

## **CONDITIONS OF APPROVAL (Case Nos. 03-CUP-001 & 03-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 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, 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 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.

CITY ENGINEER 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. All plans and reports required shall be prepared, signed and stamped by the appropriate state-licensed professionals.
23. 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.
24. 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.
25. 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.
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
28. 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.

Grading

29. All grading shall conform to City's Grading Ordinance, Chapter 33 of the Uniform Building Code, as modified.
30. 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

## Conditions of Approval

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by a Soils Report, prepared in accordance with the Guidelines for Geotechnical and Geological Reports in the City of Agoura Hills.

31. 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.
32. 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.
33. 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.

### Drainage

34. 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).
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.
36. 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.
37. Prior to the issuance of a grading permit, the applicant shall submit a Standard Urban Storm Water Mitigation Plan (SUSWMP) as outlined in the Model Program for Stormwater Management within the County of Los Angeles.

### Streets/Traffic

38. 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.
39. The applicant shall improve Laura La Plante along property frontage to provide for a minimum of 20-foot paved surface with 4" asphalt concrete 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

40. 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.
41. 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

42. The project shall comply with all of Bing Yen and Associates' (The City of Agoura Hills' Geotechnical Consultant) Conditions of Approval letter dated May 14, 2004.

OAK TREE/LANDSCAPE CONDITIONS

Oak Trees

43. The applicant is permitted to remove Oak Tree Number 1 to construct the project as proposed.
44. To mitigate the loss of Oak Tree Number 1, the applicant shall plant the following replacement oak trees:
  - a. At least four (4) oak trees must be planted
  - b. At least two (2) twenty-four inch (24") box-size oak trees must be planted
  - c. At least one (1) thirty-six inch (36") box-size oak tree must be planted
  - d. The sum of the calipers of all oak trees planted must be at least equal to that removed, which is a minimum of sixty-one inches (61").
45. The applicant is permitted to encroach on Oak Tree Number OP-1 to construct the structure as shown on the approved plans.
46. All other oak trees shall be preserved in place with no direct impacts.
47. The planting locations, species and quality of all mitigation oak trees are subject to the approval of the City Oak Tree Consultant.
48. The mitigation oak trees shall be maintained in perpetuity. Should any of the mitigation oak trees decline or die, they shall be replaced in accordance with the provisions of the Oak Tree Preservation and Protection Guidelines.
49. Prior to the start of any work or mobilization at the site, each oak tree to be preserved shall be fenced at the edge of the protected zone or at the approved work

limits, in accordance with Article IX, Appendix A, Section V.C.1.1. The City Oak Tree Consultant shall approve the fencing locations.

50. The applicant shall provide a minimum of forty-eight (48) hours notice to the City Oak Tree Consultant prior to the start approved work within the protected zone of an oak tree.
51. No grading, scarifying or other soil disturbance shall be permitted within the portion of the protected zone of any oak tree not directly impacted by the project construction.
52. 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.
53. Prior to occupancy, each oak tree shall be mulched throughout the dripline with three inches (3") of approved organic matter.
54. No irrigation or planting shall be installed within the dripline of any oak tree unless specifically approved by the City Oak Tree Consultant and the Director.
55. Any fertilization of the tree should be based on actual soil tests from the site. Fertilization is generally not necessary unless serious deficiencies are evident in the leaves.
56. 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.
57. 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. Pruning operations shall be consistent with The Pruning Standards of the Western Chapter of the International Society of Arboriculture.
58. 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.
59. No herbicides shall be used within one hundred feet (100') of the dripline of any oak tree unless the program is first reviewed and endorsed by the City Oak Tree Consultant.
60. The project oak tree consultant shall submit certification letters for all work completed within the protected zone of any oak tree within five (5) working days of the completion of said work. The letters shall describe all work performed, methods utilized, monitoring performed and shall state whether such work was completed in accordance with the above conditions of approval.

61. Other than dead wooding, no pruning may be performed on the subject trees unless specifically approved by the City Oak Tree Consultant.

Landscaping

62. Prior to the approval of building permits, the applicant shall submit three (3) sets of landscape plans meeting the following requirements:
- 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
63. The Planting Plan shall indicate the botanical name and size of each plant.

64. Plant symbols shall depict the size of the plants at maturity.
65. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
66. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
67. The irrigation 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.
68. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:
  - h. Design and static pressures
  - i. Point of connection
  - j. Backflow protection
  - k. Valves, piping, controllers, heads, quick couplers
  - l. Gallon requirements for each valve
69. 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.
70. One copy of each of the following approved plans shall be submitted with the initial landscape plan check:
  - Site Plan
  - Elevations
  - Grading Plan
  - Conditions Of Approval
71. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
72. Proposed plant material may not be considered invasive in the Santa Monica Mountains, as it could negatively impact the adjacent natural area. Lists of exotic material can be obtained from the California Native Plant Society and/or the California Exotic Pest Plant Council.



SPECIAL CONDITIONS

73. 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.

END