City of Rolling Hills INCORPORATED JANUARY 24, 1957

2 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274
(310) 377-1521

AGENDA | **CITY COUNCIL** | **CITY OF ROLLING HILLS**
Regular City Council Meeting | **Tuesday, December 13, 2022** | **7:00 PM**

The meeting agenda is available on the City's website. The City Council meeting will be live-streamed on the City's website. Both the agenda and the live-streamed video can be found here: https://www.rolling-hills.org/government/agenda/index.php

Members of the public may submit written comments in real-time by emailing the City Clerk's office at cityclerk@cityofrh.net. Your comments will become part of the official meeting record. You must provide your full name, but please do not provide any other personal information that you do not want to be published.

Recordings to City Council meetings can be found here: https://www.rolling-hills.org/government/agenda/index.php

Next Resolution No. 1321 *Next Ordinance No. 383*

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. CERTIFICATION OF ELECTION / CITY COUNCIL REORGANIZATION / PRESENTATIONS / PROCLAMATIONS

4.A. MAYOR'S PRESENTATION OF KEY TO THE CITY RECOGNIZING CITY ATTORNEY MICHAEL JENKINS FOR HIS 40 YEARS OF SERVICE TO THE CITY OF ROLLING HILLS
RECOMMENDATION: Present key to the city and plaque of recognition.

4.B. ADOPT BY TITLE ONLY RESOLUTION NO. 1317 RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, NOVEMBER 8, 2022, DECLARING THE RESULTS AND SUCH MATTERS AS PROVIDED BY LAW
RECOMMENDATION: Adopt Resolution 1317 declaring the results of the General Municipal Election held on November 8, 2022 and taking such further actions as provided by law to complete the election process.
ResolutionNo1317_ElectionCertification_11.08.22.pdf
CL_ELC_221207_RRCC_CanvassCertificate_StatementOfVotesCast.pdf

4.C. ADMINISTRATION OF OATH OF OFFICE BY CITY CLERK TO RE-ELECTED MAYOR JAMES BLACK, M.D.
RECOMMENDATION: Administer Oath of Office

4.D. ADMINISTRATION OF OATH OF OFFICE BY CITY CLERK TO RE-ELECTED MAYOR PRO TEM PATRICK WILSON
RECOMMENDATION: Administer Oath of Office

4.E. ADMINISTRATION OF OATH OF OFFICE BY CITY CLERK TO RE-ELECTED COUNCILMEMBER LEAH MIRSCH
RECOMMENDATION: Administer Oath of Office

4.F. CITY COUNCIL REORGANIZATION
RECOMMENDATION:

A. PRESENTATION OF NEW MAYOR AND MAYOR PRO-TEM
B. PRESENTATION TO MAYOR BLACK IN RECOGNITION OF HIS SERVICE DURING HIS 2022 TERM AS MAYOR
C. COMMENTS FROM OUTGOING MAYOR

5. BLUE FOLDER ITEMS (SUPPLEMENTAL)

Blue folder (supplemental) items are additional back up materials to administrative reports, changes to the posted agenda packet, and/or public comments received after the printing and distribution of the agenda packet for receive and file.

6. PUBLIC COMMENT ON NON-AGENDA ITEMS

*This is the appropriate time for members of the public to make comments regarding items**not** listed on this agenda. Pursuant to the Brown Act, no action will take place on any items not on the agenda.*

7. CONSENT CALENDAR

Business items, except those formally noticed for public hearing, or those pulled for discussion are assigned to the Consent Calendar. The Mayor or any Councilmember may request that any Consent Calendar item(s) be removed, discussed, and acted upon separately. Items removed from the Consent Calendar will be taken up under the "Excluded Consent Calendar" section below. Those items remaining on the Consent Calendar will be approved in one motion. The Mayor will call on anyone wishing to address the City Council on any Consent Calendar item on the agenda, which has not been pulled by Councilmembers for discussion.

7.A. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF DECEMBER 13, 2022
RECOMMENDATION: Approve.
CL_AGN_221213_CC_AffidavitofPosting.pdf

7.B. APPROVE MOTION TO READ BY TITLE ONLY AND WAIVE FURTHER READING OF ALL ORDINANCES AND RESOLUTIONS LISTED ON THE AGENDA
RECOMMENDATION: Approve.

7.C. APPROVE THE FOLLOWING CITY COUNCIL MINUTES: NOVEMBER 14, 2022
RECOMMENDATION: Approve as presented.
CL_MIN_221114_CC_F.pdf

7.D. PAYMENT OF BILLS.
RECOMMENDATION: Approve as presented.
CL_AGN_221213_PaymentofBills.pdf

7.E. REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR NOVEMBER 2022
RECOMMENDATION: Receive and file.

CL_AGN_221213_CC_TonnageReport.pdf

7.F. RECEIVE AND FILE A LETTER FROM HCD INDICATING THE CITY'S 6TH CYCLE HOUSING ELEMENT, ALONG WITH TECHNICAL MODIFICATIONS, IS IN FULL COMPLIANCE WITH STATE LAW AND ACCEPT THE TECHNICAL MODIFICATIONS

RECOMMENDATION: Receive and file HCD's letter and accept the technical modifications to the 6th Cycle Housing Element.

PL_GPN_HSG_221123_HCD_ComplianceLetter.pdf
PL_GPN_HSG_221121_Chapter6-GoalsPoliciesActions-CLEAN.pdf
PL_GPN_HSG_221121_Chapter6-GoalsPoliciesActions-REDLINE-v3.pdf
PL_GPN_HSG_221121_HCD_Comments.pdf

7.G. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH ONWARD ENGINEERING TO PROVIDE ON-CALL CONSTRUCTION OR GENERAL INSPECTION SERVICES DURING FY22/23 FOR A NOT-TO-EXCEED FEE OF $24,470; ADOPT BY RESOLUTION NO. 1319 AUTHORIZING A BUDGET MODIFICATION OF $24,470

RECOMMENDATION: Adopt Resolution No. 1319 and approve as presented.

ResolutionNo1319_Onward Engineering_PSA_BudgetAmendment_Inspection.pdf
CA_AGR_221213_PSA_OnwardEngineering_InspectionServices.pdf

7.H. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH BENNETT LANDSCAPE TO PROVIDE LANDSCAPING SERVICES FOR THE CITY HALL CAMPUS

RECOMMENDATION: Approve as presented.

CA_AGR_221213_PSA_BennettLandscape_Maintenance.pdf

7.I. APPROVE THE FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN FOR PHASE 2 OF THE SANITARY SEWER FEASIBILITY STUDY FOR A NOT-TO-EXCEED FEE OF $9,010; ADOPT BY RESOLUTION NO. 1318 AUTHORIZING A BUDGET MODIFICATION OF $9,010.

RECOMMENDATION: Adopt Resolution No. 1318 and approve as presented.

ResolutionNo1318_Wildan_PSA01_BudgetAmendment_SanitarySewer.pdf
CA_AGR_221213_PSA_Willdan_Amendment01_SanitarySewerFeasibilityStudy.pdf

7.J. ACCEPT EMERGENCY STORM DRAIN REPAIR AT 3 MIDDLERIDGE LANE NORTH AS COMPLETE, FILE NOTICE OF COMPLETION, AND RELEASE RETENTION AFTER 30 DAY LIEN PERIOD TO EC CONSTRUCTION

RECOMMENDATION: Approve as presented.

