

PLANNING COMMISSION MEETING

In compliance with Americans with Disabilities Act, If you need special assistance to participate in this meeting, please contact the Community Development Director at (805) 524-1500 ext. 116, 48 hours prior to the meeting in order for the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

No New Business will be Considered by the Planning Commission after the Hour of 11:00 p.m. unless a Majority of the Planning Commission Determines to Continue beyond that Hour.

Memorandums: Memorandums relating to agenda items are on file in the Planning Department. If you have questions regarding the agenda, you may call the Planning Dept. (805) 524-1500 ext. 116 or visit the Planning Dept. in City Hall for information. Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Planning Dept. in City Hall during normal business hours.

AGENDA

ITEM

REFERENCE

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ORAL COMMUNICATIONS

This is the opportunity for citizen presentations or comments not related to agenda items, but within responsibility of the Planning Commission (please do not exceed 5 minutes per topic).

4. CONSENT CALENDAR - NONE

5. PUBLIC HEARINGS

5a. Development Permit 12-03 (DP 12-03) and Variance 12-01 (VAR 12-01) **MEMO**
Proposal for a single family residence on a legal nonconforming, 3,125 square foot, lot. The project request includes deviate from the Development Standards of the zone by reducing setbacks and the number of garage parking stalls. A residence existed on the lot, however was demolished after the 1994 earthquake.

Project Location: 245 Main Street

Zoning: Residential Planned Development Low (7.0) Zone

Applicant: Ruben Berumen, 14960 Roxford Street, Sylmar, CA 91347

Purpose: Open the public hearing, receive public testimony, and take action

Recommendation: If determined appropriate, adopt Planning Commission Resolutions

6. BUSINESS ITEMS

6a. 2013 Planning Commission Meeting Schedule

RECEIVE & FILE

7. REPORTS and COMMUNICATIONS

7a. Community Development Director

ORAL

7b. Planning Commission

ORAL

8. ADJOURNMENT

8a. The Planning Commission adjourns to the next regular Planning Commission meeting scheduled for January 16, 2013, 6:30 p.m., in the City Council Chambers, 250 Central Ave., Fillmore, CA 93015.

**Next Regular City Council Meeting
January 8, 2013**

PLEASE NOTE: If you challenge the actions of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in the public notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing (Calif. Gov't Code § 65009).

Any legal action by an applicant seeking to obtain judicial review of the Planning Commission's decision on a hearing listed on this agenda may be subject to the 90-day filing period of, and governed by, Code of Civil Procedure Section 1094.6.



CITY OF FILLMORE
CENTRAL PARK PLAZA
250 Central Avenue
Fillmore, California 93015-1907
(805) 524-3701 • FAX (805) 524-5707

Item 5a
December 19, 2012

TO: Planning Commission

THROUGH: Steve Stuart, Community Development Director

FROM: Ann McLaughlin, Senior Planner

SUBJECT: Development Permit 12-03 & Variance 12-01 – Request for Planning Commission Approval for a Single Family Dwelling on a 25 Foot Wide Lot.

SUMMARY:

The application is for a Development Permit to build a single family home on an existing legal nonconforming lot. The request also involves a Variance for side yard setback and to permit only a single car garage.

RECOMMENDATION:

Staff recommends the Planning Commission take the following action:

1. Adopt Planning Commission Resolution 12-870, approving Development Permit 12-03, subject to conditions of approval.
2. Adopt Planning Commission Resolution 12-871, approving Variance 12-01, subject to conditions of approval

BACKGROUND:

The applicant is proposing to construct an 800 sq. ft. 2-bedroom single story, single-family dwelling unit with a single-car garage at 245 Main Street. The site was previously developed with single-story dwelling unit of approximately 590 sq. ft. with no onsite parking. The 1994 earthquake cause the structure to move off its foundation, resulting in partial collapse, and ultimately was demolished.

The Residential Low (RL) zoned property is constrained by its width, property size and lack of access to a rear alley. The property measures 25' in width by approximately 125' in length for a total area of approximately 3,125 sq. ft. These dimensions are far under the minimum development standards for lot width (50') and lot area (6,000 sq. ft.) within the RL zone. Further complicating matters is the minimum side setback requirement of 10' (can be reduced to 5' with Fire Department

approval) for single story dwelling units. Finally, Zoning Ordinance Section 6.04.3415(1), Off Street Parking Standards indicates that a two car garage is required for the development of a single-family detached dwelling.

ANALYSIS

Site Plan:

The applicant has designed the home to meet the minimum garage setback of 20 feet with a further setback for the attached house. The Ordinance would permit the main structure to be setback 18 feet. The site design proposes a 21 foot rear yard setback where 20 feet would be required. The side setback by Ordinance is 10 feet with a provision that it may be reduced to 5 feet with Fire Department approval for a single story structure, as proposed. The maximum lot coverage for this zone is 40%, while less than 34% of the site is proposed to be covered.

