

**PLANNING COMMISSION
RESOLUTION NO. 2016-610**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALABASAS RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF FILE NO. 140000011, A REQUEST FOR DEVELOPMENT OF A 77-ACRE VACANT PROPERTY LOCATED AT 4790 LAS VIRGENES ROAD AT THE EASTERN TERMINUS OF AGOURA ROAD (APNS: 2069-078-009 AND 2069-078-011). THE PROPOSED PROJECT INCLUDES: (1) A RESIDENTIAL COMPONENT CONSISTING OF 67 SINGLE-FAMILY DETACHED HOMES AND FOUR AFFORDABLE UNITS WITHIN TWO DUPLEX STRUCTURES OCCUPYING APPROXIMATELY 13.03 ACRES (16.9% OF THE SITE); (2) A COMMERCIAL COMPONENT CONSISTING OF A 66,516 SQUARE-FOOT, FOUR-STORY HOTEL OCCUPYING APPROXIMATELY 2.91 ACRES (3.8% OF THE SITE); AND (3) PRESERVATION OF APPROXIMATELY 61.0 ACRES (79.3% OF THE SITE) AS PERMANENT OPEN SPACE. DEVELOPMENT OF THIS PROJECT WOULD REQUIRE A SIGNIFICANT AMOUNT OF REMEDIAL GRADING TO RESHAPE THE LAND TO STABILIZE AN ANCIENT LANDSLIDE HAZARD AREA ON THE SOUTHERN PORTION OF THE SITE. REQUESTED PERMITS INCLUDE: GENERAL PLAN AMENDMENT, ZONING MAP AMENDMENT, TENTATIVE TRACT MAP, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, SITE PLAN REVIEW, OAK TREE PERMIT, AND SCENIC CORRIDOR PERMIT. THE PROJECT SITE IS CURRENTLY ZONED PLANNED DEVELOPMENT (PD); RESIDENTIAL-MULTIFAMILY, 20 UNITS PER ACRE (RMF (20)); OPEN SPACE-DEVELOPMENT RESTRICTED (OS-DR); AND IS WITHIN THE SCENIC CORRIDOR (-SC) OVERLAY ZONE.

Section 1. The Planning Commission 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. Staff presentations at the public hearing held on March 16, 2016 and March 17, 2016 before the Planning Commission.
3. The City of Calabasas Land Use and Development Code, Calabasas 2030 General Plan, Las Virgenes Gateway Master Plan, and all other applicable regulations and codes.
4. 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.
5. 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.
6. The Environmental Impact Report, inclusive of public comments and responses to comments.
7. All related documents received and/or submitted at or prior to the public hearing.

Section 2. Based on the foregoing evidence, the Planning Commission finds that:

1. The applicant, The New Home Company, Inc., submitted an application for File No. 140000011 on January 7, 2014. Resubmittals of amended plans and technical documents followed on April 7, 2014, November 19, 2014, January 20, 2015, March 18, 2015, and July 9, 2015.
2. A Notice of Preparation was issued on January 28, 2015, and an EIR scoping meeting was held on February 18, 2015.
3. The Draft Environmental Impact Report was completed and made available for public review on July 10, 2015; the public review period ended on September 1, 2015, and comments received were responded to and incorporated into the Final Environmental Impact Report.
4. On April 20, 2015, the application was deemed complete and the applicant was so notified.
5. A noticed public hearing was held by the Planning Commission on March 16, 2016 and continuing through March 17, 2016.
6. Notice of the March 16 – 17, 2016 Planning Commission public hearing was posted at Juan Bautista de Anza Park, the Calabasas Tennis and Swim Center, Gelson's Market, the Agoura Hills/Calabasas Community Center, and at Calabasas City Hall.

7. Notice of the March 16 – 17, 2016 Planning Commission public hearing complied with the notice requirements set forth in Government Code Section 65009 (b)(2), and was mailed or delivered to property owners within 500 feet of the property as shown on the latest equalized assessment roll at least ten (10) days prior to the hearing, and was mailed or delivered to the project applicant at least twenty (20) days prior to the hearing.
8. The project site is currently zoned Planned Development (PD), Residential Multi-family (20 d.u. per acre) (RM(20)), and Open Space – Development Restricted (OS-DR).
9. The land use designations for the project site under the City's adopted General Plan are Planned Development, Residential Multi-Family (20 d.u. per acre), and Open Space – Resource Protection.
10. Properties surrounding the project site are zoned: Commercial Retail (CR) to the west and north; Residential Multi-family (12 units per acre) (RM(12)) to the southwest; and Open Space – Development Restricted (OS-DR) to the south and east. The corresponding General Plan land use designations, respectively, are: Business Retail (BR); Residential Multi-Family (RM); and Open Space – Resource Protection (RM-RP).

Section 3. In view of all of the evidence presented and based on the following findings and conclusions, the Planning Commission hereby recommends that the City Council certify the adequacy of the Final Environmental Impact Report (EIR), in accordance with CEQA Guidelines, Sections 15090 and 15091, and recommends that the Council adopt a statement of overriding considerations.

EIR CERTIFICATION

Based upon the facts and information contained in the proposed Final Environmental Impact Report, together with all written and oral reports included for the environmental assessment for the application, the Planning Commission recommends that the City Council find that: (1) the Final Environmental Impact Report has been prepared in full compliance with the California Environmental Quality Act and the State CEQA Guidelines promulgated thereunder; (2) the Final Environmental Impact Report reflects the independent judgment and analysis of the City; and (3) this Commission has reviewed and considered the information contained in said Environmental Impact Report with regard to the project application, and has determined the analysis to be fully adequate.

ENVIRONMENTAL IMPACT REPORT FINDINGS

- A. The Planning Commission acknowledges that pursuant to Section 15091 of the CEQA Guidelines, “No public agency shall approve or carry out a project for which an Environmental Impact Report has been certified which

identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation for the rationale for each finding.”

Because the Final EIR identifies a number of potentially significant environmental effects of the proposed project, the Planning Commission hereby recommends that the City Council adopt the Statement of Facts and Findings set forth below as required by Section 15091 of the CEQA Guidelines:

- i. Based on the analyses provided in the Initial Study and EIR prepared for this project, the project may cause potentially significant impacts in the area of “aesthetics”. Meanwhile, impacts to all other resource areas (Biological Resources, Greenhouse Gas Emissions, Land Use/Planning, Transportation/Traffic, Public Services, Air Quality, Geology/Soils, Hydrology/Water Quality, and Noise) would be less than significant, provided the appropriate mitigation measures are incorporated and implemented. Accordingly, mitigation measures have been incorporated into the project via the Mitigation Monitoring and Reporting Program (MMRP) attached as Attachment 1 to this Resolution to mitigate any potential impacts to levels that are less than significant.
- ii. The analysis of aesthetics in the EIR determined that the proposed project would substantially degrade the visual character of the site. Although the project is consistent with the Las Virgenes Gateway Master Plan, the Las Virgenes Corridor Design Plan, and the Scenic Corridor Guidelines, and would generally provide attractive residential and commercial development that is visually compatible with other development along Las Virgenes Road, 26 percent (20.4 acres) of the site would be graded for residential and commercial development and an additional 25 percent of the site (18.6 acres) would be graded to remove an existing landslide and continue to be preserved as open space, together with the remainder of the site. The resultant change in visual character would therefore be a significant and unavoidable impact. All feasible mitigation measures have been considered and incorporated to lessen impacts to the visual character of the site to the fullest extent feasible; further mitigation measures to minimize the project’s visual impact are not available, given the fact that any development of this site’s 16 developable acres would cause a substantial aesthetic impact.
- iii. The impact upon aesthetic resources is acknowledged, but the environmental, economic, and neighborhood compatibility benefits

of the proposed project to the community override that consideration. The most significant benefit of the proposed project is that it proposes development of a commercial and residential project that is far below (less than one-half) the density allowed by the General Plan, thereby achieving an intensity and range of land uses that will be substantially less impactful to area roadways. Additionally, where the General Plan allows up to 180 units of multi-family residential, the proposed project includes 67 detached single-family homes and four affordable units within two duplex buildings, which is far more compatible with the neighboring single-family residential community in terms of housing density, site design, building design and architecture. The project also provides a significant expected economic benefit to the community resulting from additional transient occupancy tax revenues to the City. Further, the project provides a substantial safety benefit to the community, particularly the adjacent existing residential community known as the Colony, by remediating an existing landslide.

- B. The Planning Commission hereby further recommends adoption of the **Mitigation Monitoring and Reporting Program** attached to this Resolution as Attachment 1.
- C. The Planning Commission finds that in considering the record as a whole, including the Initial Study and Final Environmental Impact Report for the project, there is evidence that the proposed project will have potential for an adverse impact upon aesthetic resources due to landform alterations and partial obstruction of views to the surrounding ridgelines, and that these impacts will remain significant even with incorporation of design measures and mitigation to reduce these impacts. Meanwhile, 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. Consequently, based upon substantial evidence contained in the Final EIR for the project, the staff reports and exhibits, and the information provided to the Planning Commission during the public hearing, the Planning Commission hereby recommends that the City Council rebut the presumption of adverse effect as set forth in Section 753.5(c-1-d) of Title 14 of the California Code of Regulations.
- D. The foregoing findings and determinations, which reflect the independent analysis of the City of the matters in the record pertaining thereto and are the independent judgment of the City, are based on the information in the record, including but not limited to the findings set forth herein. The Planning Commission further finds that substantial evidence exists to support each of these findings.
- E. The Planning Commission hereby identifies that the location of records with respect to the Final EIR and other documents and materials

constituting the record of proceedings with respect to the certification of the Final EIR is the Community Development Department of the City of Calabasas, and that the custodian of records with respect to the Final EIR and other documents and material constituting the record of proceedings with respect to the certification of the Final EIR is the Director of Community Development of the City of Calabasas.

Section 4. In the event of a decision by the City Council to certify the adequacy of the EIR and approve the project, the Community Development Department staff shall prepare a Notice of Determination for the Final EIR consistent with State CEQA Guidelines Section 15094(b), and shall promptly file the Notice of Determination with the County Clerk of the County of Los Angeles.

Section 5. In view of all of the following evidence and findings, the Planning Commission concludes as follows in regards to the project development application:

PROJECT FINDINGS

Per section 17.76.050(A) of the Calabasas Municipal Code, the City Council may approve a **General Plan Amendment** provided that the following findings are made:

1. *The proposed amendment is internally consistent with the General Plan.*

For the reasons provided in the General Plan Consistency Table (within the Final EIR and hereby incorporated by reference), the proposed amendment of the General Plan land use map designation from Planned Development, Residential Multi-Family (20), and Open Space – Resource Protection to Business-Retail (B-R), Residential Multi-Family (20), and Open Space – Resource Protection (as shown in Attachment 2) is internally consistent with the General Plan, because it maintains the same mix of land uses for this site as specifically called out in the General Plan’s Community Design Element. Additionally, the proposed amendment will not reduce the acreage of designated open space; it will retain the general shape and limits of the area as envisioned in the General Plan, while also aligning with the contours of the land and the Canyon Oaks project outline. In particular, the proposed amendment to the land use designation map will conform the project’s developed areas to the General Plan’s intended placement of development in the valley on site, and not on the upper hillsides, reflected in the General Plan’s current conceptual designation of the residential and commercial portions of the site as a triangular-shaped area corresponding to the valley’s location. Further, it will not eliminate any anticipated future housing capacity in contradiction to the Housing Element; and traffic conditions and requirements will not conflict with the policies and provisions of the Circulation Element. Furthermore, the amendment will allow for development of a new

commercial and residential community which conforms to the design requirements of the Las Virgenes Corridor Master Plan and integrates with the surrounding developed area. The design of the project complies with the City's stated policies and objectives for control of storm water runoff, control and management of light pollution, protection of open space, hillside grading, vehicle trip reduction, promotion of alternative modes of travel, and conservation of energy resources.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.*

Once the general plan amendment and zoning map amendment changes go into effect to allow for the proposed residential subdivision and commercial hotel to be built within the Residential Multi-Family and Commercial Retail zoning districts, the proposed development will conform to General Plan and Development Code standards specific to each of those project components, and will not be detrimental to public interest, health, safety, convenience, or welfare of the City. Additionally, the amendment supports a development project which will have a significantly lesser range and degree of environmental impacts (particularly a much lower number of vehicle trips on area roads), as compared to the land uses and intensity of use envisioned in the General Plan and the Las Virgenes Gateway Master Plan, because the proposed project is less than half as dense as allowed for in the General Plan for this site. The amendment will also accommodate a development project which will significantly improve public safety and welfare by remediating an existing ancient landslide condition on hillsides proximate to existing housing and public roads.

The project has been reviewed by various agencies, such as the Los Angeles County Fire Department, the Calabasas Department of Public Works, and Las Virgenes Municipal Water District, and has received preliminary approval from these agencies on the basis of compliance with applicable safety and design standards. Final building permit approval will be based upon meeting the required standards of all the necessary agencies. Therefore, the proposed project meets this finding.

3. *The site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested/anticipated land use development(s).*

The subject property is largely undeveloped but already substantially disturbed in the immediate area planned for the project (the proposed residential subdivision and commercial hotel). Two large storm-water detention basins are located in this area, as are several improved roads, culverts and drainage ditches, fences, and previously graded pad areas. The property was also heavily grazed for many decades. The remainder of the 77-acre subject property consists of well-vegetated hillsides characterized by

an abundance of California annual grasslands, coastal scrub, and oak woodland. The combined total acreage is clearly sufficient land area to accommodate the proposed project, and even after setting aside the planned 61 acres of open space, the 16 acres of principal focus is ample area for the proposed hotel and 71 homes. The General Plan had identified this 16-acre area for development of as many as 180 housing units and 155,000 square feet of commercial space.

Potable water, recycled water, sewer, electricity, and natural gas utilities are available along the property frontage, and all connections and on-site utilities will be placed below ground, per city requirements. Furthermore, the property fronts Las Virgenes Road, a heavily travelled arterial street to the west, with long established land uses in the vicinity including fast-food restaurants, gasoline service stations and convenience markets, a liquor store, grocery store, telecommunications switching facility, and a 48-home subdivision.

Accordingly, the site is physically suitable for the requested land use development. Additionally, the project has been reviewed by, and has received preliminary feasibility approval from, various agencies such as the Los Angeles County Fire Department, the Calabasas Public Works Department, and the Las Virgenes Municipal Water District. Final building permit approval will be based meeting the required standards of all the necessary review agencies.

4. *The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).*

An Environmental Impact Report (EIR) was prepared for this project. In preparing the EIR, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The EIR identifies the areas where the project may have a potential effect on the environment. With the exception of Impact AES-3 (substantial degradation of the site's visual character), all other impacts listed as potentially significant have been mitigated to levels that are no longer significant. A Mitigation, Monitoring and Reporting Program is incorporated by reference and attachment to this resolution. Regarding Impact AES-3, all feasible mitigation measures have been considered and incorporated to lessen impacts to the visual character of the site to the extent feasible. The impact is acknowledged, but based on the environmental, economic, and neighborhood compatibility benefits of the proposed project, the City as lead agency has made a Statement of Overriding Considerations.

Per section 17.76.050(B) of the Calabasas Municipal Code, the City Council may approve a **Zoning Map Amendment**, provided that the following findings are made:

1. *The proposed amendment is consistent with the goals, policies, and actions of the General Plan;*

The proposed amendment of the Zoning Map will re-designate approximately 16 acres of land from Planned Development and Residential Multi-Family (20 units/acre) to Commercial Retail and Residential Multi-Family (20 units/acre) plus the addition of Development Plan overlay (as shown in Attachment 3). The remainder of the subject property (approximately 61 acres) is zoned Open Space – Development Restricted, and will remain zoned for such use, continuing the existing protection of these open space areas. The map amendment will retain the general shape and limits of the area as envisioned in the General Plan, while also aligning with the contours of the land and the Canyon Oaks project outline. In particular, the proposed amendment to the zoning map will conform the project’s developed areas to the General Plan’s intended placement of development in the valley on site, and not on the upper hillsides, reflected in the General Plan’s current conceptual designation of the residential and commercial portions of the site as a triangular-shaped area corresponding to the valley’s location. Consequently, because the open space area will remain largely unchanged and with no diminishment of territory, and based upon the many consistency determinations provided in the General Plan Consistency Table (Table 4.7-2 in the Final EIR), this proposed zoning map amendment is consistent with the Calabasas 2030 General Plan. More specifically, the project is consistent with numerous General Plan policies including but not limited to Policies: II-8, II-9, II-10, II-11, II-12, II-17, III-7, III-13, III-14, IV-2, IV-4, IV-8, IV-9, IV-13, IV-15, IV-17, IV-18, IV-21, IV-22, IV-23, IV-24, IV-27, IV-28, IV-31, IV-33, IV-36, IV-37, VI-2, VI-11, VI-14, VI-15, VI-18, VI-19, VI-21, VII-1, VII-2, VII-5, VII-6, VII-7, VII-10, VII-16, VIII-8, IX-3, IX-5, IX-6, IX-14, IX-43, IX-46, XIII-7, XIII-9, XII-13, XII-14, XII-17, and XII-29. The Ordinance amending the Zoning Map will not be effective unless and until the associated General Plan Amendment is adopted by City Council. Accordingly, if that Ordinance becomes effective, the proposed Zoning Map Amendment will be consistent with the General Plan as provided in that Amendment.

2. *The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the city;*

The proposed amendment of the Zoning Map will re-designate approximately 16 acres of land from Planned Development and Residential Multi-Family (20 units/acre) to Commercial Retail and Residential Multi-Family (20 units/acre) plus addition of Development Plan overlay. The remainder of the subject property (approximately 61 acres) is zoned Open Space – Development Restricted, and will remain zoned for such use with no diminishment of territory. The map amendment will retain the general shape and limits of the area as envisioned in the General Plan, preserving all existing open-space acreage, while also aligning with the contours of the land and the Canyon Oaks project outline. In particular, the proposed amendment to the zoning

map will conform the project's developed areas to the General Plan's intended placement of development in the valley on site, and not on the upper hillsides, reflected in the General Plan's current conceptual designation of the residential and commercial portions of the site as a triangular-shaped area corresponding to the valley's location. Once the recommended General Plan Amendment and the Zoning Map Amendment recommended below go into effect, the development will conform to General Plan and Development Code standards and procedures and will not be detrimental to public interest, health, safety, convenience, or welfare of the City. Additionally, the amendment supports a development project which will have a significantly lesser range and degree of environmental impacts (particularly a much lower number of vehicle trips on area roads), as compared to the land uses and intensity of use envisioned in the General Plan and the Las Virgenes Gateway Master Plan. The Zoning Map amendment will also accommodate a development project which will significantly improve public safety and welfare by remediating an existing ancient landslide condition on hillsides proximate to existing housing and public roads.

The project has been reviewed by various agencies, such as the Los Angeles County Fire Department, the Calabasas Department of Public Works, and Las Virgenes Municipal Water District, and has received preliminary approval from these agencies on the basis of compliance with applicable safety and design standards. Final building permit approval will be based upon meeting the required standards of all the necessary agencies. Therefore, the proposed project meets this finding.