PW_DRA_221017_ECC_EmergencyEstimate_3MiddleridgeLaneN.pdf
PW_DRA_221123_ECC_Invoice_CF_3MiddleridgeLane.pdf
PW_DRA_221213_3MiddleridgeLaneN_NoticeOfCompletion_D - Copy.pdf

8. EXCLUDED CONSENT CALENDAR ITEMS

9. COMMISSION ITEMS

10. PUBLIC HEARINGS

10.A. PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF

ORDINANCE NO. 381 AND ADOPTION OF URGENCY ORDINANCE NO. 381-U AMENDING CHAPTER 17.28 OF THE ROLLING HILLS MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCES TO BE EXEMPT FROM CEQA

RECOMMENDATION: Open the public hearing, receive public testimony, close the public hearing, and make the following actions:

- **Find that the adoption of the ordinances is statutorily exempt from review under CEQA pursuant to Public Resources Code Section 21080.17;**
- **Introduce for first reading by title only Ordinance No. 381 regarding ADUs and JADUs; and**
- **Adopt Ordinance No. 381-U regarding ADUs and JADUs.**

Attachment 1 - CL_ORD_381_ADU Ordinance_D2.pdf
Attachment 2 - CL_ORD_381-U_ADU Urgency Ordinance_D.pdf
Attachment 3 - CL_AGN_CC_221213_REDLINE - ADU Code Amendments (SR Attachment)-c1.pdf
Attachment 4 - CL_RES_2022-20_PCResolution_ADU_Ordinance_111522_E.pdf

11. NEW BUSINESS

11.A. ADOPT RESOLUTION NO. 1320, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS APPOINTING PATRICK DONEGAN AS CITY ATTORNEY; AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THE APPOINTMENT

RECOMMENDATION: Approve as presented.

ResolutionNo1320_CityAttorneyAppointmnt_PatrickDonegan.pdf
CA_AGR_221213_BBK_Amendment.pdf

11.B. INTRODUCTION AND FIRST READING OF ORDINANCE NO. 382 AND ADOPTION OF URGENCY ORDINANCE NO. 382-U AMENDING TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE ROLLING HILLS MUNICIPAL CODE AND DETERMINING THE ORDINANCE EXEMPT FROM CEQA

RECOMMENDATION: Open the public hearing, receive public testimony, close the public hearing, and make the following actions:

- **Find that the adoption of the ordinances is not a project subject to CEQA review because it has no potential for resulting in physical change to the environment;**
- **Introduce for first reading by title only Ordinance No. 382 regarding building and construction; and**
- **Adopt Ordinance No. 382-U regarding building and construction.**

ATTACHMENT 1 - CL_ORD_382_BuildingCodeOrdinance_D.pdf
ATTACHMENT 2 - CL_ORD_382-U_BuildingCodeUrgencyOrdinance_D.pdf
ATTACHMENT 3 - CL_ORD_382_BuildingCodeOrdinance_REDLINE_D.pdf
ATTACHMENT 4 - CL_ORD_382-U_BuildingCodeUrgencyOrdinance_REDLINE_D.pdf
ATTACHMENT 5 - PL_ZOA_221024_Letter_LACounty.pdf

12. OLD BUSINESS

12.A. RECEIVE FEEDBACK FROM CALWATER, COUNTY OF LOS ANGELES FIRE DEPARTMENT, AND PALOS VERDES PENINSULA UNIFIED SCHOOL

DISTRICT ON THE OUTDOOR SIREN PROJECT, AND APPROVE THE THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH HQE SYSTEMS IN THE AMOUNT OF $4,195

RECOMMENDATION:

Receive and file; approve the Third Amendment to Professional Services Agreement with HQE Systems in the amount of $4,195

CL_AGN_221213_CC_PSA_HQE_Amendment03.pdf
CL_AGN_221024_CC_ScopeOfWork2_HQE 221020.pdf
CL-AGN_221213_Siren Locations_rv221201.pdf
CL_AGN_221213_SiteSurveys.pdf

13. MATTERS FROM THE CITY COUNCIL

14. MATTERS FROM STAFF

15. RECESS TO CLOSED SESSION

16. RECONVENE TO OPEN SESSION

17. ADJOURNMENT

Adjourn in memory of Carla Routt who passed away on December 2, 2022. Next regular meeting: Monday, January 9, 2023 at 7:00 p.m. in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California, 90274.

Notice:

Public Comment is welcome on any item prior to City Council action on the item.

Documents pertaining to an agenda item received after the posting of the agenda are available for review in the City Clerk's office or at the meeting at which the item will be considered.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting due to your disability, please contact the City Clerk at (310) 377-1521 at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility and accommodation for your review of this agenda and attendance at this meeting.

Agenda Item No.: 4.A
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **MAYOR'S PRESENTATION OF KEY TO THE CITY RECOGNIZING CITY ATTORNEY MICHAEL JENKINS FOR HIS 40 YEARS OF SERVICE TO THE CITY OF ROLLING HILLS**

DATE: **December 13, 2022**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Present key to the city and plaque of recognition.

ATTACHMENTS:

Agenda Item No.: 4.B
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **ADOPT BY TITLE ONLY RESOLUTION NO. 1317 RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, NOVEMBER 8, 2022, DECLARING THE RESULTS AND SUCH MATTERS AS PROVIDED BY LAW**

DATE: **December 13, 2022**

BACKGROUND:
Under the provisions of the California Elections Code, the City Council adopted Resolution No. 1295 on May 23, 2022 requesting the Los Angeles County Board of Supervisors to order the consolidation of a General Municipal Election to be held on November 8, 2022 with the Statewide General Election and requesting the Los Angeles County Registrar-Recorder/County Clerk to provide full services in conducting said municipal election. On November 8, 2022, a General Municipal Election was held in the City of Rolling Hills for the purpose of electing three members of the City Council.

DISCUSSION:
On November 8, 2022, Los Angeles County conducted a General Municipal Election consolidated with the Statewide General Election for the three open Rolling Hills City Council seats. On December 5, 2022, the Los Angeles County Registrar-Recorder/County Clerk completed the canvass of ballots; and on December 7, 2022, provided the City with a Certificate of the Canvass of the Election Returns and Official Statement of Votes Cast (attached).

Upon receipt of the election results from the County, California Election Code 10262 and 10263 require that the City Clerk certify the results to the City Council and that the City Council adopt a resolution declaring the results of the election. The attached Resolution 1317 incorporates Exhibit A (Certificate of the Canvass of the Election Returns and Official Statement of Votes Cast) and declares the results of the election.

Upon adoption the newly elected Council members will be given the Oath of Office and assume office immediately.

FISCAL IMPACT:
The cost of the consolidated election will be provided by the Los Angeles County Registrar-Recorder/County Clerk in the coming months. The City Council approved a budget of $15,000.00 in the FY 2022-2023 for the consolidated election.

RECOMMENDATION:
Adopt Resolution 1317 declaring the results of the General Municipal Election held on November 8, 2022 and taking such further actions as provided by law to complete the election process.

ATTACHMENTS:
ResolutionNo1317_ElectionCertification_11.08.22.pdf
CL_ELC_221207_RRCC_CanvassCertificate_StatementOfVotesCast.pdf

RESOLUTION NO. 1317

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD TUESDAY, NOVEMBER 8, 2022, DECLARING THE RESULTS OF SAID GENERAL MUNICIPAL ELECTION, AND TAKING SUCH FURTHER ACTIONS AS PROVOIDED BY LAW TO COMPLETE THE ELECTION PROCESS

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, RESOLVES AS FOLLOWS:

Section 1. Findings. The City Council finds as follows:

A. The City held a general municipal election on Tuesday, November 8, 2022.

B. Notice of the election was given in time, form and manner as provided by law; voting precincts were properly established; election officers were appointed and in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities.

C. Pursuant to applicable City Council resolutions, the Registrar-Recorder of the County of Los Angeles canvassed the returns of the election and has certified the results, which are attached as Exhibit A.

Section 2. Ballots Cast. The number of precinct ballots cast in the City (except vote by mail ballots) was 228. The number of vote by mail ballots cast in the City was 821, resulting in a total of 1,049 ballots cast in the City.

Section 3. Candidates on Ballots. The names of persons voted for at the election for Member of the City Council of the City (3 members) were as follows:

James H. Aichele
Arun “Able” Bhumitra
James Black
Leah Mirsch
Patrick Wilson

Section 4. Tabulations of Results. The number of votes given at each precinct and the number of votes given in the City to each of the persons above named and for and against the measure are attached as Exhibit A.