Architecture:

The property is located within the Conservation/Preservation Overlay district and as such the Planning Department and Planning Commission expressed the need for the proposed structures to be designed with special attention to the quality of architecture. The applicant is proposing a dwelling with stucco and wood siding elements including a gable roof with asphalt wood shake design, and covered entry porch. A roll-up metal garage door is also proposed. The design elements are consistent with that of other dwellings within the Conservation/Overlay District. The materials are similar to other in the neighborhood.

Variance

A Variance is being sought for side yard setbacks and from the two-car garage requirement. The side yard setback for the proposed one car garage is two (2) feet with the east and west side setback for the house proposed at three (3) feet. The applicant is also seeking a reduction to the off-street parking requirement of a two-car garage to a one-car garage. The project is otherwise in conformance with the RL Zone development standards.

It is the opinion of Planning Department staff that given the narrow width of the property, the City's Residential Low development standards would deny the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification, and therefore warranted a variance for the requested development standard reductions.

In 2010, the Planning Commission granted similar type of Variance for a 25 foot wide lot on Mountain View Street. For that project a minimum setback for the house was granted to 2 feet on one side and 3 on the other, with the one-car garage setback 3 feet from the side property line.

California Environmental Quality Act:

This project is exempt from the California Environmental Quality Act (CEQA) under Class 3 New Construction, Section 15303(a).

FISCAL IMPACT:

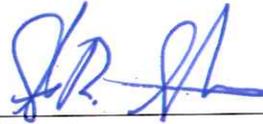
No anticipated fiscal impact.

Prepared By:



Ann McLaughlin,
Senior Planner

Reviewed By:



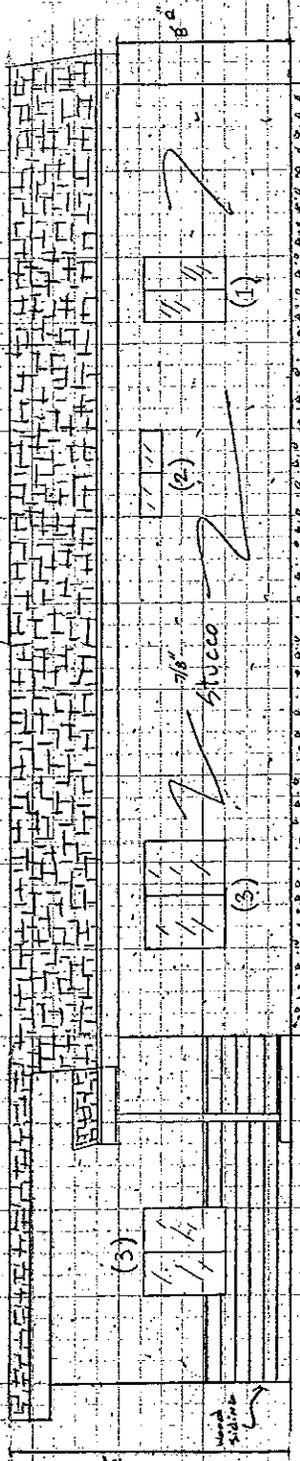
Steve Stuart,
Community Development Director

Attachments:

Site Plan,
Elevations
Floor Plan
Landscape Plans
Draft Resolutions

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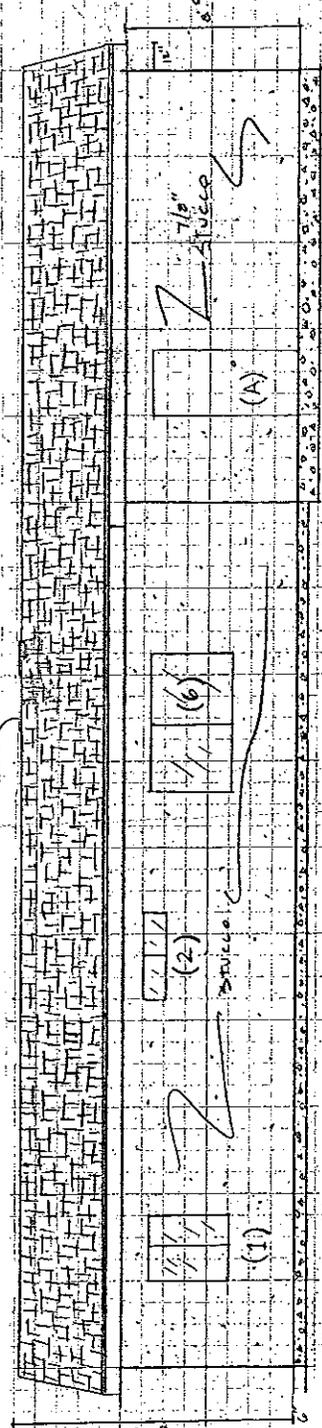
COPY OF LETTER
DATE 08/21/07
1/16 STUCCO



