

RESOLUTION NO. 2006-1038

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS TO ADOPT THE NEGATIVE DECLARATION AND FILE NO(S). CUP-600-004, SPR-006-053, OAK-006-021 AND TM6-000-003, TO CONSTRUCT A 60 UNIT SENIOR CONDOMINIUM DEVELOPMENT, AND TO REMOVE ONE OAK TREE AND ENCROACH INTO THE PROTECTED ZONE OF ANOTHER OAK TREE, FOR PROPERTY LOCATED AT 26705 MALIBU HILLS ROAD (APN: 2064-004-051) WITHIN THE CB (COMMERCIAL-BUSINESS PARK) ZONING DISTRICT.

Section 1. The City Council has considered all of the evidence submitted into the administrative record which includes, but is not limited to:

1. Agenda reports prepared by the Community Development Department.
2. The Initial study, Negative Declaration and any supporting documentation prepared by the Community Development Department
3. Staff presentation at the public hearing held on July 19, 2006 before the City Council.
4. The City of Calabasas Land Use and Development Code, General Plan, and all other applicable regulations and codes.
5. Public comments, both written and oral, received and/or submitted at or prior to the public hearing, supporting and/or opposing the applicant's request.
6. Testimony and/or comments from the applicant and its representatives submitted to the City in both written and oral form at or prior to the public hearing.
7. All related documents received and/or submitted at or prior to the public hearing.

Section 2. Based of the foregoing evidence, the City Council finds that:

1. The applicant submitted an application for File Nos. CUP-600-004, SPR-006-053, OAK-006-021 and TM6-000-003 on March 15, 2006.
2. On April 4, 2006, staff determined that the application was incomplete and the applicant was duly notified of this incomplete status.

3. On May 20, 2006 the application was deemed complete and the applicant was notified.
4. On June 22, 2006, the Planning Commission held a duly notice public hearing on the project and recommended, with a 5-0 vote, that the City Council approve the project.
5. Notice of the July 19, 2006 City Council public hearing was posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Gelson's market and at Calabasas City Hall.
6. Notice of the July 19, 2006 City Council public hearing was provided to property owners within 500 feet of the property as shown on the latest equalized assessment roll.
7. Notice of the City Council public hearing was mailed or delivered at least ten (10) days prior to the hearing to the project applicant.
8. The project site is currently zoned Commercial, Business Park (CB).
9. The land use designations for the project site under the City's adopted General Plan are Business – Business Park (B-BP).
10. The surrounding land uses around the subject property are zoned Residential Single Family (R-SF), Hillside/Mountainous (HM), and Residential, Rural (RR).
11. Notice of City Council public hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).

Section 3. The City Council reviewed and considered the Negative Declaration and in view of all of the evidence concludes as follows:

Based upon the facts and information contained in the proposed Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Negative Declaration based upon the findings as follows:

1. The Negative Declaration has been prepared in compliance with the California Environmental Quality Act and the State CEQA guidelines promulgated thereunder; that said Negative Declaration and the Initial Study prepared therefore reflect the independent judgment of the Planning Commission; and,

further, this Commission has reviewed and considered the information contained in said Negative Declaration with regard to the application.

2. Based upon the design of proposed project, no significant adverse environmental effects will occur.
3. Pursuant to the provisions of Section 753.5(c) of Title 14 of the California Code of Regulations, the Planning Commission finds that in considering the record as a whole, including the Initial Study and Negative Declaration for the project, there is no evidence that the proposed project will have potential for an adverse impact upon wildlife resources or the habitat upon which wildlife depends. Furthermore, based upon substantial evidence contained in the Negative Declaration, the staff reports and exhibits, and the information provided to the Planning Commission during the public hearing, the Planning Commission hereby rebuts the presumption of adverse effect as set forth in Section 753.5(c-1-d) of Title 14 of the California Code of Regulations.

Section 4. In view of all of the evidence and based on the foregoing findings, the City Council concludes as follows:

Per Section 17.41.100(A) Calabasas Municipal Code the Planning Commission can approve the Tentative Parcel Map provided that the following finding is made:

1. *The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, and any applicable specific plan, and that none of the findings for disapproval in subsection (D) of this section, can be made.*

The proposed subdivision, together with the proposed 60 condominium units, was reviewed for consistency with the General Plan through the General Plan Consistency Review Program. The program ties the intensity and design of new development to the management of environmental resources present within the site and surrounding areas. To do this, it establishes four Land Management classes with different levels of development ranging from undeveloped land that possesses high resource values to lands located within existing developed areas that have low resource values. The Consistency Review Program also contains specific performance standards for project impacts. The four Land Management classes (listed from high resource values to low resource values) are Preservation, Retention, Partial Retention, and Modification.