3. *The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).*

An Environmental Impact Report (EIR) was prepared for this project. In preparing the EIR, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The EIR identifies the areas where the project may have a potential effect on the environment. With the exception of Impact AES-3 (substantial degradation of the site's visual character), all other impacts listed as potentially significant have been mitigated to levels that are no longer significant. A Mitigation, Monitoring and Reporting Program is incorporated by reference and attachment to this resolution. Regarding Impact AES-3, all feasible mitigation measures have been considered and incorporated to lessen impacts to the visual character of the site to the extent feasible. The impact is acknowledged, but based on the environmental, economic, and neighborhood compatibility benefits of the proposed project, the City as lead agency has made a Statement of Overriding Considerations.

4. *The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.*

The subject property is largely undeveloped but already substantially disturbed in the immediate area planned for the project (the proposed residential subdivision and commercial hotel). Two large storm-water detention basins are located in this area, as are several improved roads, culverts and drainage ditches, fences, and previously graded pad areas. The property was also heavily grazed for many decades. The remainder of the 77-acre subject property consists of well-vegetated hillsides characterized by an abundance of native and non-native grasses, coastal sage and oak trees. The combined total acreage is clearly sufficient land area to accommodate the proposed project, and even after setting aside the planned 61 acres of open space, the 16 acres of principal focus is ample area for the proposed hotel and 71 homes. The General Plan had identified this 16-acre area for development of as many as 180 housing units and 155,000 square-feet of commercial space.

Potable water, recycled water, sewer, electricity, and natural gas utilities are available along the property frontage, and all connections and on-site utilities will be placed below ground, per city requirements. Furthermore, the property fronts Las Virgenes Road, a heavily travelled arterial street to the west, with long established land uses in the vicinity including fast-food restaurants, gasoline service stations and convenience markets, a liquor store, grocery store, telecommunications switching facility, and a 48-home subdivision.

Accordingly, the site is physically suitable for the requested land use development. Additionally, the project has been reviewed by, and has received preliminary plan approvals from various agencies such as the Los Angeles County Fire Department, the City of Calabasas Public Works Department, and the Las Virgenes Municipal Water District. Final building permit approval will be based upon meeting the required standards of all the necessary review agencies. Therefore, the proposed project meets this finding.

Section 17.41.040 of the Calabasas Municipal Code (CMC) states that the Planning Commission may approve, conditionally approve, or deny a proposed **Tentative Map**, provided that the following findings are made (per CMC 17.41.100):

1. *The Planning Commission may approve a tentative map only when the commission first finds that 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 can be made (see findings 3 and 4 below);

The proposed subdivision, inclusive of the proposed 71-unit housing subdivision and the 120-room 4-story hotel, and together with the attendant roads, sidewalks, landscaped areas, clubhouse and pool, drainage facilities, and open space lands, is consistent with the City of Calabasas 2030 General Plan because the developed portion of the project will retain the general shape and limits of the development area envisioned in the General Plan, while also aligning with the contours of the land and maintaining the open space area at 61 acres. In particular, the proposed amendment to the land use designation and zoning map will conform the project's developed areas to the General Plan's intended placement of development in the valley on site, and not on the upper hillsides, reflected in the General Plan's current conceptual designation of the residential and commercial portions of the site as a triangular-shaped area corresponding to the valley's location. Furthermore, based upon the many consistency determinations provided in the General Plan Consistency Table (Table 4.7-2 in the Final EIR), this proposed tentative map is consistent with the Calabasas 2030 General Plan policies as discussed therein. This Tentative Tract Map is not effective unless and until the associated General Plan Amendment and Zone Map Amendment are adopted by the City Council. Accordingly, at such time the General Plan Amendment and Zone Map Amendment become effective, the proposed Tentative Tract Map will be consistent with the General Plan as provided in that Amendment. As a result, the proposed tentative map meets this finding.

2. *That in the interest of public health and safety, proposed road and intersection improvements associated with, or otherwise required, for the subdivision comply with the provisions of CMC 17.46.020;*

To provide access into and from the project site, and as necessary to handle increased traffic volumes, additional public street right-of-way will be dedicated along Las Virgenes Road and at the intersection of Las Virgenes Road and Agoura Road; and the project developer will construct and dedicate improvements to Las Virgenes Road and to the Las Virgenes Road and Agoura Road intersection. The proposed improvements are designed to ensure that the level of service on these two roads continues to meet or exceed the City's minimum level of service requirements, even after development of this project and other adjacent anticipated projects. The subdivider will also make improvements to storm-water conveyance and detention facilities serving the immediate watershed, and will construct recreational amenities for use by new subdivision inhabitants (and pay required impact fees as applicable under Quimby Act recreational facilities impact fee provisions). All proposed site grading, infrastructure system improvements, dedications and easements, lots and parcels, and utilities

have been preliminarily designed in accordance with accepted planning and engineering standards, and have been reviewed and tentatively approved by the City Engineer. Accordingly, the proposed subdivision and associated tentative map conform to accepted present-day planning and engineering standards, and the subdivision design requirements of CMC Chapter 17.46. Furthermore, final engineered plans and specifications for the project shall continue to conform to the provisions of CMC Chapter 17.46, as well as the City's Building Codes. The proposed tentative map therefore complies with the provisions of CMC Section 17.46.020.

3. *The proposed tentative map shall be denied if the Planning Commission makes any of the following findings:*
 - a. *The proposed subdivision, including its design and improvements, is not consistent with the General Plan, or any applicable specific plan;*
 - b. *The site is not physically suitable for the type or density of the proposed development;*
 - c. *The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat;*
 - d. *The design of the subdivision or type of improvements is likely to cause serious public health problems;*
 - e. *The design of the subdivision or the type of improvements will conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision;*
 - f. *The discharge of sewage from the proposed subdivision into the community sewer system would result in violation of existing requirements prescribed by this Municipal Code or the California Regional Water Quality Control Board; or,*
 - g. *The proposed subdivision is not consistent with all applicable provisions of this development code, the Municipal Code, or the Subdivision Map Act.*

For the following reasons, the above listed findings for denial of the proposed tract map cannot be made:

- a. Upon adoption of the proposed General Plan and Zoning Map amendments, the proposed subdivision, including its design and improvements, will be consistent with the Calabasas 2030 General Plan and with the Las Virgenes Gateway Master Plan, for reasons previously stated within this Resolution;
- b. The site is physically suitable for the type and density of the proposed development, as stated elsewhere within this Resolution;
- c. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or injure fish or wildlife or their

habitat, as is determined within the Final EIR for the project and as stated elsewhere within this Resolution, and required mitigation measures will reduce potential impacts to less than significant levels;

- d. The design of the subdivision and type of improvements is not likely to cause serious public health problems. After analysis of the proposed project development and operation, it has been determined that with the implementation of mitigation measures, no significant impacts from noise, vibration, dust, pollutant emissions, safety hazards, or hazardous materials will occur. Additionally, the project will remediate an existing unsafe condition caused by an on-site landslide. Therefore, the above finding cannot be made.
 - e. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision because no roadways or easements exist to accommodate public access through the subject property except for an approximately 790-foot segment of the New Millennium Trail in the southeast corner of the property. The applicant intends to dedicate a trail easement over to the National Park Service, a conservancy, or another not-for-profit entity willing to take responsibility. Furthermore, the project is conditioned to require the applicant to make an irrevocable offer to dedicate the trail easement.
 - f. The discharge of sewage from the proposed subdivision into the community sewer system would not result in violation of existing requirements prescribed by this Municipal Code or the California Regional Water Quality Control Board because the entire project will be served by a sanitary sewer system to be connected to existing sewer main located along the property frontage; the project is substantially below the intensity of use (and projected sewage volumes) envisioned within the General Plan; and the Las Virgenes Municipal Water District has tentatively approved the project plans.
 - g. The proposed subdivision is consistent with all applicable provisions of this development code, the Municipal Code, and the Subdivision Map Act for reasons stated elsewhere within this Resolution and because the proposed subdivision and associated tentative map conform to accepted present-day planning and engineering standards, and the subdivision design requirements of CMC Chapter 17.46.
4. *The proposed tentative map may be denied if the Planning Commission, or City Council if applicable, makes any of the following findings:*
- a. *The tentative map is not in conformity with accepted planning or engineering standards;*
 - b. *The environmental, public services or facilities costs to the city taxpayers outweigh the advantages created by the proposed subdivision;*

- c. *The proposed development is not compatible with the character of the neighborhood;*
- d. *The proposed development is in an area not desirable for the intensive use proposed; or,*
- e. *A preliminary soils report or geologic hazard report indicates adverse soil or geologic conditions and the subdivider has failed to provide sufficient information, to the satisfaction of the City Engineer, Planning Commission, or City Council, that the conditions can be corrected in the plan for development.*

For the following reasons the above listed findings for denial of the proposed tract map cannot be made:

- a. The subdivider will dedicate additional public street right-of-way and make improvements to Las Virgenes Road and to the Las Virgenes Road and Agoura Road intersection as necessary to handle increased traffic volumes; the subdivider will also make improvements to storm-water conveyance and detention facilities serving the immediate watershed, and will construct recreational amenities for use by new subdivision inhabitants (and pay required impact fees as applicable under Quimby Act recreational facilities impact fee provisions). All proposed site grading, infrastructure system improvements, dedications and easements, lots and parcels, and utilities have been preliminarily designed in accordance with accepted planning and engineering standards, and have been reviewed and tentatively approved by the City Engineer. Accordingly, the proposed subdivision and associated tentative map conform to accepted present-day planning and engineering standards, and the subdivision design requirements of CMC Chapter 17.46; final engineered plans and specifications for the project shall continue to conform to the provisions of CMC Chapter 17.46, as well as the City's Building Codes.
- b. The environmental impacts associated with the proposed subdivision, as documented in the project EIR, will be mitigated to levels below significance, with the only exception being aesthetic impacts related to public views from the Las Virgenes Road scenic corridor, for which a Statement of Overriding Considerations is included within this Resolution. Also, public services costs for development of the project and for on-going operations and occupation of the constructed housing units and hotel will be borne by the owners, inhabitants, and visitors of those uses and facilities, and will not be a burden to the current city taxpayers.
- c. The proposed 71-home subdivision will be characterized by single-family dwellings located on exclusive use areas (similar to lots) ranging

in size from 4,163 square feet to 6,759 square feet, which is very similar to the range of sizes for the exclusive use areas within the neighboring subdivision (4,138 s.f. to 7,001 s.f.); and the sizes of the proposed two-story homes will likewise be similar to the sizes of the two-story homes found on the adjacent property. Meanwhile, the hotel component of the project will be located along Las Virgenes Road directly across the street from a McDonald's restaurant and next door to a Mobil brand gasoline service station and car wash. The 101 Freeway interchange is within 600 feet, and the nearest existing residential housing unit is approximately 350 feet away. Meanwhile, tax revenues to the City from the project, following its completion, are expected to be substantial, largely due to transient occupancy tax receipts expected from the hotel component of the project. Accordingly, the project, inclusive of all proposed uses and intensities of use, is located in an area for which it is both appropriate and desirable, and the project as proposed is compatible with the character of the existing mixed residential and commercial neighborhood.

- d. The proposed project would place a commercial use (the proposed hotel) in the same area where the General Plan currently allows up to 155,000 square-feet of commercial development. Similarly, the proposed project would place 71 residential units, in the same area where the General Plan currently allows 180 residential units. Therefore, the proposal is significantly less intense than what is anticipated by the General Plan and current provided for by the General Plan for this area.
- e. The soils and geological conditions reports (included in the project EIR appendix) indicate that an ancient landslide exists along the north-facing slope of the hillside located along the property's southern boundary. The project is designed and engineered around a comprehensive remediation of the slide, which requires over-excavation of the slide material, followed by replacement of the material into an engineered and compacted slope with appropriate storm-water collection and conveyance improvements. The reports and plans have been reviewed and preliminarily approved by the City Engineer, and are discussed at length in the project EIR.

Section 17.62.070 of the Calabasas Municipal Code (CMC) allows the review authority to approve a **Development Plan** provided that the following findings are made:

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

Hotels are not an allowed use in the PD zone per Section 17.11 of the CMC. The applicant is requesting to change the zoning of the commercial segment of the property to Commercial, Retail (CR), which conditionally allows hotels. Given the various site constraints and the pre-established 16-acre development limit, flexibility of development standards required for the CR and RM-20 zoning districts via a Development Plan would be necessary to produce a high quality, environmentally sensitive, and economically beneficial development. Modifications are requested for the following standards per Section 17.18.030 of the CMC: building height of hotel, height of walls exceeding six feet, height of residential entry gate and hotel pool fence, lot size of residential "exclusive use areas," residential setbacks, residential driveway width, and length of loop within residential tract. The proposed project meets all other applicable developments standards for the CR and RM zones. A superior project design is achieved as a result of these requested accommodations.

Provided that the Zoning Map Amendment and Development Plan recommended below are approved, the proposed project meets this finding. If the Zoning Map Amendment or Development Plan recommended herein are not approved, the proposed project does not meet this finding.

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

A General Plan Amendment from PD-RMF20-OSRP to BR-RMF20-OSRP for the subject parcel must be approved to accommodate the proposed use. Per the General Plan Consistency Review (Table 4.7-2 in the Final EIR), the project is consistent with numerous General Plan policies including but not limited to Policies: II-8, II-9, II-10, II-11, II-12, II-17, III-7, III-13, III-14, IV-2, IV-4, IV-8, IV-9, IV-13, IV-15, IV-17, IV-18, IV-21, IV-22, IV-23, IV-24, IV-27, IV-28, IV-31, IV-33, IV-36, IV-37, VI-2, VI-11, VI-14, VI-15, VI-18, VI-19, VI-21, VII-1, VII-2, VII-5, VII-6, VII-7, VII-10, VII-16, VIII-8, IX-3, IX-5, IX-6, IX-14, IX-43, IX-46, XIII-7, XIII-9, XII-13, XII-14, XII-17, and XII-29. The General Plan Amendment will not eliminate any anticipated future housing in contradiction to the Housing Element; and traffic conditions and requirements will not conflict with the policies and provisions of the Circulation Element, in fact the proposed use will create less traffic than what is anticipated by the General Plan EIR. Furthermore, the amendment will allow for development of a new hotel, in accordance with the provision in the General Plan that promotes commercial uses that contribute to a sound local economic base. The design of the proposed development will conform with the City's stated policies and objectives for control of storm water runoff, control and management of light pollution, and adherence to General Plan policies concerning vehicle trip reduction, promotion of alternative modes of travel, and conservation of energy resources.

The subject site is considered a prominent parcel in both the Las Virgenes Gateway Master Plan and the Las Virgenes Road Corridor Plan. The proposed project is consistent with the land use objectives of the Master Plan because it contains a mix of land uses, including open space, single-family residential and duplexes, and a commercial retail (hotel) component, and fosters connections via sidewalks to the nearby Las Virgenes Creek. The project is also consistent in terms of architectural style and colors in part because it will be constructed in accordance with Monterey/Spanish style architecture, and will be colored in earth tones, with concrete S-tile, medium colored, non-glaring roofs. Furthermore, the project is consistent with the goal of integrating sustainable practices into the proposed design, including site planning, building form, materials, and landscaping in that the proposed project's development footprint is limited, will comply with CalGreen standards, provide drought tolerant landscaping, and be "solar ready".

The project site is located within the designated Ventura Freeway Scenic Corridor and is required to comply with the City's Scenic Corridor Development Guidelines. The design guidelines, recommendations, and requirements set forth by the Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to scenic vistas. These include: (a) the use of architectural colors and materials similar to the natural surrounding environment, including tan, earth-tone colors, medium to dark non-glare roof materials, and stone and brick accents; (b) landscaping with native and non-native vegetation; and (c) offering peek-a-boo views through the development. Therefore, assuming the General Plan Amendment recommended herein is approved, the proposed project meets this finding. If the General Plan Amendment recommended herein is not approved, the proposed project does not meet this finding.

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

An Environmental Impact Report (EIR) was prepared for this project. In preparing the EIR, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The EIR identifies the areas where the project may have a potential effect on the environment. With the exception of Impact AES-3 (substantial degradation of the site's visual character), all other impacts listed as potentially significant have been mitigated to levels that are no longer significant. A Mitigation, Monitoring and Reporting Program is incorporated by reference and attachment to this resolution. Regarding Impact AES-3, all feasible mitigation measures have been considered and incorporated to lessen impacts to the visual character of the site to the extent feasible. The impact is acknowledged, but based on the environmental, economic, and neighborhood compatibility benefits of the proposed project, the City as lead agency has made a Statement of Overriding Considerations.

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

The site is located at the intersection of Agoura Road and Las Virgenes Road, both of which are arterial roadways designed to handle high traffic volumes. The project site is also located within 600 feet of the freeway interchange with Highway 101. Collector and local roads serving residential communities will not be utilized to access the site. Surrounding land uses include a 48-home residential subdivision, gas stations, car washes, fast-food restaurants with drive-thru services, convenience markets, auto service/repair, a supermarket, a liquor store, two-story shopping centers, and a variety other commercial and office uses.

The proposed 71-home subdivision will be characterized by single-family dwellings located on exclusive use areas (similar to lots) ranging in size from 4,163 square feet to 6,759 square feet, which is very similar to the range of sizes for the exclusive use areas within the neighboring subdivision (4,138 s.f. to 7,001 s.f.); and home sizes will also be similar to those found on the adjacent property. Meanwhile, the hotel component of the project will be located approximately 350 feet away from the nearest existing residential housing unit, and will be situated along Las Virgenes Road directly across the street from a McDonald's restaurant and next door to a Mobil brand gasoline service station and car wash; thus, the project, as proposed and inclusive of all uses and intensities of use, is compatible with the character of the existing mixed residential and commercial neighborhood.

The clustered-style development proposed by the project, and as requested by the Development Plan, results in a product that is highly compatible with the existing community, far superior in terms of density than the alternative (allowable density in General Plan), and respectful of 61 acres of open space that are protected by the General Plan now and will be permanently protected via a deed restriction as part of this project.

Furthermore, the Final EIR contains a traffic and circulation study that includes an analysis of cumulative traffic conditions on nearby intersections. The analysis utilizes the traffic forecast generated for the project and adds the traffic generated by other future projects which may be constructed in the study area. According to the study, cumulative traffic conditions of the proposed hotel and residences, in conjunction with future anticipated projects in the vicinity will not exceed the City of Calabasas impact thresholds at any of the analyzed intersections. As a result, the location and operating characteristics of the proposed uses are compatible with the existing and anticipated future land uses in the vicinity, and the proposed project meets this finding.

Section 17.62.050(D) of the Calabasas Municipal Code (CMC) allows the review authority to approve a **Scenic Corridor Permit** provided that the following findings are made:

1. *The proposed project design complies with the scenic corridor development guidelines adopted by the council;*

The proposed grading and the addition of buildings on this site would change the visual character of the scenic corridor; however, the design guidelines, recommendations, and requirements set forth by the Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to scenic vistas. These include: (a) incorporation of contour grading and wetland and oak tree mitigation to mimic a natural hillside; (b) use of on-site landscaping around the perimeter of the site development boundary to physically minimize light spillover impacts; (c) installation of a significant amount of overall landscaping to reduce the visual impact of the proposed project on the viewshed; (d) use of earth-tone colors, medium to dark colored/non-glare roofs, and brick and stone accents for the hotel and residential structures; and (e) articulation of design and incorporation of architectural relief elements that successfully avoid large straight, blank facades. Additionally, and as referenced in the EIR, all feasible mitigation measures to reduce the project's visual impact to the scenic corridor have been incorporated into the design of the project. Therefore, the proposed project meets this finding.

