

## **CONDITIONS OF APPROVAL (Case Nos. 04-CUP-008)**

### **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 conformance to the approved labeled exhibits: Site Plan; Elevation Plans; Floor Plans, 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 Nos. 03-CUP-001 and 03-OTP-001 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 \$2.24 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 \$ 0.3877 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.

ENGINEERING/PUBLIC WORKS DEPT. CONDITIONS

General

21. 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.
22. 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.
23. Prior to issuance of grading permit, applicant shall submit cost estimates of public improvements to the City Engineer for approval, signed and stamped by State Licensed Civil Engineer.
24. The applicant shall acquire and obtain 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.
25. All Record Drawings ("As-Built" drawings) and supporting documentation shall be submitted to the Engineering Department prior to issuance of a Certificate of Occupancy.
26. All block walls and retaining walls shall be limited to six feet in height.
27. A title report is required to be submitted with the project plans. The plans shall show all proposed and existing easements.

Grading

28. All grading shall conform to City's Grading Ordinance, Chapter 33 of the Uniform Building Code, as modified.
29. 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 plan shall be signed and stamped by a Civil Engineer. 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.

30. 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.
31. 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.
32. For any grading operations conducted between October 1 and April 15 of each year, the applicant shall submit a wet weather erosion control plan for review and acceptance by the City Engineer.
33. The grading plan shall comply with minimum setback requirements from descending slopes as outlined in the City's Municipal Code. In the event that the required setback cannot be met, applicant shall submit a retaining wall design, prepared by a state-licensed engineer, which provides equal protection against slope failure as the required setback. Design shall be reviewed and approved by the Building Official, City Engineer and City Geotechnical Engineering Consultant.

#### Drainage

34. A final Hydrology Report shall be prepared by a California State Registered Civil Engineer 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).
35. 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. Applicant shall be responsible for maintaining all BMPs during construction, and shall keep an updated maintenance log onsite at all times. A copy of the SWPPP shall be present onsite for the entire duration of the project. Applicant shall make changes to the approved SWPPP at any time if the City determines more pollution prevention measures are necessary.

#### Street/Traffic

36. 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.

37. The applicant shall provide half-street improvements for Lewis Place, including a minimum 13-foot paved surface with a 3-foot inverted shoulder. Pavement sections shall be 4" asphalt concrete minimum on top of crushed aggregate base, as recommended by the soils and civil engineers. Improvements shall be reviewed and approved by the City Engineer.
38. The applicant shall provide half-street improvements for Laura La Plante Drive including a minimum 13-foot paved surface and continue the concrete drainage swale from 28416 Lewis Place along the property frontage. Pavement sections shall be 4" asphalt concrete minimum on top of crushed aggregate base, as recommended by the soils and civil engineers. Improvements shall be reviewed and approved by the City Engineer.
39. Prior to issuance of a grading permit, the applicant shall prepare and submit all necessary documents to dedicate a 5-foot strip of right-of-way along the frontage of Lewis Place to the City of Agoura Hills. Said documents shall be recorded with the LA County Recorder's Office prior to issuance of a Certificate of Occupancy.

#### Utilities

40. Prior to issuance of a building permit, the applicant shall provide documentation from LVMWD that all improvement requirements have been met, including fee payment.

#### GEOTECHNICAL CONDITONS

41. The applicant shall comply with all of Bing Yen and Associates' (The City of Agoura Hills' Geotechnical Consultant) Conditions of Approval letter dated June 8, 2005, prior to the issuance of a grading permit.

#### LANDSCAPE CONDITIONS

42. The applicant shall submit three sets of detailed landscaping and irrigation plans to the Planning Department, per City Standards, and prepared by a licensed landscape architect. The plans shall provide for slope stabilization, native landscape species which are non-invasive to the area, and screening of the residence. The plans shall be reviewed by the City Landscape Consultant and approved by the Director of Planning and Community Development prior to the issuance of a grading permit.

#### SPECIAL CONDITIONS

43. All proposed retaining walls shall consist of split-faced block or other decorative materials, subject to review and approval by the Director of Planning and Community Development. No retaining wall or garden wall shall exceed 3.5 feet in height if located within a required front yard (south and north ends of the property).

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44. The patio proposed on the south end of the lot is not approved and shall be replaced with landscaping.
45. The applicant shall provide for exterior access on either side of the residence to the satisfaction of the Los Angeles County Fire District, prior to the issuance of a grading permit.
46. The portion of the residence located below the two upper floors shall not be improved for habitable or occupancy purposes.

END