The subject parcel falls within the Modification Land Management Class, which possesses low resource values due to the built-out nature of the area. Within the Modification Land Management Class, new development must not dominate the background. The subject development, as proposed, will be similar in

height, bulk, area, and design as the other buildings in the neighborhood. Additionally, the project, through its design or through the standard requirements of the permitting process, is consistent with all other aspects of the General Plan Consistency Review program, and is, therefore, consistent with the general plan. There is no specific plan applicable to this area and as shown below, none of the findings for denial can be made.

Section 17.41.100(D) Calabasas Municipal Code requires that a proposed tentative map be denied if any of the following findings can be made; because none of the findings can be made, the Planning Commission can approve the Tentative Parcel Map:

1. *The proposed subdivision including design and improvements is not consistent with the General Plan or any applicable specific plan;*

As discussed above, the proposed subdivision, together with the proposed 60 condominium units, was reviewed for consistency with the General Plan through the General Plan Consistency Review Program and found to be consistent with the General Plan.

2. *The site is not physically suitable for the type or proposed density of development;*

The site is physically suitable for the type and proposed density of the development because both the type of development and the proposed density are allowed per Section 17.14.030 of the Land Use and Development Code. Furthermore, the existing pad is adequate in size to accommodate the proposed development.

3. *The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat;*

As stated in the Negative Declaration, the design of the subdivision and the proposed improvements will not cause substantial environmental damage or injure fish or wildlife or their habitat.

4. *The design of the subdivision or type of improvements is likely to cause serious public health problems;*

As stated in the Negative Declaration, the design of the subdivision and type of improvements is will not cause serious public health problems.

5. *The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large for access through the use of,*

property within the proposed subdivision;

The design of the subdivision and type of improvements will not conflict with any existing easements. In addition no other additional easements are required for this project.

- 6. The discharge of sewage from the proposed subdivision into the community sewer system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board; or*

As stated in the Negative Declaration, the discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Board. Upon application and payment of fees the proposed development will be hooked up to the Las Virgenes Municipal Water District's sewer system.

- 7. The proposed subdivision is not consistent with all applicable provisions of this development code, any other applicable provisions of this code, and the Map Act.*

The proposed subdivision is consistent with all applicable provisions of this development code and the Map Act.

Section 17.62.050(E) Calabasas Municipal Code allows the Planning Commission to approve a Conditional Use Permit provided that the following findings are made:

- 1. The proposed use is conditionally permitted within the subject zoning district and complies with all of the applicable provisions of this development code;*

The proposed senior residential project will meet this finding because it is an allowed use in the CL zoning district per the approval of a Conditional Use Permit. The proposed project meets the requirements of the development code.

- 2. The proposed use is consistent with the General Plan and any applicable specific plan or master plan;*

The property designated for the senior residential project will meet this finding because the Calabasas General Plan Land Use Designation for this property is B-BP (Business-Business Park), and residential uses are consistent with this general plan land use designation. There is no applicable specific or master plan for this property.

- 3. The approval of the conditional use permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA); and*

A Negative Declaration has been prepared in compliance with the City's adopted CEQA guidelines.

- 4. The location and operating characteristics of the proposed use are compatible with the existing and anticipated future land uses in the vicinity.*

The existing urban neighborhood is developed with a mix of multi-family development and office buildings in a variety of architectural styles. The building form of the proposed development is appropriately scaled to complement the infill character. Monterrey architectural style is used to help the building fit in aesthetically with the general area of the project. Due to these conditions, the project is compatible with the surrounding uses and development, as well as anticipated uses and development in the neighborhood and, therefore, meets this finding.