PROPOSED SIDE ELEVATION

HOME ← GARAGE

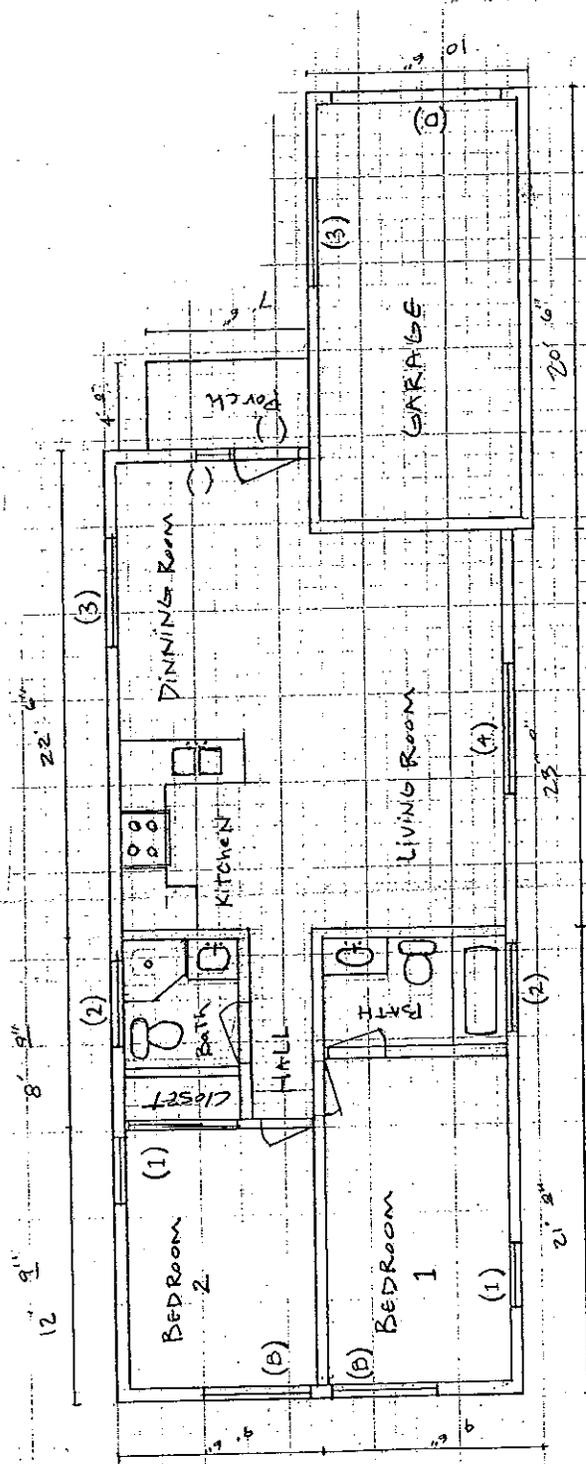
COPY OF LETTER
DATE 08/21/07
1/16 STUCCO



PROPOSED SIDE ELEVATION

DEC 19 2012

RUBEN PERUMEN PHONE: (818) 321-0068		RESIDENCE NEW ONE STORY	
SCALE:	DATE:	APPROVED BY:	DRAWN BY:
			REVISED:
245 Main St, APN 053-04081-040 Fillmore, Ca			
ELEVATION'S			DRAWING NUMBER



FLOOR PLAN

DEC 19 2012

RUBEN BERUMEN PHONE: (619) 321-0068		RESIDENCE NEW ONE STORY	
SCALE:	APPROVED BY:	DRAWN BY:	REVIEWED:
DATE:	246 Main St, APN 053-0-081-040 Fillmore, Ca		DRAWING NUMBER:

**CITY OF FILLMORE
PLANNING COMMISSION RESOLUTION 12-870**

**APPROVING
DEVELOPMENT PERMIT 12-03**

**FOR
CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AND ONE-CAR GARAGE
245 MAIN STREET
RUBEN BERUMEN, APPLICANT**

WHEREAS, The Planning Commission has been petitioned to act on a request for a Variance 12-01 (VAR 12-01) and Development Permit 12-03 (DP 12-03), for the purpose of building a single-story, approximately 800 square foot single family residence with attached one-car garage.

WHEREAS, The Community Development Director caused a notice of date, hour and place for a public hearing on December 19th, 2012 before the Planning Commission to be published in the Fillmore Gazette and mailed to the applicant and all property owners within 300 feet of the exterior boundaries of the subject property in accordance with Section 6.04.8025 of the Fillmore Zoning Ordinance; and

WHEREAS, Based upon the evidence presented, the Planning Commission makes the following findings of fact:

1. The subject property is identified as Assessor Parcel Numbers 053-0-081-040.
2. The property is currently owned by Ruben Berumen, 14960 Roxford Street, Sylmar, California 91347.
3. The project has been reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA) and the proposed project is considered exempt under Class 3, New Construction, Section 15303(a).
4. The property is legal nonconforming with the adopted elements of the 2003 General Plan in that the lot size is 3,125 sq. ft.
5. The property is legal nonconforming to the applicable zoning regulations contained in the Development Permit § 6.04.66 of the Zoning Code incorporated in Ordinance 94-701 adopted November 22, 1994.
6. The application for a new single family residence requires a Development Permit per Zoning Ordinance Section 6.04.6610(1).
7. The Fillmore Planning Commission is the review authority per Zoning Ordinance Section 6.04.5001, Table IV-1, Threshold of Review.
8. As the Review Authority, the Planning Commission is required to hold a noticed public hearing for proposed projects per Section 6.04.80 of the zoning ordinance.
9. The Development Permit is authorized pursuant to the provisions contained in the Development Permit section of ordinance Section 6.04.66 as identified below:

Planning Commission Resolution 12-870

Development Permit 12-03

Page 1 of 3

- a. The proposed development is one permitted within the subject zoning district and complies with all of the applicable provisions of the Zoning Ordinance, including prescribed development/site standards/guidelines and any applicable design guidelines; in that the construction of a single family dwelling is permitted within the Residential Planned Development Low zone. The applicant is applying for a Variance in conjunction with this Development Permit to reduce the zoning development standards the project could not comply with given the constraints of the property.
- b. The proposed use is consistent with the intent of the 1988/2003 General Plan, in that the lot upon which the proposed dwelling unit will be built on a legal nonconforming lot which is permitted to be developed with a single family dwelling with the approval of a Development Permit and Variance.
- c. The proposed development would be harmonious and compatible with existing and future developments within the zoning district and general area, as well with the land uses presently on the subject property in that the surrounding neighborhood consists of other single family dwelling units developed on similarly sized lots with similar setbacks and the applicant is proposing a one-car garage to come closer to conformance with the City of Fillmore Zoning Ordinance.
- d. The approval of the Development Permit for the proposed use is in compliance with the requirements of the California Environmental Quality Act (CEQA) in that the project is considered exempt under Class 3 New Construction Section 15303(a).
- e. There will be no potential significant negative effects upon environmental quality and natural resources that could not be properly mitigated and monitored in that the project is a single family residence to be located within an existing residential neighborhood.
- f. The subject site is physically suitable for the type and density/intensity of the use being proposed in that the project site is legal nonconforming and the proposed single family dwelling can be permitted with a Development Permit and Variance.
- g. There are adequate provisions for public access, water, sanitation and services to ensure that the proposed use would not be detrimental to public health and safety in that infrastructure services exists in the public right of way adjacent to the site.
- h. The design, location, size and operating characteristics of the proposed use are compatible with the existing and future land uses and will not create significant noise, traffic or other conditions or situations that may be objectionable or detrimental to other permitted uses operating nearby or adverse to the public interest, health, safety, convenience or welfare of the City.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission does hereby grant approval of the Development Permit 12-03, subject to Conditions of Approval (Exhibit 'COA').

PASSED AND ADOPTED by the Planning Commission on this 19th day of December, 2012, by the following votes:

Ayes:
Noes:
Abstain:
Absent:

Tim Holmgren, Chair
Planning Commission

ATTEST:

Ann McLaughlin
Senior Planner

**CITY OF FILLMORE
PLANNING COMMISSION RESOLUTION 12-871**

**APPROVING
VARIANCE 12-01**

**FOR
CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AND ONE-CAR GARAGE
245 MAIN STREET
RUBEN BERUMEN, APPLICANT**

WHEREAS, The Planning Commission has been petitioned to act on a request for a Variance 12-01 (VAR 12-01) and Development Permit 12-03 (DP 12-03), for the purpose of building a single-story, approximately 800 square foot single family residence with attached one-car garage.

WHEREAS, The Community Development Director caused a notice of date, hour and place for a public hearing on December 19th, 2012 before the Planning Commission to be published in the Fillmore Gazette and mailed to the applicant and all property owners within 300 feet of the exterior boundaries of the subject property in accordance with Section 6.04.8025 of the Fillmore Zoning Ordinance; and

WHEREAS, Based upon the evidence presented, the Planning Commission makes the following findings of fact:

1. The subject property is identified as Assessor Parcel Numbers 053-0-081-040.
2. The property is currently owned by Ruben Berumen, 14960 Roxford Street, Sylmar, California 91347.
3. The project has been reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA) and the proposed project is considered exempt under Class 3, New Construction, Section 15303(a).
4. The property is legal nonconforming with the adopted elements of the 2003 General Plan in that the lot size is 3,125 sq. ft.
5. The property is legal nonconforming to the applicable zoning regulations contained in the Development Permit § 6.04.66 of the Zoning Code incorporated in Ordinance 94-701 adopted November 22, 1994.
6. The reduction to the Residential Planned Development Low standards requires a Variance per Zoning Ordinance Section 6.04.6410.1(E) and 3.
7. The Fillmore Planning Commission is the review authority per Zoning Ordinance Section 6.04.5001, Table IV-1 Threshold of Review.
8. As the Review Authority, the Planning Commission is required to hold a noticed public hearing for proposed projects per Section 6.04.80 of the zoning ordinance.
9. The Variance is authorized pursuant to the provisions contained in the Variances section of ordinance 6.04.6425 as identified below:
 - a. That there are special circumstances applicable to the property, including location, shape, size, surroundings or topography so that the strict application of this Ordinance denies the

property of privileges enjoyed by other properties in the vicinity and identical zoning district classification, in that the lot upon which the proposed structure is to be constructed upon is legal nonconforming in terms of its lot size and width, which prevents it from being able to meet all of the current zoning standards.

