

PLANNING COMMISSION RESOLUTION NO. 2024-786

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALABASAS TO APPROVE FILE NO(S). SPR-2019-005, OTP-2021-001, AND LLA-2021-003, A REQUEST FOR A SITE PLAN REVIEW, OAK TREE PERMIT, AND LOT LINE ADJUSTMENT TO CONSTRUCT A NEW 2,666 SQUARE-FOOT SINGLE-FAMILY RESIDENCE WITH ATTACHED 445 SQUARE-FOOT 2-CAR GARAGE ON THE VACANT LOT LOCATED AT 23720 SUMMIT DR (APN: 2072-018-017) WITHIN THE RURAL COMMUNITY (RC) ZONING DISTRICT AND CALABASAS HIGHLANDS (-CH) OVERLAY ZONE. THE PROPOSED PROJECT INCLUDES MINOR ENCROACHMENT INTO THE PROTECTED ZONE OF ONE ON-SITE OAK TREE AND SCRUB OAK. THE PROJECT ALSO INCLUDES A REQUEST TO MERGE THE EASTERN HALF OF LOT 3 WITH LOT 2, WHICH ARE BOTH PART OF THE SAME SUBJECT PARCEL (APN: 2072-018-017).

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 and the City Attorney.
2. Staff presentation at the public hearing held on January 18, 2024, before the Planning Commission.
3. The City of Calabasas Land Use and Development Code, General 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. 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. On December 23, 2019 an application was submitted on behalf of the property owner for File No. SPR-2019-005.
2. The project was reviewed by the Development Review Committee (DRC) on January 21, 2020; Staff determined that the application and plans were incomplete on January 23, 2020 and the applicant was duly notified of this incomplete status.
3. Plans were revised and resubmitted by the applicant on July 29, 2020.
4. Following subsequent reviews by Staff, it was determined that an Oak Tree Permit was required for encroachment into the protected zone of oak trees, and a Lot Line Adjustment was required to merge the two lots that comprise the subject parcel. The applicant submitted a request for Oak Tree Permit No. OTP-2021-001 on February 23, 2021, and a request for Lot Line Adjustment No. LLA-2021-003 on October 14, 2021.
5. The project was reviewed by the City's Architectural Review Panel (ARP) on February 25, 2022, April 5, 2022, and November 18, 2022.
6. Following subsequent resubmittals, including revisions as recommended by the ARP, the application and plans for File No(s). SPR-2019-005, OTP-2021-001, and LLA-2021-003 were deemed complete by Staff on October 31, 2023.
7. On December 20, 2023, four weeks ahead of the public hearing, story poles and on-site posting were installed on the subject site in compliance with the City's Story Pole Procedures.
8. Notice of the January 18, 2024 Planning Commission public hearing was posted at Juan de Anza Park, the Calabasas Tennis and Swim Center, and at Calabasas City Hall.

9. Notice of the January 18, 2024 Planning Commission public hearing was provided to property owners within 500 feet of the property as shown on the latest equalized assessment roll.
10. Notice of the January 18, 2024 Planning Commission public hearing was mailed or delivered at least ten (10) days prior to the hearing to the project applicant.
11. Notice of the January 18, 2024 Planning Commission public hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).
12. A public hearing was held at the January 18, 2024 Planning Commission meeting, during which public testimony was taken.
13. At the January 18, 2024 meeting, the Commissioners recommended that Staff prepare a resolution of approval for File No. SPR-2022-008, to be brought back to the Commission for adoption at the next regularly scheduled Planning Commission meeting. Staff coordinated with the City Attorney, determining that a Lot Line Adjustment (LLA) is necessary to facilitate the proposed project.
14. The project site is zoned Rural Community (RC), and is within the Calabasas Highlands (-CH) overlay zone.
15. The land use designation for the project site under the City's adopted General Plan is Rural Community (RC).
16. Properties surrounding the project site are zoned RC-CH, and have General Plan land use designations of Rural Community (RC).

Section 3. In view of all of the evidence and based on the foregoing findings, the Planning Commission finds as follows:

FINDINGS

Section 17.62.020 of the Calabasas Municipal Code (CMC) allows the Planning Commission 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;*

The subject site is a vacant 7,499 square-foot parcel, located in the Rural Community (RC) zoning district, and Calabasas Highlands (-CH) overlay zone. The proposed new single-family residence is an allowed use in the RC zoning district. The existing parcel is comprised of two lots of 5,000 square feet and 2,499 square feet, which are legal nonconforming in regards to lot size, as the RC zoning district requires a minimum lot size of 1 acre. The project includes a request for a Lot Line Adjustment, which will merge the two lots and improve upon the existing legal nonconforming lot size. The merged lot will remain legal nonconforming as the resulting 7,499 square feet is still less than the code-required minimum lot size. The project will not increase the discrepancy between the current code requirements and the existing lot configuration.