Section 17.26.070(E), Calabasas Municipal Code allows the Planning Commission to recommend and the City Council approve an Oak Tree Permit provided that the following findings are made:

- 1. The request to remove an oak tree or scrub oak habitat is warranted to enable reasonable and conforming use of the subject property, which is otherwise prevented by the presence of the oak tree or scrub oak habitat. Reasonable use of the property shall be determined in accordance with the Guidelines.*

The structures have been located and designed to minimize impacts to as many oak trees on the site as feasible. Therefore, the City finds that the construction of the proposed structures in this area (resulting in the removal of Tree No. KOT-2) is most practical to allow for reasonable and conforming use of the property.

- 2. The request to alter or encroach within the protected zone of an oak tree or scrub oak habitat is warranted to enable reasonable and conforming use of the subject property, which is otherwise prevented by the presence of the oak tree or scrub oak habitat. In addition, said alterations and encroachments can be performed without significant long-term adverse impacts to the oak tree or scrub oak habitat. Reasonable use of the property shall be determined in accordance with the Guidelines.*

The Oak Tree Report indicates that the pruning and encroachment activities involving Tree No. KOT-1 and Tree No. KOT-3 would not result in significant long-term adverse impacts to the oak trees. This conclusion has been confirmed by the City's Arborist. To further ensure that adverse impacts to the trees are

minimized, the Oak Tree Report recommends a series of mitigation measures, which have been included as project conditions of approval in the Resolution.

Section 17.62.020(E), Calabasas Municipal Code allows the director of the Community Development department approve a Site Plan Review provided that the following findings are made:

1. *The proposed use is conditionally permitted within the applicable zoning district and complies with all applicable provisions of this Development Code.*

The applicant is proposing to construct a 60-unit senior condominium development and appurtenant accessory structures. With approval of a Conditional Use Permit, the proposed senior residential development is an allowed use in the Commercial, Business Park (CB) zone pursuant to Land Use and Development Code Section 17.14.020. The proposed project exceeds the maximum Floor Area Ratio (FAR) of 0.6 for the zoning district. However, because the project is proposing senior housing, the property is eligible for and received a density bonus in accordance with Section 17.22.30 of the Land Use and Development Code and Section 65915 of California Government Code. The 25% density bonus is applied to the FAR which increases the maximum FAR to 0.75. The proposed project FAR of 0.74 conforms to this standard. The proposed development also conforms to the City's height standard (35 feet), setbacks, and all other development standards.

2. *The proposed use is consistent with the General Plan, any applicable Specific Plan, and any special design theme adopted by the City for the site and vicinity.*

The proposed subdivision, together with the proposed 60 condominium units, was reviewed for consistency with the General Plan through the General Plan Consistency Review Program. The program ties the intensity and design of new development to the management of environmental resources present within the site and surrounding areas. To do this, it establishes four Land Management classes with different levels of development ranging from undeveloped land that possesses high resource values to lands located within existing developed areas that have low resource values. The Consistency Review Program also contains specific performance standards for project impacts. The four Land Management classes (listed from high resource values to low resource values) are Preservation, Retention, Partial Retention, and Modification.

The subject parcel falls within the Modification Land Management Class, which possesses low resource values due to the built-out nature of the area.

Within the Modification Land Management Class, new development must not dominate the background. The subject development, as proposed, will be similar in height, bulk, area, and design as the other buildings in the neighborhood. Additionally, the project, through its design or through the standard requirements of the permitting process, is consistent with all other aspects of the General Plan Consistency Review program, and is, therefore, consistent with the general plan.

3. *The approval of the Site Plan Review for the proposed use is in compliance with the California Environmental Quality Act (CEQA).*

A Negative Declaration was filed for this project. No significant impacts are expected to result from the proposed project.

4. *The proposed structures, site development, and landscaping are compatible in design, appearance, and scale, with existing uses, development, structure, and landscaping for the surrounding area.*

The proposed development is surrounded by a residential multi-family property and a number of office buildings. In addition, the scale and architecture of the development is consistent with the standards of the Land Use and Development Code. The applicant is proposing to use colors and natural materials that will be compatible with the existing buildings in the area. In addition, the proposed landscaping will act as a buffer between the proposed development and the surrounding properties.

5. *The site is adequate in size and shape to accommodate the proposed structures, fences, landscaping, and other development features.*

Section 17.014.030 of the Land Use and Development Code contains development standards including setbacks, height limits, and lot coverage for the properties zoned CB, in order to ensure that development is adequately proportional to the size of the property. Compliance with said standards is required for approval of any development. Consequently, the subject property contains ample space to accommodate the proposed residence. By covering 67.9% of the property, the proposed development will be in conformance with the site coverage requirement (72%). The proposed three-story development will be consistent with the height of the other buildings in the community, and is in compliance with the City's height requirement (35 feet). Furthermore, the proposed development meets all required setbacks for the main structure and all accessory structures.