Section 5. Declaration of Results. Based upon the election results set forth in Exhibit A, the City Council declares:

a. James Black was elected as Member of the City Council of the City for the full term of four years.

b. Leah Mirsch was elected as Member of the City Council of the City for the full term of four years.

c. Patrick Wilson was elected as Member of the City Council of the City for the full term of four years.

Section 6. Statement of Results. The City Clerk is directed to enter on the records of the City Council of the City, a statement of the results of the election, showing:

(1) The whole number of votes cast in the City;
(2) The names of the persons voted for;
(3) For what office each person was voted for;
(4) The number of votes given at each precinct to each person;
(5) The number of votes given in the City to each person.

Section 7. Certificates of Elections; Oath of Office. The City Clerk is directed to prepare and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and duly authenticated. The City Clerk is further directed to administer to each person elected the Oath of Office prescribed in the State Constitution of the State of California and have them subscribe to it and file it in the Office of the City Clerk.

Section 8. The City Clerk is directed to certify to the passage and adoption of this Resolution and enter the same in the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED this 13h day of December, 2022.

_____

MAYOR

ATTEST:

_____
CHRISTIAN HORVATH
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §§
CITY OF ROLLING HILLS)

The foregoing Resolution No. 1266 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD TUESDAY, NOVEMBER 8, 2022, DECLARING THE RESULTS OF SAID GENERAL MUNICIPAL ELECTION, AND TAKING SUCH FURTHER ACTIONS AS PROVOIDED BY LAW TO COMPLETE THE ELECTION PROCESS

was approved and adopted at a regular meeting of the City Council on the 13th day of December, 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
CHRISTIAN HORVATH
CITY CLERK

EXHIBIT A



LOS ANGELES COUNTY
REGISTRAR-RECORDER/COUNTY CLERK

DEAN C. LOGAN
Registrar-Recorder/County Clerk

December 5, 2022

Christian Horvath, City Clerk
City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, California 90274

Dear City Clerk:

Enclosed are the Official Canvass Certificate and the Official Statement of Votes Cast by precinct for the City of Rolling Hills General Municipal Election consolidated with the General Election held on November 8, 2022.

Please call the Election Planning Section at (562) 462-2317, if you have any questions.

Sincerely,

DEAN C. LOGAN
Registrar-Recorder/County Clerk

SONIA CORONA, Head
Election Planning Section

Enclosures
Official Canvass Certificate
Official Statement of Votes Cast

J:\2022EF.GeneralElec.Nov2022.CanvassCert.CityLetter

Los Angeles County
Registrar-Recorder/County Clerk

Certificate of the Canvass of the Election Returns

I, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, of the State of California, DO HEREBY CERTIFY that pursuant to the provisions of Section 15300 et seq. of the California Elections Code, I did canvass the returns of the votes cast for each elective office and/or measure(s) for

Rolling Hills City

at the General Election, held on the 8th day of November, 2022.

I FURTHER CERTIFY that the Statement of Votes Cast, to which this certificate is attached, shows the total number of ballots cast in said jurisdiction, and that the whole number of votes cast for each candidate and/or measure(s) in said jurisdiction in each of the respective precincts therein, and the totals of the respective columns and the totals as shown for each candidate and/or measure(s) are full, true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 5th day of December, 2022.

REGISTRAR-RECORDER/COUNTY CLERK
COUNTY OF LOS ANGELES - CALIFORNIA

Dean C. Logan

DEAN C. LOGAN
Registrar-Recorder/County Clerk
County of Los Angeles

FINAL OFFICIAL
STATEMENT OF VOTES CAST
BY PRECINCT

ROLLING HILLS CITY GEN MUN
COUNCILMEMBER

LOCATION	REGIST-RATION	BALLOTS CAST	JAMES H AICHELE	ARUN BHUMITRA	JAMES BLACK	LEAH MIRSCH	PAT WILSON
ROLLING HILLS - 5700001A		228	49	115	114	108	121
VOTE BY MAIL SERIAL 7200		821	137	354	424	454	460
TOTAL	1545	1049	186	469	538	562	581
BALLOT GROUP 258 - 9990258A^		0	0	0	0	0	0
VOTE BY MAIL SERIAL 8258		0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0

FINAL OFFICIAL
STATEMENT OF VOTES CAST
BY PRECINCT

ROLLING HILLS CITY GEN MUN
COUNCILMEMBER

LOCATION	REGIST-RATION	BALLOTS CAST	JAMES H AICHELE	ARUN BHUMITRA	JAMES BLACK	LEAH MIRSCH	PAT WILSON
PRECINCT TOTAL		228	49	115	114	108	121
VBM TOTAL		821	137	354	424	454	460
GRAND TOTAL	1545	1049	186	469	538	562	581

Agenda Item No.: 4.C
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **ADMINISTRATION OF OATH OF OFFICE BY CITY CLERK TO RE-ELECTED MAYOR JAMES BLACK, M.D.**

DATE: **December 13, 2022**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Administer Oath of Office

ATTACHMENTS:

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 4.D
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **ADMINISTRATION OF OATH OF OFFICE BY CITY CLERK TO RE-ELECTED MAYOR PRO TEM PATRICK WILSON**

DATE: **December 13, 2022**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Administer Oath of Office

ATTACHMENTS:

Agenda Item No.: 4.E
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **ADMINISTRATION OF OATH OF OFFICE BY CITY CLERK TO RE-ELECTED COUNCILMEMBER LEAH MIRSCH**

DATE: **December 13, 2022**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Administer Oath of Office

ATTACHMENTS:

Agenda Item No.: 4.F
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **CITY COUNCIL REORGANIZATION**

DATE: **December 13, 2022**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
A. PRESENTATION OF NEW MAYOR AND MAYOR PRO-TEM
B. PRESENTATION TO MAYOR BLACK IN RECOGNITION OF HIS SERVICE DURING HIS 2022 TERM AS MAYOR
C. COMMENTS FROM OUTGOING MAYOR

ATTACHMENTS:

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.A
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF DECEMBER 13, 2022**

DATE: **December 13, 2022**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve.

ATTACHMENTS:
CL_AGN_221213_CC_AffidavitofPosting.pdf

Administrative Report

7.A., **File #** 1560 **Meeting Date**: 12/13/2022

To: MAYOR & CITY COUNCIL

From: Christian Horvath, City Clerk

TITLE

APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF DECEMBER 13, 2022

EXECUTIVE SUMMARY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF ROLLING HILLS)

AFFIDAVIT OF POSTING

In compliance with the Brown Act, the following materials have been posted at the locations below.

Legislative Body	City Council
Posting Type	Regular Meeting Agenda
Posting Location	2 Portuguese Bend Road, Rolling Hills, CA 90274 City Hall Window City Website: https://www.rolling-hills.org/government/agenda/index.php https://www.rolling-hills.org/government/city_council/city_council_archive_agendas/index.php
Meeting Date & Time	December 13, 2022 7:00pm Open Session

As City Clerk of the City of Rolling Hills, I declare under penalty of perjury, the document noted above was posted at the date displayed below.

Christian Horvath, City Clerk

Date: December 9, 2022

Agenda Item No.: 7.B
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **APPROVE MOTION TO READ BY TITLE ONLY AND WAIVE FURTHER READING OF ALL ORDINANCES AND RESOLUTIONS LISTED ON THE AGENDA**

DATE: **December 13, 2022**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve.

ATTACHMENTS:

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.C
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **APPROVE THE FOLLOWING CITY COUNCIL MINUTES: NOVEMBER 14, 2022**

DATE: **December 13, 2022**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve as presented.

ATTACHMENTS:
CL_MIN_221114_CC_F.pdf

Minutes
Rolling Hills City Council
Monday, November 14, 2022
Regular Meeting 7:00 p.m.

1. CALL TO ORDER

The City Council of the City of Rolling Hills met in person on the above date at 7:00 p.m. Mayor Black presiding.