As presented in the Technical Appendix of the January 18, 2024 staff report to the Planning Commission (which is hereby incorporated by reference), the site design and building design conform to the applicable standards in regards to height, setbacks, site coverage, pervious surface, Floor Area Ratio (FAR), retaining wall heights, landscaping, downhill building walls, and hillside development. The project has been reviewed by the City's Development Review Committee and Architectural Review Panel (ARP), and at the final meeting of the ARP on November 18, 2022, the ARP recommended approval of the project to the Planning Commission with minor outstanding design recommendations that the applicant has since incorporated into revised plans. Therefore, the project complies with all applicable provisions of the Development Code and meets 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;*

The proposed new single-family residence is specified within the Land Use Element as an appropriate use for a parcel within the Rural Community (RC) zoning district. The proposed project complies with all development standards and is compatible with the residential character of the community, as explained within the Staff Report.

Chapter IX of the General Plan, specifically policies IX-1, IX-5, IX-8, and IX-10 emphasize that new development shall maintain a high-quality appearance, and is aesthetically pleasing and compatible with the area's natural setting. The Architectural Review Panel reviewed the proposed project on February 25, 2022, April 5, 2022, and November 18, 2022, and based in part on consideration of applicable general plan policies, recommended approval of the project with design comments that the

applicant has since addressed. Therefore, the proposed project is consistent with the General Plan and meets this finding.

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

This project is exempt from environmental impact review under the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) (General Rule Exemption) of the CEQA Guidelines. Additionally, the project is categorically exempt from CEQA pursuant to Section 15332 (In-fill Development Projects) and Section 15303 (New Construction) of the California CEQA Guidelines.

Therefore, because the proposed project is exempt from environmental impact review under the California Environmental Quality Act, the proposed project meets this finding.

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 located within the RC zoning district, and 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 2,666 square-foot single-family residence and attached 445 square-foot garage are 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 design to include less reflective color options, ensure screening of ducting/mechanical equipment, and improved articulation at the roofline as well as between the first and second floors. The applicant has subsequently revised the project design to incorporate the ARP's recommendations, resulting in revising areas of proposed white stucco to be wood siding instead, incorporating a hipped roof to screen mechanical equipment, and adding and planter boxes along the balcony at the front of the residence.

Based on the above information, the Planning Commission finds that the proposed project is compatible in use, design, appearance, and scale with the existing homes in the surrounding area and 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 subject site is a 7,499 square-foot parcel, and is comprised of a 5,000 square-foot lot and 2,499 square-foot lot. Both lots are currently legal non-conforming in regards to the minimum lot size for the RC zone (1 acre), and as a result of the proposed Lot Line Adjustment to merge the lots, the nonconformity will be improved upon from the existing conditions, but will still remain legal nonconforming. Per the staff report provided to the Commission at the January 18, 2024 public hearing, the layout and design of the proposed residence conform to the applicable development standards, including in regards to height, setbacks, pervious surface, site coverage, FAR, landscaping, allowable wall heights, and grading and drainage. Off-street parking is provided in an attached garage of 445 square feet, which meets the parking requirements for a single-family residence. 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.*

The proposed new single-family residence will be located on an existing vacant 7,499 square-foot property zoned Rural Community (RC) and within the Calabasas Highlands (-CH) overlay zone. Additionally, the project site is an infill property with developed properties on three sides, and the project will not create any new intrusions into the surrounding natural environment. Furthermore, the applicant has worked with City staff and with the Architectural Review Panel on a design that requires less grading and less retaining walls than what was originally proposed, resulting in less disturbed areas of the property, with the rear yard and eastern side yard areas to be left natural to the maximum extent feasible. The current proposed design also results in less impact to oak trees than was originally proposed; no protected oak trees will be removed as part of the proposed project, and only minor encroachments to scrub oak and one coast live oak tree are proposed as a result of the retaining walls at the rear and sides of the lot.

Additionally, at the final Architectural Review Panel meeting for this project, the ARP determined that the design of the proposed project is compatible with the surrounding environment, and recommended approval to the Planning Commission with design revisions that the applicant incorporated prior to Commission consideration of the project. Therefore, 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 one or more of five possible findings are made. The Planning Commission determines that the following finding is applicable to the project and the finding can be made.

- 1. 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. (CMC 17.32.010.E.2)*

The project site is a vacant 7,499 square-foot parcel, with several scrub oaks, coast live oak trees, and non-protected scrub oaks below the size thresholds for protection that are in and around the vicinity. Per CMC Chapter 17.32, native oak trees are a protected biotic resource, and per Section 17.32.010(D)(c)(3) of the CMC, encroachment of more than 10% into the protected zone of an oak tree requires the above finding to be made that it is necessary to enable reasonable and conforming use of the property.

