

PLANNING COMMISSION RESOLUTION NO. 2024-798

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALABASAS TO APPROVE FILE NO(S). SPR-2023-017 AND OTP-2024-009, A REQUEST FOR A SITE PLAN REVIEW AND AN OAK TREE PERMIT TO CONSTRUCT A NEW TWO-STORY 5,224 SQUARE-FOOT SINGLE-FAMILY RESIDENCE AND ASSOCIATED NEW 688 SQUARE-FOOT ADU, SWIMMING POOL, THREE-CAR GARAGE, RETAINING WALLS, LANDSCAPING, AND HARDSCAPE LOCATED ON THE VACANT LOT AT 4440 PARK AURORA (APN: 2068-019-022) WITHIN THE RESIDENTIAL SINGLE-FAMILY (RS) ZONING DISTRICT. THE PROPOSED PROJECT ALSO INVOLVES ENCROACHMENT INTO THE PROTECTED ZONE OF ONE ON-SITE OAK TREE.

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 October 17, 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 21, 2023 an application was submitted on behalf of the property owner for File No. SPR-2023-017 and OTP-2024-009.
2. The project was reviewed by the Development Review Committee (DRC) on January 5, 2024; Staff determined that the application and plans were incomplete on January 18, 2024 and the applicant was duly notified of this incomplete status.
3. Plans were revised to reflect the City's comments and resubmitted by the applicant on May 31, 2024.
4. The project was reviewed by the City's Architectural Review Panel (ARP) on June 28, 2024.
5. Following subsequent resubmittals, the application and plans for File No(s). SPR-2023-017 and OTP-2024-009 were deemed complete by Staff on October 2, 2024.
6. Notice of the October 17, 2024 Planning Commission public hearing was posted at Juan de Anza Park, the Calabasas Tennis and Swim Center, and at Calabasas City Hall.
7. Notice of the October 17, 2024 Planning Commission public hearing was provided to property owners within 500 feet of the property as shown on the latest equalized assessment roll.
8. Notice of the October 17, 2024 Planning Commission public hearing was mailed or delivered at least ten (10) days prior to the hearing to the project applicant.
9. Notice of the October 17, 2024 Planning Commission public hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).
10. A public hearing was held at the October 17, 2024 Planning Commission meeting, during which public testimony was taken.
11. At the October 17, 2024 meeting, the Commission recommended that Staff prepare a resolution of approval for File No. SPR-2023-017 and OTP-2024-009, with an additional condition of approval to be added to the

resolution in order for the project to comply with the required findings for a Site Plan Review, to be brought back to the Commission for adoption at the next regularly scheduled Planning Commission meeting.

12. The project site is zoned Residential Single-Family (RS).
13. The land use designation for the project site under the City's adopted General Plan is Residential – Single Family (R-SF).
14. Properties surrounding the project site are zoned RS and Open Space (OS), and have General Plan land use designations of R-SF and Open Space – Resource Protected (OS-RP).

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 16,794 square-foot (0.39 acre) undeveloped lot located at 4440 Park Aurora (APN: 2068-019-022), within the Residential Single-Family zoning district. The site was previously utilized as a side yard for the adjacent single-family residents while the lots were under common ownership and the lot was improved with landscaping and fruit trees, which have since been removed. The applicant proposes to construct a new two-story 5,224 square-foot single-family residence and associated new 688 square-foot ADU, swimming pool, three-car garage, retaining walls, landscaping, and hardscape. Utility easements occupy much of the northern and southern side yard areas, for which the applicant has obtained approval from all necessary entities for project construction.

As presented in the Technical Appendix of the October 17, 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,

and wall heights. The project was reviewed by the City's Development Review Committee and Architectural Review Panel (ARP), and the Panel recommended approval of the project with minor comments that the applicant has since revised the plans to address. 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 General Plan Land Use Element as an appropriate use for a parcel within the Residential Single-Family (RS) 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. The subject site is not within a designated scenic corridor, and there are no architectural design standards or design themes applicable to this property.

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 June 18, 2024, 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. Accordingly, 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 a corner lot located within the RS zoning district, and is surrounded by one-story and two-story single-family homes that vary in regards to architectural design, colors, and materials, with the predominant architectural style in the neighborhood being Spanish/Mediterranean. The proposed project incorporates a brown/gray blend Spanish tile roof for consistency with homes in the surrounding neighborhood, as well as an off-white stucco exterior, dark brown trim, limestone veneer, and glass balcony railings.

