serve the residents of the community and encourage new employment opportunities.

Specific Plan Conformance

A variety of facilities including sub-regional and neighborhood commercial will be provided in order to serve residents of the project and the City of Moorpark, and to provide employment opportunities.

14. General Plan Policy(ies)

To provide adequate and appropriate traffic movement on adjoining arterials with relation to location of commercial uses.

Specific Plan Conformance

The traffic improvements identified in the Project EIR will provide for adequate traffic movement.

15. General Plan Policy(ies)

Industrial land should be encouraged in compact areas in convenient proximity to transportation modes.

Specific Plan Conformance

Light industrial uses will be encouraged in the Business Park Planning Area.

Water Resources and Quality

16. General Plan Policy(ies)

Prevent or discourage new agricultural and urban development which degrade groundwater from location on aquifer recharge areas. Treat or contain runoff which has substantial amounts of pollutants or contaminants at the source where feasible, encourage land use design which will capture water for groundwater recharge and maintaining aquifer recharge areas.

Specific Plan Conformance

The drainage facilities for the project will be constructed in accordance with all local and state requirements.

17. General Plan Policy(ies)

Limit development in scenic, significant or fragile habitats, watersheds and historical and cultural areas.

Specific Plan Conformance

Where significant habitats may exist, the appropriate local, state and federal agencies will be consulted prior to Tentative Tract map approval

Physical Environment/Hazard Areas

18. General Plan Policy(ies)

Development should be strongly discouraged on areas of natural or human-made hazards or on hillsides above 20 percent slope or on ridgelines, or in hazard areas where hazards cannot be mitigated without significant adverse environmental effects and where public expenditures for mitigating would not be cost effective.

Specific Plan Conformance

Development shall not take place in areas where it is determined to be hazardous or unsafe. Detailed studies may be necessary prior to Tentative Tract map approval.

19. General Plan Policy(ies)

Floodplains, fire hazard areas, landslide areas, potentially active faults, and areas with high liquefaction potential should be placed in an open space designation on the plan or development in these areas should be adequately protected from these hazards.

Specific Plan Conformance

Development shall not take place in areas where it is determined to be hazardous or unsafe. Detailed studies may be necessary prior to Tentative Tract map approval.

Air Quality

20. General Plan Policy(ies)

Patterns of development should be encouraged which will enhance air quality.

Specific Plan Conformance

All air quality requirements shall be incorporated into project design.

Recreation

21. General Plan Policy(ies)

Acquire, provide and maintain public parkland for both passive and active use that is equally accessible to the community on a neighborhood, community and regional basis.

Specific Plan Conformance

Consistent with City Council direction, a 6.5-acre City park site is proposed in the land use plan.

22. General Plan Policy(ies)

The future acquisition of parks should be designated to serve local needs. Improvements to existing local parks should be encouraged as well as the development of additional parks as the need arises. Future acquisitions and improvement should consider the concerns of this plan with respect to traffic, air quality, water, etc.

Specific Plan Conformance

Consistent with City Council direction, a 6.5-acre City park site is proposed in the land use plan.

23. General Plan Policy(ies)

Bicycling, equestrian and hiking trails should be developed as a part of the communitywide trail system.

Specific Plan Conformance

Trails will be developed in accordance with the communitywide trail system.

24. General Plan Policy(ies)

To establish sites for park and recreational facilities as necessary in accordance with the distribution of population and in locations that provide a harmonious relationship between adjoining uses.

Specific Plan Conformance

The provisions for parks meets the local park requirements.

Energy

25. General Plan Policy(ies)

Encourage energy conservation through land use patterns which minimize energy consumption.

Specific Plan Conformance

All City and state energy conservation measures shall be employed.

Open Space

26. General Plan Policy(ies)

To encourage appropriate types and amounts of open space in and around urban development.

Specific Plan Conformance

The City Council approved Plan provides for approximately 48 percent of the site as open space.

27. General Plan Policy(ies)

To encourage the preservation of visually unique terrain, vegetation and water resources.

Specific Plan Conformance

Open space areas are provided by this Specific Plan.

28. General Plan Policy(ies)

Encourage adequate provisions for open spaces which respect natural features, scenic qualities and historical and cultural resources.

Specific Plan Conformance

The City Council decision designating the open space areas was based upon these considerations.

29. General Plan Policy(ies)

Excessive and unsightly terracing, grading and filling of hillsides shall be strongly discouraged. Development which will obscure or alter the natural ridgelines shall be strongly discouraged.

Specific Plan Conformance

Grading plans will be prepared in concert with the City staff and shall be implemented in as sensitive a manner as feasible.

30. General Plan Policy(ies)

Historically significant and archaeologically sensitive areas shall be identified and preserved.

Specific Plan Conformance

In the event that historic artifacts are encountered, all appropriate steps for their preservation shall be taken.

Community Facilities

31. General Plan Policy(ies)

Development shall be permitted only where adequate public services are available or can be provided readily. Public services shall include fire, police, water, schools, roads, and sanitation facilities.

Specific Plan Conformance

All requirements for public services shall be met.

Housing

32. General Plan Policy(ies)

A diversity of housing unit types and lot sizes should be provided to meet various housing needs.

Specific Plan Conformance

A mix of housing types will be provided ranging from single-family residential lots at 3.0 units per acre to attached duplex/ patio, zero lot line dwelling units at a density of 5.0 units per acre.

33. General Plan Policy(ies)

Densities that will accommodate multiple units should be designated on the plan.