6. *The proposed project is designed to respect and integrate with the existing surrounding natural environment to the maximum extent feasible.*

The proposed residence will be compatible with the architecture and scale of the other buildings in the community and will integrate well with the natural environment. The proposed colors and rustic materials will help blend the residence with the existing environment. Furthermore, the future landscaping on the subject site and the proposed greenbelt along the rear of the property will act as a buffer between the proposed development and the surrounding properties. Although the project will require removal of one, non-heritage, oak tree and encroachment into the protected zone of two other non-heritage oak trees, the necessary mitigation measures will be taken per the Oak Tree Report provided by the applicant and reviewed by the City arborist.

Section 17.22.020 allows the City Council to approve a development agreement which allows for the construction of special needs housing instead of the project providing affordable units as required by Code. The Council finds as follows:

1. That housing for seniors is identified as a special needs group in Section 17.22.020(A)(2)(b) of the Calabasas Land Use and Development Code.
2. The applicant is proposing to construct a senior residential project as defined in Section 17.90.020(S) of the Calabasas Land Use and Development Code, which through the CC&Rs and the Conditions of Approval will be restricted to qualified residents as defined in the Calabasas Municipal Code and the California Civil Code.
3. The proposed senior residential project meets the requirements for construction of housing for a special needs group as stated in Section 17.22.020(A)(2)(b) of the Calabasas Land Use and Development Code.
4. The proposed project meets the requirements of the City's Affordable Housing Ordinance (Chapter 17.22 of the Calabasas Land Use and Development Code) and no affordable units need to be provided.

Section 5. In view of all of the evidence and based on the foregoing findings and conclusions, the City Council hereby adopts the Negative Declaration and approve File Nos. CUP-600-004, SPR-006-053, OAK-006-021 AND TM6-000-003, subject to the following agreements and conditions:

I. INDEMNIFICATION AGREEMENT

The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney fees, litigation expenses, court costs

or any other costs arising out of or in any way related to the issuance of this [permit], or the activities conducted pursuant to said permits. Accordingly, to the fullest extent permitted by law, the applicant shall defend, indemnify and hold harmless the City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance of this CUP-600-004, SPR-006-053, OAK-006-021 AND TM6-000-003, or the activities conducted pursuant to this CUP-600-004, SPR-006-053, OAK-006-021 AND TM6-000-003. Applicant shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.

II. CONDITIONS OF APPROVAL

Community Development Department / Planning Division

1. The proposed 60 unit senior condominium development shall be built in compliance with the approved plans dated May 20, 2006 on file with the Planning Division.
2. All project conditions shall be imprinted on the title sheet of the construction drawings. The approved set of plans shall be retained on-site for the review of Building Inspectors. Prior to any use of the project site, all conditions of approval shall be completed to the satisfaction of the Director of Community Development.
3. The project approved herein is depicted on those sets of drawings, elevations, etc., stamped approved by staff on the approval date. Any modifications to these plans must be approved by the Department of Community Development staff prior to the changes on the working drawings or in the field. Changes considered substantial by the Planning staff must be reviewed by the Planning Commission. The determination of whether or not a change is substantial shall be made by the Director of Community Development.

Prior to issuance of grading or building permits, plans shall be reviewed and approved by the Department of Community Development to ensure

compliance with the plans approved by the Planning Commission. The plans shall comply with the conditions contained herein, the Calabasas Municipal Code, and all City Resolutions and Ordinances.