The Architectural Review Panel reviewed the proposed project and recommended approval, with additional considerations that the applicant incorporated into revised plans. As demonstrated by the technical appendix within the staff report, home sizes in the vicinity range from 1,940 square feet to 4,712 square feet, so the proposed 5,224 square-foot residence is above the range of home sizes in the vicinity. However, the bulk of the residence is set back from the most visible portion of the site, at the intersection of Park Aurora and Park Sienna; at the front of the house, the residence is set back 32' from the side property line at Park Sienna, and only a small portion at the rear of the main house is located 16'0" from the street side property line. Additionally, per Condition No. 15, the proposed residence will implement landscaping to aid in screening the side of the residence from Park Sienna, to minimize the massing of the structure when viewed from the street side.

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 16,794 square-foot (0.39 acre) parcel, and the applicant proposes to construct a 5,224 square foot single-family residence and detached 688 square-foot ADU as well as associated features inclusive of a pool, attached garage, retaining walls, balconies, landscaping, and hardscape. Per the staff report provided to the Commission at the October 17, 2024 public hearing, the layout and design

of the proposed residence conform to the applicable development standards of the RS zone, including in regards to height, setbacks, pervious surface, site coverage, landscaping, parking, grading, and drainage. Per Condition No. 15, the proposed residence will implement landscaping to aid in screening the side of the residence from Park Sienna, to minimize the massing of the structure when viewed from the street side. 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 5,224 square-foot single-family residence and associated 688 square-foot ADU will be located on a vacant 16,794 square-foot property in the Residential Single-Family (RS) zoning district. The project site is an infill property, and the site is surrounded by other single-family residences and HOA-maintained park/open space. The site was previously utilized as the side yard for the adjacent residence when the lots were under common ownership, and was previously improved with landscaping and fruit trees planted by the prior owner, which has since been removed. One coast live oak tree and one Southern California Black Walnut tree are found on the property, and both will remain. Accordingly, the proposed project will not create any new intrusions into the surrounding natural environment, and the trees are not expected to have any long-term adverse impact.

Additionally, per Condition No. 15, landscaping will be required along Park Sienna to screen the proposed project from view to the maximum extent feasible. Therefore, the proposed project is designed to integrate with the surrounding natural environment and 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 applies 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 16,794 square-foot parcel, which was previously utilized as the side yard for the adjacent single-family residence and was improved with associated landscaping and fruit trees, which have since been removed from the site. The site contains one coast live oak tree, located adjacent to a concrete swale on the sloped area of the site towards the rear property line. 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. All proposed structures will be located outside of the tree's protected zone; however, a fence is proposed along the rear property line, and the footings of several fence posts would encroach within the protected zone of the on-site oak tree.

No alterations will be made to the existing concrete drainage swale located in close proximity to the tree's trunk, and no encroachment from structures/development within the protected zone. 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 is necessary to enable reasonable and conforming use of the property.

The submitted Oak Tree Report indicates that the on-site oak tree analyzed by the report is to be protected in place, and the encroachment activities will not result in significant long-term adverse impacts to the tree. This report has been reviewed and confirmed to be accurate by the City's Consulting Arborist. To further ensure that potentially adverse impacts to the tree 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 4. In view of all of the evidence and based on the foregoing findings and conclusions, the Planning Commission approves File No(s). SPR-2023-017 and OTP-2024-009 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-2023-017 and OTP-2024-009, or the activities conducted pursuant to this File No(s). SPR-2023-017 and OTP-2024-009. 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-2023-017 and OTP-2024-009, or the activities conducted pursuant to File No(s). SPR-2023-017 and OTP-2024-009. 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 (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.

15. A Final Landscape Plan shall be submitted and subject to approval by the Director prior to the issuance of Building permits, which shall include trees and/or hedges that will provide adequate screening of the proposed residence from Park Sienna.

Oak Trees

16. The applicant shall adhere to the specific recommendations and mitigation measures included within the submitted Oak Tree Report, dated April 24, 2024.
17. 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, and shall inform the Community Development Department staff as soon as practicable.

Public Works Department/Street Improvements

18. 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.
19. The driveway improvements on Park Aurora shall be in full compliance with the City's driveway and site access policy as set forth in the City Municipal Code, and also in a manner that will allow full conformance with Americans with Disabilities Act (ADA).
20. The horizontal and vertical alignment for the project's access driveway shall satisfy requirements of the County of Los Angeles Fire Department and the City Engineer.
21. The applicant shall provide designs and details of existing and proposed sidewalk and driveway transitions compliant with the Americans with Disabilities Act (ADA) as well as disabled access provisions as contained in the latest edition of the California Building Code (CBC), as amended by the County of Los Angeles and the City of Calabasas. Any existing frontage improvements (sidewalk, driveway(s), clearances around above-ground utility poles, utility boxes, etc.) shall be reviewed and upgraded as necessary to comply with disabled accessibility standards.
22. 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.
23. Prior to any work being performed within the City right-of-way, the applicant shall obtain an encroachment permit from the Public Works Department. Prior to issuance of an encroachment permit, the applicant shall submit a surety public improvement bond with the valuation to be determined by the City staff upon submittal of the engineering cost estimate of off-site street improvements.