Specific Plan Conformance

A mix of housing types will be provided ranging from single-family residential lots at 3.0 units per acre to attached duplex/ patio, zero lot line dwelling units at a density of 5.0 units per acre.

34. General Plan Policy(ies)

Encourage design standards that will promote housing units which are soundly constructed and are energy efficient.

Specific Plan Conformance

All state and local requirements shall be observed in the construction of housing units.

35. General Plan Policy(ies)

Encourage a development mix which will provide for the diverse needs of the community.

Specific Plan Conformance

The Specific Plan assures the provision of housing for socioeconomic diverse population groups.

36. General Plan Policy(ies)

To ensure that due regard is given to the types, densities and the appearance of all housing developments so that necessary needs are met and a harmonious relationship exists between adjoining uses, natural features and the total environment.

Specific Plan Conformance

The Specific Plan provides for a wide range of housing types and densities. All development areas are designed to blend sensitively with the natural environment, and to achieve compatibility with the surrounding properties.

Community Identity

37. General Plan Policy(ies)

To encourage quality and effective controls in urban design through thoughtful and consistent plans and programs such as agricultural controls.

Specific Plan Conformance

The Specific Plan provides for uses and design guidelines which will achieve the intent of this policy.

38. General Plan Policy(ies)

To encourage the development of district and visual amenities in major roads, commercial centers, industrial areas and residential neighborhoods.

Specific Plan Conformance

The Specific Plan provides for uses and design guidelines which will achieve the intent of this policy.

39. General Plan Policy(ies)

To encourage the distinct and unique design and function of commercial centers.

Specific Plan Conformance

The Specific Plan provides for uses and design guidelines which will achieve the intent of this policy.

40. General Plan Policy(ies)

To encourage the implementation of land use patterns which cultivate a cohesive, well-distributed configuration for development.

Specific Plan Conformance

The land use plan will achieve the intent of this policy.

41. General Plan Policy(ies)

To encourage the integration of good urban design principles with all phases of land use decisions and

development.

Specific Plan Conformance

The land use plan, as mandated by the City Council, will achieve the intent of this policy.

Fire

42. General Plan Policy(ies)

New residential development shall be discouraged in high-fire hazard areas.

Specific Plan Conformance

All development shall meet all regulations and requirements of the City Fire Department and the fuel modification program in the Specific Plan.

43. General Plan Policy(ies)

Permanent structures erected in or near high fire-hazard areas should be required to be constructed of fire-proof materials to as great an extent as is feasible.

Specific Plan Conformance

All development shall meet all regulations and requirements of the City Fire Department and the fuel modification program in the Specific Plan.

44. General Plan Policy(ies)

The planting of fire-retardant groundcover will be encouraged around any development in or near high fire-hazard areas.

Specific Plan Conformance

All development shall meet all regulations and requirements of the City Fire Department and the fuel modification program in the Specific Plan.

Police

45. General Plan Policy(ies)

Adequate police protection should be promoted and maintained.

Specific Plan Conformance

All regulations of the Police Department shall be incorporated into project design.

46. General Plan Policy(ies)

Staff and equipment should reflect the needs of the population and various types of development.

Specific Plan Conformance

All regulations of the Police Department shall be incorporated into project design.

47. General Plan Policy(ies)

Safe, separate, and convenient paths for bicyclists and pedestrians should be constructed so as to encourage these alternate forms of non-polluting transportation.

Specific Plan Conformance

Implementation of the pedestrian and bike trails in the Specific Plan will achieve the intent of this policy.

48. General Plan Policy(ies)

Planting and landscaping along major arterials shall be encouraged so as to mitigate visual and erosion problems.

Implementation of the Specific Plan landscape guidelines will achieve the intent of this policy.

Specific Plan Conformance

Implementation of the Specific Plan landscape guidelines will achieve the intent of this policy.

49. General Plan Policy(ies)

To upgrade the current condition of streets and related facilities, such as parking lots, street lamps, bike racks, etc., and to provide for adequate off-street parking and other facilities in conjunction with future development.

Specific Plan Conformance

Off-street parking shall be provided in accordance with the City of Moorpark parking regulations.

50. General Plan Policy(ies)

All well sites that have been abandoned or are longer producing shall be restored to their original condition as nearly as practicable.

Specific Plan Conformance

No abandoned well sites exist on the property.

B. NOISE ELEMENT

The goal of the Noise Element is to ensure that the health and well-being of the citizens of Moorpark are not compromised by exposure to excessive and possibly harmful levels of noise. This will serve to provide a quality environment in which the citizens of Moorpark may live and have assurance of continued health and well-being.

The Moorpark Noise Element includes the development of strategies for the abatement of excessive noise exposure through regulatory mechanisms, the protection of existing regions in the City from excessive noise exposure, and to reduce the impact of noise from all sources.

Major sources of noise to the project include traffic on surrounding roadways. A portion of the project is located within the 65 CNEL. Acoustical design features which satisfy the interior noise standards of the City will be incorporated into the final building plans for the project.

C. OPEN SPACE, CONSERVATION AND RECREATION ELEMENT

This element of the General Plan establishes the framework for the provision, maintenance and enhancement of open space, recreation, conservation, and agricultural areas for the purposes of promoting the quality of life of the citizens of Moorpark.

The Carlsberg Specific Plan implements the goals of the Open Space, Conservation and Recreation Element through the provisions of a 6.5-acre public park, 220.4-acres of open space, a 9.0-acre nature preserve and extensive hiking and bicycle trails.