4. This grant shall not be effective for any purposes until after the applicant, or its successors, and the owner of the property involved (if other than the applicant) have signed this decision letter stating that the applicant or its successors and the owner are aware of and agree to accept all conditions of approval.
5. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the applicant or its successors to cease any development or activity not in full compliance shall be a violation of these conditions. Any violation of the conditions of approval may result in the revocation of this approval.
6. This approval shall be valid for one year and eleven days from the date of adoption of the resolution. The permit may be extended in accordance with Title 17 Land Use and Development Code, Article VI - Land Use and Development Permits.
7. Final landscape plans shall be submitted and approved by the City prior to the issuance of permits. All landscaping is to be installed within 90 days of occupancy by the applicant to the satisfaction of the Director of Community Development or his designee. All landscaping will be consistent with the adopted City ordinance for landscape and water efficiency. The plan shall include additional landscaping on the slope at the North end of the property which will screen the neighboring property from the project site. This additional landscaping shall be maintained and replaced, as needed, in order to properly screen the property to the north from the project site.
8. All ground and roof-mounted equipment is required to be fully screened from view. Upon final inspection, Planning Division staff may require additional screening if warranted, through either landscaping, walls or a combination thereof.
9. All exterior lights are subject to the provisions set forth in the Lighting Ordinance Chapter 17.27 of the Land Use and Development Code. Lighting of 60 watts or less on residential projects is exempt by the Lighting Ordinance.

10. All exterior colors and materials used for the construction of the project shall be in substantial conformance with the approved materials and colors exhibit.
11. The applicant must complete and submit the "Development Construction Storm Water Requirements Review Checklist" and associated Storm Water Pollution Prevention Plan (SWPPP)/Wet Weather Erosion Control Plan (WWCEP) documents for approval prior to issuance of grading or building permits.
12. Prior to commencement of construction, all necessary building permits must be obtained from the Building and Safety Division.
13. The project must comply with the building codes in effect at this time, which are the "2002" Los Angeles County Building, Plumbing, and Mechanical codes, and the "2004" California Electrical Code.
14. The project is located within a designated "Very High Fire Hazard Severity Zone". The requirements of Chapter 64 of the 2002 Los Angeles County Building Code, Vol. 1, must be incorporated into all plans.
15. The applicant shall provide the construction contractor(s) and each subcontractor related to the project a copy of the final project Conditions of Approval. The applicant and the City agree that these conditions shall be enforceable through all legal and equitable remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the applicant on or near the project site. The applicant, property owner, and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.
16. The applicant and contractors shall implement all reasonable efforts to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment, and systems. The applicant shall provide proof of recycling quantities to get final clearance of occupancy.
17. Per the Calabasas Municipal Code Chapter 8.16, "no person shall collect and/or dispose of municipal solid waste or recyclable materials in the city without having first been issued a solid waste collection permit. Such permit shall be in addition to any business license or permit otherwise required by the City of Calabasas." Please contact the Public Works Department for a list of permitted haulers. An Encroachment Permit is required prior to placing a refuse bin/container on the street.

18. The applicant shall comply with the City's Quimby requirements as outlined in the adopted General Plan and the Calabasas Municipal Code, prior to the issuance of a Grading, Building Permit, or Final Map Recordation to the satisfaction of the Director of Community Development. The applicant may either pay in-lieu fees or dedicate vacant land to the City.
19. To comply with Section 17.32.190(C)(4) of the Calabasas Land Use and Development Code, there shall be a deed restriction, in perpetuity, attached to the project and to each individually defined condominium, unit, identifying it as a qualified senior residential project as defined in Section 17.90.020(S) of the Calabasas Land Use and Development Code which restricts the project to qualified senior residents as defined in the Calabasas Municipal Code and the California Civil Code. The deed restriction shall be approved as to form by the City Attorney prior to recordation.
20. Prior to issuance of building permits, the applicant must submit a landscape plan that includes Calabasas standard Water-use calculations.
21. A plan must be submitted to the Planning Division that shows any construction vehicle parking and any potential construction vehicle stacking on the public street. The plan shall also contain measures to reduce the impact of construction traffic on the neighboring properties. The plan shall be approved by the Community Development Director and the Public Works Director or their designees prior to the issuance of any permits
22. Construction Activities - Hours of construction activity shall be limited to:
 - i. 7:00 a.m. to 6:00 p.m., Monday through Friday
 - ii. 8:00 a.m. to 5:00 p.m., Saturday

Stacking of construction worker vehicles, prior to 7:00 a.m. in the morning will be restricted to areas that do not adversely affect adjacent residences or schools. The applicant or its successors shall notify the director of Transportation and Intergovernmental Relations of the construction employee parking locations, prior to commencement of construction.
23. The CC&R's for the project shall be reviewed and approved by the City Attorney prior to recordation.
24. The proposed project is constructing senior housing which is identified as a special needs group as identified in Section 17.22.020(A)(2)(b) of the Calabasas Land Use and Development Code. The project therefore meets

the requirements of the City's Affordable Housing Ordinance (Chapter 17.22 of the Calabasas Land Use and Development Code) and no affordable units need to be provided.

