

CONDITIONS OF APPROVAL (Case Nos. 04-SPR-022 and 08-OTP-001)

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 Approval 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 labeled exhibits approved by the Planning Commission: Site Plan, Building Elevation Plans, Floor Plans, Roof Plan, and Grading Plans.
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. No occupancy shall be granted for any new building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
9. 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.
10. The applicant shall comply with all applicable Public Health Statutes, Ordinances and Regulations related to the disposal of sewage.

11. All structures shall conform with the requirements of the Division of Building and Safety of the City of Agoura Hills.
12. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
13. Unless Site Plan/Architectural Review Case No. 04-SPR-022 (Amendment) and Oak Tree Permit Case No. 08-OTP-001 are used within two (2) years from the date of City approval, these permits will expire. A written request for a one-year extension may be considered prior to the expiration date.
14. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$2.63 per square foot.
15. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
16. 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 \$0.9223 per square foot of new floor area.
17. Prior to the 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. 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.

ENGINEERING/PUBLIC WORKS DEPARTMENT CONDITIONS

General

19. The project requires a Lot Line Adjustment to be processed. Applicant shall submit evidence the Lot Line Adjustment has been recorded with the Los Angeles County Recorder's Office prior to occupancy.

20. Detailed on-site utility information shall be shown on the grading plan, which includes, but is not limited to, backflow prevention devices, exact location of laterals water meter size and location, invert elevations and grades for all gravity lines. The grading plan will not be approved by the Engineering Department until this detailed utility information is included on the plans.
21. The applicant shall submit a revised grading plan. Grading Plan shall show location(s) of all Oak trees within the vicinity of the site. Applicant shall adhere to all requirements pertaining to Oak trees as outlined in the City's Oak Tree Consultant's Conditions of Approval.
22. All conditions originally approved for this project shall apply. This report shall only apply to revisions and/or additions to Case 04-SPR-022. These revisions and submitted revised plans/reports shall govern if any conflicts arise. All revisions are subject to the City Engineer's approval.

Public Improvements

23. The present and future property owner(s) shall never take access from Medfield Street to this property.

Drainage

24. A revised hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California, in accordance with the Los Angeles County Hydrology Manual is required. Additional drainage facilities or portions of the site/grading plan may need to be altered as a result of the findings of this study. Said study shall address, among other things, pre-development drainage conditions, post development flows, and in no instance shall additional flows increase onto adjacent properties higher than historical conditions.

Stormwater Quality (NPDES)

25. Prior to the approval of the Grading Plan and issuance of Grading Permits, a revised Standard Urban Stormwater Mitigation Plan (SUSMP) shall be submitted to and approved by the Engineering Department. The SUSMP shall be prepared per the Los Angeles County Standard Urban Stormwater Mitigation Plan (SUSMP) design guidelines. SUSMP shall identify, among other things, all Post-Construction, Site Design, Source Control and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.

26. The applicant shall *record a covenant for continued stormwater maintenance, using City-approved forms*, with the Los Angeles County. An electronic copy of this document is available on the City's website: www.agoura-hills.ca.us

OAK TREE AND LANDSCAPING CONDITIONS

Oak Trees

27. The applicant is permitted to encroach within the protected zone of Oak Tree Numbers OST-1 and OST-2 to construct the driveways as shown on the approved grading plan.
28. The following preservation measures shall be complied with and prominently listed on the construction and grading plans:
- a. All excavation and construction within the protected zone of Oak Tree Numbers OST-1 and OST-2 (as identified on the project plans and in the oak tree report) shall be performed using only hand tools under the direct supervision of the applicant's oak tree consultant or the City Oak Tree Consultant.
 - b. Prior to Grading Permit issuance, the applicant and/or contractor shall meet onsite with the City Oak Tree Consultant to review the work limits in the vicinity of all oak trees and to ensure that no impacts will occur to these trees.
 - c. Prior to the start of any mobilization or construction activities on the site, all Oak Trees shall be fenced at the edge of the protected zone or the approved work limits in strict accordance with Article IX, Appendix A, Section V.C.1.1 of the City of Agoura Hills Oak Tree Preservation and Protection Guidelines. The City Oak Tree Consultant shall approve the fencing location subsequent to installation and prior to the start of any mobilization or work on the site.
 - d. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.
 - e. Prior to occupancy, each existing and new oak tree shall be mulched throughout the dripline with three inches (3") of approved organic mulch as needed to supplement natural leaf litter.
 - f. No pruning of live wood shall be permitted unless specifically authorized by the City Oak Tree Consultant. Any authorized pruning shall be performed by a qualified arborist under the direct supervision of the applicant's oak tree consultant. All pruning operations shall be consistent with The Pruning Standards of the Western Chapter of the International Society of Arboriculture.