- b. That granting of the Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district and unavailable to the property for which the Variance is sought, in that the surrounding area is comprised of a mix of lot sizes including substandard lots that do not meet current zoning standards that would not be allowed to be expanded or developed without a Variance.
- c. That granting the Variance will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and zoning district in which the property is located in that proposed dwelling has been situated on the property in such a way to distance it from adjacent dwellings with similar setbacks. The dwelling must also be designed to meet the requirements of the California Building Code and Uniform Fire Code.
- d. That granting the Variance does not constitute a special privilege inconsistent with the limitations upon other property in the vicinity and zoning district in which the property is located in that there are other properties in the neighborhood of a similar lot size and with similar setbacks.
- e. That granting the Variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel in that the surrounding area is zoned Residential Planned Development Low and the proposed single family dwelling is a permitted use within that zone.
- f. That granting the Variance will not be inconsistent with the General Plan, in that the proposed single family dwelling is consistent with the General Plan Land Use designation of Residential Low.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission does hereby grant approval of Variance 12-01, subject to Conditions of Approval (Exhibit 'COA').

PASSED AND ADOPTED by the Planning Commission on this 19th day of December, 2012, by the following votes:

Ayes:

Noes:

Abstain:

Absent:

Tim Holmgren, Chair
Planning Commission

ATTEST:

Ann McLaughlin
Senior Planner

EXHIBIT "COA"

**CONDITIONS OF APPROVAL
DEVELOPMENT PERMIT 12-03 & VARIANCE 12-01
MAIN STREET
RUBEN BERUMEN, APPLICANT**

RECITALS

A. AUTHORITY FOR THIS DOCUMENT

The conditions and terms contained in this exhibit are applied to DEVELOPMENT PERMIT 12-03 and VARIANCE 12-01 and applied under the City's authority regarding discretionary permits (Sections 6.04.66 & 6.04.64 of the Fillmore Municipal Code).

B. IDENTIFICATION OF THE SUBJECT PROPERTY

The subject property is residential property addressed 245 Main Street and is identified as Assessor Parcel Number 053-0-081-040. The subject property is subject to the conditions and terms contained in this exhibit.

C. DESCRIPTION OF PROJECT AUTHORIZED BY THIS PERMIT

The PROJECT consists of the construction of a new single-story, approximately 800 square-foot single-family residence with an attached garage. All conditions of this permit are applicable upon implementation of the project, unless so specified in this document.

D. RESPONSIBILITY OF APPLICANT

The following conditions are the responsibility of the Applicant, Ruben Berumen, or any of their successors or assigns.

E. BASIS UPON GRAPHIC ILLUSTRATIONS ("THE PLANS")

THIS PERMIT is based on the following graphic illustrations referred to as EXHIBITS "S" (SITE PLAN), "F" (FLOOR PLANS) "E" (BUILDING ELEVATIONS) and "L" (LANDSCAPE PLANS). These exhibits represent the minimum information that is to be expected on subsequent construction documents that are used to implement the project. All interpretations and construction documents shall be based on the above Exhibits (dated December 19 2012).

F. BASIS UPON WRITTEN DOCUMENTS

THIS PERMIT is based on the following written documents referred to as EXHIBIT 'COA' (CONDITIONS OF APPROVAL). All activity on the subject property is to be in compliance with all requirements and direction, as set forth in the above Exhibits.

The conditions and terms in this document shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections and the like, which may or may not be shown on the PLANS.

G. LIFE OF THIS DOCUMENT

The conditions and terms contained in this document apply to the subject property indefinitely or, until such time that this document is modified according to the process identified in paragraph "I" of this document. THIS PERMIT IS NOT TRANSFERRABLE TO ANOTHER PROPERTY.

H. TIME TO EXERCISE PERMIT

THE DEVELOPMENT PERMIT shall be substantially initiated or it shall expire on December 19, 2013. Substantial initiation of THIS PERMIT shall be determined at the sole discretion of the CITY. Any extension of THIS PERMIT shall be processed per Section 6.04.6645 of the Fillmore Municipal Code.

I. PROCEDURE FOR MODIFICATION OF THIS DOCUMENT

Any proposed modification of this document shall be processed per Section 6.04.6650 of the Fillmore Municipal Code.

J. INDEMNIFICATION AND HOLD-HARMLESS STATEMENT

The APPLICANT shall indemnify, exonerate and hold harmless, the CITY and all officers and employees thereof, against all claims, demands, and causes of action arising out of improvements constructed within the project.

The APPLICANT agrees as a condition of approval of this permit, to defend, at the sole expense of the APPLICANT, any action brought against the CITY based upon approval of this permit. The APPLICANT shall reimburse the CITY for any costs and attorney's fees that the CITY may be required to pay as a result of any such action. The CITY may, as its sole discretion, participate in the defense of such action, but such participation shall not relieve the APPLICANT of the above obligations.

