

**CITY OF CALABASAS  
PLANNING COMMISSION**

**RESOLUTION NO. 2023-782**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALABASAS APPROVING FILE NO. 2020-002, TO ALLOW FOR CONSTRUCTION OF A NEW 1,470 SQUARE-FOOT SINGLE-FAMILY DWELLING AND ATTACHED 799 SQUARE-FOOT ACCESSORY DWELLING UNIT ON A VACANT 4,906 SQUARE-FOOT LEGAL LOT LOCATED AT 3462 LILAC TRAIL, IN THE RURAL COMMUNITY (RC) ZONING DISTRICT AND THE CALABASAS HIGHLANDS (CH) OVERLAY ZONING DISTRICT.**

**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 a public hearing held before the Planning Commission on November 2, 2023.
3. The City of Calabasas Land Use and Development Code, Calabasas 2030 General Plan, and all other applicable laws, regulations and codes.
4. Public comments, both written and oral, received and/or submitted at or prior to the public hearings, 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. 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, Grand Eagle, Inc., submitted an application for File No. 2020-SPR-002 on September 2, 2020.

2. On October 1, 2020, Planning staff determined that the application and associated plans were incomplete and the Applicant was duly notified of this incomplete status. Numerous revisions and resubmittals followed, each warranting respective determinations of application incompleteness (documented in the project file).
3. The application and project plans were deemed complete on October 4, 2023 and the Applicant was so notified.
4. A noticed public hearing was held by the Planning Commission on November 2, 2023.
5. Notice of the November 2, 2023 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.
6. Notice of the November 2, 2023 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 fifteen (15) days prior to the hearing.
7. Notice of the November 2, 2023 public hearing was also provided via an on-site sign, along with story poles, in accordance with the City's story pole procedures and requirements.
8. At the November 2, 2023 public hearing, the Planning Commission passed a verbal motion requesting Community Development Department staff to prepare this resolution for project approval.
9. The Calabasas 2030 General Plan designates the project site Rural Community, which is intended to accommodate single-family residences.
10. The project site is zoned Rural Community (RC) and Calabasas Highlands overlay (CH); properties surrounding the project site are likewise zoned Rural Community (RC) and Calabasas Highlands overlay (CH).
11. The project is exempt from the California Environmental Quality Act (CEQA) Guidelines, pursuant to Section 15061(b)(3) (General Rule Exemption) and Section 15301 (Existing Facilities).

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

**PROJECT FINDINGS**

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

- 1. The proposed project complies with all applicable provisions of this development code;*

The proposed new single-family dwelling and attached accessory dwelling unit (ADU) are allowed uses in the Rural Community (RC) zoning district. The subject property is an existing undeveloped lot totaling approximately 4,906 square feet, which is non-conforming to the minimum lot size requirements for the RC zoning district; however, the lot was created in 1924, well before the City of Calabasas was incorporated and the City's zoning took effect, and is therefore legal non-conforming. The project will not alter the lot size or configuration.

As presented in the November 2, 2023 staff report to the Planning Commission (which is hereby incorporated by reference), the site design and building design conform to the applicable standards regarding minimum allowable yard setback distances, maximum allowable height, required site coverage and pervious surface areas, maximum allowable floor area ratio, landscape design, down-slope facing walls, allowable retaining wall heights, and preliminary grading and drainage. Furthermore, the project has been reviewed by the Development Review Committee and the Architectural Review Panel, with the ARP finding that the project design is compatible with the surrounding neighborhood and recommended to the Planning Commission approval of the project.

The proposed 799 square-foot attached ADU conforms to the standards and requirements of CMC 17.12.170.

- 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;*

The proposed new single-family dwelling and attached accessory dwelling unit (ADU) are specified within the Land Use Element as appropriate uses for an existing legal lot within the Rural Community (RC) designated area. The proposal integrates into the community and is compatible with the residential character of the community, as determined by the ARP and is explained within the staff report, consistent with General Plan policy numbers II-9 and II-14. Consistent with Housing Element policy number V-

11 and Program 10a, the project includes creation of one new accessory dwelling unit (ADU), as a means of contributing to the supply of affordable housing in the City. Improvements to Lilac Trail and Aster Trail (as necessary to accommodate daily vehicular access and travel, safe pedestrian and bicycle use, as well as emergency vehicle access, conforms to circulation Element policies VI – 6 and VI -20.