D. CIRCULATION ELEMENT

The major goals set forth in the Circulation Element of the General Plan specify that transportation within the City must be provided in a safe, efficient manner. Specifically, a reasonable level of service for streets and adequate public transportation facilities are required.

The Carlsberg Specific Plan project is consistent with the Circulation Element and implements it in that it provides for the safe and efficient movement of traffic through the proper placement of access/egress points and required traffic improvements (eg., travel lanes, turning pockets and traffic signals).

Additionally, improvements including landscaping will be made to streets surrounding the project in order to facilitate traffic movement and provide attractive streetscapes.

E. HOUSING ELEMENT

The overall goals of the Housing Element of the City of Moorpark are as follows:

Adequate provision of decent, safe housing for all Moorpark residents without regard to race, age, sex, marital status, ethnic background or other arbitrary considerations.

Adequate provision of housing allowing maximum choice by type, tenure and location with particular attention to the provision of housing for the elderly, low and moderate income families, handicapped and other households identified as having special housing needs.

Encouraging growth within the City through the identification of suitable parcels for residential development, changes in land use patterns and conscientious recycling of property to the highest and best use.

Developing a balanced residential community which is accessible to employment, transportation, shopping, medical services, governmental agencies and any other services needed for a well-rounded community.

The proposed project provides for a wide range of housing types. With 552 dwelling units proposed the breakdown is as follows:

<u>Type</u>	<u>Number of Dwelling Units</u>
Single family 3.0 U.P.G.A.	247
Single family 3.7 U.P.G.A.	145
Single family 5.0 U.P.G.A.	<u>160</u>
	552

This broad variation in unit types with easy access to shopping, transportation and employment uses will serve to further the goals of the City's Housing Element.

F. SAFETY ELEMENT

The primary objective of the Safety Element is to ensure that hazard issues including geologic and seismic hazards, floods, fire and landslides, be accounted for in the planning process.

The Simi-Santa Rosa fault is located along Tierra Rejada Road in the southern portion of the site. As noted in the project EIR any proposed development in the area shall be accompanied by a report and recommendations by a registered geologist. All future buildings on the site will incorporate state-of-the-art design and construction measures to minimize any potential hazards.

**EXHIBIT A
SETTLEMENT
AGREEMENT AND
MUTAL RELEASE**

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

Conejo Freeway Properties, Ltd. ("Conejo"), a California limited partnership, and Simi-Moorpark Freeway Properties, Ltd. ("Simi"), a California limited partnership, hereinafter collectively referred to as "Plaintiffs", and City of Moorpark ("City") and City Council of the City of Moorpark ("City Council"), hereinafter collectively referred to as "Defendants", in consideration of the promises and covenants made herein, agree as follows:

1. Nature and Effect of Agreement. This Agreement consists of a compromise, settlement and release of Plaintiffs' claims against Defendants arising from the allegations contained in the action described in Section 2 and of Defendants' claims against Plaintiffs arising from Condition No. 31 of Tract Map No. PM 3828. By executing this Agreement, each of the parties intends to and does extinguish said claims heretofore existing between them. This Agreement is not, and shall not be treated as, an admission of liability by any party for any purpose. The terms of this Agreement are contractual and not a mere recital.

2. Nature and Status of Dispute. On February 27, 1991, Plaintiffs filed a "Verified Petition for Writ of Mandate and Complaint for: (1) Inverse Condemnation; (2) Denial of Substantive and Procedural Due Process; (3) Deprivation of Civil Rights; and (4) Declaratory and Injunctive Relief" against Defendants in the Superior Court of the State of California for the County of Ventura, designated as Case No. 115029 (the "Action").

3. Conditions Precedent. The effectiveness of this Agreement is conditioned upon the following conditions precedent ("Conditions Precedent"):

a. Certification of the "Subsequent Environmental Impact Report" for the pending amendment of the Carlsberg Specific Plan (the "SEIR"), adoption of the pending amendment of the Carlsberg Specific Plan dated September 7, 1994 (the "Amended Specific Plan") and adoption of related Zoning Ordinance Article 19 Carlsberg Specific Plan (the "Carlsberg Ordinance") at the September 21, 1994 meeting of the City Council.

b. The certification and adoptions set forth in Subsection 3a being deemed final. If, within thirty (30) days after the notice required by California Public Resources Code Section 21152 is posted in the office of the County Clerk of Ventura County, (i) no action is commenced to attack, review, set aside, void or otherwise annul the SEIR, the Amended Specific Plan or the Carlsberg Ordinance, they shall all be deemed final on the thirty-first (31st) day or (ii) an action is commenced to attack, review, set aside, void or otherwise annul the SEIR, the Amended

Specific Plan or the Carlsberg Ordinance, they shall all be deemed final on the day that a judgment against the plaintiff(s) or petitioner(s) in the action becomes final.

4. Execution of Dismissal. Plaintiffs hereby (i) direct their attorney, Allen F. Camp, Esq., to execute a dismissal with prejudice of the entire Action and to deliver the dismissal to Defendants' attorney, Cheryl J. Kane, Esq., concurrently with the execution of this Agreement by Defendants and (ii) authorize Cheryl J. Kane to file the dismissal in the Superior Court as soon as this Agreement becomes effective pursuant to Section 3.