2. *The proposed project incorporates design measures to ensure maximum compatibility with and enhancement of the scenic corridor;*

The Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to scenic vistas. These include: (a) incorporation of contour grading and wetland and oak tree mitigation to mimic a natural hillside; (b) use of on-site landscaping around the perimeter of the site development boundary to physically minimize light spillover impacts; (c) installation of a significant amount of overall landscaping to reduce the visual impact of the proposed project on the viewshed; (d) use of earth-tone colors, medium to dark colored/non-glare roofs, and brick and stone accents for the hotel and residential structures; and (e) articulation of design and incorporation of architectural relief elements that successfully avoid large straight, blank facades. Additionally, and as referenced in the EIR, all feasible mitigation measures to reduce the project's visual impact to the scenic corridor have been incorporated into the design of the project.

The project includes outdoor lighting, which for the already developed and heavily traveled Las Virgenes Road corridor is not entirely new or out of character. Meanwhile the project lighting will also carry on into and

throughout the subdivision and would introduce nighttime light into an area that is generally not illuminated today. Conceptual photometric plans have been prepared for the project, and staff review has determined that the plans comply with the requirements of the City's Dark Skies Ordinance to prevent light trespass and limit sky glow. Additionally, lighting will be limited to only the developed portion of the property, leaving approximately 80% of the site in its natural state with no lighting whatsoever. Therefore the proposed project meets this finding.

3. *The proposed project is within an urban scenic corridor designated by the General Plan, and includes adequate design and landscaping, which serves to enhance and beautify the scenic corridor;*

The Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to scenic vistas. These include: (a) incorporation of contour grading and wetland and oak tree mitigation to mimic a natural hillside; (b) use of on-site landscaping around the perimeter of the site development boundary to physically minimize light spillover impacts; (c) installation of a significant amount of overall landscaping to reduce the visual impact of the proposed project on the viewshed; (d) use of earth-tone colors, medium to dark colored/non-glare roofs, and brick and stone accents for the hotel and residential structures; and (e) articulation of design and incorporation of architectural relief elements that successfully avoid large straight, blank facades. The project also includes a densely landscaped berm along Las Virgenes Road that screens views of the proposed hotel. Additionally, and as referenced in the EIR, all feasible mitigation measures to reduce the project's visual impact to the scenic corridor have been incorporated into the design of the project. Therefore, the proposed project meets this finding.

4. *The proposed structures, signs, site development, grading, and/or landscaping related to the proposed use are compatible in design, appearance, and scale, with existing uses, development, signs, structures, and landscaping of the surrounding area;*

The proposed project (inclusive of the 67 single-family homes, four affordable housing units within two duplex buildings, 120-room 4-story hotel, associated landscaping, supporting accessory facilities, and 61 acres of open space), is compatible in design, appearance and scale with existing land uses, development, signs, structures, and landscaping for the surrounding area because it conforms to the General Plan designations for the area by limiting the development footprint to 16 acres and reducing the intensity of use by more than 50%. Furthermore, the proposed residential subdivision will be nearly identical to the neighboring Colony subdivision (consisting of 48 single-family homes on approximately 12 acres of RM-12 zoned land) in terms of the

type of development, which is small-lot single-family homes on exclusive use areas (similar to lots) within a private enclave, and with the homes placed on a graded pad above the nearby commercial corridor. The design of the proposed homes is also compatible with the neighboring Colony subdivision, reflective of the Monterey style architecture suggested in the Las Virgenes Gateway Master Plan. Homes in the Colony average approximately 3,000 square-feet, and occupy exclusive use areas averaging 4,740 square-feet, while the proposed home sizes in the Canyon Oaks project will average roughly 2,893 square-feet, with exclusive use areas averaging 4,949 square-feet.

Site grading will be substantial due to the need to remediate an ancient landslide, as previously discussed within this Resolution and documented in the project EIR. However, the grading quantities (cut and fill) will cancel out because the excavated slide material will be replaced into an engineered slope and the building pads. Grading work for the balance of the project (e.g., beyond the landslide remediation grading), as necessary for accomplishing adequate site drainage, roads and other infrastructure systems, and building pad preparation, is typical and consistent with other developments that have occurred up and down the corridor and is not anticipated to result in the export of any soil from the project site.

Signs on the property will be minimal, and will adhere to the City's sign ordinance standards, as well as the Scenic Corridor requirements for signs. Consequently, the project signs will not be out of character for the surrounding developed area (especially considering the large number of non-conforming signs which exist throughout this area).

The proposed hotel is situated along Las Virgenes Road, among existing commercial uses. Directly across the street is a McDonald's and the two-story Albertson's shopping. Slightly southwest of the hotel site is a two-story mixed office and retail shopping center and a Jack-in-the-Box. To the north, the project abuts an existing gasoline service station with a convenience market and self-serve car wash. Like the Albertson's across the street, the proposed hotel is designed to conform to the Monterey style architecture expected for this corridor.

Finally, the project is consistent with the design requirements of the scenic corridor and the Las Virgenes Gateway Master Plan, as evidenced by the review and approval recommendation that was issued by the Architectural Review Panel. The ARP determined that use of proposed earth-tone colors, medium to dark, non-glare roofs, and brick and stone accents contribute to the blending of the homes and the hotel with the surrounding natural hillsides; and the use of landscaping, as proposed, would also contribute to the screening and blending of the project into the surrounding natural environment when viewed from the scenic corridor.

Therefore, the proposed structures, signs, site development, grading and landscaping are compatible in design, appearance, and scale with existing uses, development, signs, structures, and landscaping in the surrounding area, and the project meets this finding.

Section 17.62.060 of the Calabasas Municipal Code (CMC) allows the review authority to approve a **Conditional Use Permit** provided that the following findings are made:

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

The project requires a CUP for two proposed uses: (1) the residential clubhouse facility; and (2) the hotel.

The proposed residential clubhouse facility is a conditionally allowed use in the RM(20) zoning district. The proposed residential clubhouse is categorized as a “neighborhood community center”. These clubhouse-type facilities are common among gated residential communities. The proposed clubhouse is fairly small and accommodates only a clubroom, restrooms, and an outdoor pool. Use of this facility would be limited exclusively to residents and their guests. Additionally, for-profit commercial activity will be prohibited.

Hotels are not an allowed use in the PD zone per Section 17.11 of the CMC. The applicant is requesting to change the zoning of the commercial segment of the property to Commercial, Retail (CR), which conditionally allows hotels. With the approval of the requested General Plan and zoning map amendments, the proposed hotel will be conditionally allowable on site. Given the various site constraints and the pre-established 16-acre development limit, flexibility of development standards required for the CR and RM-20 zoning districts via a Development Plan would be necessary to produce a high quality, environmentally sensitive, and economically beneficial development. Modifications are requested for the following standards per Section 17.18.030 of the CMC: building height of hotel, height of walls exceeding six feet, height of residential entry gate and hotel pool fence, lot size of residential “exclusive use areas,” residential setbacks, residential driveway width, and length of loop within residential tract. The proposed project meets all other applicable developments standards for the CR and RM zones. A superior project design is achieved as a result of these requested accommodations.

Provided that the Zoning Map Amendment and Development Plan recommended below are approved, the proposed project meets this finding. If the Zoning Map Amendment or Development Plan recommended herein are not approved, the proposed project does not meet this finding.

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

Although portions of the proposed project are consistent with the General Plan, a General Plan Amendment from PD-RMF20-OSRP to BR-RMF20-OSRP for the subject parcel must be approved to accommodate the proposed project as a whole. Per the General Plan Consistency Review (Table 4.7-2 in the Final EIR), the project is consistent with numerous General Plan policies including but not limited to Policies: II-8, II-9, II-10, II-11, II-12, II-17, III-7, III-13, III-14, IV-2, IV-4, IV-8, IV-9, IV-13, IV-15, IV-17, IV-18, IV-21, IV-22, IV-23, IV-24, IV-27, IV-28, IV-31, IV-33, IV-36, IV-37, VI-2, VI-11, VI-14, VI-15, VI-18, VI-19, VI-21, VII-1, VII-2, VII-5, VII-6, VII-7, VII-10, VII-16, VIII-8, IX-3, IX-5, IX-6, IX-14, IX-43, IX-46, XIII-7, XIII-9, XII-13, XII-14, XII-17, and XII-29. The General Plan Amendment will not eliminate any anticipated future housing in contradiction to the Housing Element; and traffic conditions and requirements will not conflict with the policies and provisions of the Circulation Element, in fact the proposed use will create less traffic than what is anticipated by the General Plan EIR. Furthermore, the amendment will allow for development of a new hotel, in accordance with the provision in the General Plan that promotes commercial uses that contribute to a sound local economic base. The design of the proposed development will conform with the City's stated policies and objectives for control of storm water runoff, control and management of light pollution, and adherence to General Plan policies concerning vehicle trip reduction, promotion of alternative modes of travel, and conservation of energy resources.

The subject site is considered a prominent parcel in both the Las Virgenes Gateway Master Plan and the Las Virgenes Road Corridor Plan. The proposed project is consistent with the land use objectives of the Master Plan because it contains a mix of land uses, including open space, single-family residential and duplexes, and a commercial retail (hotel) component, and fosters connections via sidewalks to the nearby Las Virgenes Creek. The project is also consistent in terms of architectural style and colors in because it will be constructed in accordance with Monterey/Spanish style architecture, and will be colored in earth tones, with concrete S-tile, medium colored, non-glaring roofs. Furthermore, the project is consistent with the goal of integrating sustainable practices into the proposed design, including site planning, building form, materials, and landscaping in that the proposed project's development footprint is limited, will comply with CalGreen standards, provide drought tolerant landscaping, and be "solar ready".

The project site is located within the designated Ventura Freeway Scenic Corridor and is required to comply with the City's Scenic Corridor Development Guidelines. The design guidelines, recommendations, and requirements set forth by the Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the

project to scenic vistas. These include: (a) the use of architectural colors and materials similar to the natural surrounding environment, including tan, earth-tone colors, medium to dark non-glare roof materials, and stone and brick accents; (b) landscaping with native and non-native vegetation; and (c) offering peek-a-boo views through the development. Therefore, assuming the General Plan Amendment recommended below is approved, the proposed project meets this finding. If the General Plan Amendment recommended below is not approved, the proposed project does not meet this finding.

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

An Environmental Impact Report (EIR) was prepared for this project. In preparing the EIR, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The EIR identifies the areas where the project may have a potential effect on the environment. With the exception of Impact AES-3 (substantial degradation of the site's visual character), all other impacts listed as potentially significant have been mitigated to levels that are no longer significant. A Mitigation, Monitoring and Reporting Program is incorporated by reference and attachment to this resolution. Regarding Impact AES-3, all feasible mitigation measures have been considered and incorporated to lessen impacts to the visual character of the site to the extent feasible. The impact is acknowledged, but based on the environmental, economic, and neighborhood compatibility benefits of the proposed project, the City as lead agency has made a Statement of Overriding Considerations.

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

The site is located at the intersection of Agoura Road and Las Virgenes Road, both of which are arterial roadways designed to handle high traffic volumes. The project site is also located within 600 feet of the freeway interchange with Highway 101. Collector and local roads serving residential communities will not be utilized to access the site. Surrounding land uses include a 48-home residential subdivision, gas stations, car washes, fast-food restaurants with drive-thru services, convenience markets, auto service/repair, a supermarket, a liquor store, two-story shopping centers, and a variety other commercial and office uses.

The proposed 71-home subdivision, within which the clubhouse facility is located, will be characterized by single-family dwellings located on exclusive use areas (similar to lots) ranging in size from 4,163 square feet to 6,759 square feet, which is very similar to the range of sizes for the exclusive use areas within the neighboring subdivision (4,138 s.f. to 7,001 s.f.); and home sizes will also be similar to those found on the adjacent property. Meanwhile,

the hotel component of the project will be located approximately 350 feet away from the nearest existing residential housing unit, and will be situated along Las Virgenes Road directly across the street from a McDonald's restaurant and next door to a Mobil brand gasoline service station and car wash; thus, the project, as proposed and inclusive of all uses and intensities of use, is compatible with the character of the neighborhood.

The clustered-style development proposed by the project results in a product that is highly compatible with the existing surrounding community, and far superior in terms of density than the alternative (the project seeks to develop less than one-half the allowable density in General Plan). Furthermore, 61 acres of open space that will be permanently protected as part of this project.

Finally, the Final EIR contains a traffic and circulation study that includes an analysis of cumulative traffic conditions on nearby intersections. The analysis utilizes the traffic forecast generated for the project and adds the traffic generated by other future projects which may be constructed in the study area. According to the study, cumulative traffic conditions of the proposed hotel and residences, in conjunction with future projects will not exceed the City of Calabasas impact thresholds at any of the analyzed intersections.

As a result, the location and operating characteristics of the proposed uses are compatible with the existing and anticipated future land uses in the vicinity, and the proposed project meets this finding.

Section 17.32.010 of the Calabasas Municipal Code (CMC) allows the review authority to 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 would otherwise be 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 project's oak tree report identifies 198 oak trees on-site, of which 145 would not be affected by the proposed project. Implementation of the project would result in the removal of 39 oak trees, 18 of which are heritage oaks. Twenty-two (22) of the 39 removals are the direct consequence of remedial grading for the landslide repair. Because development of any intensity on this site requires remediation of the ancient landslide, the grading required for remediation of the landslide, in turn, results in the removal of twenty-two (22) oak trees. The removal of the additional seventeen (17) oak trees is the result of grading for the entry-street, construction of the eastern debris basin and drainage structure, excavation of the slope behind the hotel,

and non-remedial grading outside of the landslide repair areas, all of which are necessary for development of the site.

Per the project's Oak Tree Mitigation Plan, 410 oak trees are proposed to be planted as impact mitigation on the graded slopes, at prominently visible locations along Las Virgenes Road, and within the areas designated for biological habitat mitigation. Twenty-four of these oaks would be specimen oak trees (60-inch box trees or larger), which would be planted near the entrance to the project site on Las Virgenes Road. Per Mitigation Measure BIO-6, a City-approved oak tree consultant shall prepare a report after the conclusion of grading and construction and then prepare oak tree monitoring reports annually for the next five years based on bi-annual site visits/oak monitoring. Therefore, the proposed project meets this finding.

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 property, which would otherwise be prevented by the presence of the oak tree or scrub oak habitat. In addition, such 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 project Oak Tree Report identified 198 oak trees on-site, and implementation of the project would result in the encroachment into the protected zones of 14 oak trees. Encroachments would occur at the edges of the manufactured slopes proposed around the building pads, debris basin, and for the landslide remediation. Encroachment would include grade changes within the protected zone of the tree and canopy and/or possible root pruning. These encroachments are necessary for development of the site and to repair the landslide. Therefore, the proposed encroachments are warranted to enable reasonable and conforming use of the subject property.

The Oak Tree Report indicates that the encroachment activities involving the on-site oak trees would not result in significant long-term adverse impacts to the trees. This conclusion has been confirmed by the City's environmental consultant. To further ensure that adverse impacts to the trees are minimized, the applicant shall comply with all of the Oak Tree Report recommendations, all of which have been incorporated into the Conditions of Approval for this Resolution. Therefore, the proposed project meets this finding.

Section 17.62.020 of the Calabasas Municipal Code (CMC) allows the review authority to approve a **Site Plan Review Permit** provided that the following findings are made:

1. *The proposed project complies with all applicable provisions of this Development Code;*

Hotels are not an allowed use in the PD zone per Section 17.11 of the CMC. The applicant is requesting to change the zoning of the commercial segment of the property to Commercial, Retail (CR), which conditionally allows hotels. Given the various site constraints and the pre-established 16-acre development limit, flexibility of development standards required for the CR and RM-20 zoning districts via a Development Plan would be necessary to produce a high quality, environmentally sensitive, and economically beneficial development. Modifications are requested for the following standards per Section 17.18.030 of the CMC: building height of hotel, height of walls exceeding six feet, height of residential entry gate and hotel pool fence, lot size of residential "exclusive use areas," residential setbacks, residential driveway width, and length of loop within residential tract. The proposed project meets all other applicable developments standards for the CR and RM zones. A superior project design is achieved as a result of these requested accommodations.

Provided that the Zoning Map Amendment and Development Plan recommended herein are approved, the proposed project meets this finding. If the Zoning Map Amendment or Development Plan recommended herein are not approved, the proposed project would not meet this finding.

2. *The proposed project is consistent with the General Plan, any applicable specific plan, and any special design theme adopted by the city for the site and vicinity;*

A General Plan Amendment from PD-RMF20-OSRP to BR-RMF20-OSRP for the subject parcel must be approved to accommodate the proposed use. Per the General Plan Consistency Review (Table 4.7-2 in the Final EIR), the project is consistent with numerous General Plan policies including but not limited to Policies: II-8, II-9, II-10, II-11, II-12, II-17, III-7, III-13, III-14, IV-2, IV-4, IV-8, IV-9, IV-13, IV-15, IV-17, IV-18, IV-21, IV-22, IV-23, IV-24, IV-27, IV-28, IV-31, IV-33, IV-36, IV-37, VI-2, VI-11, VI-14, VI-15, VI-18, VI-19, VI-21, VII-1, VII-2, VII-5, VII-6, VII-7, VII-10, VII-16, VIII-8, IX-3, IX-5, IX-6, IX-14, IX-43, IX-46, XIII-7, XIII-9, XII-13, XII-14, XII-17, and XII-29. The General Plan Amendment will not eliminate any future housing capacity in contradiction to the Housing Element; and traffic conditions and requirements will not conflict with the policies and provisions of the Circulation Element, in fact the proposed use will create less traffic than what is anticipated by the General Plan EIR. Furthermore, the amendment will allow for development of a new hotel, in accordance with the provision in the General Plan that states that B-BP uses should provide employment opportunities and a net positive income stream to the City. The design of the proposed development will conform with the City's stated policies and objectives for control of storm water runoff,

control and management of light pollution, and adherence to General Plan policies concerning vehicle trip reduction, promotion of alternative modes of travel, and conservation of energy resources.

The subject site is considered a prominent parcel in both the Las Virgenes Gateway Master Plan and the Las Virgenes Road Corridor Plan. The proposed project is consistent with the land use objectives of the Master Plan because it contains a mix of land uses, including open space, single-family residential and duplexes, and a commercial retail (hotel) component, and fosters connections via sidewalks to the nearby Las Virgenes Creek. The project is also consistent in terms of architectural style and colors because it will be constructed in accordance with Monterey/Spanish style architecture, and will be colored in earth tones, with concrete S-tile, medium colored, non-glaring roofs. Furthermore, the project is consistent with the goal of integrating sustainable practices into the proposed design, including site planning, building form, materials, and landscaping in that the proposed project's development footprint is limited, will comply with CalGreen standards, provide drought tolerant landscaping, and be "solar ready".

The project site is located within the designated Ventura Freeway Scenic Corridor and is required to comply with the City's Scenic Corridor Development Guidelines. The design guidelines, recommendations, and requirements set forth by the Scenic Corridor Development Guidelines have been incorporated into the site design to minimize the visual impact of the project to scenic vistas. These include: (a) the use of architectural colors and materials similar to the natural surrounding environment, including tan, earth-tone colors, medium to dark non-glare roof materials, and stone and brick accents; (b) landscaping with native and non-native vegetation; and (c) offering peek-a-boo views through the development. Therefore, provided that the General Plan Amendment recommended herein is approved, the proposed project meets this finding. If the General Plan Amendment recommended herein is not approved, the proposed project would not meet this finding.