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

This project is Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule Exemption) and Section 15301 (Existing Facilities) of the California CEQA Guidelines.

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 subject site is surrounded by one-story, two-story, and three-story single-family homes that vary substantially in regards to home sizes, as well as architectural style, colors, and materials. The proposed new single-family dwelling and attached ADU (collectively) will be well within the range of home sizes in the vicinity, as presented in the Staff Report. Furthermore, the Architectural Review Panel reviewed the proposed project and recommended approval of the project, subject to revisions to the roof (change to double-hipped) and refining the proposed exterior finishes and colors. The applicant revised the project design to incorporate the ARP requests, resulting in a contemporary architectural style, with sand and nut-brown colored stucco, stacked-stone wainscot (gray-brown hue), dark brown trim, and a medium gray shingle roof with a double-hipped roof with varied-gray tiles.

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

The existing legal lot is 4,907 square feet in size, and is legal non-conforming in this regard. The layout and design of the proposed 1,922 square-foot building (main dwelling plus ADU, and including the attached garage) conform to the applicable standards regarding minimum allowable yard setback distances, maximum allowable height, required site coverage and pervious surface areas, maximum allowable floor area ratio, landscape design, down-slope facing walls, allowable retaining wall heights, and preliminary grading and drainage. Off-street parking is provided via an attached garage (2 spaces) and a front driveway (2 spaces), which

accommodates a total of four vehicles – more than the minimum required for the zoning district and the proposed land use.

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

The proposed new single-family dwelling and attached ADU will be accomplished on an existing undeveloped lot as infill development, and will not create any new intrusions into the surrounding natural environment. Furthermore, through the use of sand and nut-brown colored stucco, stacked-stone wainscot (gray-brown hue), dark brown trim, and a medium gray shingle roof, the new structure will generally complement and reasonable fit into the surrounding natural environment, as found and determined by the Architectural Review Panel.

**Section 6. In view of all of the evidence and based on the foregoing findings and conclusions, the Planning Commission approves File No. 2020-SPR-002, 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 by the Applicant (Geoffrey Sheldon) and Property Owner (Grand Eagle, Inc.), 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. 2020-SPR-002 including the City's review and approval of the Project. and all other requested permits, or any other activities conducted pursuant to this File No. 2020-SPR-002 or the proposed Project; and, further including all construction and development activities completed under these entitlements. Accordingly, to the fullest extent permitted by law, Grand Eagle, Inc. 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. 2020-SPR-002, or the activities conducted pursuant to this File No. 2020-SPR-002 or the proposed Project, including all construction and development activities completed under these entitlements. Grand Eagle, Inc 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. 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.
2. The project approved herein is depicted on those sets of drawings, elevations, etc., which were presented to the Commission at the November 2, 2023 public hearing, and which are stamped "approved" by Staff on the approval date.
3. Per the discretion provided in Section 17.64.050 of the Calabasas Municipal Code (CMC), this approval shall be valid for two (2) years from the final approval date. The permit may be extended in accordance with Title 17 Land Use and Development Code, Article VI - Land Use and Development Permits.
4. The project shall be built conformant to the approved set of plans and associated technical reports; 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.
5. All project conditions shall be imprinted on the title sheet of the construction drawings. One copy of the approved set of plans shall be retained on-site for the review of Building Inspectors. Prior to use and occupation of the proposed new structure, and the project site generally, all conditions of approval shall be completed to the satisfaction of the Director of Community Development.
6. Prior to issuance of grading or building permits, construction plans shall be reviewed and approved by the Department of Community Development to ensure compliance with the plans approved by the Planning Commission. The construction plans shall comply with the conditions contained herein, the Calabasas Municipal Code, and all applicable City Resolutions and Ordinances.
7. 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.