5. Obligations and Covenants.

a. Defendants Agree:

(1) Upon receipt of a landowners' petition by Plaintiffs and Plaintiffs' payment of a fee, as prescribed in California Government Code Section 53318, Defendants shall commence proceedings to form a Mello-Roos Community Facilities District ("District") and to incur bonded indebtedness to finance all or portions of the public facilities, infrastructure and services that are required by the Amended Specific Plan and that may be provided pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"); provided, however, the City Council, in its sole and unfettered discretion, may abandon establishment of the District upon the conclusion of the public hearing required by California Government Code Section 53321 and/or deem it unnecessary to incur bonded indebtedness at the conclusion of the hearing required by California Government Code Section 53345. In the event that a District is formed, Plaintiffs acknowledge and agree that the special tax levied against any residential lot or residence thereon shall be prepaid in full prior to the close of escrow on the initial sale of the developed lot by the builder of the residence.

(2) All residential development within the boundaries of the Amended Specific Plan shall be subject to the provisions of Measure F, as amended by Ordinance No. 103, ("Amended Measure F") and of Resolution Nos. 87-421 and 88-522 (the "Implementing Resolutions"), notwithstanding that the Residential Development Management System imposed by Amended Measure F may no longer be in effect and to the exclusion of any other ordinance that limits, by number, the building permits that may be issued for residential construction or the buildable lots that may be developed for residential purposes. Commencing in 1995, and in any year thereafter, Simi may make application(s) for a total of 138 residential development allotments for the property described in Exhibit A, attached hereto and incorporated herein by this reference, and Conejo may make applications(s) for a total of 414 residential development allotments for the property described in Exhibit B, attached hereto and incorporated herein by this

reference. Defendants acknowledge that there are currently a sufficient number of unallocated residential development allotments under Amended Measure F to accommodate awarding the 552 residential development allotments referenced herein. Defendants further acknowledge that they have no present, actual knowledge of any reason that would preclude the award of the 552 residential development allotments as referenced herein, provided that the applications satisfy all of the requirements of Amended Measure F and of the Implementing Resolutions. Plaintiffs covenant and agree that they shall be subject to, and shall abide by, the provisions of Amended Measure F and of the Implementing Resolutions. Plaintiffs acknowledge that any residential development allotments that are awarded for either of the properties referenced herein shall run with that land and may not be assigned or transferred to any other property or to any other project.

(3) Defendants shall use their best efforts to assure timely processing relative to the Amended Specific Plan of (i) applications for subdivision maps, planned development permits, and residential development allotments, (ii) requests for plan checks and review of improvement plans and specifications, and (iii) applications for building permits and grading permits.

(4) Within the boundaries of the Amended Specific Plan, Plaintiffs shall be exempt from (i) the provisions of any future City ordinances that are related to hillside preservation or grading standards should such provisions be in conflict with the Amended Specific Plan, (ii) the imposition of any capital development fee by City, except as expressly provided in Subsection 5(b)(4) or as expressly required by another governmental entity, and (iii) the imposition of any traffic mitigation fee, except as expressly provided in Subsection 5(b)(5) or Subsection 5(b)(6).

(5) Without the express written concurrence of each Plaintiff that owns real property that is subject to the amendment, Defendants shall not approve (i) any amendment to the SEIR, the Amended Specific Plan or the Carlsberg Ordinance that reduces the approved number of residential units, reduces the approved acres of Sub-Regional/Commercial (SR/C), Business Park (BP) and/or Institutional (I) land uses, changes the Circulation Plan (Amended Specific Plan Exhibit 9) or revises the DEVELOPMENT STANDARDS (Amended Specific Plan Section IV) or (ii) any amendment to any provision of Amended Measure F or the Implementing Resolutions.

b. Plaintiffs Agree:

(1) Plaintiffs shall reimburse Defendants, in an amount not to exceed Twenty Two Thousand Dollars (\$22,000), for legal expenses, including attorneys' fees and costs, incurred by Defendants in the Action and in the preparation of this Agreement. Payment shall be due thirty (30) days after receipt by Plaintiffs of Defendants' invoice for such expenses, which invoice Defendants

shall not issue until this Agreement becomes effective pursuant to Section 3.

(2) Within the boundaries of the property described in Exhibit A, Simi shall dedicate, at its sole cost and expense, park land and nature preserve land to the City of Moorpark as shown on the Amended Specific Plan Exhibit 7. Within the boundaries of the property described in Exhibit B, Conejo shall dedicate, at its sole cost and expense, park land and nature preserve land to the City of Moorpark as shown on the Amended Specific Plan Exhibit 7. At their sole cost and expense, Plaintiffs shall make improvements to the park land dedicated pursuant to this Subsection and shall provide maintenance of the land and improvements, irrespective of which of the Plaintiffs made the dedication.

The improvements shall include, at City's sole discretion, the following:

(a) Softball field with a minimum of 300 foot outfield radius with no obstructions, backstop, foul line chain link fencing, fenced dugouts with concrete floors and bleachers on concrete pads to seat 150 people;

(b) Regulation soccer field, 225 feet wide and 360 feet long with no obstructions, that does not overlap onto the softball field area, except as approved by the City Council, and two (2) semi-permanent goals;

(c) Two tennis courts;

(d) Full basketball court;

(e) Children's play equipment/apparatus and tot lot similar in size and area as at City's Tierra Rejada Park;

(f) Concrete block restroom with tile roof;

(g) Picnic shelter with solid roof and matching tile to the restroom; and

(h) Off-street parking with a minimum of 30 standard sized parking spaces.