The project is also required to comply with the requirements set forth in Section 17.20.150 (Hillside and Ridgeline Development) of the CMC. The project achieves the purposes of the City's Hillside ordinance by including the use of landscape and sloped rooflines in order to complement the contours of the dominant ridgelines, and the use of plantings along the street-facing slopes of development to screen and soften the building architecture. Also, the more substantial retaining walls have been situated behind buildings and toward the rear of the project development area where the walls are screened from public view. Therefore, based on the preceding, and upon the Scenic Corridor Permit findings provided within this resolution, the proposed project meets this finding.

3. *The approval of the site plan review is in compliance with the California Environmental Quality Act (CEQA);*

An Environmental Impact Report (EIR) was prepared for this project. In preparing the EIR, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The EIR identifies the areas where the project may have a potential effect on the environment. With the exception of Impact AES-3 (substantial degradation of the site's visual character), all other impacts listed as potentially significant have been mitigated to levels that are no longer significant. A Mitigation, Monitoring and Reporting Program is incorporated by reference and attachment to this resolution. Regarding Impact AES-3, all feasible mitigation measures have been considered and incorporated to lessen impacts to the visual character of the site to the extent feasible. The impact is acknowledged, but based on the environmental, economic, and neighborhood compatibility benefits of the proposed project, the City as lead agency has made a Statement of Overriding Considerations.

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

The proposed project (inclusive of the 67 single-family homes, four affordable housing units within two duplex buildings, 120-room 4-story hotel, associated landscaping, supporting accessory facilities, and 61 acres of open space), is compatible in design, appearance and scale with existing land uses, development, signs, structures, and landscaping for the surrounding area because it conforms to the General Plan designations for the area by limiting the development footprint to 16 acres, as provided for in the Housing Element, and reducing the intensity of use by more than 50%. Furthermore, the proposed residential subdivision will be nearly identical to the neighboring Colony subdivision (consisting of 48 single-family homes on approximately 12 acres of RM-12 zoned land) in terms of the type of development, which is small-lot single-family homes on exclusive use areas (similar to lots) within a private enclave, and with the homes placed on a graded pad above the nearby commercial corridor. The design of the proposed homes is also compatible with the neighboring Colony subdivision, reflective of the Monterey style architecture suggested in the Las Virgenes Gateway Master Plan. Homes in the Colony average approximately 3,000 s.f. and occupy exclusive use areas averaging 4,740 square-feet, while the proposed home sizes in the Canyon Oaks project will average roughly 2,893 square-feet, with exclusive use areas averaging 4,949 square-feet.

The proposed hotel is situated along Las Virgenes Road, among existing commercial uses. Directly across the street is a McDonald's and the two-story Albertson's shopping. Slightly southwest of the hotel site is a two-story mixed office and retail shopping center and a Jack-in-the-Box. To the north, the

project abuts an existing gasoline service station with a convenience market and self-serve car wash. Like the Albertson's across the street, the proposed hotel is designed to conform to the Monterey style architecture expected for this corridor.

Site grading will be substantial due to a requirement to remediate an ancient landslide, as previously discussed within this Resolution and documented in the project EIR. However, the grading quantities (cut and fill) will cancel out because the excavated slide material will be replaced into an engineered slope and the building pads. Grading work for the balance of the project (e.g., beyond the landslide remediation grading), as necessary for accomplishing adequate site drainage, roads and other infrastructure systems, and building pad preparation, is typical and consistent with other developments that have occurred up and down the corridor and is not expected result in any export or import of soil to or from the site.

Signs on the property will be minimal, and will adhere to the City's sign ordinance standards, as well as the Scenic Corridor requirements for signs. Consequently, the project signs will not be out of character for the surrounding developed area (especially considering the large number of non-conforming signs which exist throughout this area).

Finally, the project is consistent with the design requirements of the scenic corridor and the Las Virgenes Gateway Master Plan, as evidenced by the review and approval recommendation that was issued by the Architectural Review Panel. The ARP determined that use of proposed earth-tone colors, medium to dark, non-glare roofs, and brick and stone accents contribute to the blending of the homes and the hotel with the surrounding natural hillsides; and the use of landscaping, as proposed, would also contribute to the screening and blending of the project into the surrounding natural environment when viewed from the scenic corridor.

Therefore, the proposed structures, signs, site development, grading and landscaping are compatible in design, appearance, and scale with existing uses, development, signs, structures, and landscaping in the surrounding area, and the project meets this finding.

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

The project will occupy approximately 16 acres of previously disturbed lands (characterized by previously graded pads, improved roads, two large debris basins, channelized drains and ditches, and heavily grazed hillsides) as part of a much larger 77-acre property. The proposed project (inclusive of the 67 single-family homes, four affordable housing units within two duplex buildings, 120-room 4-story hotel, associated landscaping, supporting accessory

facilities, and 61 acres of open space), is 50% less dense than what is allowed on this site by the General Plan. By limiting the development to a pre-established 16-acre area, the project proposes to confirm the General Plan's existing protection for the 61 acres of open space by permanently preserving via a deed restriction of the 61 acres as protected open space. Clustering of residential units, as proposed by the project, was anticipated by the General Plan. Therefore, the proposed project meets this finding.

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

Proposed project development is concentrated on significantly disturbed portions of the 77-acre property, in the westernmost quadrant, close to Las Virgenes Road (an arterial roadway carrying more than 30,000 vehicles per day, and fronted by a wide range of highway-oriented commercial businesses in close proximity). This approach clusters the proposed housing and hotel in the least intrusive portions of the property – away from steep hillsides, sensitive vegetation, riparian and wetland areas, and wildlife habitat areas. Although substantial additional site disturbance will result from the proposed project due to the need to remediate the ancient landslide area (the slide must be over-excavated and then re-formed and re-compacted, thereby improving public safety), more than 79% of the property will be maintained as open space area, of which 38.87 acres (50% of the property) will remain entirely undisturbed even during construction.

The addition of buildings to this currently graded site would change the existing visual character of the site; however, the design guidelines, recommendations, and requirements set forth in the Scenic Corridor Development Guidelines have been incorporated into the project design to minimize the visual impact of the project to scenic vistas. These include: (a) incorporation of contour grading and wetland and oak tree mitigation to mimic a natural hillside; (b) use of on-site landscaping around the perimeter of the site development boundary to physically minimize light spillover impacts; (c) installation of a significant amount of overall landscaping to reduce the visual impact of the proposed project on the viewshed; (d) use of earth-tone colors, medium to dark colored/non-glare roofs, and brick and stone accents for the hotel and residential structures; and (e) articulation of design and incorporation of architectural relief elements that successfully avoid large straight, blank facades. Additionally, and as referenced in the EIR, all feasible mitigation measures to reduce the project's visual impact to the scenic corridor have been incorporated into the design of the project. Therefore, the proposed project meets this finding.

Section 6. In view of all of the evidence and based on the foregoing findings and conclusions, the Planning Commission approves File No. 14000011 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 approval of this File No. 140000011, including the City's adoption of the requested General Plan amendments, Zoning Map amendments and all other requested permits, or any other activities conducted pursuant to this File No. 140000011. Accordingly, to the fullest extent permitted by law, The New Home Company shall defend, indemnify and hold harmless 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 File No. 140000011, or the activities conducted pursuant to this File No. 140000011. The New Home Company 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

1. The proposed project shall be built in compliance with the approved plans on file with the Planning Division, dated July 9, 2015.
2. All project conditions shall be imprinted on the title sheet(s) of the construction drawings. The approved set of plans shall be retained on-site for the review of Building Inspectors.
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 will 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 and City Council. The plans shall comply with the conditions contained herein, the Calabasas Municipal Code, and all City Resolutions and Ordinances.

4. 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.
5. 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 recorded this resolution with the Los Angeles County Recorder's Office, and a certified copy of the recorded document is filed with the Community Development Department.
6. Per the discretion provided in Section 17.64.050 of the CMC, this approval shall be valid for five (5) years and eleven days from the date the associated Zoning Map Amendment goes into effect per the adopted City Council Ordinance. The permit may be extended in accordance with Title 17 Land Use and Development Code, Article VI - Land Use and Development Permits.
7. Prior to the issuance of a grading or building permit, the applicant shall submit a complete final landscaping design and documentation package consistent with Chapter 17.26 of the Calabasas Municipal Code and the California Model Water Efficient Landscape Ordinance, to the Community Development Director for review and approval.
8. This project meets the threshold for state-mandated water-efficient landscaping. Accordingly, the final landscape plans (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications), shall be reviewed by Community Development Department staff for conformance with the standards and requirements specified within the 2015 California Model Water Efficient Landscape Ordinance (MWELo) prior to the issuance of a building permit. No certificate of occupancy shall be issued until such plans have been deemed compliant with the MWELo and the landscaping has been installed per such approved MWELo-compliant plans to the satisfaction of the Director of Community Development or his/her designee.
9. All planting within the traffic visibility area will comply with Section 17.26.040(B)(2)(a)(i) of the CMC and shall not exceed 42" in height, as determined by the Public Works Director.
10. All areas outside of the community landscape areas that are disturbed by grading will be restored to an enhanced native condition.

11. All ground equipment is required to be fully screened from view except as prohibited by applicable law. Upon final inspection, Planning Division staff may require additional screening if warranted, through either landscaping, walls or a combination thereof.
12. All exterior lights are subject to the guidelines set forth in the City's Dark Skies Ordinance (Chapter 17.27 of the Land Use and Development Code).
13. Applicant and/or property owner shall provide permanent art work to fulfill the Art in Public Places requirement or pay an in lieu fee of 1% of the building valuation or the maximum fee of \$150,000 as dictated in the CMC Section 17.24.020(B), the artwork shall be installed or the fee paid prior to the issuance of a Certificate of Occupancy.
14. Signage shall be subject to a sign program and Minor Scenic Corridor permit, which shall be submitted under a separate application and brought to the Planning Commission for review and consideration at a later date. All signage shall comply with the requirements of Section 17.30 of the CMC and be designed per the guidelines in. In addition to commercial signage for the hotel, the sign program shall include all signs that are required as a condition of approval in this resolution.
15. Prior to the issuance of a Certificate of Occupancy, the applicant shall demonstrate compliance with Chapter 17.34 of the Calabasas Municipal Code to the satisfaction of the Community Development Director. Compliance shall consist of achieving the equivalent of a "silver" rating (at a minimum) using the LEED (Leadership in Energy and Environmental Design) rating system version 2.0 developed by the United States Green Building Council for non-residential use components.
16. To demonstrate compliance with Chapter 17.34 of the Calabasas Municipal Code, the applicant shall submit two documentation packages to the Community Development Department for review in the following manner:
 - a. Prior to issuance of a building or grading permit, the applicant shall submit to the Building & Safety Division a documentation package documenting compliance with all design-related credits being sought. Review and approval of the documentation package is required prior to issuance of a building and grading permit. On a case by case basis, the Director may defer this submittal requirement until a later date for the following reasons: 1) If the applicant can demonstrate through the submittal of a contract that the project team includes a LEED Accredited Professional, 2) if the project team can demonstrate experience with completed development of at least one LEED rated project in California, and/or 3) the project is seeking a LEED "gold" rating or higher.

- b. Prior to the issuance of a Certificate of Occupancy, the applicant shall submit a final documentation package to the Department of Building and Safety that documents compliance with all remaining undocumented LEED credits. Review and approval of the final documentation package is required prior to the issuance of a Certificate of Occupancy.
17. All exterior colors and materials used for construction of the project shall be in substantial conformance with the approved materials and colors palette.
18. Prior to commencement of construction, all necessary grading and building permits must be obtained from the department of Public Works and the Building and Safety Division, respectively.
19. The project must comply with the building standards in effect at the time of submittal to Building & Safety Division for plan review.
20. The project is located within a designated Very High Fire Hazard Severity Zone. The requirements of the Fire Code applicable at the time of Building and Safety Division plan review must be incorporated into all plans.
21. 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.
22. The applicant shall implement all required mitigation measures identified in the Mitigation Monitoring and Reporting Program of the Final EIR, attached as Attachment 1 to this Resolution.
23. The applicant shall retain a qualified environmental consultant to monitor construction activities for compliance with the mitigation measures in the Final EIR. Within 90 days of completion of the project, the applicant shall submit documentation prepared by the consultant that verifies compliance with the mitigation measures in the Final EIR.
24. Prior to issuance of grading permits, the applicant shall submit copies of all approved permits from all other Federal, State, and Local agencies with approval authority over the project. These agencies include, but are not limited to the US Army Corps of Engineers, Regional Water Quality Control Board, Las Virgenes Municipal Water District, the California Department of Fish and Wildlife, Los Angeles County Fire Department, and Los Angeles County Public Works. If no

permit is required from any of these agencies, the applicant shall submit copies of correspondence from those agencies stating that fact.

25. Violations of any of the conditions of this permit shall be cause for revocation and termination of all rights thereunder, pending review and consideration at a public hearing by the City Council.
26. Prior to issuance of Final Certificate of Occupancy, all conditions of approval and mitigation measures shall be completed to the satisfaction of the Director of Community Development.
27. The applicant shall comply with the City's Quimby requirements as outlined in the Calabasas Municipal Code, prior to the issuance of Final Map Recordation and to the satisfaction of the Community Development Director. The applicant may either pay in-lieu fees or dedicate vacant land to the City.
28. Prior to final map approval, the developer will be required to comply with the with provisions of Section 17.20.050(B)(a, b, and c) of the CMC related to maintenance of manufactured slopes.
29. The Home Owners Association's Conditions, Covenants, & Restriction's for the project shall be reviewed and approved by the City Attorney prior to recordation.
30. The future Home Owners Association's Conditions, Covenants, & Restriction's shall clarify what accessory structures may or may not be constructed in yard areas.
31. The clubhouse shall be restricted to use by residents and their guests. For-profit commercial uses are prohibited within the clubhouse.
32. Per Section 17.22.030(B)(2) of the CMC, the rental or sale of the four affordable housing units shall be limited to households of very low income (50% of County Median Income).
33. Per Section 17.22.040(E) of the CMC, the developer is required to pay the commercial affordable housing impact fee prior to building permit issuance.
34. The developer is required to pay all other impact fees, including school fees, prior to issuance of building permits.
35. Per Section 17.34.020(C)(6) of the CMC, all streets within the proposed subdivision shall be named and names shall be approved by the City.
36. Per Section 8.34.050(A) and (C) of the CMC, upon no later than seventy-two (72) hours of notice from the City Community Development Department, the property owner shall remove or otherwise abate from the site any graffiti.

37. The applicant shall be responsible for costs associated with City reviews of technical reports submitted for final project approvals.
38. The approximately 61 acres of open space proposed on-site shall be perpetually restricted from future development by recordation of a deed restriction enforced by a Homeowner's Association (HOA)/Codes, Covenants, and Restrictions (CC&R) or by a recordation of a conservation easement, irrevocable offer to dedicate a conservation easement, or similar instrument that ensures the permanent protection of these 61 acres of open space. Whatever instrument is used shall legally preserve the open space areas in perpetuity and shall require management by a local conservation organization or non-profit, such as the Santa Monica Mountains Conservancy, Mountains Restoration Trust or HOA. The easement or similar instrument shall be recorded prior to the issuance of a certificate of occupancy for the 71st residential unit and must be approved as to form by the City Attorney before recordation.
39. All proposed improvements shall remain within the tract boundary, the existing right-of-way, or the 20-foot easement for public road purposes on APN: 2069020016.
40. Construction Activities - Hours of construction activity shall be limited to:
- i. 7:00 a.m. to 5:00 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 property owners. No vehicles involved in construction of this project shall block the roadway at any time. The applicant or its successors shall notify the director of Public Works of the construction employee parking locations, prior to commencement of construction.

Community Development Department/OakTree

41. The applicant and property owner shall adhere to the specific recommendations contained within the Oak Tree Report, and all provisions of the Oak Tree Ordinance and policies of the City of Calabasas.
42. Plant replacement oak trees onsite to replace each inch of tree trunk diameter removed at a 1:1 ratio. Replacement may include a combination of replanting and payment of an in-lieu fee (to be determined) to the City's Oak Tree Mitigation Fund.
43. Replacement trees shall be planted onsite in the areas proposed for open space and/or in the restoration areas of the project that exhibit conditions favorable for

oak growth. If this is not feasible, then the oaks may be planted on a city-approved off-site property, as detailed in a mitigation agreement.

44. The applicant shall be responsible for the monitoring and maintenance of the mitigation oaks and relocated trees (if any) for a minimum of five years. If any replacement or relocated tree(s) die during the five-year period, the applicant shall plant new replacement trees and the five-year monitoring period shall begin again from the date of planting for the replacement oak.
45. Monitoring intervals will be determined by the project's Oak Tree Consultant (Consulting Arborist) based on site conditions.
46. Following construction, monitoring will be conducted at least at quarterly intervals for the first three years, and will continue bi-annually for the next two years, or more if warranted.
47. Monitoring of trees to be relocated (if any) will commence at least three months prior to any encroachment or grading activities so as to provide important baseline information used to assess the changes in the tree following transplantation. Success criteria for replacement and relocation trees will be based on the success standards set forth in Section VIII.10 of the Oak Tree Preservation and Protection Guidelines.
48. Unless waived by the City, a refundable security deposit, in an equal amount to the PRC value of the removal trees, including the cost of planting and possible replacement, shall be deposited in trust (e.g. a performance bond or similar instrument) with the City of Calabasas (prior to the issuance of the grading permit) to guarantee the implementation of successful replacement. The deposit shall be refunded upon satisfactory completion of the mitigation requirements at the conclusion of the 5-year monitoring period.
49. A mitigation planting plan shall be prepared and submitted for approval City prior to project commencement (i.e., grading permit). If oaks are to be relocated, the plan shall include a relocation feasibility report prepared by an oak relocation specialist.
50. The applicant shall be responsible for notifying the City's Oak Tree Specialist and the project's Consulting Arborist of any changes in the scope of the work and shall insure that all work is performed in accordance with applicable ordinances, permits and procedures. Work performed within the protected zones of the trees shall be preceded by not less than 48-hours' notice of same to the City's Oak Tree Specialist and the project's Consulting Arborist.
51. Grading or trenching work in the protected zone of the trees approved for encroachment must be done using hand implements only; the use of mechanized

tools or equipment is prohibited except where absolutely necessary AND pre-approved by the City and the project's Consulting Arborist.

52. All work conducted within the protected zone of the oak trees shall be performed in the presence of the project's Consulting Arborist. The protected zone shall commence from a point five (5) feet outside of the dripline and extend inwards to the trunk of the tree. In no case shall the protected zone be less than fifteen (15) feet from the trunk of an oak tree. For trees with a DBH of 24 inches or greater, in no case shall the protected zone be less than fifty (50) feet from the trunk of the oak tree. Monitoring of the work by a consulting arborist is subject to inspection and approval by the City's Oak Tree Specialist and shall not relieve the Contractor of the obligation to fulfill all of these conditions.
53. Where absolutely necessary and as approved by the City's Oak Tree Specialist, limited mechanized equipment may be used as follows: a rubber-tired excavator or larger mechanized equipment may be set up outside of the protected zone of the trees and can reach in under the canopies to avoid damage to the overhanging limbs. When pre-approved, other equipment may be used within the protected zone of trees that have been approved for such encroachment in the Oak Tree Permit. Placement of anti-compaction material prior to protected zone access by equipment may be required.
54. All roots pruned shall consist of clean, 90-degree angle cuts and shall not be sealed unless directed by the monitoring Consulting Arborist or the City's Oak Tree Specialist. Major roots (2" or greater in diameter) that must be removed should be cut back to the nearest lateral root where feasible.
55. Removal of the natural leaf mulch within the protected zone of the project oak trees is prohibited except where absolutely necessary for encroachment.
56. Upon completion of the work associated with each oak tree approved for encroachment, a four to six-inch layer of certified mulch shall be placed within the protected zone. Where feasible, the native leaf litter should be retained and used as the mulching material.
57. Any canopy pruning for structural or clearance purposes, including dead-wooding, shall be performed by, or under the direction of, a Certified Arborist in compliance with the latest ANSO pruning standards. Smaller limbs should be tied back out of the way to avoid unnecessary pruning for equipment clearance.
58. Equipment, materials, and vehicles shall not be stored, parked or operated within the protected zone of an oak tree, except on an already improved road base for work that is being performed with encroachment approval.