Community Development Department / Building and Safety Division

25. Prior to commencement of construction, all necessary building permits must be obtained from the Building and Safety Division.
26. The project must comply with the building codes in effect at this time, which are the "2002" Los Angeles County Building, Plumbing, and Mechanical codes, and the "2004" California Electrical Code.
27. The project is located within a designated "Very High Fire Hazard Severity Zone". The requirements of Chapter 64 of the 2002 Los Angeles County Building Code, Vol. 1, must be incorporated into all plans.

Community Development Department / Consulting City Arborist

28. The project shall comply with the mitigation measures contained in the Oak tree report dated May 15, 2006 to mitigate the impact to the oak trees on site.
29. The project shall comply with the Work, Protection, and Construction and Maintenance procedures contained in the Oak tree report dated May 15, 2006.
30. The Oak tree report and Map shall be revised to address the comments of the City's consulting arborist in his letter dated June 9, 2006. Since these comments were of a technical nature and do not require a revision to the project, the revisions shall be completed prior to the issuance of any permits.

Public Works Department / Environmental Services Division

31. The applicant must complete and submit the "Development Construction Storm Water Requirements Review Checklist" and the associated State Storm Water Pollution Prevention Plan (SWPPP)/Wet Weather Erosion Control Plan (WWCEP) documents for approval prior to issuance of grading or building permits.
32. The applicant shall provide the construction contractor(s) and each subcontractor related to the project a copy of the final project Conditions of Approval. The applicant and the City agree that these conditions shall be

enforceable through all legal and equitable remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the applicant on or near the project site. The applicant, property owner, and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.

33. The applicant and contractors shall implement all reasonable efforts to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment, and systems. The applicant shall provide proof of recycling quantities to get final clearance of occupancy.
34. Per the Calabasas Municipal Code Chapter 8.16, "no person shall collect and/or dispose of municipal solid waste or recyclable materials in the city without having first been issued a solid waste collection permit. Such permit shall be in addition to any business license or permit otherwise required by the City of Calabasas." Please contact the Public Works Department for a list of permitted haulers. An Encroachment Permit is required prior to placing a refuse bin/container on the street.
35. Where feasible as part of the stormwater runoff management system, the project will include swales, berms, green filter strips, infiltration pits, and/or sediment traps.
36. The two proposed residences will be subject to the City's source reduction and recycling program.

Public Works Department / Engineering Division

37. Grading plans and soils reports shall be submitted and approved prior to the issuance of a grading permit.
38. Approval of any encroachments upon easements shall be obtained prior to the issuance of a grading permit.
39. The Parkway drain shown on the plans must be relocated on-site and maintained by the property owner.

Traffic Department

40. The applicant shall pay the citywide traffic fees of \$118,260.00 (\$1,971 per unit @ 60).

Las Virgenes Municipal Water District

41. The district would advocate strict water conservation measures as a condition of project approval. This would include, but is not limited to, fixture design and installation (use of low flow toilets and shower heads), hot water circulating systems and techniques and maximum use of recycled water during and after construction.
42. The developer will be required to meet all of the District's conditions of service and pay any water or sewer fees that may be due prior to construction.

Los Angeles County Fire Department

43. Obtain final approval from Fire Department Land Development Unit prior to issuance of building permits.

Los Angeles County Fire Department / Land Development Unit

44. Access shall comply with Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.
45. Fire Department Access shall be extended to within 150 feet distance of any exterior portion of all structures.
46. Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
47. Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
48. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
49. All hydrants shall be installed in conformance with title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate City regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

Los Angeles County Fire Department / Fuel Modification Unit

50. Obtain final approval from Fuel Modification Unit prior to issuance of building permits.

Section 6. All documents described in Section 1 of Resolution No. 2006-1038 are deemed incorporated by reference as set forth at length.

The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this ____ day of July, 2006.

Dennis Washburn, Mayor

ATTEST:

Gwen Peirce, Assistant City Clerk

APPROVED AS TO FORM:

Michael G. Colantuono, City Attorney