Final design, plans and specifications shall be as approved by the City Council, including applicable handicapped requirements, and shall include but not be limited to grading, drainage, hardscape (walkways, bike paths, etc.) landscape (trees, shrubs, groundcover and turf), security lighting for the park and parking lot, and miscellaneous amenities in quantities as determined necessary by City (tot lot and park perimeter fencing, trash receptacles, trash bin enclosures, bike racks, barbecues, picnic tables, pay telephone, identification monument signs, and

other signage, etc.). In addition to water, sewer and electrical services, the improvements shall include stub out into the park at a location determined by City for natural gas, telephone, and cable television services. At their sole cost and expense, Plaintiffs shall: (i) design the park and submit conceptual plans for City approval, (ii) prepare final design, plans and specifications and submit the same to City Council for approval, (iii) submit the approved final plans and specifications to City for plan check along with appropriate fees, and (iv) pay City for inspection of the park construction.

The park shall be dedicated to City improved and available (open) to the public prior to the occupancy of the 227th dwelling unit within the boundaries of the Amended Specific Plan. After the park is opened to the public and prior to its formal acceptance by City, Plaintiffs shall provide a minimum of one year's maintenance for the park land and improvements, including all labor, materials, and water, in accordance with the specifications used by City at its parks. The nature preserve land shall be dedicated to the City of Moorpark at such time as is specified in the Amended Specific Plan.

Plaintiffs and Defendants acknowledge that the above described improvements along with the dedication of the above-described park land and nature preserve shall be deemed to satisfy the "Quimby" requirement set forth at California Government Code Section 66477 et seq. for all subsequent subdivision maps within the Amended Specific Plan area for a maximum of 552 residential units. Plaintiffs shall secure the above described improvements and the one year maintenance requirement by the execution of City's standard subdivision agreement prior to the approval of the first final tract map or the first final parcel map within the Amended Specific Plan area.

(3) As a condition of the issuance of a building permit for each commercial or industrial use within the boundaries of the Amended Specific Plan, Plaintiffs shall pay City a fee, in an amount set by resolution of the City Council, to be used for park improvements within the City of Moorpark. The amount of the fee shall be the same as that paid for other commercial and industrial uses, but in no event shall the fee exceed fifty cents (\$.50) per square foot of gross floor area. Institutional uses shall pay on the same basis as commercial and industrial uses, except that institutional uses which are exempt from secured property taxes shall be exempt from the fee.

(4) As a condition of the issuance of a building permit for each residential, commercial or industrial use within the boundaries of the Amended Specific Plan, Plaintiffs shall pay City, except as provided in Section 12, a development fee as described herein (the "Development Fee") and any capital development fee adopted by the City Council on or before April 30, 1995

and imposed on similar construction. The Development Fee may be expended by Defendants in their sole and unfettered discretion. On the effective date of this Agreement, the amount of the Development Fee shall be One Thousand Five Hundred and Eighty-Seven Dollars (\$1,587) per residential unit and Four Thousand Four Hundred and Forty Three Dollars (\$4,443) per gross acre of Sub-Regional/Commercial (SR/C) or Business Park (BP) land on which the commercial or industrial use is located. Commencing on the first day of the month following the month in which this Agreement becomes effective, the amount of the Development Fee shall increase by one-half of one percent (0.5%) per month on the first day of the month ("monthly indexing"). Institutional uses, whether or not exempt from secured property taxes, shall be exempt from the fee.

The Development Fee for commercial and industrial uses is intended to result in a total payment to City of not less than \$324,339 on the effective date of this Agreement and is based upon the assumption that seventy-three (73) gross acres will be developed with SR/C and/or BP uses; to wit: $\$324,339 \div 73$ gross acres = \$4,443 per gross acre. If, on the Adjustment Date, as hereinafter defined in this paragraph, more or less than 73 gross acres are subdivided into lots for SR/C and/or BP usage, the Development Fee for commercial and industrial uses shall be adjusted from \$4,443 per gross acre to an amount per gross acre that would result in a total payment of \$324,339, excluding the monthly indexing. The acreage shall be determined from the Initial Map, as hereinafter defined in this paragraph, or the Subsequent Map, as hereinafter defined in this paragraph, which is in effect on the Adjustment Date. The Adjustment Date shall mean the date upon which the first building permit is issued for any commercial or industrial use within the boundaries of Tract Map 4785 or a subdivision map that is recorded in lieu of Tentative Tract Map 4785 (collectively the "Initial Map") or the date upon which the first subdivision map containing an SR/C or BP use lot of ten (10) acres or less is recorded over all, or a part of, the Initial Map 4785 (the "Subsequent Map"), whichever occurs first. The total amount of \$324,339, as increased by the monthly indexing, shall be paid in full to City no later than the tenth (10th) anniversary of the issuance of the first building permit for any commercial or industrial use within the boundaries of the Initial Map or the tenth (10th) anniversary of the issuance of the first building permit for any commercial or industrial use within the boundaries of the Subsequent Map, whichever occurs first. The Initial Map and the Subsequent Map shall be so conditioned. ~~The performance of the condition shall be secured in the manner provided by California Government Code Section 66499 et seq. and the dollar amount of the security shall be subject to the monthly indexing.~~

(5) As a condition of the issuance of a building permit for each residential, commercial or industrial use within the boundaries of the Amended Specific Plan, Plaintiffs shall pay City the Tierra Rejada/Spring Road Area of Contribution Fee (the

"AOC Fee"). The AOC Fee shall be the dollar amount in effect at the time of the payment of the fee. Institutional uses shall pay on the same basis as commercial and industrial uses, except that institutional uses which are exempt from secured property taxes shall be exempt from the fee.