Any activity or structure pursued by the APPLICANT, authorized by this permit shall further constitute acceptance of all conditions and obligations imposed by the CITY on this permit. The APPLICANT, by said acceptance, waives any challenges as to the validity of these conditions.

K. COMPLIANCE WITH THIS DOCUMENT PRIOR TO AUTHORIZED ACTIVITY/USE

The APPLICANT shall comply with and satisfy all applicable conditions of this permit prior to being authorized to begin construction activity or prior to being allowed to occupy any structures.

Authorization to begin construction is to be granted by the Building Official upon presenting the Administrative Clearance Form to the Building Official with all required signatures.

Authorization for occupancy is to be granted by the Building Official upon having a final occupancy inspection conducted by the Project Planner, the Building Inspector, and the Fire Chief, and then having the Building Official issue a Certificate of Occupancy. Any required public improvements are to be completed to the satisfaction of the City Engineer prior to the Building Official issuing a Certificate of Occupancy.

Authorization shall not be granted if the proper and requested information is not presented in a neat and timely manner.

L. COMPLIANCE WITH ALL APPLICABLE CODES AND REGULATIONS

All activity and construction pursuant to this permit shall comply with all applicable codes and regulations including, but not limited to, the Fillmore General Plan Update, the Fillmore Zoning Ordinance, the California Building Code (2007), the Uniform Fire Code, the Subdivision Map Act, and the "Standard Specifications for Public Works Construction".

M. PAYMENT OF FEES/DEPOSITS

All required fees shall be paid by the APPLICANT prior to the issuance of a building permit, including but not limited to development impact fees and building permit fees.

CONDITIONS

The following conditions are organized by CITY Department.

ENGINEERING AND PUBLIC WORKS

GENERAL

- E1. Public improvements shall be completed prior to the City's acceptance of the improvements and the development. An Encroachment Permit is required for any new driveway improvements. Temporary occupancy permits may be permitted at the sole discretion of the City.
- E2. The Applicant shall be responsible for all actions of his contractors and subcontractors until such time as the improvements have been accepted by the City of Fillmore.
- E3. The Applicant shall pay the cost of revising the Water and Sewer Master Plan and City utilities atlas to reflect any new improvements constructed by this project.

GRADING

- E4. Prior to issuing a building permit, the Applicant shall file with the Building Official a soils report prepared by a Geotechnical Engineer, who is registered in the State of California.
- E5. If the lot will be graded, a grading plan shall be included in the construction plans. The grading plan shall incorporate the recommendations of the approved soils report. The plan shall also contain certificates, acceptable to the City, signed by a Soils Engineer verifying conformance to the soils report and recommendations. Grading improvements shall be inspected as needed by the Soils Engineer.
- E6. All grading shall be completed per the approved grading plan and conform to Appendix Chapter 33 of the Uniform Building Code and/or as recommended by the Soils Report submitted for the project.

E7. All abandoned irrigation lines and other obstructions on the project site, shall be removed and properly disposed of from the site. Proper backfill and compaction of voids shall be subsequently accomplished to provide protection against settlement.

E8. It is the contractor's responsibility to use watering, dust fences or other methods as directed by the City Engineer to control dust throughout the construction operation.

E9 All grading/construction debris shall be removed from the project site and disposed into a dump site prior to any exaction or fill operations and/or as directed by the City Engineer. The Applicant, his agents or employees shall be responsible for the removal and cleanup of any spill of materials or debris on public streets during the entire grading operation.

SEWER

E10. The method of sewage and waste disposal shall be by means of a community disposal system. All sewer system improvements shall meet or exceed the City's standards and ordinances. Separations between water mains and sanitary sewers shall be maintained as required by the State Department of Health and as directed by the City Engineer.

WATER

E11. The locations of water services shall be stamped or marked on the face of curb in conformance with the City of Fillmore Public Works requirements.

E12. Water meter, water service and water meter box shall conform to the current City standard. If the water meter is replaced, the new water meter shall be radio reporting meter of a type approved by the City Engineer.

DRAINAGE

E13. The Applicant shall install required drainage facilities concurrently with rough grading operations or provide an interim drainage and erosion control plan to be approved by the City, and construct interim improvements, for mitigating any potential flooding and erosion adversely affecting adjacent properties and public rights of way. Erosion control measures shall be in place and maintained for the period of November 15 through April 15.

E14. The water drainage system shall be designed to allow flow to drain into a street, alley or other approved drain in such a manner that will not result in standing water depressions of land.

E15. The Applicant shall procure easements or consents for any diversion of historical drainage flows, changes in drainage conditions or acceptance of any additional water flowing from all affected landowners upstream or downstream of development.

E16. Drainage gradients for all building pad areas shall not be less than 1% percent nor greater than 1.5% percent.

E17. Drainage shall be directed and discharged to Main Street and there shall be no lot to lot drainage.

GAS, ELECTRIC, UTILITIES

E18. All utility plans shall be coordinated with the respective utility companies. Prior to final utility design, preliminary utility designs shall be submitted for review and approval by the City Engineer. Cable, electric and telephone utilities shall be underground, buried in conduit.

