

Draft Conditions of Approval & Indemnification Agreement

(To be applied if project is approved)

I. INDEMNIFICATION AGREEMENT

The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of File No(s). SPR-2019-005, OTP-2021-001, LLA-2021-003 or the activities conducted pursuant to this File No(s). SPR-2019-005, OTP-2021-001, LLA-2021-003. Accordingly, to the fullest extent permitted by law, the applicant and property owner, and their successor and assigns, shall defend, indemnify and hold harmless the City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance of File No(s). SPR-2019-005, OTP-2021-001, LLA-2021-003, or the activities conducted pursuant to File No(s). SPR-2019-005, OTP-2021-001, LLA-2021-003. The applicant and property owner, and their successor and assigns, 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/Building and Safety

1. The proposed project shall be built in compliance with the approved plans on file with the Planning Division.
2. All project conditions shall be imprinted on the title sheet of the construction drawings. The approved set of plans shall be retained on-site for the review of Building Inspectors. Prior to any use of the project site, all conditions of approval shall be completed to the satisfaction of the Director of Community Development.
3. The project approved herein is depicted on those sets of drawings, elevations, etc., stamped approved by staff on the approval date. Any modifications to these plans must be approved by the Department of Community Development staff prior to the changes on the working drawings or in the field. Changes considered substantial

by the Planning staff must be reviewed by the Planning Commission. The determination of whether or not a change is substantial shall be made by the Director of Community Development.

4. Prior to issuance of grading or building permits, plans shall be reviewed and approved by the Department of Community Development to ensure compliance with the plans approved by the Planning Commission. The plans shall comply with the conditions contained herein, the Calabasas Municipal Code, and all City Resolutions and Ordinances.
5. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the applicant or its successors to cease any development or activity not in full compliance shall be a violation of these conditions. Any violation of the conditions of approval may result in the revocation of this approval.
6. This 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 an affidavit of acceptance of 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.
7. This approval shall be valid for one year and eleven days from the date of adoption of the resolution. The permit may be extended in accordance with Title 17 Land Use and Development Code, Article VI - Land Use and Development Permits.
8. All ground and roof-mounted equipment is required to be fully screened from view. Upon final inspection, Planning Division staff may require additional screening if warranted, through either landscaping, walls or a combination thereof.
9. All exterior lights are subject to the provisions set forth in the Lighting Ordinance Chapter 17.20 of the Land Use and Development Code.
10. Prior to commencement of construction, all necessary building permits must be obtained from the Building and Safety Division.
11. The project plans approved by this resolution are conceptual only; specific building and grading plans shall be reviewed for compliance with Title 15.04 of the CMC at the time of building plan check submittal.
12. The project is located within a designated Very High Fire Hazard Severity Zone. The requirements of Chapter 15.04.900 of the CMC shall be incorporated into all plans.

13. 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.

14. Construction Activities - 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

Stacking of construction worker vehicles, prior to 7:00 a.m. in the morning will be restricted to areas that do not adversely affect adjacent residences or schools. 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 Transportation and Intergovernmental Relations of the construction employee parking locations, prior to commencement of construction.

Oak Trees

15. The applicant shall adhere to the specific recommendations and mitigation measures included within Pages 15-17 of the submitted Oak Tree Report, dated August 21, 2023.

16. 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 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(s) of any such deviation and associated corrective measures applied in the field.

Public Works Department / Street Improvements

17. The applicant shall install a mailbox and posts per Postal Services requirements and standards. Secure approval of location from the U.S. Postal Service prior to installation.

18. Prior to any work being performed within the City right-of-way, the applicant shall obtain an encroachment permit from the Public Works Department.
19. The applicant shall perform offsite roadway improvements of Summit Drive along the project frontage. Such improvements shall comply with the County of Los Angeles Fire Department requirements. These improvements shall be completed to the satisfaction of the County of Los Angeles Fire Department and the City Engineer prior to the Issuance of a Grading Permit.
20. 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.
21. The applicant shall repair any damages occurred during construction on Summit Drive along the project frontage to the satisfaction of the City Engineer.