Payment of the AOC Fee shall represent payment in full of the "fair share" amounts required by traffic mitigation measures TC6, TC9, TC13 (cost of signal installation or modification at Spring Road/Tierra Rejada Road only), TC14 and TC16 (cost of signal installation at Moorpark Road/Tierra Rejada Road only) and TC15 (cost of signal installation at "A" Street/Tierra Rejada Road only), as described in the SEIR.

(6) As a condition of the issuance of a building permit for each residential, commercial or industrial use within the boundaries of the Amended Specific Plan, Plaintiffs shall pay City a mitigation fee (the "Mitigation Fee"). The Mitigation Fee shall be Two Thousand Dollars (\$2,000) per residential unit. The Mitigation Fee shall be Eleven Thousand Two Hundred Dollars (\$11,200) per gross acre of the Sub-Regional/Commercial (SR/C) or Business Park (BP) lot on which the commercial or industrial use is located. Commencing on January 1, 1997, and annually thereafter, both categories of the Mitigation Fee shall be increased or decreased to reflect the change in the Highway Bid Price Index for the twelve (12) month period that is reported in the latest issue of the Engineering News Record that is available on December 31st of the preceding year ("annual indexing"), but in no event shall either category of Mitigation Fee be decreased below the original dollar amount specified herein. Institutional uses shall pay on the same basis as commercial and industrial uses, except that institutional uses which are exempt from secured property taxes shall be exempt from the fee.

The Mitigation Fee for commercial and industrial uses is intended to result in a total payment to City of not less than \$817,600 and is based upon the assumption that seventy-three (73) gross acres will be developed with SR/C and/or BP uses; to wit: $\$817,600 \div 73 \text{ gross acres} = \$11,200 \text{ per gross acre}$. If, on the Adjustment Date, as hereinafter defined in this paragraph, more or less than 73 gross acres are subdivided into lots for SR/C and/or BP usage, the Mitigation Fee for commercial and industrial uses shall be adjusted from \$11,200 per gross acre to an amount per gross acre that will result in the total payment of \$817,600; provided, however, if the Adjustment Date occurs on or after January 1, 1997, said total payment amount shall be subject to the annual indexing, but in no event shall it be decreased below the original dollar amount specified herein. The acreage shall be determined from the Initial Map, as hereinafter defined in this paragraph, or the Subsequent Map, as hereinafter defined in this paragraph, which is in effect on the Adjustment Date. The Adjustment Date shall mean the date upon which the first building

permit is issued for any commercial or industrial use within the boundaries of Tract Map 4785 or a subdivision map that is recorded in lieu of Tentative Tract Map 4785 (collectively the "Initial Map") or the date upon which the first subdivision map containing an SR/C or BP lot of ten (10) acres or less is recorded over all, or a part of, the Initial Map 4785 (the "Subsequent Map"), whichever occurs first. The total amount of \$817,600, as may be increased by the annual indexing, shall be paid in full to City no later than the tenth (10th) anniversary of the issuance of the first building permit for any commercial or industrial use within the boundaries of the Initial Map or the tenth (10th) anniversary of the issuance of the first building permit for any commercial or industrial use within the boundaries of the Subsequent Map, whichever occurs first. The Initial Map and the Subsequent Map shall be so conditioned. ~~The performance of the condition shall be secured in the manner provided by California Government Code Section 66499 et seq. and the dollar amount of the security shall be subject to the annual indexing.~~

Defendants, in their sole and unfettered discretion, may elect not to collect the Mitigation Fee. In the event of such election, Plaintiffs shall be responsible for all costs for traffic mitigation measures TC12, TC13 (cost of signal installation or modification at State Route 23 northbound ramps/Tierra Rejada Road only), TC14 (cost of signal installation or modification at State Route 23 southbound ramps/Tierra Rejada Road only) and TC17, as described in the SEIR. Prior to the issuance of the first building permit within the boundaries of the Amended Specific Plan, Plaintiffs shall make a written request of Defendants that they decide whether or not to make the election, and Defendants shall notify Plaintiffs of their decision within thirty (30) days after receipt of the request.

The Mitigation Fee, if collected, may be expended by Defendants in their sole and unfettered discretion; provided, however, payment of the Mitigation Fee represents payment in full of the "fair share" amounts required by traffic mitigation measures TC12, TC13 (cost of signal installation or modification at State Route 23 northbound ramps/Tierra Rejada Road only), TC14 (cost of signal installation or modification at State Route 23 southbound ramps/Tierra Rejada Road only) and TC17.

Payment of the Mitigation Fee does not represent payment, in full or in part, of certain traffic mitigation measures described in the SEIR that will be installed by others but for which Plaintiffs are required to pay "fair share" amounts to City. The "fair share" amounts shall be determined by the following percentages applied to the actual costs of said installations: TC7 (48%), TC10 (34%) and TC11 and TC13 (signal modification at Spring Road/Los Angeles Avenue only) (50%).

The remaining traffic mitigation measures described in the SEIR, to wit: TC1, TC2, TC3, TC4 (100% of the improvements rather than the 63% provided for in the SEIR), TC5, TC8, TC13 (signal at Science Drive/New Los Angeles Avenue only) and TC15 (signal at "A" Street/"B" Street only) shall be installed by Plaintiffs at their sole cost and expense, without off-set against the AOC Fee or the Mitigation Fee. The second Tierra Rejada westbound and eastbound lanes identified in the SEIR have been constructed by City (the "Widening Project"). Plaintiffs shall have no financial obligation with respect to the Widening Project except as provided in this Agreement; provided, however, Conejo shall complete frontage improvements on the north side of Tierra Rejada Road adjacent to the property described in Exhibit B, including, but not limited to, approximately eight (8) feet of paving, striping, curb and gutter, sidewalk, drainage, parkway landscaping and signage, no later than the issuance of the first occupancy permit within the boundaries of the property described in Exhibit "B".