8. All equipment (such as, but not limited to, air conditioning condensers) shall be fully screened from public view. Upon final inspection, Planning Division staff may require additional screening if warranted, through either landscaping, fencing, wall(s) or a combination thereof.
9. All exterior lights are subject to the provisions set forth in the Lighting Ordinance Chapter 17.27 of the Land Use and Development Code. Lighting equivalent to 60 watts incandescent or less on residential projects is exempt by the Lighting Ordinance.
10. All exterior colors and materials used for the construction of the project shall be in substantial conformance with the approved materials and colors exhibit.
11. The project is located within a designated "Very High Fire Hazard Severity Zone". The requirements of Chapter 15.04.900 of the Calabasas Municipal Code must be incorporated into all plans.
12. 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.
13. Construction Activities:
  - A. Hours of construction activity shall be limited to:
    - 7:00 a.m. to 6:00 p.m., Monday through Friday
    - 8:00 a.m. to 5:00 p.m., Saturday
  - B. Stacking of construction related vehicles and machinery prior to 7:00 a.m. in the morning will be restricted to areas that do not adversely affect adjacent residences or schools. Prior to commencement of construction the applicant (or successors) shall obtain from the Director of Public Works approvals for construction worker parking locations. Any modifications of any approved stacking, staging, or parking plan shall first be reviewed and approved by the Director of Public Works.
14. 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.

15. 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. The final landscape plan shall not include the use of any invasive plant species. Additionally, all perimeter transitional areas between the development footprint (inclusive of slope grading) and proposed open space areas shall utilize native plant species characteristic of those typically found on the subject property and/or surrounding native plant communities. Accordingly, the final landscape plan (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications), shall be submitted by the Applicant for review by Community Development Department staff for conformance with the standards and requirements specified within the 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.
16. All planting associated with the project which will be located within a 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.
17. All off-site areas disturbed by grading shall be restored to native vegetated condition, subject to review and approval by the Community Development Director.
18. The existing water run-off flow rate reduction device, which is located in part within an easement over the subject property, and any new visible drainage features utilized on slope areas shall use integral earth-toned colors consistent with natural hues and colors in the immediate surrounding area. The proposed color shall be submitted for review and approval by the Community Development Director prior to issuance of grading permits.
19. 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. The project must comply with the building standards in effect at the time of submittal to Building & Safety Division for plan review.
20. Prior to issuance of grading permits, the applicant shall submit to the Director or her designee copies of all approved permits from all other Federal, State, and Local agencies having approval authority over any portion of the project. These agencies include, but are not limited to the US Army Corps of Engineers, US Fish and Wildlife, 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.

21. 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.

### **Community Development Department / Noise Attenuation**

22. Two weeks prior to commencement of construction, Applicant shall notify off-site residential uses (properties and/or residents) located within 500 feet of the project site, with such notice(s) to disclose construction schedule, including the types of activities and equipment to be used throughout the duration of the construction period. This notification shall also include contact information for project construction management (e-mail addresses, phone numbers).
23. All power construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices

### **Public Works Department/Engineering**

#### **STREET IMPROVEMENTS**

24. Prior to any work being performed within the City right-of-way, the applicant shall obtain an encroachment permit from the Public Works Department.
25. Applicant shall provide plans and details of the project-related improvements to Lilac Trail and Aster Trail, including, but not limited to: curbs, gutters, sidewalks (as may be applicable) and the driveway, to the satisfaction of the County of Los Angeles and the City Engineer. Details shall be coordinated with the Planning Division of the Community Development Department, County of Los Angeles Fire Department, and the Traffic Division of the Public Works Department. All pavement structural sections shall be designed by, or reviewed and approved 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.
26. Applicant shall identify existing and proposed easements in the areas of proposed street improvements outside of established right-of-way.
27. Applicant shall to responsible for removals or relocations as necessary to accommodate proposed street improvements.