59. Prior to commencement of grading operations, the applicant or his representative shall provide the City with a copy of the protective fencing plan for the oak trees to be preserved onsite.
60. A minimum five (5) foot high chain link fence in concrete footings with posts installed every eight (8) feet and two (2) feet deep into the natural grade will be required to be installed at the outermost edge of the protected zone plus five (5) feet of each oak tree or group of trees. Fencing shall be no closer than 15 feet to the trunk of any protected tree. Exceptions to this policy may occur in cases where oak trees are located on slopes that will not be grubbed or graded, are located in areas where there is no activity planned, or when oaks are approved for encroachment.
61. When oaks are approved for encroachment, the chain link fencing should be placed in such a manner as to afford the tree the maximum amount of protection while allowing for the encroachment. As a visual barrier to contractors, orange snow-fencing or other temporary fencing should be used at the edge of the protected zone while work is not being performed. Such temporary fencing shall be illustrated on the oak tree fencing plan, should be posted with signage that directs contractors to contact the project's Consulting Arborist when work is to be performed in the protected zone, and should remain in place when work is not actively taking place in the protected zone until the encroachment is completed.
62. All work conducted within the protected zone of the oak trees shall be verified by the City's oak tree consultant at the conclusion of the project. A certification letter is required for all work conducted upon oak trees and shall be submitted within 10 working days after completion of work certifying that all of the work was conducted in accordance with the appropriate permits and the requirements of the Calabasas oak tree protection guidelines.
63. Where chain link fencing is required, signs (minimum 2'x2') must be installed on the fence in four equidistant locations around the tree and must contain the following statement: **WARNING - THIS FENCE IS FOR THE PROTECTION OF THIS TREE AND SHALL NOT BE REMOVED OR RELOCATED WITHOUT WRITTEN AUTHORIZATION FROM THE CITY OF CALABASAS.**
64. Fences shall remain in place throughout the entire demolition, grubbing, grading, and construction period and may not be removed without obtaining written authorization from the City.
65. Trees that have had their roots or limbs pruned for grading purposes will be monitored at least at quarterly intervals for the first three years following construction, and will continue bi-annually for the next two years, or more if warranted. If an encroached oak tree should fail as a result of the proposed project during the five-year monitoring period, then the tree shall be replaced according to the standards described in this report.

66. Within ten (10) days of the completion of work, the applicant's oak tree consultant shall submit written certification to the Planning Division. The certification shall describe all work performed and shall certify that such work was performed in accordance with the above permit conditions. If any work was performed in a manner not in conformance with these conditions of approval then the applicant's oak tree consultant shall identify the instance or instances of a deviation to any of these conditions.

Public Works Department/Engineering

STREET IMPROVEMENTS

67. The applicant shall install mailboxes and posts per City standards and United States Postal service requirements. The applicant shall provide a letter from U.S. Postal Service securing mailbox location approval prior to installation.

68. Prior to any work being performed within the City right-of-way, the applicant shall obtain an encroachment permit from the Public Works Department.

69. The applicant shall provide plans and details of the project frontage and related street improvements including, but not limited to curb and gutter, sidewalk and driveway to the satisfaction of the City Engineer. Details shall be coordinated with the Planning Division of the Community Development Department, County of Los Angeles Fire Department, the City Landscape Maintenance District (LMD), and the Traffic Division of the Public Works Department.

70. The applicant shall provide plans and details of the new private street (Street "A") and all interior roadways for City review. The new roadways shall comply with the Los Angeles County Department of Public Works standards and requirements.

71. The project access driveways intersecting the new street shall be designed in compliance with the City's driveway and site access policy as set forth in the City Municipal Code, and also in a manner that will allow full conformance with American's with Disabilities Act. The horizontal and vertical alignment for the project's access driveway shall satisfy requirements of the County of Los Angeles Fire Department and the City Engineer.

72. The applicant shall provide line of sight analyses for the project access driveways onto the private street relative to adjacent road alignment and proposed landscape, graded slopes, walls and utility features to insure adequate sight distance will be provided by the project design.

73. Prior to the Issuance of a Grading Permit, the applicant shall provide a horizontal and vertical alignment for the project's interior streets and access driveways, to the satisfaction of the County of Los Angeles Fire Department and the City Engineer.

74. All pavement structural sections shall be designed by the project Geotechnical Engineer/Consultant and Engineering Geologist and submitted in conjunction with the final soils report for review and approval by the Public Works Department.
75. The applicant shall be responsible for maintenance and repairs of all proposed public street improvements until final acceptance by the City Council.
76. The Right-of-way width of Las Virgenes Road adjacent to Canyon Oaks property and project site should be consistent to the width outlined in the Las Virgenes Road Corridor Design Plan.
77. Applicant shall provide for street improvements for Las Virgenes Road per the adopted Las Virgenes Road Corridor Design Plan and Public Works Department pedestrian circulation requirements along the project frontage. The improvements will include but not be limited to provision for a Class II bike lane, sidewalk, additional pavement and curb and gutter on Las Virgenes Road. The overall proposed curb radius, bike lane and sidewalk width and curb alignment of the roadway improvements fronting the project must be consistent with those recommended in the Las Virgenes Road Corridor Design Plan. To avoid project conflicts, the City Engineer must approve the roadway improvements design prior to the applicant receiving project design approval. Off-site road improvement plans shall be approved and permitted for construction prior to issuance of a grading permit for the on-site improvements.
78. The applicant shall implement all recommended improvements/modifications per the approved project Traffic Study to the satisfaction of the City Engineer. A signal modification/improvement and restriping of Las Virgenes Road and Agoura Road intersection will be required. Traffic Signal Improvements and Offsite Striping plans shall be approved and permitted for construction prior to issuance of grading permit for the on-site improvements.
79. The applicant shall provide a guarantee for the installation of required street improvements in the form of labor and material and faithful performance bonds or similar security(ies). The required type of bonds/securities and amounts shall be determined by the City Engineer.
80. The roadway improvement striping plans are required to delineate the existing conditions for a distance of up to 500 feet beyond project boundaries to match the current roadway configuration or as directed by the City Engineer.
81. The applicant shall provide and install street name signs prior to occupancy of buildings.

MAPPING AND RELATED DOCUMENTS

82. The applicant shall have a Tract Map prepared for the project. Such map shall be prepared by a Registered Land Surveyor, licensed to practice in the State of California, or a Registered Civil Engineer, whose status allows him to practice land surveying, licensed in the State of California.
83. The Tract Map shall contain a title sheet that includes provisions for signatures of parties required to appear on the map, including, but not limited to, those listed in the Preliminary Subdivision Report. In addition, the cover sheet shall contain provisions for the signature of the City Surveyor, City Engineer, and the Community Development Director of the City of Calabasas.
84. The Tract Map shall contain a plat which reflects the lot boundaries, parcel and property lines, easements of record, any new easements proposed (which are intended to be conveyed by the final map), a metes and bounds legal description, basis of bearings, data tables and other pertinent data.
85. The final map shall be recommended for approval by the Public Works and Community Development Departments and approved by the City Council of the City of Calabasas.
86. The approved final map shall be recorded with the County of Los Angeles prior to the issuance of a Building Permit by the Community Development Department.
87. The applicant shall provide a current copy of the preliminary title report, prepared within the last 6 months, for the subject property.
88. The applicant's engineer shall plot all referenced easements on the site plans, grading plans and final map.
89. In order to assure that the proposed common area (including, without limitation, any and all private recreational facilities, private open areas, private ways, private NPDES storm water improvements, and private parking) within the subdivision will be properly and adequately maintained, the subdivider shall record with the Los Angeles County Recorder, at the time of recordation of final map, a Declaration of Covenants, Conditions and Restrictions (CC&R's) in a form approved by the City Attorney and legally effective to run with the land.

GRADING AND GEOTECHNICAL

90. The applicant shall submit a precise grading plan prepared by a Registered Civil Engineer for approval by the Public Works Department. The plans shall be prepared on Public Works standard sheets and shall address the specific grading, drainage, and geotechnical design parameters for design the proposed construction. The plans should include, but not limited to: specific elevation grades, keyways, subdrains, limits of removals, retaining walls callouts every 25 to 50 feet, and other information necessary to establish in detail the horizontal

and vertical geometric design. The plans shall reference the approved geotechnical report, and reflect cut, fill, compaction, over-excavation requirements contained therein. The plans shall reflect all proposed drainage facilities, including storm drains, area drains, catch basins/inlets, swales, and other drainage devices necessary for the interception, conveyance and disposal of on-site and offsite drainage consistent with the project drainage report. The plan should include all laterals and utility lines including sewers and water lines.

91. The applicant shall submit a detailed geotechnical report prepared by a Geotechnical Engineer/Engineering Geologist. The geotechnical report must specifically address the proposed improvement including engineering calculations for all graded slopes, foundations, retaining walls, temporary excavations and other aspects as required by the proposed development. The report shall present detailed geotechnical recommendations for design and construction of the proposed project and improvements. The reports should be in accordance with the County of Los Angeles standards and the Public Works Department requirements.
92. Per conclusions and recommendations of the Geotechnical Feasibility Studies dated January 15, 2015, the applicant shall perform additional detail geologic and geotechnical study for the project as 100-scale and 40-scale plans are prepared.
93. All slopes shall be 2:1 (horizontal to vertical) or less, and in accordance with the approved geotechnical studies.
94. All other requirements, notes and regulations arising from plan review as determined necessary by the City and their reviewers will be required and shall be incorporated into the design as the need arises during plan review.
95. The applicant agrees to address and mitigate any and all geotechnical design engineering and construction issues not contained within these conditions, but associated with the proposed development that may arise during final design and/or construction.
96. The applicant shall eliminate all geologic hazards associated with this proposed development, in accordance with the recommendations of the City's geotechnical consultant and to the satisfaction of the City Engineer.
97. All retaining and privacy walls shall be less than 6 feet in height, unless specifically approved by the City of Calabasas Planning Commission. Wall details and callouts including top of footings shall be included with the Grading Plans. Any walls to be built during rough grading shall be so noted on the plans and shall require the specific approval of the Public Works Department.
98. In addition to global stability analysis, the applicant shall provide an internal and external stability analysis for the proposed segmental walls.

99. Prior to issuance of a grading permit, the applicant shall submit a surety grading improvement bond with the valuation to be determined by the City staff upon submittal of the engineering cost estimate of grading and installation of the drainage device.
100. Prior to issuance of a grading permit, the applicant shall submit official stamped and signed copies of the acknowledgement concerning the employment of a registered civil engineer and technical consultants (Public Works Form K).
101. All excavation, grading, site utility installation (private water, sewer and storm drain), pavement construction and related site work shall be observed and approved by the Public Works Department, pursuant to construction permits issued for approved grading and improvement plans. Changed conditions that affect the Grading and Drainage Plans shall be submitted to the Public Works department in the form of a Change Order (Public Works Forms U and U-1), which shall be approved by the City Engineer prior to commencement of any grading activities that do not conform to the approved Grading and Drainage Plans. If the field conditions deviate from the approved plans without obtaining prior approval of a change order, the City Engineer may issue a Stop Work Notice.
102. Grading operations involving the hauling of dirt shall be controlled and reasonable efforts to avoid the spillage of dirt onto public streets shall be enforced. All haul routes shall be approved by the City Engineer and a haul route permit shall be obtained prior to starting hauling operations.
103. The grading contractor shall maintain on site at all times a means of controlling dust and other airborne particulates originating from the project site. All exposed, disturbed, and graded areas onsite shall be watered three times (3x) daily, covered with environmentally safe soil stabilization materials, and/or roll compacted, until completion of the project construction to minimize the entrainment of exposed soil. At the discretion of the City Engineer, additional dust palliatives or other effective methods (fencing, screening) may be specified to prevent the migration of airborne dust onto adjacent properties.
104. All grading and excavation shall be observed and documented by the project Geotechnical Engineer, who shall verify that the excavation, grading, subdrainage, backfill, compaction, and related operations are executed by the site construction personnel in conformance with the provisions of the approved Geotechnical Report. Any deficiencies noted shall be brought to the attention of the grading contractor and the City Engineer. Such observations, verifications, related tests, and other pertinent documentation shall be submitted in writing to the City Engineer.
105. Rough Grade Report. At the completion of rough grading, the project Geotechnical Engineer shall submit a comprehensive rough grade report

summarizing the required observations, verifications, related tests, and other pertinent documentation to the City Engineer for review and approval.

106. Rough Grade and Building Pad Certifications. Upon completion of rough grading, the applicant shall submit Rough Grade (Public Works Form O) and Building Pad (Public Works Form O) Certifications forms. The certifications shall be signed by the project Geotechnical Engineer and project Civil Engineer, as well as the Grading Contractor. The certification shall be accompanied by as-built survey where deemed necessary by the City Engineer to verify compliance with the limits and elevations required by the approved grading and drainage plans. The Rough Grade and Building Pad Certifications shall be reviewed in conjunction with the Rough Grade Report by the City Engineer.
107. Approval of Rough Grading. The project Rough Grade Report and Rough Grade and Building Pad Certifications shall be reviewed and approved by the City Engineer. Evidence of such approval shall be provided to the Community Development Department, Building and Safety Division, prior to the issuance of a Building Permit. **No Building Permit shall be issued for the project without these approvals.**
108. Any variations from the approved grading plan must be submitted to the Public Works Department in the form of a Change Order. The engineer of record must submit a complete change order package to Public Works, including a completed Change Order Checklist (Public Works Form U) and Change Order Request (Public Works Form U-1). The change order will be reviewed and approved by the Community Development Department (Planning Division) and the Public Works Department (Land Development Division). The City Planner shall make the determination if the changes require a review by the Planning Commission. Any field changes made prior to the approval by the City may result in the posting of a Stop Work Order by the City Engineer. In such case, all related construction activity shall cease pending review and approval of field changes.
109. Prior to issuance of a Certificate of Occupancy (C of O), the project Civil Engineer of record shall provide As-Built or Record Drawings, prepared on mylar, to the City reflecting any changes to the approved plan prior to initiation of final inspection.
110. Final Grade Certification. Prior to the issuance of a Certificate of Occupancy (C of O), the applicant shall submit a Final Grade Certification (Public Works Form P) form. The Final Grade Certification shall be reviewed and approved by the City Engineer prior to the issuance of a C of O for the project.
111. The applicant shall comply with all state requirements for construction within a special studies zone. Copies of the report must be sent to the State Geologist by the applicant prior to the issuance of a Certificate of Occupancy (C of O).

112. The applicant shall provide for the mitigation of the potential for liquefaction, lateral deformation and/or dry sand settlement within the project area and adjacent portions of Las Virgenes Road. The applicant shall provide for additional subsurface exploration and analysis to assure the potential for liquefaction within the project and adjacent portions of Las Virgenes Road is mitigated by the final project design.
113. The applicant shall provide for the mitigation of the existing landslide within the project area. Landslide removal shall occur as directed by the project Geotechnical Engineer, to the satisfaction of the City Engineer.
114. Stabilization fills and subdrain placement shall occur as directed by the project Geotechnical Engineer, in accordance with the recommendations contained in the final Geotechnical Report.
115. The applicant shall provide for the removal of artificial fill, landslide debris, unsuitable soils and bedrock as directed by the project Geotechnical Engineer, and to the satisfaction of the City Engineer.
116. Upon completion of removal of unsuitable soils, testing shall be performed under the direction of the project Geotechnical Engineer where deemed appropriate to confirm the suitability of the ground improvement performed.
117. Fill placement and related compaction testing, keyway and bench construction and other supervised grading activities shall be observed by the project Geotechnical Engineer, in accordance with the recommendations contained in the final Geotechnical Report. Summaries of observations, tests and other relevant geotechnical data shall be provided to the City Engineer at appropriate intervals during the site grading process.
118. The project grading plans shall be reflective of the excavations necessary to achieve the design grades for the parking garage, adjacent retaining walls, slopes and property lines. Grading plans shall provide sections as necessary to clarify the depth and grade relationships of these excavations.
119. The grading plans and required sections shall clarify the limits of required over-excavation based on the recommendations of the project soils engineer.
120. The applicant shall provide for the control and drawdown of groundwater encountered during excavation operations. The design of such a dewatering system shall be submitted to the Public Works Department and reviewed/approved prior to the issuance of a grading permit.
121. The applicant shall provide for a means of impounding and clarifying groundwater associated with the dewatering system prior to discharge. Such a system shall be submitted for review to the Los Angeles Regional Water Quality

Control Board (LARWQCB) prior to the issuance of a grading permit. Evidence of review and approval shall be submitted to the Public Works Department prior to the issuance of a Certificate of Occupancy.

122. Soil corrosivity shall be analyzed by a corrosion engineer and recommendations incorporated in the final Geotechnical Report. Specific recommendations for project concrete construction and the protection of ferrous and copper metals shall be incorporated into the final design provisions for site improvements and building components.
123. Design of retaining/flood walls at debris/detention basins shall be consistent with the recommendations of the project Geotechnical Engineer, with allowances for fluid pressure and impact forces.
124. A seepage analysis shall be prepared for retaining/flood walls at debris/detention basins by the project Geotechnical Engineer. Such analysis shall consider seepage rates based on maximum level fluid surcharge, footing geometry and in-place soils characteristics. Based on calculated rates of seepage, toe drains or other equally effective means shall be specified to insure subdrainage is intercepted and conveyed to an approved point of disposal.

HYDROLOGY AND DRAINAGE

125. The applicant shall have a final drainage study prepared by a Registered Civil Engineer licensed to practice in the State of California. The drainage study shall be prepared in report format and include sections addressing on-site and off-site drainage areas, existing and developed conditions hydrology, the design hydraulics for the proposed on-site and off-site drainage systems, including sizing of inlets, conduits, v-ditches, down drains and other structures, storm water detention and water quality mitigation measures, and associated calculations and conclusions. The drainage study shall include documentation that all building finish floor elevations will remain at least one foot above the 100-year storm recurrence interval (Q_{100}) water surface elevation and/or Capital Flood (Q_{50} Bulk and Burned) (whichever is higher), identifying overflow pathways. The drainage study shall be submitted to the Public Works Department and approved by the City Engineer prior the issuance of a grading permit.
126. The applicant shall have a drainage analysis prepared for Las Virgenes Road, reflective of drainage areas tributary to the required area of improvement. Such analysis shall take into consideration existing and proposed roadway cross sections and related flow patterns. Such analysis shall be included in the final drainage study.
127. All drainage shall be sloped 2% away from all parts of structures along impervious surface and 5% away along pervious surface, in conformance with California Building Code; or as per geotechnical engineer's recommendations;

and conveyed through an on-site storm drain system to an approved point of disposal.