Public Works Department / Grading and Geotechnical

22. The 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.
23. The 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 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.

24. The 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.
25. 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. The grading contractor shall maintain on site at all times a means of preventing blowing dust within the project site and onto adjacent sites. Prior to start of hauling operations, the applicant shall obtain a Haul Route permit from the Public Works Department.
26. The applicant shall provide for the proper interception, conveyance and disposal of off-site drainage contributions from adjoining properties and return drainage to its natural conditions or secure off-site drainage acceptance letters from affected property owners.
27. All slopes shall be 2:1 (horizontal to vertical) or less in accordance with the approved geotechnical studies.
28. 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.
29. All relevant geotechnical reports must be referenced on grading and drainage plans.
30. All plans should be signed and stamped by the geotechnical engineer, verifying compliance of grading and foundation plans including Grading Notes with their recommendations by signing and stamping the plans.
31. An as-built report prepared by the geotechnical consultant must be submitted to the City for review. The report must include the results of all compaction tests as well as a map depicting the limits of over-excavation, observed geologic conditions, locations of all density tests, locations and elevations of all removal bottoms, and location and elevation of retaining wall backfill and subdrains outlets.
32. 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 to the City Engineer.

33. The project grading plans shall be reflective of the excavations necessary to achieve the design grades for adjacent retaining walls, slopes and property lines. Provide sections as necessary to clarify the depth and grade relationships of these excavations.
34. The grading plans and required sections shall clarify the limits of required over-excavation based on the recommendations of the project soils engineer.
35. 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.
36. 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.
37. A temporary excavation plan shall be prepared to illustrate the removal of the on-site fills and unsuitable soils. Shoring or other provisions shall be included with these plans for any and all excavations and areas to be shored. The shoring plans shall be submitted to Building and Safety Division and approved prior to issuance of a Grading Permit.
38. All retaining and privacy walls shall be in conformance with the City's wall requirements pursuant to CMC Section 17.20.100. Any variations require Planning Division approval. A detailed design of project retaining walls shall be provided on the project Grading Plan(s) and associated structural drawings. Grading Plan(s) shall clarify locations and limits of retaining walls to be constructed in conjunction with rough grading. Any walls requiring construction during rough grading shall be submitted to Building and Safety Division for review and approval and are subject to the specific approval by the City Engineer. Building and Safety approval shall be obtained prior to issuance of a grading permit.
39. Prior to Issuance of a Grading Permit, the applicant shall submit a surety grading and drainage 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.
40. 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).

41. 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.
42. 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 Q) Certifications on the City's 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.
43. Approval of Rough Grading. The project Rough Grade Report, Rough Grade Certification 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.**
44. 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. 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.
45. Prior to Issuance of a Certificate of Occupancy, 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.
46. Prior to Issuance of a Certificate of Occupancy, the applicant shall submit the Final Grade Inspection Verification Form certified by the project Civil Engineer, Geologist/Geotechnical Engineer, and Landscape Architect or property owner. Additional reports maybe requested prior to release of Occupancy. The Final Grade Inspection Verification Form shall be reviewed and approved by the City Engineer prior to Issuance of a Certificate of Occupancy for the project.