2. ROLL CALL

Councilmembers Present:	Dieringer, Pieper, Mirsch, Mayor Pro Tem Wilson, Mayor Black
Councilmembers Absent:	None
Staff Present:	Elaine Jeng, City Manager
	Christian Horvath, City Clerk / Executive Assistant to the City Manager
	Patrick Donegan, Deputy City Attorney
	John Signo, Planning & Community Services Director
	Vanessa Hevener, Senior Management Analyst

3. PLEDGE OF ALLEGIANCE – Councilmember Pieper

4. PRESENTATIONS/PROCLAMATIONS/ANNOUNCEMENTS – NONE

5. BLUE FOLDER ITEMS (SUPPLEMENTAL)

Motion by Councilmember Pieper, seconded by Councilmember Dieringer to receive and file Blue Folder Items for 11B, 11E, and 13A. Motion carried unanimously with the following vote:

AYES:	Dieringer, Pieper, Mirsch, Wilson, Mayor Black
NOES:	None
ABSENT:	None

6. PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment: Arlene Honbo, Dawn Harris-Benton of Republic Services

7. CONSENT CALENDAR

7.A. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF NOVEMBER 14, 2022

7.B. APPROVE MOTION TO READ BY TITLE ONLY AND WAIVE FURTHER READING OF ALL ORDINANCES AND RESOLUTIONS LISTED ON THE AGENDA

7.C. APPROVE THE FOLLOWING CITY COUNCIL MINUTES: OCTOBER 24, 2022

7.D. PAYMENT OF BILLS

7.E. FOR SECOND READING AND ADOPTION. ADOPT BY TITLE ONLY ORDINANCE NO. 380, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING CHAPTER 8.32 TO THE ROLLING HILLS MUNICIPAL CODE RELATING TO STORM

WATER AND POLLUTION CONTROL, AND FINDING THE ACTION TO BE EXEMPT FROM CEQA.

7.F. RECEIVE AND FILE MEASURE W, MUNICIPAL SAFE CLEAN WATER (SCW) ANNUAL REPORT FOR FISCAL YEAR 2021-22

7.G. RECEIVE AND FILE SUBMITTAL OF THE ANNUAL MUNICIPAL STORMWATER REPORT FOR FISCAL YEAR 2021-2022

7.H. CONSIDER AND APPROVE THE THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH NV5 FOR THE SEPULVEDA CANYON STORMWATER MONITORING FOR 2022-23, 2023-24, 2024-25 IN THE AMOUNT OF $39,445

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to approve Consent Calendar. Motion carried unanimously with the following vote:

AYES: Dieringer, Pieper, Mirsch, Wilson, Mayor Black
NOES: None
ABSENT: None

8. EXCLUDED CONSENT CALENDAR ITEMS – NONE

9. COMMISSION ITEMS

9.A. ZONING CASE NO. 22-60: A REQUEST FOR THE APPROVAL OF A SITE PLAN REVIEW FOR THE CONSTRUCTION OF A NEW 800 SQUARE-FOOT SWIMMING POOL/SPA AND FOR NON-EXEMPT GRADING; AND A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A 797-SQUARE-FOOT POOL HOUSE LOCATED AT 21 CHUCKWAGON ROAD (MAUS) (LOT 4-CF & LOT 7-CF). THE PROJECT IS CATEGORICALLY EXEMPT FROM CEQA

Presentation by John Signo, Planning & Community Services Director

Motion by Councilmember Pieper, seconded by Mayor Pro Tem Wilson to receive and file. Motion carried unanimously with the following vote:

AYES: Dieringer, Pieper, Mirsch, Wilson, Mayor Black
NOES: None
ABSENT: None

10. PUBLIC HEARINGS – NONE

11. OLD BUSINESS

11.A. APPROVE UPDATE TO THE COMMUNITY WILDFIRE PROTECTION PLAN (CWPP) AND DIRECT STAFF TO SHARE THE APPROVED UPDATED CWPP WITH THE CALIFORNIA INSURANCE COMMISSION AND WORK WITH THE COMMISSION TO ASSIST RESIDENTS IN OBTAINING FIRE INSURANCE IN ROLLING HILLS

Presentation by Vanessa Hevener, Senior Management Analyst

Motion by Mayor Pro Tem Wilson, seconded by Councilmember Pieper to approve as presented. Motion carried with the following vote:

AYES: Dieringer, Pieper, Mirsch, Wilson, Mayor Black
NOES: None
ABSENT: None

11.B. RECEIVE A LETTER FROM THE ROLLING HILLS COMMUNITY ASSOCIATION REGARDING THE NATURAL GAS BACKUP GENERATOR PROJECT AND PROVIDE DIRECTION TO STAFF

Presentation by Elaine Jeng, City Manager

Public Comment: Alfred Visco

Motion by Mayor Pro Tem Wilson, seconded by Councilmember Mirsch to take control of the process for evaluating a backup power plan and project back to City Council as the lead.

Motion carried unanimously with the following vote:

AYES: Dieringer, Pieper, Mirsch, Wilson, Mayor Black
NOES: None
ABSENT: None

Motion by Councilmember Mirsch, seconded by Councilmember Pieper directing staff to develop pros and cons of the two options (Natural Gas Generator and Solar Power/Battery Backup) and return with a presentation in late January.

Motion carried unanimously with the following vote:

AYES: Dieringer, Pieper, Mirsch, Wilson, Mayor Black
NOES: None
ABSENT: None

11.C. RECEIVE AND FILE FEEDBACK FROM CALWATER ON THE OUTDOOR SIREN PROJECT

Presentation by Vanessa Hevener, Senior Management Analyst

Public Comment: Chesley Houske, Fred Lorig, Arlene Honbo, Alfred Visco, Jim Aichele, Gene Honbo

The City Council discussed various proposed sites and by consensus directed staff to remove the Spur Lane Cal Water location from consideration. The Council requested exploration of the LA County Fire Station 56 site and the Rancho Del Mar High School property.

11.D. CONSIDER STAY GREEN INC. TO PROVIDE LANDSCAPING SERVICES FOR THE CITY HALL CAMPUS AND DIRECT STAFF TO PREPARE A PROFESSIONAL SERVICES AGREEMENT

Presentation by Christian Horvath, City Clerk / Executive Assistant to the City Manager

Public Comment: Sean Bennett, Marcia Schoettle, Martin McKenna

Motion by Councilmember Dieringer, seconded by Mayor Black to contract with Bennett Landscaping with the proviso that we make sure there is attendance to issues that may have been a problem. Motion carried unanimously with the following vote:

AYES: Dieringer, Pieper, Mirsch, Wilson, Mayor Black
NOES: None

ABSENT: None

11.E. CONSIDER AND APPROVE THE TRAFFIC COMMISSION'S RECOMMENDATION FOR TRAFFIC IMPROVEMENTS ON JOHNS CANYON ROAD TO ADDRESS RESIDENTS' CONCERNS AND FIND THE SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Presentation by John Signo, Planning & Community Services Director

Public Comment: Bill Wingerning, Claudia Grzywacz, Nicole Tangen, Anne Smith

Motion by Mayor Pro Tem Wilson, seconded by Councilmember Mirsch to approve the street improvements on Johns Canyon Road as recommended by the Traffic Commission with a shifting of the one southbound sign away from the driveway, approve the budget amendment to fund the improvements, and find the same exempt from the California Environmental Quality Act. Motion carried unanimously with the following vote:

AYES: Dieringer, Pieper, Mirsch, Wilson, Mayor Black
NOES: None
ABSENT: None

11.F. CONSIDER AND APPROVE AMENDING THE SANITARY SEWER IMPROVEMENT FEASIBILITY STUDY TO PHASE THE CONSTRUCTION OF THE 8-INCH SEWER MAIN PROJECT

Presentation by Elaine Jeng, City Manager

Public Comment: Alfred Visco

Motion by Councilmember Pieper, seconded by Mayor Pro Tem Wilson to approve a proposal from Wildan Engineering in the amount of $9,010.00 and direct staff to prepare an amended professional services agreement. Motion carried unanimously with the following vote:

AYES: Dieringer, Pieper, Mirsch, Wilson, Mayor Black
NOES: None
ABSENT: None

12. NEW BUSINESS

12.A. ADOPT RESOLUTION NO. 1316 AND SET A PUBLIC HEARING ON JANUARY 23, 2023 TO CREATE UNDERGROUND UTILITY DISTRICT NO. 2 (UUD-02) ON EASTFIELD DRIVE

Presentation by Vanessa Hevener, Senior Management Analyst

Motion by Mayor Pro Tem Wilson, seconded by Councilmember Mirsch to Adopt Resolution No. 1316 and set a public hearing on January 23, 2022 to create Underground Utility District No. 2 (UUD-02) on Eastfield Drive. Motion carried unanimously with the following vote:

AYES: Dieringer, Pieper, Mirsch, Wilson, Mayor Black
NOES: None
ABSENT: None

12.B. CONSIDER ONWARD ENGINEERING TO PROVIDE CONSTRUCTION AND GENERAL INSPECTION SERVICES FOR A NOT-TO-EXCEED AMOUNT OF $24,470 FOR FISCAL YEAR 2022-2023; AND DIRECT STAFF TO PREPARE A PROFESSIONAL SERVICES AGREEMENT

Presentation by Christian Horvath, City Clerk / Executive Assistant to the City Manager

Motion by Councilmember Pieper, seconded by Mayor Black to do nothing. After clarification by City Manager Jeng, Mayor Black withdrew his second.

Motion by Councilmember Mirsch, seconded by Mayor Black to approve as presented. Motion carried with the following vote:

AYES: Pieper, Mirsch, Wilson, Mayor Black
NOES: None
ABSTAIN: Dieringer
ABSENT: None

13. MATTERS FROM THE CITY COUNCIL

13.A. LOS ANGELES COUNTY LAND BANK PROGRAM (DIERINGER)

Presentation by Christian Horvath, City Clerk / Executive Assistant to the City Manager and Councilmember Dieringer

Public Comment: Alfred Visco

Motion by Mayor Black, seconded by Councilmember Dieringer to write a letter in opposition and authorize Councilmember Dieringer to speak on the City's behalf at the LA County Board of Supervisor's meeting the following day. Motion failed with the following vote:

AYES: Dieringer, Mayor Black
NOES: Pieper, Mirsch, Wilson
ABSENT: None

Motion by Councilmember Pieper, seconded by Councilmember Mirsch to write a letter in opposition. Motion carried unanimously with the following vote:

AYES: Dieringer, Pieper, Mirsch, Wilson, Mayor Black
NOES: None
ABSENT: None

14. MATTERS FROM STAFF – NONE

15. RECESS TO CLOSED SESSION

Mayor Black recessed the City Council to Closed Session at 9:58 p.m.

15.A. EMPLOYEE PERFORMANCE EVALUATION GOVERNMENT CODE SECTION 54957, TITLE CITY MANAGER

15.B. PUBLIC EMPLOYEE APPOINTMENT CALIFORNIA GOVERNMENT CODE SECTION 54957 TITLE: CITY ATTORNEY

16. RECONVENE TO OPEN SESSION

The City Council reconvened to Open Session at 11:31 p.m. on November 14, 2022 and there was no reportable action.

Regarding Item 13.A, Mayor Black and the City Council reviewed the staff submitted draft letter and had no further changes.

17. ADJOURNMENT: 11:34 P.M.

Hearing no further business before the City Council, the meeting was adjourned in memory of resident Frank Robinson at 11:34 p.m on November 14, 2022. The next regular adjourned meeting of the City Council is scheduled to be held on Tuesday, December 13, 2022 beginning at 7:00 p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California. It will also be available via City's website link at: https://www.rolling-hills.org/government/agenda/index.php

All written comments submitted are included in the record and available for public review on the City website.

Respectfully submitted,

_____
Christian Horvath, City Clerk

Approved,

_____
James Black, M.D., Mayor

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.D
Mtg. Date: 12/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: PAYMENT OF BILLS.

DATE: December 13, 2022

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve as presented.

ATTACHMENTS:
CL_AGN_221213_PaymentofBills.pdf

CITY OF ROLLING HILLS
AP23-014, & ACH23-022 through ACH23-024
Check Run 11-22-2022 Plus Adjustments for 7-05-2022 and 7-28-2022

Check No.	Check Date	Payee	Description	Amount
027843	11/22/2022	Bennett Landscape	11-02-2022 City Hall repairs	294.15
027844	11/22/2022	Best Best & Krieger LLP	CPUC Compliant Re: Frontier	1,625.00
027844	11/22/2022	Best Best & Krieger LLP	General Services & Code & Cell Installations- Oct. 2022	7,505.00
027844	11/22/2022	Best Best & Krieger LLP	Land Use-Professional Services October 2022	5,453.00
CHECK TOTAL			**$ 14,583.00**	
027845	11/22/2022	Southern California News Group	October 2022 Advertising Legal CLS	1,214.51
027846	11/22/2022	Bea Dieringer	Reimbursement for conferences B.Dieringer	999.09
027847	11/22/2022	Environmental Design Associates	ZC21-10 Landscape Plan Review, 8 Middleridge Ln S.	750.00
027848	11/22/2022	Forum Info-Tech. Inc./Levelcloud	November Cloud Hosting	5,527.43
027849	11/22/2022	Government Forms & Supplies	Custom Stamp	140.37
027850	11/22/2022	GPA CONSULTING	Project # 918 Vegetation Management - Oct. 2022	4,865.00
027851	11/22/2022	Konica Minolta Business Solutions USA Inc.	Monthly Maintenance 10-11-22 to 11-10-22	781.00
027852	11/22/2022	McGowan Consulting	Municipal Stormwater Consulting Services Oct. 22	4,310.30
027853	11/22/2022	Palos Verdes Security Sys, Inc.	Dec. 2022 CCTV Lease 12-01-2022 to 12-31-2022	176.00
027854	11/22/2022	Palos Verdes Peninsula Unified School District	City Newsletter paper	2,056.41
027855	11/22/2022	SIR SPEEDY	Information Brochure 100	270.68
027856	11/22/2022	Vanessa Hevener	Reimbursement for conference V.Hevener	301.62
027857	11/22/2022	Willdan Inc.	Professional Services Oct 22 Project 105238.00	310.00
027857	11/22/2022	Willdan Inc.	Professional Services Sept. 2022 Project 101749.00	465.00
CHECK TOTAL			**$ 775.00**	
ACH-133	7/28/2022	CalPERS	FY22-23- ACH CalPers UAL	1,299.00
ACH-134	7/28/2022	CalPERS	FY22-23- ACH CalPers UAL	65,092.00
ACH-135	7/5/2022	Nextiva	July 2022- ACH Nextiva	308.72
ACH-136	11/15/2022	California Water Service Co.	Water Usage 09-28-22 to 10-26-22_ROLLING	849.99
ACH-137	11/15/2022	California Water Service Co.	Water Usage 09-28-22 to 10-26-2022_RANCHO	516.18
ACH-138	11/22/2022	Delta Dental	Dental Coverage December 2022	1,125.74
ACH-139	11/22/2022	Vision Service Plan - (CA)	Vision Coverage December 2022	289.17
ACH-140	11/17/2022	Southern California Edison	Electricity Usage 10 18 22 to 11 16 22	303.31
ACH-141	11/22/2022	ELAN Cardmember Services	Credit Card Payment 10-05-2022 to 11-02-2022	3,393.68
ACH-144	11/22/2022	Vantagepoint Transfer Agents - 306580	Deferred Compensation PR Ending 11-01-2022	1,912.49
				$ 112,134.84

I, Elaine Jeng, City Manager of Rolling Hills, California certify that the above demands are accurate and there is available in the General Fund a balance of

112,134.84 for the payment of above items.