- g. No irrigation or planting shall be installed within the dripline of any existing or new oak tree unless specifically approved by the City Oak Tree Consultant.
 - h. The applicant shall provide forty-eight (48) hour notice prior to the start of any approved work within the protected zone of any oak tree.
 - i. No herbicides shall be used within one hundred feet (100') of the dripline of the oak tree unless the program is first reviewed and endorsed by the City Oak Tree Consultant.
29. Within ten (10) calendar days of the completion of work and prior to removal of the protective fencing, the applicant shall contact the City Oak Tree Consultant to perform a final inspection. The applicant shall proceed with any remedial measures the City Oak Tree Consultant deems necessary to protect or preserve the health of the subject oak tree at that time.
30. As recommended in the project Oak Tree Report, the applicant shall complete the following actions:
 - Remove the aging cypress tree located within the vicinity of Oak Tree AOT-1.
 - Clean cut torn branches within the canopy structure of Oak Tree AOT-2.

Landscaping

31. Prior to Grading Permit issuance, the applicant shall submit three (3) sets of landscape plans and irrigation plans for the graded slopes meeting the following requirements; and 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:
- 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
 - Parking areas, including lighting, striping and wheel stops
 - General contour lines
 - Grading areas, including tops and toes of slopes
 - Utilities, including street lighting and fire hydrants
 - Natural features, including watercourses, rock outcroppings
 - The Planting Plan shall indicate the botanical name and size of each plant.
 - Plant symbols shall depict the size of the plants at maturity.
 - Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
32. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan and shall provide the following:
- a. The design shall provide adequate coverage and sufficient water for the continued healthy growth of all proposed plantings with a minimum of waste and over spray on adjoining areas.
- b. The 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
 - The legend shall include the equipment manufacturer, type of equipment, model number, gallons per minute demand, pounds per square inch demand, radius/diameter of coverage, remarks or special notes, and a reference to the corresponding detail number for each piece of equipment used, as appropriate
 - Landscape materials which require different watering needs shall be irrigated by separate control valves
 - Low precipitation sprinklers shall be employed where feasible to conserve water
33. 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.
34. One copy of each of the following approved plans shall be submitted with the initial landscape plan check:
- a. Site Plan
 - b. Architectural elevations
 - c. Grading Plan
 - d. Conditions of approval
35. Native, drought-resistant plants shall be used, consistent with the general design standards for the Old Agoura Design District Overlay Zone.
36. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan. Poor landscape practices such as topping, hedging and “lollipopping” shall not be permitted and may require that plant materials be replaced with like size materials at the discretion of the City Landscape Consultant.
37. The landscape plan shall specifically avoid the use of non-native plants considered invasive in the Santa Monica Mountains by the California Native Plant Society or the California Exotic Pest Plant Council.
38. The landscape plans shall prominently display the following notes:
- a. All plant material shall conform to the most recent edition of ANSI Z60.1 - American Standard for Nursery Stock.

- b. Prior to scheduling an inspection of the landscape installation with the City, the applicant's landscape architect shall certify in writing that the installation is in conformance with the approved landscape plans.
39. The landscape shall be installed and the installation approved by the City Landscape Consultant prior to issuance of occupancy.

FIRE DEPARTMENT CONDITIONS

40. The applicant shall comply with all conditions of the Los Angeles County Fire District prior to the issuance of a building permit.

SOLID WASTE MANAGEMENT STANDARD CONDITIONS

41. 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.
42. 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.
43. 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

44. The applicant shall provide a permeable or semi-permeable driveway surface for the driveways on the east and west side of the property, subject to approval by the Director of Planning and Community Development.
45. The applicant shall submit a landscape plan with the purpose of demonstrating stabilization of the existing and future 2:1 slopes.
46. No construction activity shall occur between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday. Construction activity is also prohibited on Sundays and holidays, per Municipal Code Section 4100.

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