Public Works Department / Hydrology and Drainage

47. 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 City standard report format and include sections addressing on-site and off-site drainage areas, existing and developed conditions hydrology, the design hydraulics for the on-site drainage system, including sizing of inlets, conduits, v-ditches, down drains and other structures, and associated calculations and conclusions. The drainage study shall demonstrate project compliance with the current Los Angeles County Public Work Department's Hydrology Manual and Hydraulic Design Manual; however the minimum design flow for sizing onsite drainage devices shall be 25 year recurrence (Q₂₅). The drainage study shall also document that all building finish floor elevations will remain at least one foot above the Capital Flood 50-year bulked and burned storm recurrence interval (Q_{50BB}) water surface elevation, 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.
48. All drainage devices, pipes, and structures in the approved grading and drainage plan shall be the sole responsibility of the applicant to construct and the applicant shall maintain those devices, pipes and structures located on their property.
49. The applicant shall provide for the proper distribution of surface and subsurface drainage. Historic drainage patterns shall be maintained. Any drainage that is concentrated shall be properly dispersed in accordance with the hydrology/drainage study required herein.
50. The applicant shall provide for the proper interception, conveyance and disposal of off-site drainage contributions from adjoining properties and return drainage to its natural conditions or secure off-site drainage acceptance letters from affected property owners. The Applicant shall design the final improvements such that no increase in runoff from the developed site shall occur.
51. All drainage shall be sloped 2% away from all parts of the structure 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. PCC flow line shall be 0.5% minimum; flow line on pervious surface shall be 1% minimum. Sheet flow on AC or PCC shall be 1% minimum; sheet flow on pervious surface shall be 2% minimum outside of building areas.

52. Hydrology and drainage calculations contained in the Final Drainage Study shall utilize tributary drainage flows and tributary areas as delineated in the latest version of the Calabasas Highlands Master Plan of Drainage.
53. The Final Drainage Study shall evaluate the effects of increased runoff due to the project's developed drainage condition on downstream properties, and provide recommendations for mitigating such effects with the design of on-site facilities.
54. The Final Drainage Study shall provide calculations for the dissipation of concentrated drainage at the project drainage outlets adjacent to Summit Drive. Calculations shall reflect adequate dispersal and velocity reduction to the satisfaction of the City Engineer, and associated details shall be reflected on the Precise Grading and Drainage Plan(s).

Public Works Department / Utilities

55. 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.
56. 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 (i.e.: LVMWD's Financial Arrangement Letter) to Public Works prior to the issuance of a Building Permit.
57. The project shall connect to an existing sewer. The applicant shall construct a 4-inch minimum lateral connecting proposed single family residence to the existing sewer main subject to the approval of the City Engineer.
58. Sewer connection fees shall be paid to the Las Virgenes Municipal Water District (LVWMD) prior to Issuance of a Building Permit. The applicant shall submit proof of payment of such fees to Public Works prior to the issuance of a Building Permit.

Public Works Department / Environmental Services Division

59. 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.
60. 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.
61. 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.
62. 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.
63. 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.
64. 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." An Encroachment Permit is required prior to placing a refuse bin/container on the street.

65. 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.
66. 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/contract

Public Works Department / Mapping and Related Documents

67. The applicant shall provide a current copy of the preliminary title report, prepared within the last six (6) months, for the subject property.
68. The applicant's engineer shall plot all referenced easements on the site plans and grading plans.
69. The Lot Line Adjustment (LLA) process shall be completed in compliance with the Municipal Code Chapter 17.44.140. Subsequent to issuance of a Certificate of Compliance, the LLA shall be recorded with Los Angeles County. A conformed copy of the recorded LLA shall be in place prior to issuance of a grading or building permit.

Public Works Department / Special Conditions

70. Applicant shall comply with all state requirements for construction within a special studies zone. A geology report must be submitted and approved by the City Engineer. Copies of the report must be sent to the state geologist by the applicant prior to final Certificate of Occupancy.
71. 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 is issued for the project in Calabasas Highlands Overlay Zone (review requirements set forth in the Ordinance No.2010-267).

72. Due to the extraordinarily narrow streets in the vicinity, construction activity and traffic control shall be staged such that vehicular access to adjacent properties is maintained at all times.
73. The applicant shall pay to the City a Traffic Mitigation Fee in the amount of \$1,230.00 (for a single-family residence).

Las Virgenes Municipal Water District

74. Applicant shall pay applicable water meter and sewer fees prior to construction.
75. 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.
76. 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

77. Obtain 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.
78. 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.