

CONDITIONS OF APPROVAL (Case No. 04-CUP-003)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of this Permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved labeled exhibits: Site Plan; Elevation Plans; Floor Plans, Roof Plan, and Grading Plan.
4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
6. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in the Permit or on the approved Site Plan.
8. The applicant shall install a dual water system if recommended by the Las Virgenes Municipal Water District.
9. No occupancy shall be granted for any building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
10. All utilities existing and proposed shall be placed underground. If over-head utilities 66KV or larger exist on or about the subject property, the applicant shall file an agreement to join any Assessment District subsequently created to underground said lines.
11. A minimum of two (2) enclosed parking spaces shall be provided on the subject property, in conformance with the City Parking Ordinance. A minimum interior clear space of 20 feet by 20 feet must be maintained within the garage.

12. The applicant shall comply with all applicable Public Health Statutes, Ordinances, and Regulations related to the disposal of sewage.
13. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
14. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
15. Unless this permit is used within two (2) years from the date of City approval, Case No. 04-CUP-003 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
16. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. At this time, the required school impact fee is \$2.63 per square foot.
17. Prior to issuance of a Building Permit, the applicant shall submit a letter to the Director of Planning and Community Development agreeing to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. All fees and expenses for the retaining of a qualified archaeologist shall be paid by the applicant and shall not be at City expense. The applicant shall agree to comply with mitigation measures recommended by the archaeologist and approved by the Director of Planning and Community Development.
18. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
19. Prior to the issuance of a Building Permit, the applicant shall pay the Fire District Development Fee, at the rate in effect at the time of Building Permit issuance. The current rate is \$ 0.7876 per square foot of new floor area.
20. The City Building Code requires all new residences to be protected by a residential fire sprinkler system. Plans for the required system shall be approved by the Fire Department prior to the issuance of Building Permits for the residence.
21. The applicant shall pay to the City the applicable General Plan Update Recovery Fee prior to the issuance of a Building Permit. The current fee is \$1.41/\$1,000 of building valuation. Actual fees will be determined at the time of building permit issuance.
22. Prior to approval of foundation by Building & Safety Department, applicant shall submit a grading report as outlined in Section 3304.20 of the City's Municipal Code. Report information shall include, but is not limited to, building pad and grade certifications. Building pad certifications must be completed by the applicant's project Civil Engineer. Grade certifications must be completed by the

applicant's project Civil Engineer and Geotechnical Engineer and/or Geologist. All certifications must be signed and stamped by State-licensed professionals.

BUILDING AND SAFETY CONDITIONS

23. All construction plans submitted for Building and Safety plan check are required to be on minimum 24"x 36" paper and be stamped and signed by Architect and Engineer. Plans must be complete and include all mechanical, electrical and plumbing plans along with structural calculations, energy calculations and soils report. Two complete sets of construction documents are required for plan check and shall address:
- A. Provide for minimum setbacks of all structures to ascending and descending slopes per Agoura Hills Building Code, Sec. 1806.5.2 and 1806.5.3. Minimum setbacks from a slope is $H/2$, ($1/2$ the vertical height of the slope, including portions not on property), or submit for a variance by providing the equivalent protection determined by the project soils engineer. This equivalent protection will need to be verified by the City's soils engineer and approved by the Building Official prior to approval.
 - B. Fire Sprinklers are required per Sec. 904.2.9 of the Agoura Hills Building Code.
 - C. Exterior elements and materials must be in compliance with all VHFHSZ (Very high fire hazard severity zone) requirements, Agoura Hills Building Code, Sec.6402.1.
 - D. All eave overhangs, patio covers and porch overhangs/ceilings must be minimum 2 x material or non-combustible to comply with the Very High Fire Hazard Severity Zone requirements, Agoura Hills Building Code, Sec.6402.1.
 - E. Dual pane windows are required for VHFHSZ compliance per Agoura Hills Building Code, Sec.6402.1.
 - F. Show location of all exterior equipment.
 - G. Design all structures to seismic zone 4, climate zone 9, and high wind loads of 75mph minimum.

ENGINEERING CONDITIONS

General

24. All improvement plans, including, but not limited to, street, grading, sewer, storm drain, and striping/signage plans, for the entire project must be submitted as one package. This package must also include all supporting studies. All improvement plan sheets shall be 24" x 36" and must have the City's standard signature blocks and be legibly drawn to ensure proper reproduction and adequate record keeping. All lettering on plans shall be a minimum of 80 CL (.08 inch) in size to ensure

proper reproduction and microfilming. All original plans shall be drawn in ink. All plans shall be prepared and signed by a California State Registered Civil Engineer.

