

## ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THOUSAND OAKS APPROVING A DEVELOPMENT AGREEMENT WITH THE CONEJO RECREATION AND PARK DISTRICT, RELATING TO CITY-OWNED PROPERTY LOCATED AT 401 & 403 WEST HILLCREST DRIVE (APNS 525-006-0125, 525-005-3115, 525-005-3175, 525-006-0135, 525-005-3195, 525-006-0095, 525-006-0115, 525-006-0085), THOUSAND OAKS, CALIFORNIA **(Development Agreement (DAGR) 2025-70004)**

The City Council of the City of Thousand Oaks does hereby ordain as follows:

**Part I**

Based upon the information contained in the Staff Report, exhibits, and public testimony given at a public hearing on January 13, 2026, the City Council approved this Development Agreement with the following findings:

WHEREAS, in accordance with the Development Agreement Statute, the City of Thousand Oaks (the "City") has adopted regulations (the "Development Agreement Regulations") to implement procedures for the processing and approval of development agreements in accordance with the Development Agreement Statute, which is contained in Section 9-11.01 *et seq.* of the Thousand Oaks Municipal Code (TOMC); and

WHEREAS, the Conejo Recreation and Park District ("CRPD") wishes to purchase City-owned property located 401/403 W Hillcrest Drive;

WHEREAS, CRPD desires to maintain the existing General Plan Land Use designations ("Commercial Town", "Mixed-Use", and "Parks, Golf Courses and Open Space"), and zoning designations ("Mixed-Use Overlay Zone" and "Specific Plan No. 17") for 401/403 W Hillcrest Drive properties (APNs 525-0-060-125, 525-0-053-115, 525-0-053-175, 525-0-060-135, 525-0-053-195, 525-0-060-085, 525-0-060-095, 525-0-060-115) as currently adopted;

WHEREAS, this Development Agreement (DAGR 2025-70004) will create a binding contract that the City will maintain the existing General Plan Land Use designations, for a period of 30 years unless CRPD applies for changes to the designations;

WHEREAS, the City Council on December 2, 2025, pursuant to Government Code Section 54221, declared that certain City-owned properties at 401/403 W Hillcrest Drive is exempt surplus land, under the transfer to public agency exemption;

WHEREAS, the Planning Commission held a duly noticed public hearing on January 12, 2026, on DAGR 2025-70004, during which the Planning Commission received a presentation by City staff and made a recommendation to the City Council affirming the DAGR's consistency with the General Plan.

WHEREAS, the City Council of the City of Thousand Oaks held a duly noticed public hearing on the Project on January 13, 2026 during which the City Council received a presentation by City staff recommending approval of DAGR 2025-70004.

## **Part 2**

NOW THEREFORE, the City Council of the City of Thousand Oaks does hereby ordain as follows:

SECTION 1. This Ordinance incorporates, and by this reference makes a part hereof, the Development Agreement (including all exhibits to the Agreement), attached hereto as Exhibit A, subject to the provisions of Section 5 hereof.

SECTION 2. This Ordinance is adopted under the authority of Government Code Section 65864 *et seq.* and pursuant to the City's "Development Agreement Regulations."

SECTION 3. In accordance with the Development Agreement Regulations, the City Council hereby finds and determines, as follows:

- (a) The Agreement will not adversely affect the orderly development of property or the preservation of property values;
- (b) The Development Agreement preserves the Thousand Oaks Specific Plan (SP-17), which is consistent with the goals and policies of the General Plan. The City Council finds that the Development Agreement is therefore also consistent with the City's General Plan.
- (c) The Development Agreement establishes certain development rights, obligations, and conditions for the implementation of the Project located at 401/403 W Hillcrest Drive (APNs 525-0-060-125, 525-0-053-115, 525-0-053-175, 525-0-060-135, 525-0-053-195, 525-0-060-085, 525-0-060-095, 525-0-060-115).
- (d) The Development Agreement conforms to public convenience, general welfare, and best land use practice;
- (e) The Development Agreement will not be detrimental to the public health, safety, and general welfare of persons residing in the immediate area, nor be detrimental or injurious to the general welfare of the residents of the City as a whole;
- (f) The Development Agreement will support the orderly development of the Property and the preservation of property values;

SECTION 4. The foregoing findings and determinations are based on the following:

- (a) The Recitals set forth in this Ordinance, which is deemed true and correct;
- (b) All City Staff reports (and all other public reports and documents) prepared for the Planning Commission and City Council, relating to the Development Agreement and other actions relating to the Project;

- (c) All documentary and oral evidence received at public hearings or submitted to the City during the comment period relating to the Development Agreement; and
- (d) All other matters of common knowledge to the Planning Commission and City Council, including, but not limited to the City's fiscal and financial status; City policies and regulations; reports, projections and correspondence related to development within and surrounding the City, State laws and regulations and publications.

SECTION 5. The City Council hereby approves the Development Agreement, attached hereto as Exhibit A, subject further to such minor, conforming, and clarifying changes consistent with the terms thereof as may be approved by the City Manager, in consultation with the City Attorney to the execution thereof, including completion of references and status of planning approvals, and completion and conformity of all exhibits thereto, and conformity to the General Plan, as amended, as approved by the City Council.

SECTION 6. The City Manager is hereby authorized and directed to perform all acts authorized to be performed by the City Manager in the administration of the Development Agreement pursuant to the terms of the Development Agreement.

SECTION 7. This Ordinance shall be posted in accordance with the provisions of the TOMC and shall become effective thirty (30) days from and after the date of its passage.

SECTION 8. The City Clerk shall certify the adoption of this ordinance and shall cause the same to be published as required by law.

**Part 3**  
(Uncodified)  
Severability

SECTION 9. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this title; it is hereby expressly declared that this title, and each section, subsection, sentence, clause, and phrase hereof, would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that anyone or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Part 4**  
(Uncodified)  
Effective Date

SECTION 10. This ordinance shall become effective on and after the thirty-first (31<sup>st</sup>) day following its adoption, as certified by the City Clerk.

PASSED AND ADOPTED this XXth day of XXXXX, 202X, by the following vote:

Ayes:  
Noes:  
Absent:

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Mikey Taylor, Mayor  
City of Thousand Oaks City Council

ATTEST/CERTIFY:

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Laura B. Maguire, City Clerk

Date Attested: \_\_\_\_\_

APPROVED AS TO FORM:  
Office of the City Attorney

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Tracy M. Noonan,  
City Attorney

APPROVED AS TO ADMINISTRATION:

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Andrew P. Powers, City Manager

Introduced: XXXX XX, 202X

Published: XXXX XX, 202XX

Ordinance No.: XXXX-NS

*The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the City of Thousand Oaks City Council on the date cited above.*