BUILDING & SAFETY

B1. Before starting any work, the Applicant shall designate in writing an authorized representative who shall have complete authority to represent and act for the Applicant. Such written authorized shall be submitted to the Community Development Department. Said authorized representative shall be present at the site of work at all times while work is actually in process on the development. During periods when work is suspended, arrangements acceptable to the City shall be made for any emergency work that may be required.

URGENT WORK – Whenever orders are given by the City to the Applicant's representative, Superintendent, or Foreman, to complete work required for the convenience and safety of the general public because of inclement weather or any other dangerous condition, and said orders are not immediately acted upon by such person, the City may do, or have such work done, by others at the Applicant's expense.

NUISANCE WORK – When the project causes a nuisance to the public and the City notifies the Applicant in writing of the nuisance, the Applicant shall resolve the problem causing the nuisance within 36 hours. If the Applicant fails to correct the nuisance in a timely manner the City may do or have such work done by others at the Applicant's expense.

B2. All work shall comply with the current California Building Code, California Fire Code, and all local, State and Federal regulations.

TECHNOLOGY

T1. For basic services the new residence shall be provided with dual RG6 Quad or Tri shielded coax cable and dual CAT5e from demarcation block panel.

T2. For satellite services the residence shall be provided with a minimum of two dual RG6 with ground wire from structured wiring panel terminating in a weather tight J-Box. J-Box location should be located towards rear of home on the south side of the structure.

T3. For wireless services the residence shall be provided with a minimum of dual RG6 and dual CAT5e with ground wire from structured wiring panel terminating in a weather tight J-Box. J-Box location shall be located facing designated area for wireless antennas that serve the area.

T4. For inside the residence dual RG6 Quad or Tri shielded coax cable and Dual CAT5e shall be installed to at least one location per room.

T5. All wiring shall be terminated, tested and labeled from structured wiring panel to the end of the line.

T6. Structured wiring panel with modules shall be installed to support basic services. All panels shall have at least one duplex installed, on a dedicated circuit.

FIRE

F1. All roof covering materials shall consist of State Fire Marshall-approved, noncombustible, fire retardant materials.

F2. Address numbers, a minimum of six (6) inches in height, shall be installed prior to occupancy and shall be illuminated and readily visible at night. The Fire Chief shall approve the method of illumination.

F3. Smoke detectors, approved by the State Fire Marshall, shall be installed in all areas leading to sleeping rooms.

F4. Automatic fire sprinklers shall be provided as required by the Fillmore Fire Chief.

F5. No burning of combustible refuse material shall be permitted the subject property.

PLANNING

P1. The new one-car garage shall be equipped with a roll-up door.

P2. The applicant shall be required to submit a landscaping plan indicating the location, size, and type of plant materials. Landscaping improvements must include the parkway in front of the subject property.

P3. Landscaping and automatic irrigation shall be installed in all landscaped areas, including the front yard and parkway. Building permits will not be issued and no landscaping is to be installed until the Community Development Director approves the landscaping plan.

P4. Prior to issuance of certificate of occupancy all landscaping improvements must be completed to the satisfaction of the Community Development Director.

P5. If determined to be required based on existing trees, the applicant shall install one 24 inch box street tree with a minimum 2 inch trunk planted approximately 30 feet o.c. from existing trees fronting adjacent parcels. The tree shall be 8-12 feet in height with a minimum 4 foot wide head at the time of planting.

P6. The applicant shall be required to match submitted color samples for the exterior finish material and plans submitted for building permit shall provide detail notes regarding materials .

P7. FUGITIVE DUST - The applicant shall be required to comply with the provisions of Rule 55, Fugitive Dust, as adopted by the Ventura County Air Pollution Control Board on June 8th, 2008. Rule 55 applies to any disturbed surface area, or man-made condition capable of generating fugitive dust, including bulk material handling, earth-moving, construction, demolition, storage piles, unpaved roads, track-out, or off-field agricultural operations.

Copies of Rule 55 may be obtained at www.vcapcd.org under Rule Development (Current Rules and Regulations).

P8. All on-site utilities shall be required to be installed underground per 1994 Zoning Ordinance Section 6.04.1805.24.

P9. The applicant shall be required to design the one-car garage/carport with a minimum unobstructed inside dimension of 10 feet by 20 feet.

SPECIAL CONDITIONS

ENGINEERING AND PUBLIC WORKS

S1. Prior to Building Permit issuance, the applicant shall show the following on the site plans:

- Existing and proposed utilities in the public right of way and onsite to the building footprint, including sewer main and laterals, water main and services, fire hydrants proposed and nearest existing, street lighting proposed and nearest existing, storm drains, gas lines, telephone lines, cable and Edison lines (underground and overhead including poles). The sewer, water and storm drain shall be shown with size and type of pipe. The plans shall also include gas, electrical and cable service that is existing and proposed.
- Stationing of any new or existing sewer laterals from the nearest existing manhole. Sewer lateral slope and elevation of point of connection and lateral elevation at right-of way shall be shown for new sewer laterals.
- The linetype for each type of utility shall be shown distinctly and existing improvements shall be faded and dashed and proposed improvements shall be bold and continuous.