(7) Except as expressly provided in Subsection 5(a)(4), all development within the boundaries of the Amended Specific Plan shall be subject to all of the City's ordinances, rules, regulations and fees that are in effect at the time of zone clearance or at such earlier time as is prescribed by law.

c. Simi Agrees: Simi hereby agrees to accept as a condition to the first tentative tract map or first parcel map on the property described in Exhibit A the obligation to widen to six lanes New Los Angeles Avenue from, but not including, the Arroyo Simi-New Los Angeles bridge east to the 23 Freeway (the "Condition"). If, in the future, Simi and Defendants mutually agree, a traffic study shall be performed by, or on behalf of, City at Simi's sole cost and expense to assess the cumulative traffic impacts of the actual use and development of the 73 acres zoned SR/C/BP and fronting onto New Los Angeles Avenue within the boundaries of the Amended Specific Plan as compared to the impacts and required mitigation forecast in the SEIR and the City's General Plan. In the event the City Council determines from said traffic study that six lanes on New Los Angeles Avenue, as described above, are not required, Defendants agree that they will consider a request by Simi to eliminate said Condition.

6. Payment of Legal Expenses by Plaintiffs. In the event any action is commenced to attack, review, set aside, void or otherwise annul this Agreement, the Amended Specific Plan, the SEIR or the Carlsberg Ordinance, in whole or in part, Plaintiffs shall hold City and its officers, employees, servants and agents harmless therefrom and from any order or judgment therein and shall reimburse City for all costs and expenses, including but not limited to attorneys' fees and costs, incurred by City to defend itself and any of its officers, employees, servants or agents against the action and all costs and expenses incurred by City to

satisfy any order or judgment in the action. City may periodically invoice Plaintiffs for such legal expenses, but not more often than once every thirty (30) days, and Plaintiffs shall pay each invoice in full within thirty (30) days after receiving the same. Notwithstanding anything herein to the contrary, the provisions of this Section shall not apply to any action brought by City or any one or more of its officers, employees, servants or agents in his or her official capacity or in their official capacities.

7. Intervention by Plaintiffs. In the event any action is commenced to attack, review, set aside, void or otherwise annul this Agreement, the Amended Specific Plan, the SEIR or the Carlsberg Ordinance, in whole or in part, Defendants shall give notice of the same to Plaintiffs. As permitted by law, Plaintiffs may intervene in the action as a real party in interest, provided that intervention shall not relieve Plaintiffs of their obligations pursuant to Section 6. Defendants shall not oppose any such intervention by Plaintiffs.

8. Covenant Not to Sue. Plaintiffs hereby covenant not to bring an action against Defendants to (i) attack, review, set aside, void or otherwise annul the Amended Specific Plan, the SEIR or the Carlsberg Ordinance, in whole or in part, or (ii) recover any compensation or obtain any other relief for any injury, damage, loss or deprivation of any right alleged to have been sustained as a result of the adoption of the Amended Specific Plan or the Carlsberg Ordinance by Defendants or the application of the same to the properties described in Exhibits A and B.

Release and Discharge. Each party hereby fully releases and forever discharges the other parties, their predecessors and successors, and all other persons, known or unknown, from any and all past, present and future claims and causes of action which have accrued, or may later accrue, by reason of any injury, damage or loss which has been sustained, or may be sustained, as a result of the claims described in Section 1.

10. Unknown Claims.

a. Each party acknowledges and agrees that the release it gives pursuant to Section 9 applies to all claims which it may have against the other parties for injuries, damages or losses to its person or property, real or personal, whether those injuries, damages or losses are known or unknown, foreseen or unforeseen, or patent or latent. Each party waives application of California Civil Code Section 1542.

b. Each party certifies that it has read California Civil Code Section 1542, set forth below, and indicates that fact by having its authorized representative sign his or her initials here:

_____ [Plaintiffs' initials]

_____ [Defendants' initials]

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

c. Each party understands and acknowledges that the significance and consequence of this waiver of California Civil Code Section 1542 is that even if it should eventually suffer additional injuries, damages or losses arising out of any claim described in Section 1, it will not be able to make any claim or bring any action therefor. Furthermore, each party acknowledges that it intends these consequences even as to injuries, damages or losses that may exist as of the effective date of this Agreement but which it does not know exist, and which, if known, would materially affect its decision to execute this Agreement, regardless of whether its lack of knowledge is the result of ignorance, oversight, error, negligence or any other cause.

11. No Assignment or Transfer. Each party represents and warrants to each of the other parties that it has not assigned or transferred, or purported to assign or transfer, to any person, any claim released by this Agreement. Each party agrees to indemnify and hold harmless each of the other parties against any claim, including the payment of attorneys' fees and costs actually incurred, whether or not litigation is commenced, based upon any such assignment or transfer or purported assignment or transfer.