28. The slope transition from the terminus of northerly limit of Lilac Trail street improvements shall conform to existing inlet/energy dissipation structure at the northern end of Lilac Trail and be designed to maintain access to the existing storm drain structure for maintenance.
29. Prior to issuance of a grading permit, the Applicant shall provide a guarantee for installation of the required street improvements in the form of labor and material and faithful performance bonds or similar security(ies). The valuation of such security(ies) shall be determined by the City Engineer upon submittal of the engineering cost estimate(s) of grading and construction of the improvements to Lilac Trail, Aster Trail, and project-associated drainage devices, as described and depicted in the approved project plans.
30. 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).
31. Applicant shall be responsible for maintenance and repairs of all completed public street improvements until final acceptance by the City Council.
32. Applicant shall install a mailbox and post per Postal Service requirements and standards. Secure approval of location from the U.S. Postal Service prior to installation.
33. In accordance with City Municipal Code, only three Major Construction Projects (MCPs) are allowed to be active concurrently in the Calabasas Highlands. Therefore, no Building and Safety or Public Works construction permits may be obtained until the MCP permit is issued for the project in Calabasas Highlands Overlay Zone (review requirements set forth in the Ordinance No.2010-267).

#### **GRADING AND GEOTECHNICAL.**

34. Applicant shall submit a precise grading plan prepared by a Registered Civil Engineer for approval by the City 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 residential 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 plan should include all laterals and utility lines including sewers and water lines. The geotechnical consultant must review the plans and sign and stamp in verification of their recommendations.

35. 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.
36. 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.
37. Grading operations involving the hauling of dirt, debris, or other materials shall be controlled and reasonable efforts to avoid the spillage of dirt onto neighboring 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.
38. 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 at least one time 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.
39. Applicant shall submit a Final Geotechnical Report prepared by a Geotechnical Engineer/Engineering Geologist. The report must specifically address the proposed improvement including engineering calculations for all graded slopes, foundations, retaining walls, temporary excavations, removals/re-compaction 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 City of Calabasas Public Works department standards and requirements.
40. All grading and excavation shall be observed and documented by the project Geotechnical Engineer, who shall verify that the excavation, grading, sub-drainage, 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. At the completion of rough grading, the project Geotechnical Engineer shall submit to the City Engineer a comprehensive rough grade report summarizing the required observations, verifications, related tests, and other pertinent documentation.

41. Applicant shall eliminate all geologic hazards associated with this proposed development as identified in the Final Geotechnical Report, approved by the City's geotechnical consultant and to the satisfaction of the City Engineer.
42. 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.
43. Rough Grade Report 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.
44. 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.**
45. 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 Community Development Department Director shall make the determination if the changes are substantial, and require 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.
46. Prior to issuance of a Certificate of Occupancy (C of O), the project Civil Engineer of record shall provide As-Built or Record Drawings to the City reflecting any changes to the approved plan prior to initiation of final inspection.

47. 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). 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.
48. The project grading plans shall reflect the excavations necessary to achieve the design grades for the building pad, proposed retaining walls, and slopes. Grading plans shall provide sections as necessary to clarify the depth and grade relationships of these excavations, to include all off-site grading portions.
49. The grading plans and required sections shall clarify the limits of required over-excavation based on the recommendations of the project soils engineer.
50. 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.

## **HYDROLOGY AND DRAINAGE**

51. 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 hydrology conditions, 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 ( $Q_{50}$  Bulked 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.
52. 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. The existing drainage from Lot 5 shall be conveyed to the proposed Lilac Trail street section in non-erosive manner.
53. 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.

54. 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.
55. 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 preliminary grading and drainage plan, and consistent with 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 related 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.
56. Applicant shall construct drainage improvements, and offer easements as may be necessary, 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.
57. 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. Notwithstanding the foregoing, all on-site drainage system components shall be constructed to the specifications and requirements of the County of Los Angeles and the City of Calabasas; and, following completion, these facilities shall be subject to inspections by the County of Los Angeles and the City of Calabasas from time to time to ascertain proper and adequate maintenance and repair of the facilities.
58. Applicant's engineer shall provide for the mitigation of the project's storm water quality impacts, to the satisfaction of the City Engineer. 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 and LID exhibits. Drainage calculations shall be submitted with the final drainage study; locations of required water quality treatment devices shall be

shown on the drainage plans; and, details and specifications of the required devices shall be included in the drainage report and on the project plans.