11/30/2022

Elaine Jeng, P.E., City Manager

CITY OF ROLLING HILLS
AP23-015, AP23-015reprint , AP23-015REV & ACH23-025 through ACH23-026
Check Run 12-06-2022

Check No.	Check Date	Payee	Description	Amount
027858-027878	12/6/2022	spoiled	put in the printer wrong direction	$ -
027879-027894	NA	blank checks skipped	blank checks skipped	-
027895-027915	12/6/2022	spoiled	start check number was entered wrong into Abila - didn't match check stock	$ -
027916	12/7/2022	Alan Palermo Consulting	November 2022 Svcs - ADA, Sewer, Block Captain	1,980.00
027917	12/7/2022	Albert Udero B-17 Construction	Refundable Deposit C&D Permit #862-6 EL CONCHO	1,000.00
027918	12/7/2022	Bennett Landscape	11-22-22 Replaced Leaking Valve	652.66
027918	12/7/2022	Bennett Landscape	Landscape Maint Services December 2022	693.00
CHECK TOTAL			**$ 1,345.66**	
027919	12/7/2022	Connie Viramontes	Reimbursement	512.18
027920	12/7/2022	Cox Communications	Phone Service Nov 26- Dec 25 2022	154.25
027921	12/7/2022	E. C. CONSTRUCTION	Storm Drain Repairs	31,698.00
027922	12/7/2022	Elaine Jeng	Reimbursment Oct Mileage	141.25
027923	12/7/2022	Executive Suite Services Inc.	November Janitorial Services	1,360.00
027924	12/7/2022	David Fairchild Studio	Photograph City Employees	510.00
027925	12/7/2022	Forum Info-Tech. Inc./Levelcloud	December Cloud Hosting	5,232.99
027926	12/7/2022	County of Los Angeles	October 2022 Animal care Housing Costs	330.19
027927	12/7/2022	LA County Sheriff's Department	October 2022 Law Enforcement Services	31,092.99
027927	12/7/2022	LA County Sheriff's Department	October 2022 LMT Traffic Enforcement Special Event	1,366.80
CHECK TOTAL			**$ 32,459.79**	
027928	12/7/2022	Lisa's Bon Appetit	Catering for annual holiday party	3,848.38
027929	12/7/2022	Pacific Architecture and Engineering, Inc.	GPR Consultant Fees- Task 8	8,140.00
027930	12/7/2022	Palos Verdes Peninsula Unified School District	School Security Reimbursement July 27 2022 to Sept 29 2022	519.42
027931	12/7/2022	Race Communications	11-1-22 to 12-1-22 Internet charges	1,020.00
027931	12/7/2022	Race Communications	12/01/22 to 01/01/2023 Internet Services	1,020.00
CHECK TOTAL			**$ 2,040.00**	
027932	12/7/2022	Republic Services	Residential Service Solid Waste July 2022-December 2022	472,088.28
027933	12/7/2022	City of Rancho Palos Verdes	7% Monthly ALPR Camera Cnctvty - July-Aug 2022	135.34
027934	12/7/2022	TRIO EVENT RENTAL	Final Payment for HOLIDAY PARTY 2022	407.70
027935	12/7/2022	Western Audio Visual	Video Equipment	1,317.90
ACH-142	11/4/2022	CalPERS	Payment 11 01 2022 PERS HEALTH	12,836.59
ACH-143	11/4/2022	CalPERS	Employer Contribution Payroll Ending 11 01 2022	4,041.27
ACH-145	11/18/2022	CalPERS	PERS RETIREMENT PR Ending 11/15/22	4,041.27
ACH-146	11/18/2022	Vantagepoint Transfer Agents - 306580	ICMA PR Ending 11/15/22	1,912.49
ACH-147	11/28/2022	The Gas Company	Gas usage from 10-07-2022 to 11-07-2022	57.42
ACH-148	11/16/2022	Pitney Bowes	Postage for Month of October 2022	2,520.00
PR LINK	11/18/2022	PR LINK - Payroll & PR Taxes PR#23	Payroll Processing Fee PR#23 11/2/2022 - 11/15/2022	69.96
PR LINK	11/18/2022	PR LINK - Payroll & PR Taxes PR#23	Pay Period -PR#22 PR#23 11/2/2022 - 11/15/2022	23,616.28
PR LINK	12/2/2022	PR LINK - Payroll & PR Taxes PR#24	Payroll Processing Fee PR#24 11/16/2022 - 11/29/2022	187.62
PR LINK	12/2/2022	PR LINK - Payroll & PR Taxes PR#24	Pay Period -PR#22 PR#24 11/16/2022 - 11/29/2022	23,616.28
				$ 638,120.51

I, Elaine Jeng, City Manager of Rolling Hills, California certify that the above demands are accurate and there is available in the General Fund a balance of

Check No.	Check Date	Payee	Description	Amount

638,120.51 for the payment of above items.

Elaine Jeng, P.E., City Manager

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.E
Mtg. Date: 12/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR NOVEMBER 2022

DATE: December 13, 2022

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Receive and file.

ATTACHMENTS:
CL_AGN_221213_CC_TonnageReport.pdf

CITY OF ROLLING HILLS RESIDENTIAL FRANCHISE

2022

Year 2022
Franchise Y/N Y

Month	Commodity	Tons Collected	Tons Recovered	Tons Disposed	Diversion %
Jan	Greenwaste	98.26	98.26	-	100.00%
	Trash	156.54	-	156.54	0.00%
Jan Total		254.80	98.26	156.54	38.56%
Feb	Greenwaste	93.00	93.00	-	100.00%
	Trash	134.41	-	134.41	0.00%
Feb Total		227.41	93.00	134.41	40.90%
Mar	Greenwaste	111.44	111.44	-	100.00%
	Trash	183.40	-	183.40	0.00%
Mar Total		294.84	111.44	183.40	37.80%
Apr	Greenwaste	100.44	100.44	-	100.00%
	Trash	156.07	-	156.07	0.00%
Apr Total		256.51	100.44	156.07	39.16%
May	Greenwaste	111.54	111.54	-	100.00%
	Trash	162.42	-	162.42	0.00%
May Total		273.96	111.54	162.42	40.71%
Jun	Greenwaste	79.14	79.14	-	100.00%
	Trash	177.90	-	177.90	0.00%
Jun Total		257.04	79.14	177.90	30.79%
Jul	Greenwaste	92.26	92.26	-	100.00%
	Greenwaste - Free Residential Roll Off Bin	2.37	2.37	-	100.00%
	Trash	158.90	-	158.90	0.00%
	Trash - Free Residential Roll Off Bin	32.09	-	32.09	0.00%
Jul Total		285.62	94.63	190.99	33.13%
Aug	Greenwaste	80.20	80.20	-	100.00%
	Greenwaste - Free Residential Roll Off Bin	-	-	-	#DIV/0!
	Trash	176.31	-	176.31	0.00%
	Trash - Free Residential Roll Off Bin	7.76	-	7.76	0.00%
Aug Total		264.27	80.20	184.07	30.35%
Sep	Greenwaste	94.35	94.35	-	100.00%
	Greenwaste - Free Residential Roll Off Bin	5.81	5.81	-	100.00%
	Trash	186.19	-	186.19	0.00%
	Trash - Free Residential Roll Off Bin	6.46	-	6.46	0.00%
Sep Total		292.81	100.16	192.65	34.21%
Oct	Greenwaste	73.45	73.45	-	100.00%
	Greenwaste - Free Residential Roll Off Bin	5.21	5.21	-	100.00%
	Recycle	0.42	0.23	0.19	53.90%
	Trash	214.19	-	214.19	0.00%
Oct Total		293.27	78.89	214.38	26.90%
Grand Total		2,700.53	947.70	1,752.83	35.09%