12. Plaintiffs' Remedies for Breach. Defendants shall have the right to cure any alleged breach of this Agreement within ninety (90) days after receipt of written notice thereof from Plaintiffs. In the event the breach is not fully cured within such time period, Plaintiffs shall have the right thereafter, but not before, to (i) revive and pursue any causes of action set forth in the Action as though the same were a breach of this Agreement and (ii) pursue any other claims, causes of action, rights and remedies available to them at law or in equity. In the event the uncured breach is of any provision of Subsection 5(a)(4) or Subsection 5(a)(5), as determined in a final court action, Plaintiffs' shall be relieved of their obligation to pay City the Development Fee described in Subsection 5(b)(4) henceforth from the date of the breach, in addition to, and cumulative with, any other remedy provided herein. Notwithstanding anything herein to the contrary, Defendants shall not be deemed in breach of any provision of this Agreement that is held unconstitutional, invalid or otherwise unenforceable by a court of competent jurisdiction. If any such provision is so held unconstitutional, invalid or otherwise unenforceable, the remainder of this Agreement shall be valid and shall be enforced to the extent permitted by law.

13. Defendants' Remedies for Breach. Plaintiffs shall have the right to cure any alleged breach of this Agreement within ninety (90) days after receipt of written notice thereof from Defendants. In the event the breach is not fully cured within such time period, Defendants shall have the right thereafter, but not before, to (i) amend the Amended Specific Plan and Carlsberg Ordinance to be consistent with the Specific Plan and Rezoning alleged in Section 2 of the Action, notwithstanding any other provision of this Agreement to the contrary, and (ii) pursue any claims, causes of action, rights and remedies available to them at law or in equity. Plaintiffs hereby agree that the convent not to sue set forth in Section 8 shall extend to any such amendment.

14. Advice of Attorney. Each party warrants and represents, that in executing this Agreement, it has relied upon legal advice from the attorney of its choice, that the terms of this Agreement have been read, and their consequences (including risks, complications, and costs) have been completely explained to it by that attorney, and that it fully understands the terms of this Agreement. Each party further acknowledges and represents, that in executing this Agreement, it has not relied upon any inducements, promises or representations made by any other party or any person representing or serving any other party.

15. Conditions of Execution. Each party acknowledges and warrants that its execution of this Agreement is free and voluntary.

16. Execution of Other Documents. In addition to, and concurrent with, the execution of this Agreement, Simi and Defendants shall execute a memorandum of this Agreement for recordation against the property described in Exhibit A and Conejo and Defendants shall execute a memorandum of this Agreement for recordation against the property described in Exhibit B. Each party shall cooperate fully in the execution of any and all other documents and in the completion of any additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

17. Notices. Any notice to be given pursuant to this Agreement shall be in writing, and all such notices and any other document to be delivered shall be delivered by personal service or by deposit in the United States mail, certified or registered, return receipt requested, with postage prepaid, and addressed to the party for whom intended as follows:

TO DEFENDANTS: City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021
Attn: City Manager

TO PLAINTIFFS: Land Researchers, Inc.

2800 28th Street, Suite 200
Santa Monica, CA 90405
Attn: R. S. Tankersley

Any party may, from time to time, by written notice to the other parties, designate a different address which shall be substituted for the one above specified. Notices and other documents shall be deemed delivered and received upon receipt by personal service or upon the second (2nd) day after deposit in the United States mail.

18. Joint and Several Liability. Whenever the term "Plaintiffs" is used herein, it shall refer to Conejo and Simi jointly and severally, and Conejo and Simi shall be jointly and severally liable. Whenever the term "Defendants" is used herein, it shall refer to City and City Council jointly and severally, and City and City Council shall be jointly and severally liable.

19. Plaintiffs' Successors. This Agreement shall run with the land and shall inure to the benefit of, and shall be binding upon, all officers, directors, employees, agents and representatives of Plaintiffs and on each of their successors. For purposes of this Agreement, Plaintiffs' successor shall mean and be limited to (i) any person who is a successor in interest to the property described in Exhibit A, or to any portion thereof, and (ii) any person who is a successor in interest to the property described in Exhibit B, or to any portion thereof. Neither this Agreement, nor any of the benefits or obligations hereunder, shall be assigned by Plaintiffs, except to a successor as defined herein.

20. Entire Agreement. This Agreement contains the entire agreement between the parties concerning the subject matter hereof. All prior agreements or understandings, oral or written, are hereby merged herein.

21. Motion to Enforce Terms of Settlement; Attorneys Fees. The court may enforce and interpret the terms of this Agreement. If a motion or action is required to enforce or interpret the terms of this Agreement, the order or judgment shall include reasonable attorneys' fees and costs incurred in bringing the motion or action.

22. Interpretation. Should interpretation of this Agreement, or any portion thereof, be necessary, it is deemed that this Agreement was prepared by the parties jointly and equally, and it shall not be interpreted against either party on the ground that the party prepared the Agreement or caused it to be prepared.

23. Headings and Captions. The headings and captions of the various sections and subsections of this Agreement are for convenience and identification only and shall not be deemed to limit or define the content of the respective sections and subsections hereof.

24. Governing Law. This Agreement is entered into and shall be construed and interpreted in accordance with the laws of the State of California.

25. Counterparts. This Agreement may be executed in counterparts.

26. Incorporation into Amended Specific Plan. This Agreement shall be incorporated into, and made a part of, the Amended Specific Plan.

Executed at _____, California, on _____, 1994.

PLAINTIFFS

Conejo Freeway Properties, Ltd., a
California limited partnership
By: Land Researchers, Inc., a
California corporation, the general

partner

By: _____
[Title]

Simi-Moorpark Freeway Properties,
Ltd., a California limited partnership
By: Land Researchers, Inc., a
California corporation, the general partner

By: _____
[Title]

DEFENDANTS

City of Moorpark, a municipal corporation

By: _____
Mayor

CITY COUNCIL OF THE CITY OF MOORPARK

By: _____
Mayor

ATTEST:

City Clerk