24. Prior to issuance of a certificate of occupancy, the applicant shall restripe all striping, pavement markings and pavement legends adjacent to and within the vicinity of the project site, impacted by construction traffic, to the satisfaction of the City Engineer.
25. The applicant shall be responsible for maintenance and repairs of all proposed public street improvements until final acceptance by the City Council.
26. The applicant shall repair any broken or damaged curb, gutter, or pavement on Park Aurora along the project frontage to the satisfaction of the City Engineer.

Public Works Department/Grading and Geotechnical

27. The applicant shall submit a precise grading plan prepared by a Registered Civil Engineer for approval by the Public Works Department. The plans shall be prepared on Public Works standard sheets and shall address the specific grading, drainage, and geotechnical design parameters for design of the proposed residential construction. The plans should include, but not be 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 and over-excavation requirements contained therein. The plans shall reflect all proposed drainage facilities, including storm drains, area drains, catch basins/inlets, swales, and other drainage devices necessary for the interception, conveyance and disposal of on-site and offsite drainage consistent with the project drainage report. The plan shall include designs for wet utility services including sanitary sewers and water lines. The geotechnical consultant must review the plans and sign and stamp in verification of their recommendations.
28. The applicant shall submit a detailed geotechnical report prepared by a Geotechnical Engineer/Engineering Geologist. The geotechnical report must specifically address the proposed improvements 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 to the satisfaction of the City of Calabasas Public Works Department standards and requirements.

29. All slopes shall be 2:1 (horizontal to vertical) or less, and in accordance with the approved geotechnical studies.
30. 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.
31. 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.
32. 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 devices.
33. 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).
34. Prior to commencement of work under a grading permit, the contractor shall conduct a preconstruction meeting with the City. The contractor shall be responsible for setting the meeting time, date and location and notifying City staff at least one week in advance of the meeting.
35. All excavation, grading, storm drain installation, 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.
36. 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.

37. 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.
38. 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 and Grading and Drainage Plans. 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.
39. Geotechnical consultant must review the final grading and foundation plans and confirm that their conclusions and recommendations are valid with respect to the proposed design by signing and stamping such plans.

Public Works Department/Hydrology and Drainage

40. 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 (Q50BB) 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.

41. All drainage devices, pipes, and structures in the approved grading plan shall be the sole responsibility of the applicant to construct and applicant shall maintain those devices, pipes and structures located on their property. Adequate access shall be established and easements will be provided to the City. A maintenance covenant shall be recorded against the property to ensure that all drainage devices, pipes and structures not located in public right-of-way are properly maintained. Provisions will be provided and approved by the City of Calabasas Public Works Department that ensure that proper maintenance is provided, and provisions to reimburse the City for any remedial work that will, at the City's sole discretion, require the City to maintain the before-mentioned devices and structures should they not be properly maintained.
42. 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.
43. 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.

Public Works Department/Mapping and Related Documents

44. The applicant shall provide a current copy of the preliminary title report, prepared within the last 6 months, for the subject property.
45. The applicant's engineer shall plot all referenced easements on the site plans and grading plans.
46. Prior to issuance of a Grading Permit the applicant shall be responsible for identifying all easements including, but not limited to LA County Flood Control and SCE easements and related encumbrances on the project plans and related documents and ensuring that all such easements and encumbrances are not impeded, burdened, and are adequately maintained

in accordance with the terms and language of the original easement. Determination of such compliance shall be subject to the City approval.

Public Works Department/Utilities

47. 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.
48. 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.
49. 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.
50. Sewer connection fees shall be paid to the Las Virgenes Municipal Water District (LVMWD) 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

51. 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.
52. 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.

53. 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.
54. 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.
55. 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.
56. 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/Special Conditions

57. Construction activity and traffic control shall be staged such that vehicular access to adjacent properties is maintained at all times.
58. The applicant shall pay to the City a Citywide Traffic Mitigation Fee of \$1,230.00 based on the rate per residential unit.

Los Angeles County Fire Department

59. Obtain all applicable permits and approvals from the Los Angeles County Fire Department.

Section 5. All documents described in Section 1 of PC Resolution No. 2024-798 are deemed incorporated by reference as set forth at length.

PLANNING COMMISSION RESOLUTION NO. 2024-798 PASSED,
APPROVED AND ADOPTED this 7th day of November, 2024.

Wendy Fassberg
Chairperson

ATTEST:

Michael Klein, AICP
Community Development Director

APPROVED AS TO FORM:

John Fox
Aleshire and Wynder, LLP
Assistant City Attorney

Planning Commission Resolution No. 2024-798, was adopted by the Planning Commission at a regular meeting held November 7, 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.”