CITY OF ROLLING HILLS NON-FRANCHISE

2022

Year (All)
Franchise Y/N N

Month	Commodity	Tons Collected	Tons Recovered	Tons Disposed	Diversion %
Jan	C&D	39.88	32.61	7.27	81.78%
	Greenwaste	12.46	12.46	-	100.00%
	Recycle	0.29	0.06	0.24	18.95%
	Trash	81.22	-	81.22	0.00%
Jan Total		133.85	45.13	88.72	33.72%
Feb	C&D	20.81	17.02	3.79	81.78%
	Greenwaste	12.73	12.73	-	100.00%
	Recycle	0.28	0.08	0.20	29.05%
	Trash	119.33	-	119.33	0.00%
Feb Total		153.15	29.83	123.32	19.48%
Mar	C&D	3.52	2.88	0.64	81.78%
	Greenwaste	12.76	12.76	-	100.00%
	Recycle	0.46	0.28	0.18	61.72%
	Trash	181.46	-	181.46	0.00%
Mar Total		198.20	15.92	182.28	8.03%
Apr	C&D	11.41	9.33	2.08	81.78%
	Greenwaste	5.27	5.27	-	100.00%
	Recycle	0.26	0.16	0.10	62.30%
	Trash	69.21	-	69.21	0.00%
Apr Total		86.15	14.76	71.39	17.14%
May	Greenwaste	14.21	14.21	-	100.00%
	Recycle	0.32	0.20	0.12	63.09%
	Trash	59.18	-	59.18	0.00%
May Total		73.71	14.41	59.30	19.55%
Jun	Recycle	0.31	0.20	0.11	62.90%
	Trash	81.77	-	81.77	0.00%
Jun Total		82.08	0.20	81.88	0.24%
Jul	Greenwaste	4.20	4.20	-	100.00%
	Recycle	0.22	0.13	0.09	58.67%
	Trash	44.40	-	44.40	0.00%
Jul Total		48.82	4.33	44.49	8.87%
Aug	Recycle	0.29	0.16	0.13	55.53%
	Trash	113.97	-	113.97	0.00%
Aug Total		114.26	0.16	114.10	0.14%
Sep	Greenwaste	3.22	3.22	-	100.00%
	Recycle	0.22	0.12	0.10	55.66%
	Trash	76.05	-	76.05	0.00%
Sep Total		79.49	3.34	76.15	4.20%
Oct	Recycle	0.32	0.18	0.15	53.90%
	Trash	66.09	-	66.09	0.00%
Oct Total		66.41	0.18	66.24	0.26%
Grand Total		1,036.12	128.26	907.86	12.38%

Agenda Item No.: 7.F
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **JOHN SIGNO, DIRECTOR OF PLANNING & COMMUNITY SERVICES**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **RECEIVE AND FILE A LETTER FROM HCD INDICATING THE CITY'S 6TH CYCLE HOUSING ELEMENT, ALONG WITH TECHNICAL MODIFICATIONS, IS IN FULL COMPLIANCE WITH STATE LAW AND ACCEPT THE TECHNICAL MODIFICATIONS**

DATE: **December 13, 2022**

BACKGROUND:
On September 26, 2022, the City Council adopted Resolution No. 1309 adopting the 2021-2029 6th Cycle Rolling Hills Housing Element (Housing Element) and the associated mitigated negative declaration (MND). On September 28, 2022, the adopted Housing Element was sent to the California Department of Housing and Community Development (HCD) for review for compliance with State Housing Element Law (Article 10.6 of the Government Code). On November 23, 2022, HCD sent the City a letter indicating the Housing Element, along with technical modifications, is in full compliance with State Law.

DISCUSSION:

The City's adoption of the Housing Element on September 26, 2022 was based on HCD's reassurance (per an email from HCD staff on September 18, 2022) that the Draft Housing Element was in full compliance and ready for adoption. Prior to the September 26 hearing, HCD reviewed the Housing Element twice and the City made revisions accordingly based on HCD's comments. The first Draft was, sent to HCD on January 11, 2022. HCD's findings were received on April 11, 2022 and included 34 comments. On April 22, 2022, staff held a meeting with HCD staff to discuss those comments and address them accordingly. After the revised Housing Element was reviewed by the Planning Commission and City Council, a second draft was sent to HCD on May 24, 2022. Under State law, HCD had up to 60 days to review the updated draft. Comments were received from HCD on July 21, 2022. The July 21 letter was generally positive and included only five comments. Staff and Mr. Miller met with HCD via Zoom on August 5, 2022 to review those comments, and HCD provided further guidance to the City to develop its responses.

The Housing Element was further revised in late August and early September based on HCD's

guidance. On September 13, City staff requested an informal ("technical assistance") review of the proposed Housing Element revisions by HCD, and received a response on September 18 indicating the revised document had satisfactorily responded to HCD's comments. HCD staff indicated the City could proceed with adoption and then submit the document for a formal compliance finding and letter.

On November 14, 2022, the City's Housing Consultant, Barry Miller, was contacted by HCD's Housing Policy Manager, Paul McDougall, who is responsible for signing the certification letter. On November 15, 2022, Mr. McDougall informed Mr. Miller that minor technical modifications to Chapter 6 of the Housing Element were needed before the Housing Element could be certified. According to HCD, additional metrics were needed for certain programs:

- Program 3 – Add metric for additional multifamily
- Program 4 – Add metrics, especially employees
- Program 6.8 – Add metric
- Program 9 – Increase metric, go beyond senior homeowners
- Program 13 – Increase metric, go beyond Rolling Hills residents
- Program 20 – Convert metric to assisted households

City Staff and Mr. Miller were able to speak with HCD staff on November 21 and 22 to make sure their issues were adequately addressed. HCD's position was that the requested edits were technical in nature and not substantive as they did not modify program language, commit the City to additional actions, or result in a larger number of total housing units. Staff responded to HCD's request with the following edits:

- Added a sentence regarding housing mobility in the region and discussed the potential for a density bonus on the Rancho Del Mar site, which was already discussed elsewhere (Program 3).
- Increased the 8-year target for the number of persons working in Rolling Hills who might also be able to live in the city from four to six (Program 4).
- Held the number of projected Accessory Dwelling Units (ADUs) constant at 40 units, but redistributed the units among income groups to more closely match the RHNA targets. This means the City should aspire to create 18 ADUs that are "affordable by design" to lower income (instead of 13), 15 ADUs that are "affordable by design" to moderate (instead of 8 units), and 7 ADUs that meet Above Moderate affordability criteria (instead of 19 units) (Program 6).
- Increased the target for ADUs that could potentially be built by a nonprofit from four to seven —to align with Program 9 (Program 6.8)
- Aligned the number of extremely low income households in Program 9 with the number of extremely low income ADUs (seven in both cases)
- Increased home-sharing target from six persons to eight persons (Program 13)
- Increased fair housing target from three persons to five persons (Program 20)

In its communication with the City, HCD noted that these edit aspirational targets and that it was not asking the City to change its ADU programs or introduce any new requirements. There were also a few non-substantive edits made for internal consistency. A clean and redlined version of Chapter 6 are included as well as a table of findings from HCD.

FISCAL IMPACT:
The Housing Element is a planning document that establishes policies for the City of Rolling

Hills and will not have a direct fiscal impact on the City. Certification of the Element and adoption of the MND provides an indirect positive fiscal impact by reducing legal risks and qualifying the City for State planning grants. The City was awarded $65,000 from HCD through the Local Early Action Planning Grants Program (LEAP) to help fund the Housing Element. Remaining costs are paid through the General Fund.

RECOMMENDATION:
Receive and file HCD's letter and accept the technical modifications to the 6th Cycle Housing Element.

ATTACHMENTS:
PL_GPN_HSG_221123_HCD_ComplianceLetter.pdf
PL_GPN_HSG_221121_Chapter6-GoalsPoliciesActions-CLEAN.pdf
PL_GPN_HSG_221121_Chapter6-GoalsPoliciesActions-REDLINE-v3.pdf
PL_GPN_HSG_221121_HCD_Comments.pdf

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November 23, 2022

John F. Signo, Director
Planning & Community Services Department
City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, CA 90274

Dear John F. Signo

RE: Rolling Hills' 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of Rolling Hills' (City) housing element adopted on September 26 and received for review on September 28, 2022, along with technical modifications authorized by Resolution Number 1309. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by conversations with you and your consultant, Barry Miller on November 21 and 22, 2022.

