

PLAIN LANGUAGE DESCRIPTION OF MEASURE Z

1. *What property does Measure Z apply to?*

Measure Z applies to Planning Area C of the Westlake North Specific Plan. This is a 22-acre property on Russell Ranch Road north of the Ventura (101) Freeway and east of Lindero Canyon Road.

2. *How would Measure Z change the amount and type of development allowed on Planning Area C?*

Currently, a maximum of 376,000 square feet of development is allowed on Planning Area C. The following land uses currently are allowed on Planning Area C:

- office and accessory commercial uses
- professional, medical and financial services
- restaurants (excluding free standing fast food establishments)

Voter approval of Measure Z allows a maximum of 227,500 square feet of development on Planning Area C. The following land uses would be allowed on Planning Area C if the Measure is approved:

- general commercial uses
- general retail services
- personal and convenience services
- automobile showroom/dealer
- professional, business and financial services
- other uses allowed in the commercial planned development zone
- dining establishments (excluding free standing or drive through fast food establishments)

3. *What uses are allowed in the commercial planned development zone and would be allowed on Planning Area C if Measure Z is adopted?*

A variety of uses are permitted in the commercial planned development zone subject to issuance of a planned development permit or zone clearance. Those uses are:

- food sales
- consultative and financial services
- personal and convenience services
- administrative commercial activities
- consumer repair services
- business and communication services
- medical services
- temporary uses authorized by a temporary use permit
- general retail services
- instructional studios/facilities (excluding vocational)

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instructional facilities)

A variety of uses are permitted in the commercial planned development zone subject to issuance of a conditional use permit. Those uses are:

- alcoholic beverage sales
- mortuaries
- motor vehicle repair facilities
- hotels and motels
- building material sales
- day care facilities
- churches
- hospitals and nursing homes
- motor vehicle washing facilities (if part of a service station)
- laboratories (when not acting as an accessory use)
- indoor entertainment facilities (such as theatres, sports facilities including gymnasiums and health clubs, nightclubs, billiard parlors, and amusement facilities)
- amateur radio antennae
- clubs, lodges and halls
- service stations
- motor vehicle and boat sales and rentals
- schools
- retail plant nurseries
- nursery schools
- massage parlors
- pet grooming and veterinarian services
- public service and utility structures and facilities
- bars and cocktail lounges (including accessory entertainment)
- satellite earth station antennae exceeding two meters in diameter and wireless telecommunication antenna facilities

4. *How would Measure Z change the design review process for development on Planning Area C?*

Currently, construction projects on Planning Area C are subject to City Council review under the planned development permit process. Through this process, the City Council may review the design, site layout, architectural features and building materials. The City Council’s decision on a planned development permit application is discretionary.

If Measure Z is passed, construction projects on Planning Area C would be subject to City Council review under a modified planned development permit process. The Measure declares that planned development permit applications for Planning Area C would have to be approved if they substantially conform with the Measure’s development and design standards, conditions, exhibits and terms. The Measure designates such approvals as ministerial and exempt from review under the California Environmental Quality Act (CEQA).

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5. *What plans, designs and development conditions are contained in Measure Z?*

Measure Z contains a preliminary site plan that includes a Lowe’s home improvement store, an architectural design for the Lowe’s store, a preliminary landscape plan and a preliminary oak tree location map. The Measure prescribes more than 100 conditions that must be met for construction on Planning Area C to proceed.

6. *How many parking spaces does Measure Z require for Planning Area C?*

Measure Z states that a minimum of 945 parking stalls shall be provided for the Lowe’s store and adjacent retail and restaurant uses on Planning Area C.

7. *What signage regulations are contained in Measure Z?*

Measure Z requires that a sign program be submitted to and approved by the City prior to the construction, installation, painting or other placement of any sign on Planning Area C. The Measure permits temporary construction, leasing and real estate advertising signs that comply with the Westlake Village Municipal Code. The Measure declares that the Lowe’s store primary building signage shall conform with the colors and size shown on the Lowe’s store architectural design. The Measure allows all building walls facing the Ventura (101) Freeway to display identity signage consistent with other buildings in the freeway corridor.

8. *Does Measure Z allow any Planning Area C signage on other properties?*

Measure Z allows one off-site directional sign for Planning Area C to be installed at the intersection of Lindero Canyon Road and Russell Ranch Road adjacent to the Valley Oaks Memorial Park Cemetery. This sign could not exceed five feet by seven feet in dimension. This sign could not be installed unless the property owner consented.

9. *Does Measure Z require payment for improvements to Russell Ranch Road?*

Measure Z requires the developer or Lowe’s to participate with the City in completion of a rubberized asphalt overlay on Russell Ranch Road along the entire project frontage. The Measure allows the developer or Lowe’s to post a bond or other security that guarantees the estimated cost of such overlay to the satisfaction of the City Engineer.

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10. What type of impact/mitigation fees does Measure Z require to be paid?

Measure Z requires payment of all City fees in existence as of January 1, 2006. This requirement includes traffic mitigation fees and the Traffic Signalization and Capital Improvements Fee. The payment would have to be made prior to the issuance of any building permit for Planning Area C. The Measure also requires payment of a \$1,000,000 public improvement fee. This payment would have to be made prior to the issuance of a building permit for the Lowe's store.

11. Does Measure Z specify how the \$1,000,000 public improvement fee must be used?

Measure Z allows the \$1,000,000 public improvement fee to be spent on beneficial improvements chosen by the City Council. The Measure does not require the City Council to spend any particular amount on any particular improvement.

12. What hours of operation does Measure Z allow the Lowe's store to have?

Measure Z allows the Lowe's store to operate between 6:00 a.m. and 10:00 p.m. Monday through Saturday, and between 7:00 a.m. and 10:00 p.m. on Sunday.

13. What does Measure Z require the Lowe's store to do about day laborers?

Measure Z requires the manager of the Lowe's store to take reasonable measures to prevent the congregation of groups of persons on the property who are not customers or employees of Lowe's or the adjacent retail facilities. The Measure also gives the City Planning Director the ability to require employment of a private guard service to prevent public nuisances from occurring on the property.

14. How does Measure Z get implemented if it is adopted?

Voter approval of Measure Z amends the Westlake Village General Plan, the Westlake North Specific Plan and Development Agreement No. 89-002.

15. What is the significance of Development Agreement No. 89-002?

Development Agreement No. 89-002 gives the owner of Planning Area C a contractually-protected vested right to develop the property in accordance with certain development standards that are specified in the Agreement. As long as Development Agreement No. 89-002 is valid, the City

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cannot change those development standards without the property owner's consent. The City will be able to change the development standards for Planning Area C without the property owner's consent once Development Agreement No. 89-002 expires. If the City were to change the development standards for Planning Area C after Development Agreement No. 89-002 has expired, the property owner would have to comply with the new standards unless a "common law" vested right had been obtained. A common law vested right is obtained by getting a building permit and incurring substantial expenditures in reliance on the permit.

16. What is the current expiration date of Development Agreement No. 89-002?

Currently, Development Agreement No. 89-002 is set to expire on April 30, 2008.

17. If Measure Z is adopted, what will be the expiration date of Development Agreement No. 89-002?

Voter approval of Measure Z establishes April 30, 2012 as the expiration date of Development Agreement No. 89-002.

18. How many votes does it take to adopt Measure Z?

A majority of the voters voting on Measure Z must vote in its favor for the Measure to be adopted.

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