128. The applicant's engineer shall provide for interception of off-site drainage and related sediment/debris flows from areas subject to burning. Where attenuation of sediment/debris is not contemplated, and bulk-flow inlets or similar facilities are to be used for this purpose, the design of such facilities and related storm drain conduits shall be consistent with the requirements of the County of Los Angeles.
129. The applicant's engineer shall provide for detention of on-site storm drainage, based on either offsite storm drain capacity limitations or a 'no net increase' approach, whichever yields the greater volume of required detention. In either case the required volume shall be calculated by unit hydrograph or other approved means. Such calculations shall be included in the final drainage study.
130. The portion(s) of the site intended for detention of storm water shall be reflected on the drainage plans, and include construction details for size, shape, volume, fencing and access for maintenance. Design of the outlet works for the areas of detention shall be such that the required volume of detention is attained and the approved maximum rate of outflow is not exceeded. Details of the design of the detention areas and outlet works shall be consistent with those contained in the final drainage study.
131. The applicant's engineer shall prepare drainage plans detailing the required design of the proposed on-site and off-site storm drain systems. The design shall be consistent with the calculations contained in the final drainage study, with appropriate details to allow for plan review, inspection and construction of the required facilities. The on-site storm drain plans, along with plans for any necessary extensions of offsite storm drain systems and connection details, shall be prepared in plan and profile format, and shall be submitted to the Public Works Department for review and approval prior to the issuance of a grading permit.
132. The applicant shall construct drainage improvements and offer easements needed for street drainage or slopes. All public drainage improvements shall be approved and accepted for operations and maintenance by the County of Los Angeles Flood Control District prior to City approval.
133. The applicant's engineer shall design drainage facilities associated with improvements along Las Virgenes Road. Drainage inlets shall be curb-opening type, located and sized to intercept street flows and limit pavement drainage spread to maintain a 'dry' lane at all times during the peak drainage event. Drainage intercepted by and concentrated in curb and gutter sections shall be intercepted by an appropriately sized curb-opening inlet, and shall not be allowed to cross travel lanes.

- 134. Unless specifically approved by the City of Calabasas and the County of Los Angeles Public Works Departments, the on-site storm drainage system shall be privately owned and maintained. Drainage plans shall clarify that the on-site storm drain system is not to be maintained by either the City of Calabasas or the County of Los Angeles.

- 135. The applicant shall provide for the perpetual ownership and a program of regular maintenance of the on-site drainage facilities, including but not limited to the proposed storm drain pipes, catch basins, interceptor ditches, debris basins, detention facilities, water quality treatment devices, area drains, etc. The proposed program shall be submitted to the Public Works Department for approval and shall include exhibits showing the locations of facilities to be maintained, and narrative descriptions of the facilities with required frequency of maintenance. Any debris and detention facilities shall be adequately detailed to allow the perpetual maintenance of required volume. Such details shall include limits and dimensions of facilities (i.e.: top and bottom dimensions, depth, design volume) such that future maintenance and cleaning efforts shall adequately restore the shape and operational capacity of the facility. The approved program shall be included in the project CC&R's and recorded with a maintenance covenant to insure perpetual maintenance of such facilities and devices.

- 136. The applicant's engineer shall provide for the mitigation of the project's storm water quality impacts. The applicant's engineer shall provide calculations for the sizing and location of devices intended to mitigate such impacts in accordance with the County of Los Angeles NPDES, SUSMP, and USMP requirements and the County of Los Angeles Low Impact Design (LID) Manual. Choice of best management practices (BMP's) shall be consistent with those reflected in the LID manual and in accordance with the applicant's SUSMP Exhibit. Calculations shall be submitted with the final drainage study. The locations of required water quality treatment devices shall be shown on the drainage plans. Details of the required devices shall be included in the drainage report and detailed on the project plans.

UTILITIES

- 137. All new utilities serving the proposed project shall be placed underground.

- 138. All existing overhead utilities (electric, telephone, cable, etc.) along the project frontage and along the project boundaries shall be converted underground.

- 139. The project shall connect to an existing sewer. The applicant shall construct a 6-inch minimum sewer lateral to connect the proposed project to the existing available sewer main.

- 140. The applicant shall have a Sewer Area Study prepared by a Registered Civil Engineer licensed to practice in the State of California. The sewer study shall demonstrate to the satisfaction of the City Engineer that there is available

capacity for the projects sewer flows to be added to the downstream sewer collection system.

141. Sewer connection fees shall be paid to the Las Virgenes Municipal Water District (LVMWD). The applicant shall submit proof of payment of such fees to Public Works prior to issuance of a Building Permit.
142. The project shall connect to an existing water main. The applicant shall construct a water service lateral to connect the proposed project to the existing available water main.
143. Water service connection, associated meter fees and any other miscellaneous fees/assessments shall be paid to Las Virgenes Municipal Water District (LVMWD). The applicant shall submit proof of payment of such fees (ie: LVMWD's Financial Arrangement Letter) to Public Works prior to the issuance of a Building Permit.
144. The applicant shall grant easements to the City, appropriate agency, or entity for the purpose of ingress, egress, construction and maintenance of all infrastructure constructed for this project, to the satisfaction of the City Engineer.
145. The applicant shall pay all energy costs associated with street lighting for a period of one year from initial street light use. The applicant shall also complete annexation to the County Lighting Assessment District for payment of future maintenance and power prior to issuance of a certificate of occupancy for the 71st residential unit.

TRAFFIC AND TRANSPORTATION DIVISION

146. The project is located within the Lost Hills/Las Virgenes Road Bridge and Thoroughfare Construction Fee (B&T Fee) District. Project will be required to pay \$3,179 per single family residence (SFR); \$1,971 per multi-family residential unit and \$1,939 per hotel room. As proposed, the B&T fee @ 67 SFR; 4 units and 120 rooms is \$453,557. Final payment amount will be based on number of approved units and hotel rooms. Payment of B&T District Fees to City will be required prior to issuance of a Certificate of Occupancy.
147. Construction activity and traffic control shall be staged such that vehicular, pedestrian and bicycle access to adjacent properties are maintained at all times.
148. The applicant shall be responsible for striping and curb marking changes on Las Virgenes Road and Agoura Road that are affected by the addition of a new private street at the intersection and construction activity near the site. Striping plans prepared by a Registered Civil/Traffic Engineer shall be approved and permitted for construction by the Public Works Department prior to issuance of grading permit for the on-site improvements.

149. The applicant shall be responsible for traffic signal improvements at the intersection of Agoura Road and Las Virgenes Road. The improvements shall include, but not be limited to, adding separate left turn phases on Las Virgenes Road; replacement of a new signal cabinet, signal controller and other appurtenance devices; upgrading signal hardware such as signal heads, standards and safety lights; replacement of new pedestrian countdown signal heads and push buttons; replacement/installation of signal interconnect and underground conduits; and, replacement of the video detection cameras.

150. The applicant shall pay for the signal timing adjustment at the intersection of Las Virgenes Road and Agoura Road. The retiming will also include signal coordination between US-101 SB Ramps and Lost Hills Road on Las Virgenes Road. The payment amount is \$5,000. Payment of the timing adjustment fees to City will be required prior to issuance of a Certificate of Occupancy.

Public Works Department/Environmental Services Division

151. This project will disturb one acre or greater of land, and therefore, must obtain coverage under a statewide General Construction Activities Stormwater Permit (General Permit). Prior to issuance of a grading permit, the applicant must submit to the City:

- a. Proof of PRD filing confirmation with the State Water Resources Control Board under the new General Permit (Order No. 2009-0009-DWQ Permit);
- b. A statement of owner's certification that a State Water Resources Pollution Prevention Plan (SWPPP) has been prepared; and
- c. A copy of the SWPPP prepared for the project complying with all applicable requirements of the Order No. 2009-0009-DWQ.

152. This is a Planning Priority Project as defined in the City of Calabasas' National Pollutant Discharge Elimination System (NPDES) permit. As such, the construction drawings must incorporate the following five requirements into the project design prior to the issuance of the grading permit:

- a. Conserve natural areas;
- b. Protect slopes and channels;
- c. Provide storm drain system stenciling and signage;
- d. Divert roof runoff to vegetated areas before discharge unless the diversion would result in slope instability; and

- e. Direct surface flow to vegetated areas before discharge unless the diversion would result in slope instability.
153. The owner/owner's agent shall ensure the following minimum requirements are effectively implemented at the construction site:
- a. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - b. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
 - c. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site; and
 - d. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs, such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes; and covering erosion susceptible slopes.
154. This project is a development planning priority project under the City's NPDES Municipal Stormwater Permit. An Urban Stormwater Mitigation Plan (USMP) that incorporates appropriate post-construction best management practices (BMPs) into the design of the project must be prepared and approved prior to issuance of any grading. Please refer to the Los Angeles County *Standard Urban Stormwater Mitigation Plan (SUSMP)* for applicable design requirements. The project-specific USMP shall describe how this project design conforms to all requirements set forth in the SUSMP and must include a fully executed and recorded "Maintenance Covenant for Parcels Subject to SUSMP Requirements" to provide for on-going maintenance of the BMPs that have been chosen.
155. All storm drain catch basins shall be retrofitted with the full capture debris screens approved by the Los Angeles County Flood Control District. The full capture devices shall be similar to the devices installed in adjacent public streets.
156. Provide adequate filtration for all hillside drains to capture debris and sediment before entering the storm drain system.
157. Landscape areas should utilize a concave design to capture irrigation runoff and first $\frac{3}{4}$ inch of a two year storm event for the landscape area only; additional capacity should be included if runoff from the roof and all hardscape areas is directed to landscaped areas.

158. Direct runoff from the driveway toward permeable areas and construct portions of the driveway from porous materials.
159. The applicant and contractors shall implement all reasonable efforts to reuse and recycle 75% of 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 obtain final clearance of occupancy.
160. Per the CMC 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.” Recology is the only service provider permitted to operate in Calabasas. An Encroachment Permit is required prior to placing a refuse bin/container on the street.
161. Grading shall be prohibited from **October 1st** through **April 15th**, unless the City Engineer determines that soil conditions at the site are suitable, and adequate and effective erosion and sediment control measures will be in place during all grading operations.
162. Individuals responsible for SWPPP preparation, implementation, and permit compliance shall be appropriately trained. This includes those personnel responsible for developing the SWPPP called Qualified SWPPP Developer (SQD) and those personnel responsible for installation, inspection, maintenance, and repair of BMPs called the Qualified SWPPP Practitioner (QSP). They shall provide a certificate of appropriate trainings. Training sessions are offered by government agencies or professional organizations.
163. During the term of the City permit, the contractor, their employees, and subcontractors shall implement appropriate Best Management Practices (BMPs) to prevent pollution to local waterways. Sediments, construction debris, paint, trash, concrete truck wash water and other chemical waste from construction site left on the ground and streets unprotected, or washed into storm drains, causes pollution in local waterways via the storm drain system is against City Ordinance and State law. The BMPs implemented shall be consistent with City of Calabasas Municipal Code Chapter 8.28. Failure to implement appropriate BMPs shall result in project delays through City issued “Stop Work Notices” and/or fines levied against the owner/developer/contractor.

Las Virgenes Municipal Water District

164. Pay applicable water meter and sewer fees prior to construction.

165. The applicant shall implement and maintain water conservation measures including but not limited to, fixture design and installation (use of ultra-low flush/flow toilets and shower heads), and hot water circulating systems.
166. The applicant shall implement maximum use of recycled water during and after construction, including landscaping and inside the hotel for sanitary purposes. The applicant shall be required to meet all of the District's conditions of service in order to be served.

Los Angeles County Fire Department

167. Obtain all applicable permits and approvals from the Los Angeles County Fire Department.
168. All gates shall be equipped with Fire Department approved locking devices.
169. All access roadways less than 36 feet in width shall be labeled "No Parking Fire Lane" and posted in accordance with Appendix D, Section D103 chapter D103.6 of the County of Los Angeles Fire Code.
170. Submit three copies of the Final Map to LACoFD, Land Development for review and approval prior to recordation.
171. All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. All required fire hydrants shall be installed, tested and accepted prior to construction.

Section 7. All documents described in Section 1 of PC Resolution No. 2016-610 are deemed incorporated by reference as set forth at length.

PLANNING COMMISSION RESOLUTION NO. 2016-610 PASSED,
APPROVED AND ADOPTED this 17th day of March, 2016.

Chairperson

ATTEST:

Maureen Tamuri, AIA, AICP
Community Development Director

APPROVED AS TO FORM:

Matthew T. Summers
Assistant City Attorney

Planning Commission Resolution No. 2016-610, was adopted by the Planning Commission at a regular meeting held March 17, 2016, and that it was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

“The Secretary of the Planning Commission shall certify the adoption of this Resolution, and transmit copies of this Resolution to the applicant along with proof of mailing in the form required by law and enter a copy of this Resolution in the book of Resolutions of the Planning Commission. Section 1094.6 of the Civil Code of Procedure governs the time in which judicial review of this decision may be sought.”

ATTACHMENTS:

- Attachment 1- Mitigation Monitoring and Reporting Program
- Attachment 2 - Proposed Partial General Plan Land Use Map
- Attachment 3 - Proposed Partial Zoning Map

MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires adoption of a reporting or monitoring program for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The Mitigation Monitoring and Reporting Program (MMRP) is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Final Environmental Impact Report (Final EIR), specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the MMRP.

The Final EIR included 25 mitigation measures to address potential impacts related to aesthetics, air quality, biological resources, geology and soils, noise, traffic and circulation. The following table will be used as the checklist to determine compliance with this measure.



Canyon Oaks Project EIR
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Action Required	When Monitoring to Occur	Monitoring Frequency	Agency or Party Responsible For Monitoring	Compliance Verification	
					Initial	Date
Aesthetics						
AES-1 Landscaping Plan. Any vegetation included on the Landscaping Plan along Las Virgenes Road shall be species that do not typically grow to a height that would exceed 30 feet.	Review landscaping plan to verify compliance.	Prior to issuance of building permits.	Once.	City of Calabasas Community Development Department.		
Air Quality						
AQ-1(a) Dust Control Measures. The following shall be implemented during grading and construction to control dust. 1. All exposed, disturbed, and graded areas onsite shall be watered three times (3x) daily, covered with environmentally safe soil stabilization materials, and/or roll compacted, until completion of the project construction to minimize the entrainment of exposed soil. 2. Gravel aprons or other equivalent methods shall be used during project construction to reduce mud and dirt trackout onto truck exit routes. 3. The applicant shall assign a site manager to act as a community liaison concerning on-site construction activity, including resolution of issues related to PM generation. 4. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust. 5. Non-toxic soil stabilizers shall be applied according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more). 6. Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour or less.	Verify that dust control measures are included as a note on all grading and building permits; field verify compliance.	Prior to issuance of grading and building permits; continuously during grading and construction.	Once for grading and building permit verification; field verification periodically during grading and construction.	City of Calabasas Community Development Department.		
AQ-1(b) Construction Equipment Controls. The following shall be implemented during construction to minimize emissions of NOx, PM ₁₀ , and PM _{2.5} associated with diesel construction equipment. 1. All off-road construction equipment greater than 50 horsepower shall meet U.S. EPA Tier 4	Verify that construction equipment control measures are included as a	Permit check prior to issuance of building permits;	Once for permit check; field verification periodically during grading and	City of Calabasas Community Development Department.		

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<p>emission standards, where available. All construction equipment shall be outfitted with Best Available Control Technology devices certified by ARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by ARB regulations.</p> <p>2. 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) shall be used. If the applicant provides the City evidence that 2010 model year or newer diesel trucks cannot be obtained, the City of Calabasas shall require trucks that meet U.S. EPA 2007 model year NO_x emissions requirements.</p>	<p>note on all grading and building permits.</p>	<p>continuously during grading and construction.</p>	<p>construction.</p>			
Biological Resources						
<p>BIO-1(a) Pre-construction Special-Status Wildlife Surveys and Construction Monitoring. No more than one week prior to vegetation clearing and ground disturbance within the project site, a qualified biologist shall conduct pre-construction surveys for special-status wildlife species within the construction footprint and within a 200-foot survey buffer area. The surveys shall include mapping of current locations of special-status wildlife species for avoidance and relocation efforts and to assist construction monitoring. In addition, during any construction activities involving vegetation clearing, the applicant shall contract with a biologist to conduct biological monitoring so as to assist in avoiding and minimizing impacts to special-status wildlife and protected nesting birds in the path of construction. Other locally important wildlife species or wildlife SSC, which are not formally listed, shall be captured by a qualified biologist, when possible, and relocated to adjacent appropriate habitat within the open space on-site or in suitable habitat adjacent to the project area (either way, at least 200 feet from the grading limits).</p>	<p>Verify that a qualified biologist has conducted pre-construction surveys and continual biological monitoring for special-status wildlife species within the construction footprint and survey buffer area, if a species is identified. CDFW shall be notified and consulted</p>	<p>Survey prior to issuance of grading permits; field verification as necessary throughout grading and construction.</p>	<p>Once for survey; field verification as needed periodically during construction.</p>	<p>City of Calabasas Community Development Department.</p>		

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<p>The CDFW shall be notified and consulted regarding the presence of any special-status wildlife species found on-site during the pre-construction surveys or during biological monitoring. If a Federally-listed species is found prior to or during grading of the site, the USFWS shall also be notified. Only a USFWS-approved biologist shall be authorized to capture and relocate listed species.</p> <p>Pre-construction surveys shall be conducted no more than one week prior to construction activities within the project site. Construction monitoring shall be conducted during any construction activities involving vegetation clearing, or modification of natural habitat. The methods and results of the pre-construction survey(s) and any relocation efforts during those surveys shall be documented in a brief letter report (Pre-Construction Survey Report) and submitted to the City no later than three weeks following the completion of the last survey. The methods and results of the biological monitoring and any relocation efforts conducted during construction shall be documented in a brief letter report (Biological Monitoring Report) and submitted to the City upon completion of vegetation clearance and initial natural habitat alteration.</p>	<p>regarding the presence of any special-status wildlife species and USFWS shall be notified if a federally-listed species is found on-site.</p> <p>Pre-construction surveys shall be conducted no more than one week prior to construction activities within the project site and shall be submitted to the City no later than three weeks after completion.</p>					
<p>BIO -1(b) Conduct Nesting Bird Surveys, Establish Active Nest Avoidance Buffers, and Monitor Active Nests. Because construction is proposed to occur during the bird breeding season (February 1 to August 31), the project is subject to bird survey requirements. Pre-construction nesting bird surveys shall be conducted to determine the locations of nesting birds. Bird surveys shall include a minimum of three nesting bird surveys to be conducted by a qualified biologist, within two weeks, and no more than three days prior to the start of vegetation clearing. Weekly bird nesting surveys shall be</p>	<p>If initial ground disturbing activities occur during the breeding bird nesting season, verify that a qualified biologist has performed a nesting bird survey with</p>	<p>Survey verification prior to issuance of grading permits; field verification as necessary during grading and construction.</p>	<p>Once for survey verification; field verification as necessary periodically during construction.</p>	<p>City of Calabasas Community Development Department.</p>		