## **UTILITIES**

59. All new utilities serving the proposed project shall be placed underground.
60. Any existing overhead utilities (electric, telephone, cable, etc.) along the project frontage and along the project boundaries shall be converted to underground.
61. The project shall connect to an existing sanitary sewer. The applicant shall construct a 6-inch minimum sewer lateral to connect the proposed project to the existing available sewer main.
62. 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.
63. Existing Lilac Trail does not contain water mains. The project shall coordinate water service, water main extensions, and required water line size based on service pressure and flow requirements from the County of Los Angeles Fire Department.
64. Locations of the required fire hydrants shall be coordinated with the County of Los Angeles Fire Department. A proof of water availability from LVMWD to accommodate the project's fire flow and hydrant flow requirements shall be provided prior to the issuance of a Building Permit.
65. 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.
66. Applicant shall grant easements to the City of Calabasas, County of Los Angeles, LVMWD, and any other appropriate agency or utility, 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.

## **TRAFFIC AND TRANSPORTATION DIVISION**

67. Construction activity and traffic control shall be staged such that vehicular, pedestrian and bicycle access to adjacent properties are maintained at all times.
68. Prior to the issuance of a grading permit, the applicant shall prepare a

Construction Traffic Management Plan (CTMP) for review and approval by the City Engineer or designee. The CTMP shall include, but not be limited to: street closure information, detour plans, haul routes, staging plans, parking management plans and traffic control plans. The CTMP should be based on the nature and timing of the specific construction activities and account for other concurrent construction projects in the Calabasas Highlands, or otherwise in the vicinity of the project site.

### **Public Works Department/Environmental Services Division**

69. Applicant, or 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.
70. 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.
71. Provide adequate filtration for all hillside drains to capture debris and sediment before entering the storm drain system. All storm drain catch basins shall be fitted with 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.



72. 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.
73. 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.
74. 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." (*NOTE: Recology is the only service provider currently permitted to operate in Calabasas.*) An Encroachment Permit is required prior to placing a refuse bin/container on the street.
75. 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.
76. 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 will 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**

77. Applicant shall pay applicable water meter and sewer fees prior to construction.

78. 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.
79. Applicant shall implement maximum use of recycled water during and after construction, including landscaping. 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**

Obtain all applicable permits and approvals from the Los Angeles County Fire Department. Project design and construction is subject to review and approval by the Los Angeles County Fire Department – Fire Prevention Division, and the Applicant shall satisfy all Conditions of Approval imposed by the Department prior to occupation of either the primary dwelling or ADU.

80. If required by the Los Angeles County Fire Department, a new fire hydrant shall be installed, tested, and accepted by the Los Angeles County Fire Department and the Las Virgenes Municipal Water District, prior to construction of street surface and drainage system components, and prior to issuance of building permits.

### **Ownership of Subject Property**

81. Prior to issuance of any grading or building permits by the City, the Applicant shall submit to the Community Development Department Director written documents evidencing that the owners of record for 3462 Lilac Trail and 3460 Lilac Trail are legally established corporation(s) or other entities or persons authorized and empowered to own and transfer real estate in the State of California. If the owner of record for one or both properties is a corporation, the Applicant's submission must include proof that the corporation(s) are legally established corporation(s) in good standing with the applicable State in which they were formed; that the corporation(s) are appropriately registered with the California Secretary of State; and with such documentation to demonstrate the corporation(s) are authorized and empowered to conduct business and own real estate in the State of California.

**Section 7. All documents described in Section 1 of PC Resolution No. 2023-782 are deemed incorporated by reference as set forth at length.**

**Section 8. The Community Development Director shall certify to the adoption of this resolution and shall cause the same to be forwarded to the City Council for its consideration.**

PLANNING COMMISSION RESOLUTION NO. 2023-782 PASSED,  
APPROVED AND ADOPTED this \_\_\_th day of November, 2023.

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Michael Klein, AICP  
Community Development Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Matthew T. Summers  
Colantuono, Highsmith, and Whatley  
City Attorney

Planning Commission Resolution No. 2023-782, was adopted by the Planning Commission at a regular meeting held November 16, 2023, 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.”