- The site plan shall contain project title and address of owner and permit number, vicinity map, unabridged line type, symbol and abbreviation legend. Each symbol shall be distinct and existing symbols to be dashed and/or faded and proposed symbols to be bold and continuous. The site plan shall be prepared on 24x36" sheets to engineers scale not greater than 1"=30'.

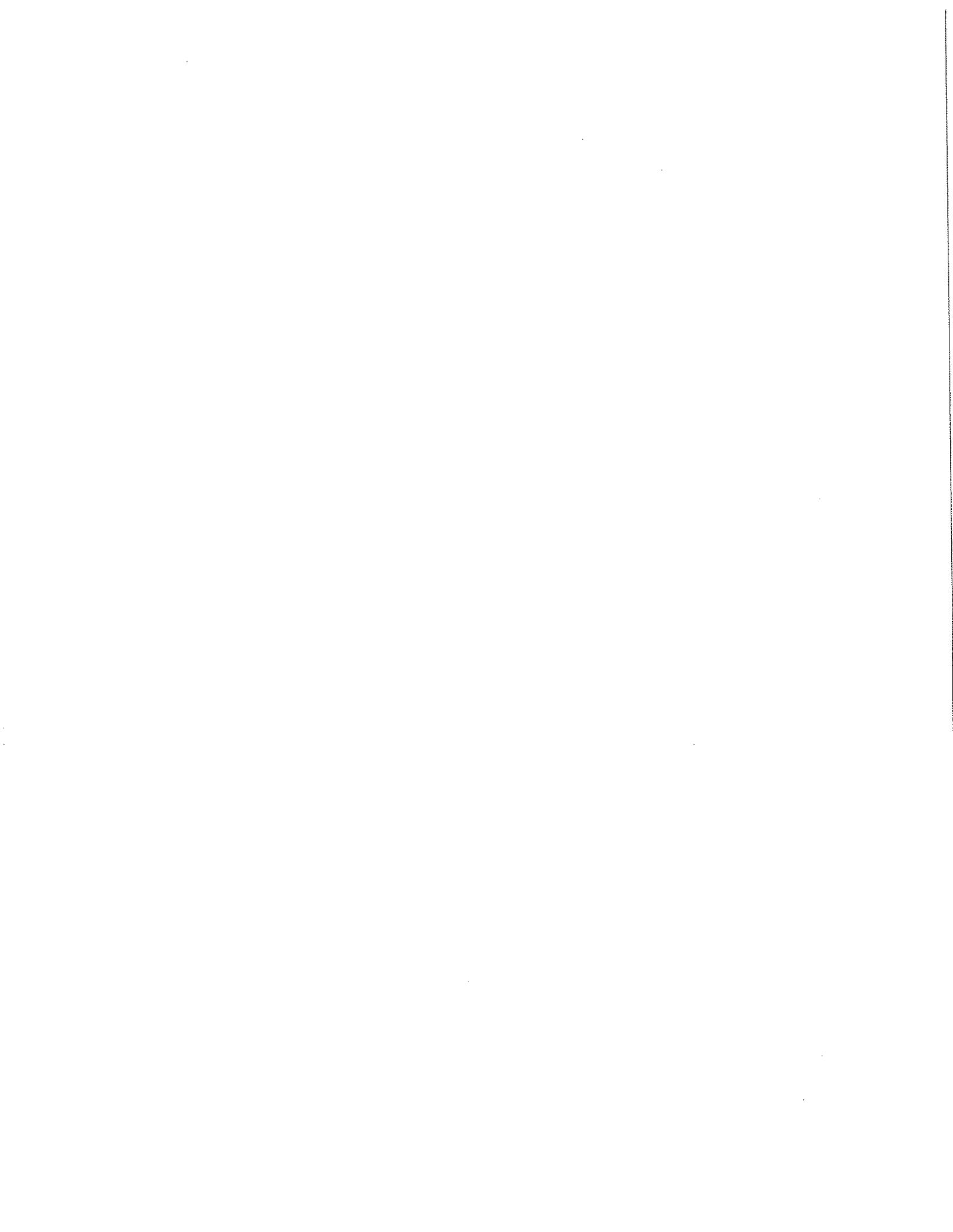
IN ACKNOWLEDGEMENT & AGREEMENT:

Tim Holmgren
Planning Commission Chair

Date

Ruben Berumen,
Property Owner

Date





CITY OF FILLMORE
CENTRAL PARK PLAZA
250 Central Avenue
Fillmore, California 93015-1907
(805) 524-3701 • FAX (805) 524-7058

Item 6a
December 19, 2012

TENTATIVE

2013 PLANNING COMMISSION REGULAR MEETING SCHEDULE

The regular meetings are scheduled for the Wednesday one week after the first City Council meeting of each month at 6:30 p.m., in the City Council Chambers, 250 Central Ave., Fillmore, CA 93015.

January 16	July - Dark
February 20	August 21
March 20	September 18
April 17	October 16
May 22	November 20
June 19	December – Dark