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<p>reinitiated if land clearing activities are delayed for more than one week. The nesting bird survey area shall include a buffer around the grading limits and land clearing limits of 500 feet to accommodate potential raptors that could be affected. Generally, if an active bird nest is found, a maximum 300-foot buffer (depending on the species and noise and site conditions) would be established surrounding the nest(s) and shall be flagged for avoidance. If any active raptor nests are found, typically a suitable buffer area of 250-500 feet from the nest shall be established until the nest becomes inactive (absence of eggs, chick, and adults). The avoidance buffer area for nesting birds may be reduced upon the approval of the monitoring biologist as determined by the species nesting and the activity being conducted. If an active nest of a special-status bird species is found, a suitable buffer area of 200-500 feet from the nest (depending on the status of the species) shall be established until the nest becomes inactive, and CDFW/USFWS shall be consulted.</p> <p>If active bird nests are found and avoidance buffers are established prior to or during construction, a biologist shall monitor the active nest(s) during initial land clearing activities and/or construction activities to determine whether the recommended avoidance buffers are adequate to the point that nesting activities are not being stressed or jeopardized. Disturbance may occur within the avoidance buffer area only after the young have fledged (i.e., the birds are no longer reliant on the nest) as determined by the monitoring biologist.</p> <p>The methods and results of the nesting bird survey(s), any nesting bird avoidance efforts as a result of those surveys, and the success of the avoidance buffers shall be documented in a letter report (Nesting Bird Survey and Active Nest Monitoring Report) and shall be submitted to the City no later than three weeks following</p>	<p>results submitted to the City. If active bird nests are located during the pre-construction survey and could be impacted, field verify buffer zones.</p>					

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<p>the completion of active nest monitoring activities.</p> <p>BIO-1(c) Pre-construction Bat Surveys and Construction Monitoring. To avoid the direct loss of bats that could result from removal of trees and/or structures that may provide maternity roost habitat (e.g., in cavities or under loose bark), tree removal or relocation shall be scheduled between October 1 and February 28, outside of the maternity roosting season. If trees and/or structures must be removed during the maternity season (March 1 to September 30), a qualified bat specialist shall conduct a pre-construction survey to identify those trees and/or structures proposed for disturbance that could provide hibernacula or nursery colony roosting habitat for bats.</p> <p>Each tree and/or structure identified as potentially supporting an active maternity roost shall be closely inspected by the bat specialist no greater than 7 days prior to tree disturbance to more precisely determine the presence or absence of roosting bats.</p> <p>If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw. In order to ensure the optimum warning for any roosting bats that may still be present, the tree shall be pushed lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree shall then be pushed to the ground slowly and should remain in place until it is inspected by a bat specialist. Trees that are known to be bat roosts should not be cut up or mulched immediately. A period of at least 24 hours shall elapse prior to such operations to allow bats to escape.</p> <p>BIO-1(d) Rodent Control. Rodenticides are prohibited. This requirement shall be printed on the landscape plans for each residential development approved, and included in the project covenants, conditions and</p>	<p>If trees and/or structures that may provide maternity roost habitat must be removed during the maternity season, verify that a qualified bat specialist has conducted a pre-construction survey with results submitted to the City. If trees and/or structures are identified as potentially supporting an active maternity roost during the pre-construction survey and could be impacted, field verify that the appropriate tree removal method is used.</p> <p>Verify that landscape plans, project covenants,</p>	<p>Survey verification prior to issuance of grading permits; field verification as necessary during grading.</p>	<p>Once for survey verification; field verification as necessary periodically during construction.</p>	<p>City of Calabasas Community Development Department.</p>		
		<p>Review of plans prior to issuance of final</p>	<p>Once for plan review; resident communication annually.</p>	<p>City of Calabasas Community Development</p>		

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<p>restrictions ("CC&Rs"), and recorded on the deed for each residential lot. The CC&Rs shall stipulate that the prohibition on rodenticides shall be the subject of at least one annual communication by the HOA to its property owners and residents in the form of a meeting and/or newsletter or electronic update that is distributed to property owners and residents. Evidence of this effort shall be provided to the City Planning and Community Development Department each year by January 1st.</p> <p>Mitigation measures BIO-4(a), BIO-4(b), and BIO-6 required.</p>	<p>CC&Rs and deeds for residential development include prohibition of rodenticides.</p> <p>Verification that evidence of annual communication by the HOA to its property owners and residents in the form of a meeting and/or newsletter or electronic update is provided to the City.</p>	<p>occupancy permits; resident communication annually.</p>		<p>Department.</p>		
<p>BIO-3 Upland Restoration. To mitigate for impacts to purple sage scrub, an upland restoration plan (URP) shall be prepared by a qualified biologist/restoration ecologist, with a primary focus on topsoil salvage to maintain important elements required for a healthy ecosystem, including mycorrhizae (soil fungus), healthy soil structure, balanced soil chemistry needed for native plant uptake, proper characteristics to support naturally occurring vegetation and the wildlife it supports, as well as functionality for needed biological services in the watershed. Specifically, the URP shall include the following:</p> <ul style="list-style-type: none"> •Detailed site location for all aspects of the restoration; •Detailed description and graphics of the mechanics of the topsoil salvage and soil stabilization; •Native plant palette, planting plan, time of year 	<p>Verify that an upland restoration plan (URP) has been prepared by a qualified biologist/restoration ecologist; restoration specialist shall determine restoration adequacy and remedial measures in the event that the</p>	<p>Verification that the URP has been completed prior to issuance of grading permits; restoration monitoring annually for a period of five years.</p>	<p>Once URP verification; annual monitoring reports for a period of five years.</p>	<p>City of Calabasas Community Development Department.</p>		

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<p>planting will occur, and irrigation plan;</p> <ul style="list-style-type: none"> •Maintenance program and invasive species control program; and •Monitoring and reporting program with measurable success criteria. <p>Planting, maintenance, monitoring, and reporting shall be overseen by a restoration specialist familiar with the restoration of similar native habitats. Determination of restoration adequacy shall be based on comparison of the restored habitat with similar, undisturbed habitat in the site vicinity. The URP shall include success criteria for monitoring the restoration effort over five years, and include remedial measures in the event that the performance criteria are not met for a particular year. Annual monitoring reports for a period of five years shall include at a minimum results for the following: restoration planting survival, percent cover, species richness, maintenance conducted, contingency measures implemented, qualitative assessment of habitat restoration, exotic plant control efforts, and photo-documentation.</p>	<p>performance criteria are not met.</p>					
<p>BIO-4(a) Agency Coordination. Permits, agreements, and/or water quality certifications from all applicable State and Federal agencies regarding compliance with State and Federal laws governing work within jurisdictional features are required for submission to the City of Calabasas with the grading permit application for the project. The applicant shall provide such permits and/or agreements prior to issuance of a grading permit. In addition, long-term maintenance permits/authorizations are required for maintenance activities to be perpetually conducted in the proposed upstream detention basin in accordance with Los Angeles County Flood Control District's (LACFCD) maintenance standards and practices.</p>	<p>Verify that the applicant has obtained State and Federal permits, agreements, and/or water quality certifications required to work within jurisdictional features.</p>	<p>Prior to issuance of grading permits.</p>	<p>Once.</p>	<p>City of Calabasas Community Development Department.</p>		
<p>BIO-4(b) Restore Jurisdictional Waters, Wetlands, and Riparian Habitats. To mitigate for impacts to potentially jurisdictional features, the applicant shall provide as much in-kind waters and wetlands creation</p>	<p>Verify that a habitat mitigation and monitoring plan</p>	<p>HMMP verification prior to issuance of</p>	<p>Once for HMMP; annual monitoring reports for a</p>	<p>City of Calabasas Community Development</p>		

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<p>within the project site boundaries, as feasible, at a minimum 1:1 mitigation ratio (i.e., for every 1 acre removed, 1 acre shall be created for no net loss), or as otherwise indicated by the regulatory agencies during the permitting process, whichever is greater. Additional mitigation at a ratio of 2:1 will be required to offset a temporal loss of waters and wetlands, or as otherwise indicated by the regulatory agencies during the permitting process, whichever is greater. Native seeds and plant material (cuttings) shall be salvaged from the impact areas prior to construction and used for the on-site restoration/creation effort. Supplemental seed/plantings may be purchased, but shall be sourced from a site within the same watershed as the project site to maintain genetic integrity. A habitat mitigation and monitoring plan (HMMP; discussed in more detail below) shall identify an approach for implementing the conceptual mitigation plan (EIR Figure 4.3-4) for the portion of the mitigation that will be implemented on-site and in-kind.</p> <p>The HMMP shall be prepared by a qualified biologist/restoration ecologist that outlines the compensatory mitigation in coordination with the regulatory agencies. As part of the HMMP, a final mitigation implementation plan detailing what is presented on Figure 4.3-4 shall be submitted to and approved by the City prior to issuance of a grading plan. Specifically, the HMMP and implementation plan shall include the following:</p> <ul style="list-style-type: none"> • Detailed mitigation site location for all aspects of the jurisdictional areas creation, including the location and quantity of each jurisdictional area being created and each habitat type being created (riparian, seep, spring, wet meadow, etc.); • Detailed description and graphics of the mechanics of the creation, including fine grading, contours, check dams, bank stabilization, bio-engineering, 	<p>(HMMP) has been prepared by a qualified biologist/restoration ecologist; A restoration specialist shall determine mitigation adequacy and determine remedial measures in the event that the performance criteria are not met.</p>	<p>building permits; restoration monitoring annually for a period of five years.</p>	<p>period of five years.</p>	<p>Department.</p>		

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<p>saturation levels to be created, and surface flows to be expected;</p> <ul style="list-style-type: none"> •Native plant palette, planting plan, time of year planting will occur, and irrigation plan; •Maintenance program and invasive species control program; and •Monitoring and reporting program with measurable success criteria. <p>Planting, maintenance, monitoring, and reporting shall be overseen by a restoration specialist familiar with the restoration of similar native habitats. Determination of mitigation adequacy shall be based on comparison of the restored habitat with similar, undisturbed habitat in the site vicinity (such as upstream or downstream of the restoration site). The HMMP shall include success criteria for monitoring the restoration effort over five years. The HMMP shall also include remedial measures in the event that the performance criteria are not met for a particular year. Annual monitoring reports for a period of five years shall include at a minimum results for the following: restoration planting survival, percent cover, species richness, maintenance conducted, contingency measures implemented, qualitative assessment of habitat restoration, exotic plant control efforts, and photo-documentation. Ultimately, the mitigation provided within the HMMP shall be consistent with the requirements pursuant to permits obtained by all regulating agencies.</p> <p>If required riparian/wetland creation cannot be achieved entirely on-site, the balance shall be achieved by payment of in lieu fees (i.e., Santa Monica Mountains Conservancy, Mountains Restoration Trust, or Ojai Valley Land Conservancy). "In-lieu-fee" mitigation occurs in circumstances where a Permittee provides funds to an in-lieu-fee sponsor instead of either completing project-specific mitigation or purchasing</p>						

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credits from a mitigation bank approved under the Banking Guidance. Those organizations considered qualified to implement formal in-lieu-fee arrangements typically work in advance with the Corps to ensure that authorized impacts will be offset fully on a project-by-project basis consistent with Section 10/404 permit requirements. Off-site mitigation lands shall be located as close to the project site as feasible. Off-site land shall be preserved through a conservation easement, and an HMMP shall identify an approach for funding assurance for the long-term management of the conserved land.						
BIO-5(a) Protect Remaining and Restored Open Space. Approximately 61 acres (79 percent) of the 77.22-acre site would remain undeveloped under the proposed project. Approximately 22 acres of the undeveloped 61 acres would be open space landscaping, slope face landscaping, and riparian/wetland and oak woodland habitat restoration. These areas are located mainly in the northern, southern, and eastern portions of the project site, adjacent to the surrounding preserved open space areas. To mitigate restricting the City's mapped wildlife corridor by one quarter of its width, all restored and avoided land within the project site (approximately 61 acres and 79 percent of the project site) shall be designated open space. The approximately 61 acres of dedicated open space would surround the permanently developed areas (16 acres) of the site (see EIR Figure 4.3-2). This would create an open space buffer around the residential and commercial development and would also help to preserve the remaining portions of the City's mapped movement corridor within the parcel, which is adjacent to, and connected with, land owned by the Mountains Recreation and Conservation Authority to the east. The approximately 61 acres of open space proposed on-site shall be perpetually restricted from future urban development by recordation of a deed	Review final site plan to ensure 61 acres of the site are designated as open space; an easement or similar instrument shall be instituted to ensure open space protection from future development; signage shall be posted along the edge of the open space area indicating a permanently protected area.	Review of final site plan prior to issuance of grading permits; signage and easement, or similar instrument, prior to the issuance of a certificate of occupancy for the 7 th residential unit	Once for final site plan review once; once for verification of easement of similar instrument.	City of Calabasas Community Development Department.		

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<p>restriction enforced by a Homeowner's Association (HOA)/Codes, Covenants, and Restrictions (CC&R) or by recordation of a conservation easement or similar instrument. Whatever instrument is used, it shall legally preserve the open space areas in perpetuity and shall require management by a local conservation organization or non-profit, such as the Santa Monica Mountains Conservancy, Mountains Restoration Trust or HOA. The easement or similar instrument shall be recorded prior to the issuance of a certificate of occupancy for the 71st residential unit. Signage shall be posted and maintained at conspicuous locations along the edge of the protected open space indicating that it is a permanently protected open space area.</p>						
<p>BIO-5(b) Fencing. Any perimeter fencing around the 61-acre open space area of the project site shall be wildlife friendly, as required in Section 17.20.100(H) (Fences, Walls and Hedges; Fencing for Wildlife Movement) of the City of Calabasas Land Use and Development Code (January 2010). Fencing shall be easily bypassed by all species of wildlife found within the Santa Monica Mountains and shall be subject to the standards required by the Calabasas Land Use and Development Code 17.20.100(H). As such, wildlife friendly fencing shall be used as required to provide permeability through and over fencing for access to adjacent habitats and to retain connectivity of the habitats on-site with the habitats off-site.</p> <p>All fencing within the project site shall be constructed with materials that are not harmful to wildlife including, but not limited to, spikes, glass, razor, or barbed wire. All hollow fence posts shall be capped to prevent birds and other wildlife from entering and becoming entrapped.</p>	<p>Review final plans to verify use of wildlife friendly fencing and compliance with Section 17.20.100(H) (Fences, Walls and Hedges; Fencing for Wildlife Movement) of the City of Calabasas Land Use and Development Code (January 2010).</p>	<p>Prior to issuance of building permits.</p>	<p>Once.</p>	<p>City of Calabasas Community Development Department.</p>		
<p>BIO-6 Oak Tree Replacement. An Oak Tree Permit shall be obtained from the City of Calabasas prior to any oak tree removal, which will include an oak tree mitigation program. A copy of the approved oak tree</p>	<p>Verification that an Oak Tree Permit has been obtained for oak</p>	<p>Oak tree permit verification prior to</p>	<p>Once for oak tree permit and oak tree consultant</p>	<p>City of Calabasas Community Development</p>		

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<p>permit and the associated oak tree report shall be kept on-site during all construction.</p> <p>The City of Calabasas Oak Tree Ordinance No. 2006-222, and Section V.B of the City of Calabasas Oak Tree Preservation and Protection Guidelines, requires conditions to offset the impacts associated with the loss of an oak tree, oak limbs, or encroachment into an oak tree protected zone, which may include but are not limited to any combination of payment of an in-lieu fee to the oak tree mitigation fund, planting of replacement oak trees at locations proposed by the applicant and approved by the City Arborist, and/or relocation (see CMC 17.32.010). If the conditions include replacement, for every inch of tree, limb, or root removed, a minimum of one inch shall be replaced (refer to EIR Figures 2-6 and 4.3-5 for a conceptual illustration of proposed oak tree planting areas).</p> <p>In addition, an Oak Tree Mitigation Program shall be prepared and submitted to the City. The Oak Tree Mitigation Program shall include a monitoring schedule, and the maintenance and care program outlined in the Oak Tree Report shall be carried out by qualified professionals. In addition, final landscape plans shall include minimum oak tree mitigation as required by the City of Calabasas and/or the resource agencies. The Oak Tree Mitigation Program shall include an inventory of all oak trees ultimately removed or encroached upon during project activities, the mapped locations of restoration areas, a restoration implementation plan (detailing site preparation and planting, irrigation, and fertilization practices), an oak tree fencing plan during construction, encroachment zone damage and disease protection measures, detailed maintenance program practices, and success criteria. Success criteria shall consider survivorship of oak trees under natural conditions sufficient to replace those oaks (inches of oaks) removed or transplanted within the</p>	<p>tree removal and that an Oak Tree Mitigation Program has been submitted with final landscape plans with minimum oak tree mitigation as required by the City and/or resource agencies.</p> <p>Verify that a City-approved oak tree consultant has prepared a report after the conclusion of grading and construction as well as annual oak tree monitoring reports.</p>	<p>issuance of grading permits; oak tree consultant report verification prior to issuance of occupancy permits; monitoring annually.</p>	<p>report verification; annually for five years based on bi-annual site visits/oak monitoring.</p>	<p>Department.</p>		

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property, using a minimum 1-inch:1-inch ratio. A City-approved oak tree consultant shall prepare a report after the conclusion of grading and construction and then prepare oak tree monitoring reports annually for the next five years based on bi-annual site visits/oak monitoring. The reports shall include a summary of conditions and certification of compliance with all conditions of the permit, including but not limited to, minimum tree replacement numbers, establishment goals, and the health of all replaced, remaining, or relocated trees.						
Geology and Soils						
GEO-1(a) Geotechnical Recommendations. On-site development shall require, and comply with, all recommendations contained in Section 8.0 of the Update Geotechnical Feasibility Assessment for Tract 71546 prepared by RJR Engineering Group, Inc. (January 2015). At a minimum, any buildings considered essential facilities, as defined in the California Building Code, shall be designed to withstand upper bound earthquake ground motion. The calculated design base ground motion for the site shall take into consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available. All on-site structures shall comply with applicable provisions of the California Building Code. Compliance with these requirements shall be verified by the City of Calabasas Building and Safety Department prior to issuance of a grading permit.	Verify compliance with applicable provisions of the California Building Code and recommendations contained in Section 8.0 of the Update Geotechnical Feasibility Assessment for Tract 71546.	Prior to issuance of grading permits.	Once.	City of Calabasas Public Works Department.		