25. For construction within public right-of-way, an encroachment permit is required in accordance with Agoura Hills Municipal Code. All required applicable fees, securities, and insurance must be posted prior to issuance of the encroachment permit.
26. The applicant shall acquire, and pay all costs of acquiring, any off-site real property and/or easements required in connection with this project, prior to issuance of a grading permit.
27. A soils report shall be prepared and submitted in accordance with the Agoura Hills Guidelines for geotechnical/geological reports.
28. All Record Drawings ("As-Built" drawings) and supporting documentation shall be submitted to the Engineering Division prior to issuance of the final Certificate of Occupancy.
29. A title report is required to be submitted with the project plans. The plans shall show all proposed and existing easements.
30. Prior to issuance of a grading permit, estimates for public right-of-way improvements shall be submitted on the City-provided form subject to review and approval of the City Engineer.
31. The developer/owner shall pay all applicable fees and deposits prior to issuance of the Certificate of Occupancy.

Grading

32. All grading shall conform to City's Grading Ordinance, Chapter 33 of the Uniform Building Code, as modified.
33. A site grading plan shall be submitted for review and acceptance by the City Engineer and shall conform to the City's grading ordinance. The plans, among other details, shall show cut/fill quantities, proposed utilities, existing and proposed easements, oak trees, and drainage facilities. The grading plan shall be accompanied by a Soils Report, prepared in accordance with the Guidelines for Geotechnical and Geological Reports in the City of Agoura Hills.
34. Prior to the issuance of a grading permit the following must be satisfied; the grading plan has been reviewed and accepted by the City Engineer, the applicable plan check, inspection and permit fees have been paid and the grading security has been posted.
35. Prior to approval of foundation by Building & Safety Department, applicant shall submit a grading report as outlined in Section 3304.20 of the City's Municipal

Code. Report information shall include, but is not limited to, building pad and grade certifications.

Drainage

36. A final Hydrology Report shall be prepared for the review and acceptance by the City Engineer. Hydraulic design shall conform to the current Hydraulic Design Manual of the Los Angeles County Department of Public Works (LACDPW).
37. Prior to issuance of a grading permit, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) that shall be subject to approval by the City Engineer. The plan shall outline all Best Management Practices (BMPs) used in order to reduce pollutants in storm water discharges occurring during construction.
38. For any grading operations conducted between October 1 and April 15 of year, the applicant shall submit a wet weather erosion control plan for review and acceptance by the City Engineer.

Streets/Traffic

39. The applicant shall pay the Arterial Street System Development Fee specified in the City of Agoura Hills Municipal Code. This fee is estimated to be \$2,440 and is based on the construction of one single-family dwelling.
40. The applicant shall provide half-street improvements for Lewis Place property frontage to provide for a minimum of 15-foot paved width, and asphalt curb or inverted shoulder, as recommended by a State-licensed Civil Engineer to ensure runoff is maintained within the roadway. The roadway section shall be 4" asphalt concrete minimum on top of 6" crushed aggregate base, unless otherwise recommended by the geotechnical and/or civil engineer, subject to the review and approval of the City Engineer.

Utilities

41. Water facilities shall be designed and constructed by the applicant in accordance with the standards of Las Virgenes Municipal Water District (LVMWD). Prior to issuance of a building permit, the applicant shall provide documentation from LVMWD that all improvement requirements have been met, including fee payment.
42. Sewer facility plans shall be designed and constructed by the applicant in accordance with City, County of Los Angeles, and Las Virgenes Municipal Water District standards. The applicant shall provide documentation from LVMWD that all fees have been paid prior to issuance of building permit.

GEOTECHNICAL CONDITONS

43. Prior to the issuance of a Grading Permit, the applicant shall comply with all of GeoDynamics, Inc. (the City of Agoura Hills' Geotechnical Consultant) Conditions of Approval provided in a letter dated May 15, 2007.

OAK TREE/LANDSCAPE CONDITIONS

Oak Trees

44. Prior to the start of any work or mobilization at the site, Oak Trees Number 1 and 2 shall be fenced above the group of native shrubs as denoted on the March 26, 2004 Oak Tree Location Map by L. Newman Design Group, in accordance with Article IX, Appendix A, Section V.C.1.1. of the Zoning Code.
45. The City Oak Tree Consultant shall approve the fencing locations prior to commencement of work.
46. No grading, scarifying or other soil disturbance shall be permitted within any portion of the slope behind the fence where the native shrubs and oak trees occur.
47. No irrigation or planting shall be installed within the drip line of any oak tree unless specifically approved by the City Oak Tree Consultant.
48. No herbicides shall be used within one hundred feet (100') of any oak trees.