In this case, the proposed project includes encroachment into the protected zone of one coast live oak tree and protected zone of one scrub oak, as well as the removal of non-protected scrub oak. The originally submitted project design involved further encroachment and removals of protected scrub oak; however, through coordination with Staff, the applicant has reduced the amount of grading necessary for the project and thereby reduced the oak tree impact needed for construction of the 2,666 square-foot residence. To this end, strict application of the Oak Tree Ordinance would prevent the property owner from improving upon the existing property by developing it with an allowed use for the subject site, and the minor encroachment into the protected zone of one coast live oak tree and one scrub oak is necessary to enable reasonable and conforming use of the property.

The submitted Oak Tree Report indicates that all protected oak trees analyzed by the report are to be protected in place, and the encroachment activities involving the one on-site coast live oak tree and scrub oak will not result in significant long-term adverse impacts to either tree. This report has been reviewed and confirmed to be accurate by the City's

Consulting Arborist. To further ensure that adverse impacts to the trees are minimized, the applicant shall comply with all of the Oak Tree Report's recommendations and the Conditions of Approval contained in this resolution. Therefore, the proposed project meets this finding.

Section 17.44.120 of the Calabasas Municipal Code (CMC) requires that the Planning Commission deny a proposed Lot Line Adjustment if it finds any of the following:

1. *The lot line adjustment does not maintain a position with respect to General Plan or specific plan consistency, parcel design, minimum lot area, environmental quality, and other standards as specified in this development code and other applicable Municipal Code and state law provisions relating to real property divisions, which is equal to or better than the position of the existing lots before adjustment;*

The proposed lots to be merged are contiguous lots (Lot 2 and the east ½ of Lot 3 of block number 21 in Tract No. 8550) held by the same owner, as required by Section 66451.11 of the Subdivision Map Act. The lots are both currently legal nonconforming at 5,000 square feet and 2,499 square feet, each lot being below the minimum required lot size of 1 acre. The proposed lot line adjustment will improve the existing legal nonconforming condition by bringing the newly merged lot closer to the code required standard, and does not increase the discrepancy between the municipal code standard and the current site condition. Furthermore, the existing two-lot configuration would allow for two residences, while the merged single lot will allow for only one residence. Given these circumstances, the proposed lot merger is consistent with the General Plan and Municipal Code and meets this finding.

2. *The adjustment will have the effect of creating a greater number of parcels than are buildable in compliance with applicable provisions of this development code than exist before adjustment;*

The proposed lot line adjustment meets this finding because both lots are owned by the same property owner, as confirmed by the most current title report, and the lot line adjustment will reduce the number of lots from two to one. Therefore, the proposed lot line adjustment meets this finding.

3. *Any parcel resulting from the adjustment will conflict with any applicable regulations of this development code; or*

The proposed lot line adjustment meets this finding, because each of the current lots are considered legal nonconforming in regards to size, as they are below the size minimum for the RC zoning district for creation of new lots. The proposed lot line adjustment will merge the two lots, resulting in one larger lot rather than two smaller lots, bringing the situation closer to the applicable requirement of the development code and not increasing the discrepancy between the existing site conditions and code requirements. Therefore, the proposed lot line adjustment meets this finding.

4. *The adjustment will result in an increase in the number of nonconforming parcels.*

The proposed lot line adjustment includes taking two legal lots (Lot 2 and the east ½ of Lot 3) and merging them into one legal lot. Both lots are currently considered legal nonconforming in regards to size, because they are below the 1-acre lot size minimum in the RC zoning district. The adjustment will merge the lots, resulting in one legal nonconforming lot rather than the two legal nonconforming lots that currently exist. Therefore, the proposed lot line adjustment meets this finding.

Section 4. In view of all of the evidence and based on the foregoing findings and conclusions, the Planning Commission approves File No(s). SPR-2019-005, OTP-2021-001, and LLA-2021-003 subject to the following agreement and conditions:

I. INDEMNIFICATION AGREEMENT

The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of File No(s). SPR-2019-005, OTP-2021-001, and LLA-2021-003, or the activities conducted pursuant to this File No(s). SPR-2019-005, OTP-2021-001, and 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, and LLA-2021-003, or the activities conducted pursuant to File No(s). SPR-2019-005, OTP-2021-001, and 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 and the interim maintenance plan 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 must comply with the building codes of 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 City Engineer or their designee 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 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.

Section 5. All documents described in Section 1 of PC Resolution No. 2024-786 are deemed incorporated by reference as set forth at length.

PLANNING COMMISSION RESOLUTION NO. 2024-786 PASSED,
APPROVED AND ADOPTED this 1st day of February, 2024.

Wendy Fassberg
Chairperson

ATTEST:

Michael Klein, AICP
Community Development Director

APPROVED AS TO FORM:

Vernetra Gavin
Colantuono, Highsmith and Whatley, PC
Assistant City Attorney

Planning Commission Resolution No. 2024-786, was adopted by the Planning Commission at a regular meeting held February 1, 2024 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.”