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<p>GEO-1(b) Building Design. All buildings shall be engineered to withstand the expected design basis ground acceleration that may occur at the project site. All critical facilities shall be designed to withstand the upper bound earthquake ground motion. The building designs shall take into consideration the most current and applicable seismic attenuation methods that are available. Specifically, all onsite structures shall comply with applicable provisions of the California Building Code, applicable chapters of the City of Calabasas Municipal Code, and Section 8.0 of the Update Geotechnical Feasibility Assessment for Tract 71546 prepared by RJR Engineering Group, Inc. (January 2015). Compliance with these requirements shall be verified by the City of Calabasas prior to the issuance of a building permit.</p>	<p>Verify compliance with applicable provisions of the California Building Code, applicable chapters of the City of Calabasas Municipal Code, and Section 8.0 of the Update Geotechnical Feasibility Assessment for Tract 71546.</p>	<p>Prior to issuance of building permits.</p>	<p>Once.</p>	<p>City of Calabasas Public Works Department.</p>		
<p>GEO-2(a) Removal and Replacement of Liquefiable Soils. All loose and unsuitable alluvium, as depicted in EIR Figure 4.4-3, shall be removed and replaced with engineered fill. Fills greater than 15 feet from rough grade shall be compacted to 90 percent relative compaction at a soil-water content of approximately 2 percent to 5 percent over optimum value. Fill thickness in excess of 40 feet from rough grade shall be compacted to 93 percent at a soil-water content of approximately 2 percent over optimum. Fills exceeding 60 feet shall be compacted to 95 percent relative compaction at a soil-water content of approximately optimum value. Drainage blankets shall be placed at 30 to 40 foot intervals to reduce excess pore pressures.</p>	<p>Verify that instructions regarding removal and replacement of liquefiable soils are included as a note on all grading and building permits.</p>	<p>Prior to issuance of grading and building permits.</p>	<p>Once.</p>	<p>City of Calabasas Public Works Department.</p>		
<p>GEO-2(b) Long-Term Settlement Risk Reduction. To reduce the risks of long-term settlement, a monitoring period shall occur after rough grading to allow the fill to reach 90 percent consolidation, and to allow the remaining pore pressure to dissipate. The exact monitoring period shall be determined as part of the Grading Stage Geotechnical Report. This report</p>	<p>Verify that the Grading State Geotechnical Report includes the required monitoring periods and</p>	<p>Prior to issuance of grading permits.</p>	<p>Once.</p>	<p>City of Calabasas Public Works Department.</p>		

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					Initial	Date
shall include an implementation program for settlement monitors within the deep bedrock excavations to measure heave, and to confirm consolidation levels.	implementation program.					
GEO-2(c) Final Plan Review and Approval. All proposed geotechnical remediation designed to reduce liquefaction hazards shall be designed to Calabasas Municipal Code and California Building Code standards to withstand the conditions. The City of Calabasas Public Works Department shall review and approve all final plans for the removal of liquefiable soils prior to issuance of grading permits. The removal of liquefiable soils shall occur as part of a thorough canyon cleanout during mass grading, as depicted on Figure 4-4-6a through Figure 4-4-6d. In addition, canyon sub-drains shall be installed as indicated on Figure 4-6-3 to help prevent static groundwater conditions.	Verify that the proposed geotechnical remediation complies with to Calabasas Municipal Code and California Building Code standards and approve final plans for removal of liquefiable soils.	Prior to issuance of grading permits.	Once.	City of Calabasas Public Works Department.		
GEO-3 Landslide Removal and Recompaction. The existing landslide shall be removed and replaced with engineered fill to achieve a factor safety of the landslide mass in excess of 1.5 for static conditions and in excess of 1.1 for pseudostatic conditions. During bulk grading, the landslide mass shall be removed along the southern slope to stabilize the existing landslide complex in conformance with figures 22a through Figure 4.1-22c and 4.4-6a through 4.4-6d. In addition, all applicable recommendations contained within Section 8.0 of the Update Geotechnical Feasibility Assessment for Tract 71546 prepared by RJR Engineering Group, Inc. shall be adhered to during landslide removal. At a minimum, the landslide repair shall consist of excavating a keyway, benching out and cutting the landslide mass, and then replacement with engineered compacted fill. The City of Calabasas Public Works Department shall review and approve all final plans for landslide remediation prior to issuance of a grading permit.	Verify that final grading plan comply with applicable recommendations in Section 8.0 of the Update Geotechnical Feasibility Assessment for Tract 71546.	Prior to issuance of grading permits.	Once.	City of Calabasas Public Works Department.		
GEO-4(a) Erosion Control. A site-specific erosion control plan that incorporates best management	Verify that a licensed	Prior to issuance of	Once.	City of Calabasas		

Canyon Oaks Project EIR
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Action Required	When Monitoring to Occur	Monitoring Frequency	Agency or Party Responsible For Monitoring	Compliance Verification	
					Initial	Date Comments
practices shall be prepared by the project applicant and approved by the City prior to the granting of any grading permits. All measures identified in the erosion control plans shall be implemented and monitored for continued compliance by the City of Calabasas Public Works Department. Such measures may include slope protection measures, netting and sandbagging, landscaping and possibly hydroseeding, temporary drainage control facilities such as retention areas, etc. All slopes involved with the development shall be constructed using an erosion control mat and a thorough vegetation and landscape plan. A landscaping plan and a landscape maintenance plan shall be designed by a licensed landscape architect. These plans shall be reviewed and approved by the City of Calabasas Public Works Department prior to issuance of grading permits.	geotechnical engineer has prepared a plan to achieve erosion control as part of grading plan design.	grading permits.		Public Works Department.		
GEO-4(b) Slope Stability. Any development within a zone of influence of any slope that does not provide sufficient factors of safety and which could result in a possible surficial slope failure, shall be manufactured using acceptable custom, practice, and techniques to achieve surficial stability in a hillside environment. The slopes shall be constructed with a sufficient configuration, design, and material type with sufficient shear strength and proper drainage to ensure the appropriate performance of the slope. On-site manufactured slopes shall be composed of engineered fill, where the outer 15 feet would consist of a stability fill compacted to 93 percent relative compaction. A licensed geotechnical engineer shall prepare a plan to achieve slope stability (consistent with the above described requirements), as part of grading plan design. The grading plan, including all slope stability recommendations, shall be reviewed and approved by the City of Calabasas Public Works Department prior to issuance of grading permits.	Verify that a licensed geotechnical engineer has prepared a plan to achieve slope stability as part of grading plan design.	Prior to issuance of grading permits.	Once.	City of Calabasas Public Works Department.		
GEO-5 Expansive Soil Removal and/or Treatment. Suitable measures to reduce impacts from expansive	Verify that a qualified	Prior to issuance of	Once.	City of Calabasas		

Canyon Oaks Project EIR
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Action Required	When Monitoring to Occur	Monitoring Frequency	Agency or Party Responsible For Monitoring	Compliance Verification	
					Initial	Date
<p>soils shall be implemented as determined by a qualified geotechnical engineer and as approved by the City of Calabasas Public Works Department prior to issuance of a grading permit. To mitigate the potential for expansive soils, all foundations and slabs shall be designed for highly expansive soil conditions. The specific design parameters shall be confirmed prior to the grading stage, and then again after rough grading has been completed prior to the issuance of building permits. At a minimum, the following design considerations shall be considered with respect to expansive soils on the project site:</p> <ul style="list-style-type: none"> • Expansive subgrades beneath foundations shall be pre-moistened to reduce the potential and the effects of the shrink/swell cycles. • Fat clays (LL > 50) shall not be used as structural fill under foundations, pavements, slabs or retaining wall backfill. • If expansive soil is used within the zone of influence (upper seven feet) for foundations (LL > 20), the expansive soils shall not be over-compacted or placed with soils having high soil-water contents. The soils shall be compacted to a minimum of 90 percent relative compaction but no greater than 93 percent or as specified by the project geotechnical engineer. The soil-water content shall be specified three to five percent over optimum or as specified by the project engineer. • As necessary, thickened slabs, extending slab edges and additional reinforcement shall be used to reduce negative impacts from any expansive soil movement. In addition, capillary break under slabs shall be utilized to reduce the potential for moisture transport and pumping that leads to moisture infiltration. • The sand thickness under slabs that is used for concrete curing shall be kept at two inches or less. <p>NOISE</p> <p>N-4 Interior Noise. At a minimum, the hotel shall</p>	<p>geotechnical engineer has developed suitable implementation measures to reduce impacts from expansive soils.</p>	<p>grading permits.</p>		<p>Public Works Department.</p>		

Canyon Oaks Project EIR
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Action Required	When Monitoring to Occur	Monitoring Frequency	Agency or Party Responsible For Monitoring	Compliance Verification	
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<p>include the following or equivalent to achieve an acceptable interior noise level of 45 CNEL:</p> <ul style="list-style-type: none"> • Air conditioning or a mechanical ventilation system so that windows and doors may remain closed • Double-paned windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cubic feet per minute, per ANSI specifications) • Solid core exterior doors with perimeter weather stripping and threshold seals • Roof and attic vents facing away from U.S. 101 <p>Incorporation of these design requirements would be expected to achieve an interior noise level reduction of 25 dBA or greater.</p>	<p>construction plans to ensure compliance with applicable noise attenuation requirements.</p>	<p>issuance of building permits.</p>		<p>Calabasas Community Development Department.</p>		
<p>Traffic and Circulation</p> <p>T-2 Las Virgenes Road/Lost Hills Road Traffic Impact Fees. The applicant shall pay fair share fees for construction and implementation of necessary improvements identified for the intersection of Las Virgenes Road/Lost Hills Road to offset the incremental contribution of their project to identified traffic impacts. A funding mechanism shall be established as a condition of project approval. Fee payment shall occur prior to issuance of building permits.</p>	<p>Verify that the applicant has paid fees that comply with funding mechanism established for necessary road improvements.</p>	<p>Prior to issuance of final occupancy permits.</p>	<p>Once.</p>	<p>City of Calabasas Community Development Department.</p>		

Canyon Oaks Project EIR
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Action Required	When Monitoring to Occur	Monitoring Frequency	Agency or Party Responsible For Monitoring	Compliance Verification	
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<p>T-10 Construction Management Plan. Prior to issuance of building or grading permits for the project site, the applicant shall prepare a Construction Management Plan for review and approval by City staff. Coordination shall occur with the Lost Hills Road/U.S. 101 interchange Traffic Management Plan to identify measures to reduce potential construction impacts. The provisions of the plan shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> •The project contractor shall identify and enforce truck haul routes deemed acceptable by the City for construction trucks. ••Signs shall be posted along roads identifying construction traffic access or flow limitations due to single lane conditions during periods of truck traffic, if needed. 	<p>Review and approve a Construction Management Plan to be prepared by the project applicant.</p>	<p>Prior to issuance of grading permits.</p>	<p>Once.</p>	<p>City of Calabasas Community Development Department.</p>		



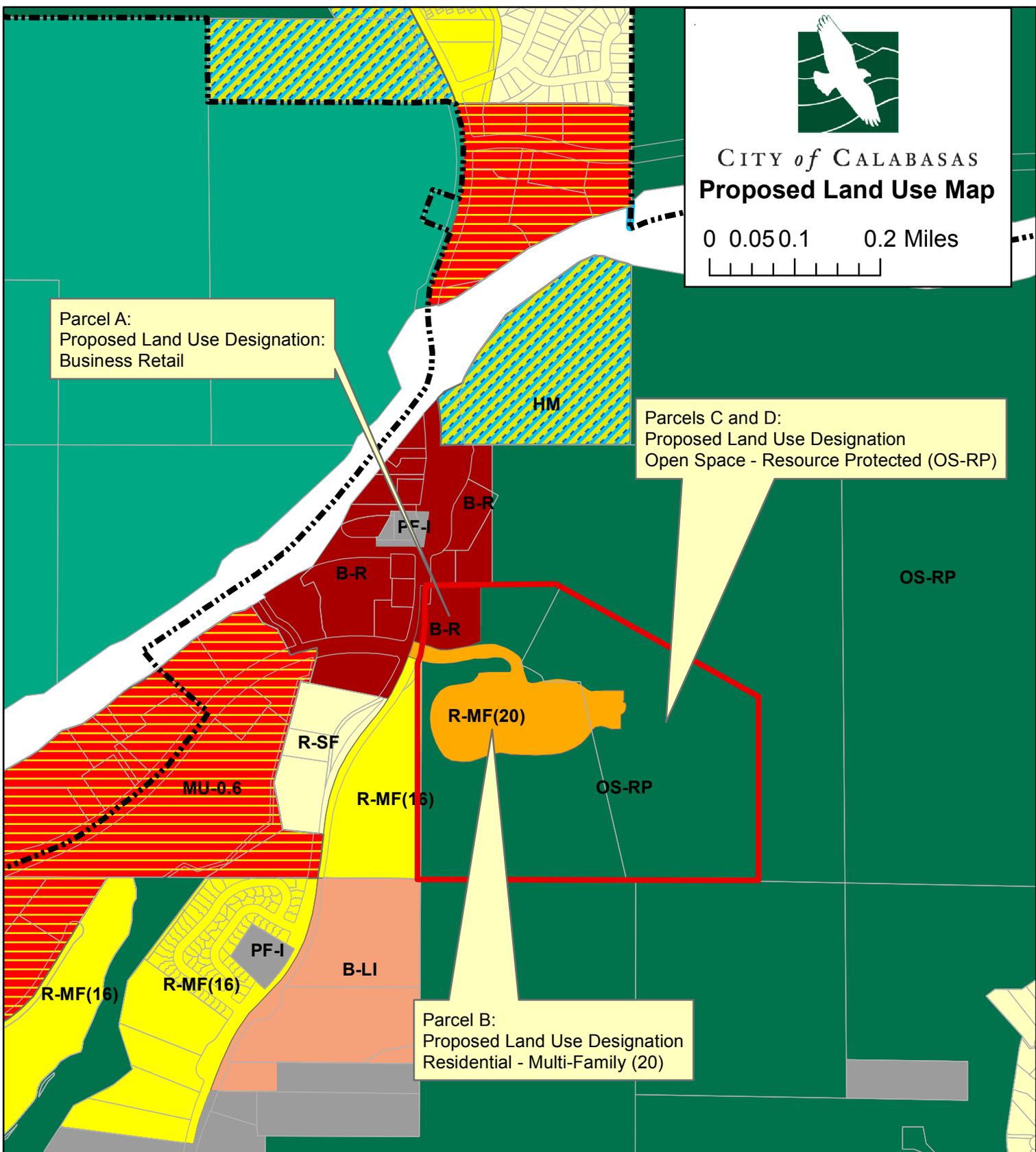
CITY of CALABASAS
Proposed Land Use Map



Parcel A:
 Proposed Land Use Designation:
 Business Retail

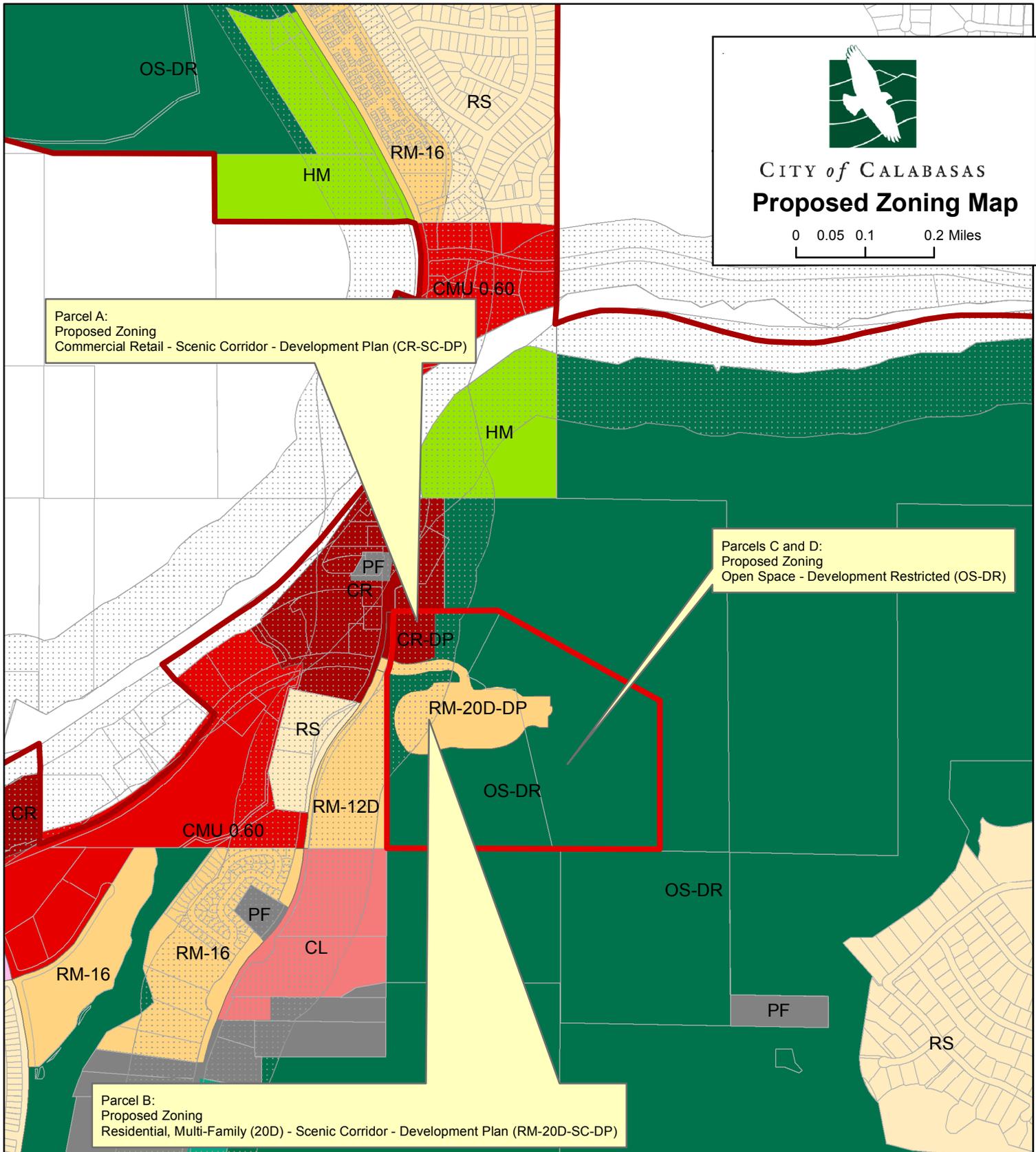
Parcels C and D:
 Proposed Land Use Designation
 Open Space - Resource Protected (OS-RP)

Parcel B:
 Proposed Land Use Designation
 Residential - Multi-Family (20)



Calabasas City Boundary	R-MH Residential- Mobile Home	MU 1.0 Mixed Use 1.0	RR Rural Residential
Plan Area Boundary	B-OT Business- Old Town	MU 0.95 Mixed Use 0.95	RC Rural Community
R-SF Residential- Single Family	B-PO Business- Professional Office	MU 0.60 Mixed Use 0.60	HM Hillside Mountainous
R-MF(12) Residential- Multiple Family (12)	B-R Business- Retail	PD Planned Development	OS-R Open Space- Recreational
R-MF(16) Residential- Multiple Family (16)	B-BP Business- Business Park	PF-R Public Facilities- Recreational	OS-RP Open Space- Resource Protected
R-MF(20) Residential- Multiple Family (20)	B-LI Business- Limited Intensity	PF-I Public Facilities- Institutional	





CITY of CALABASAS
Proposed Zoning Map

0 0.05 0.1 0.2 Miles

Parcel A:
 Proposed Zoning
 Commercial Retail - Scenic Corridor - Development Plan (CR-SC-DP)

Parcels C and D:
 Proposed Zoning
 Open Space - Development Restricted (OS-DR)

Parcel B:
 Proposed Zoning
 Residential, Multi-Family (20D) - Scenic Corridor - Development Plan (RM-20D-SC-DP)

Residential Zones	Commercial Zones	Special Purpose Zones	Overlay Zones
PD Planned Development	CB Commercial, Business Park	HM Hillside/Mountainous	-CH Calabasas Highlands
RS Residential, Single-Family	CL Commercial, Limited	OS Open Space	-OT Old Topanga
RM Residential, Multi-Family	CMU Comemerical, Mixed Use	REC Recreation	DP Development Plan
RMH Residential, Mobile Home	CO Commercial, Office	PF Public Facility	Scenic Corridor
RC Rural Community	CR Commercial, Retail	OS-DR Open Space - Development Restricted	
RR Rural Residential	CT Commercial, Old Town		

* The number following the RM label indicates the maximum density for the area; D is for density.
 * The number following the CMU label indicates the maximum FAR for the area.



*This map does not include all Pre-zoned areas
 Map printed on March 7, 2016.