Landscape Plans

49. Prior to the issuance of a grading permit, the applicant shall submit three (3) sets of landscape plans meeting the following requirements subject to review by the City Landscape Consultant and approval by the Director of Planning and Community Development:
 - a. A California-licensed landscape architect shall prepare, stamp and sign the plans.
 - b. All plans shall be legible and clearly drawn.
 - c. Plans shall not exceed thirty inches (30") by forty-two inches (42") in size. Plans shall be a minimum of twenty-two inches (22") by thirty-six inches (36") in size.
 - d. A true north arrow and plan scale shall be noted. The scale shall be no smaller than one inch equals twenty feet (1"=20'), unless approved by the City Landscape Consultant.
 - e. A title block shall be provided, indicating the names, addresses and telephone numbers of the applicant and landscape architect.
 - f. The project identification number shall be shown on each sheet.
 - g. The plans shall accurately and clearly depict the following existing and proposed features:

- All oak trees, their exact location, canopy and a 5'0" protected zone.
 - Native shrubs to be retained and their location.
 - Landscape trees, shrubs, ground cover and any other landscaping materials
 - Property lines
 - Streets, street names, right-of-ways, easements, driveways, walkways, bicycle paths, and any other paved areas
 - Buildings and structures
 - General contour lines
 - Grading areas, including tops and toes of slopes
 - Utilities, including sewer, water, power, street lighting and fire hydrants
 - Natural features, including watercourses, rock outcroppings
- h. The Planting Plan shall indicate the botanical name and size of each plant.
- i. Plant symbols shall depict the size of the plants at maturity.
- j. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
- k. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
- l. The irrigation design shall provide adequate coverage and sufficient water for the continued healthy growth of all proposed plantings to minimize run-off and spray onto adjoining areas.
- m. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:
- Design and static pressures
 - Point of connection
 - Backflow protection
 - Valves, piping, controllers, heads, quick couplers
 - Gallon requirements for each valve
- n. Three (3) copies of details and specifications shall be provided, addressing but not limited to, planting, soil preparation, tree staking, guying, installation details, and post installation maintenance.

- o. One copy of each of the following approved plans shall be submitted with the initial landscape plan check:
 - Site Plan
 - Grading Plan
 - Conditions Of Approval
- p. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
- q. The final plant palette shall reflect a naturalistic and native theme.
- r. All plant material must be considered compatible with Sunset Zone 18.

SOLID WASTE MANAGEMENT STANDARD CONDITIONS

50. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a “Waste Reduction & Recycling Plan” to the City for review and approval. The plan shall provide for at least 50% of the waste generated on the project to be diverted from the landfill. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to and approved by the Department of Planning and Community Development prior to issuance of a building permit. The plan shall include the following information: material type to be recycled, reused, salvaged, or disposed; estimated quantities to be processed, management method used, and destination of material including the hauler name and facility location. The City’s Waste Reduction & Recycling Plan form or a similar format shall be used.
51. The project shall comply with the plan and provide for the collection, recycling, and/or reuse of materials (i.e. concrete, wood, metal, cardboard, green waste, etc.) and document results during demolition and/or construction of the proposed project. After completion of demolition and/or construction, the applicant shall complete a Waste Reduction & Recycling Summary Report and provide legible copies of weight tickets, receipts, invoices or letters of verification for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, the applicant shall provide documentation, on the disposal facility’s letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused and the project generating the discarded materials. The Waste Reduction & Recycling Summary Report shall be submitted and approved prior to issuance of a certificate of occupancy, or final inspection if issuance of a certificate of occupancy is not applicable.
52. The applicant shall arrange for materials collection during construction, demolition, and occupancy with a City permitted hauling company, or shall arrange for self-hauling to an authorized facility.

SPECIAL CONDITIONS

53. All proposed retaining walls and garden walls shall not exceed six (6) feet in height and shall consist of split-faced block or other decorative materials subject to review and approval by the Director of Planning and Community Development.
54. All proposed fencing located in required yard areas shall not exceed six (6) feet in height and shall be subject to the review and approval of the Director of Planning and Community Development.
55. The driveway material shall consist of stamped and colored concrete or pavers subject to the review and approval of the Director of Planning and Community Development.
56. The approved landscaping and irrigation shall be installed per the approved plans prior to occupancy of the residence.
57. Construction activity shall occur only within the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, per Section 4100 of the Municipal Code. No construction shall occur on Sundays or Holidays.
58. All ground-mounted mechanical equipment shall be screened with a solid enclosure on all sides per the Zoning Ordinance.
59. Location and style of the wall-mounted and ground-mounted illumination fixtures shall be subject to the review and approval of the Director of Planning and Community Development.
60. Prior to the issuance of a grading permit the applicant shall obtain approval of a landscaping fuel modification plan from the Los Angeles County Fire District. A copy of the Fire District's approved plan shall be submitted to the City Planning Department.
61. The applicant and delegated contractors shall participate with City staff in a pre-construction meeting prior to issuance of a grading permit. Any change in the construction team shall be reported to the Building and Safety Department in a timely manner.

END