HCD is pleased to find the adopted housing element in full compliance with State Housing Element Law (Article 10.6 of the Gov. Code) The adopted element, along with technical modifications, addresses the statutory requirements described in HCD's July 21, 2022 review.

Additionally, the City must continue timely and effective implementation of all programs including but not limited to the following:

- Program 2: Rancho Del Mar Opportunity Site Monitoring
- Program 3: No Net Loss and Other Multi-Family Housing Opportunities
- Program 6: Accessory Dwelling Unit (ADU)
- Program 13: Homesharing
- Program 14: Sewer Feasibility Studies
- Program 21: Fair Housing Outreach and Affirmative Marketing

The City must monitor and report on the results of this and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is

inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City now meets housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: https://www.opr.ca.gov/planning/general-plan/guidelines.html.

HCD appreciates the hard work from you and the City's consultant, Barry Miller, provided in the housing element update. HCD also wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If HCD can provide assistance in implementing the housing element, please contact Jose Jauregui, of our staff, at jose.jauregui@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

6. Housing Goals, Policies, Objectives, and Programs

Chapter 6 provides the City's housing plan for the next eight years. The plan has three components:

- A statement of the City's goals and policies for housing. The goals and policies balance State mandates and Government Code requirements with local needs and priorities.
- An action program. The action program identifies the specific, measurable steps the City will take during 2021-2029 to implement the policies.
- Measurable objectives for housing production. These objectives correspond to the City's Regional Housing Needs Allocation (RHNA) and also include numeric targets for housing rehabilitation and conservation.

6.1 Goals and Policies

The following goals and policies reflect the City's continued commitment to actively support residential development and plan for the City's fair share of regional housing needs:

GOAL 1: Provide housing opportunities which meet the needs of existing and future Rolling Hills' residents.

Policy 1.1: Accommodate Rolling Hills' share of the region's housing needs in a way that protects public safety, responds to infrastructure constraints and natural hazards, recognizes market conditions, and respects the historic context and land use pattern in the city.

Policy 1.2: Allow the development of a variety of housing types in the city, including multi-family housing. While Rolling Hills will remain a rural equestrian community, housing opportunities will be provided for all income groups as required by State law.

Policy 1.3: Facilitate development on the remaining vacant buildable lots in the city in a manner consistent with adopted zoning standards.

Policy 1.4: Allow Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in all residential zones. Maintain objective standards to ensure that ADUs and JADUs are compatible with the community; minimize visual, parking, traffic, and other impacts; and respect neighborhood context.

Policy 1.5: Explore incentives to create and maintain Accessory Dwelling Units that are affordable to low and very low income households.

Policy 1.6: Encourage the conversion of existing guest houses and other habitable accessory buildings into legal ADUs.

Policy 1.7: Work with other governmental entities and the non-profit community to support the development of affordable or senior housing on the Palos Verdes Peninsula

and in nearby South Bay cities.

Policy 1.8: Maintain planning and building procedures that maximize efficiency and reduce permit processing times and high fees. Encourage public understanding of the planning and building processes to reduce project costs and delays.

GOAL 2: Maintain and enhance the quality of residential neighborhoods in Rolling Hills.

Policy 2.1: Encourage and facilitate the maintenance and improvement of existing homes.

Policy 2.2: Ensure that new housing and home improvements comply with building code and fire safety requirements.

Policy 2.3: Maintain a code enforcement program, including procedures to remediate violations.

Policy 2.4: Require the design of home improvements, additions, ADUs, and infill housing to minimize impacts on existing residences. Include objective standards in the zoning ordinance that protect visual quality, privacy, and community character.

Policy 2.5: Mitigate hazards that could potentially cause a loss of housing units in the city, including wildfires, landslides, and earthquakes. Encourage home hardening and defensible space to minimize the potential for housing loss during a natural disaster.

Policy 2.6 Prohibit the use of ADUs as short-term rentals in order to maintain their viability as permanent housing units.

Policy 2.7: Encourage weatherization, energy conservation, and renewable energy to increase energy efficiency and reduce home energy costs.

GOAL 3: Address the housing needs of older adults and others in the community with special housing needs.

Policy 3.1: Provide reference and referral services for seniors, such as in-home care and counseling for housing-related issues.

Policy 3.2: Support shared housing programs and room rentals as options for seniors to remain in the community without financial hardship.

Policy 3.3: Encourage housing opportunities for live-in care givers, domestic employees, and family members who may assist elderly or mobility-impaired residents who wish to age in place.

Policy 3.4: Consider participation in state and federal programs that assist lower income and senior households in home repair and maintenance.

Policy 3.5: Strive to meet the needs of extremely low-income Rolling Hills residents, including seniors on fixed incomes.

Policy 3.6: Encourage the retrofitting of existing Rolling Hills homes so they are accessible to the disabled, including persons with developmental disabilities. Provide reasonable accommodations in rules, policies, practices, and procedures for disabled persons to ensure equal access to housing.

Policy 3.7: Participate in countywide programs to meet the needs of unsheltered residents and others who may need emergency housing assistance.

GOAL 4: Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, disability status, or national origin.

Policy 4.1: Affirmatively further fair housing by ensuring that housing opportunities for persons of all income levels, races and ethnicities, and physical abilities are available in Rolling Hills.

Policy 4.2: Enforce all applicable laws and policies pertaining to equal housing opportunity and discrimination. Maintain third party agreements to follow-up on and correct alleged violations.

Policy 4.3 Make information on fair housing laws available to residents and realtors in the City by providing information on the City's website and print media at the City Hall public counter.

Policy 4.4: Ensure effective and informed community participation in local housing decisions. This should include special efforts to include traditionally underrepresented groups, including persons working or providing services in Rolling Hills.

Policy 4.5: Distribute affordable housing opportunities around the city by focusing on ADUs as a housing strategy.

Policy 4.6: Participate in regional forums and initiatives to promote fair housing.

6.2 Housing Implementation Plan, 2021-2029

The goals and policies set forth in the Housing Element will be implemented through a series of housing programs. Some of these programs are already underway and others will be implemented over the next eight years. This section of the Housing Element provides a brief description of each program, including measurable objectives, responsible entities, and implementation timeframes. Each of these programs has been developed consistent with HCD guidelines and State Government Code requirements.

Program 1: Annual Progress Report

As required by State law, the City will prepare and file an annual report on the progress made toward implementing its Housing Element using forms and definitions adopted by the California Department of Housing and Community Development (HCD). Guidance on the content of the report is provided by the State Office of Planning and Research. It documents the City's progress toward meeting its share of regional housing needs and efforts to remove government constraints to housing production. The report must be presented to the City Council prior to its submittal (it may be approved as a consent item).

Quantified Objective: Provide one report per year
Funding Source: City General Fund
Responsible Agency: Planning and Community Services Department
Implementation Time Frame: File by April 1 of each year

Program 2: Rancho Del Mar Opportunity Site Monitoring

In February 2021, the City adopted the Rancho Del Mar Overlay Zone on the 31-acre Rancho Del Mar (RDM) campus owned by the Palos Verdes Unified School District. As documented in Chapter 4 and Appendix B of this Housing Element, large parts of the RDM site are unimproved and vacant. The new zoning permits 16 affordable multi-family units on the site, which may be developed "by right" at a minimum density of 20 units per acre.

The City Manager will meet at least once annually with the School Superintendent to discuss the future of the site, including future development opportunities. Next steps to be pursued on the site include:

- Subdividing the site to create a separate parcel west of the PVPTA transit facility. This site could potentially be more easily marketed as a development opportunity than the 31-acre site as a whole.[1]
- Preparation of a "fact sheet" for the site, for review by the School Superintendent and School Board, highlighting the potential for multi-family housing
- Further discussions with the School Board regarding opportunities for housing on the site.
- In collaboration with the School District, make information on the site (e.g., the "Fact Sheet") available to affordable housing developers.

[1] *Subdivision is not required to develop the site—it can also be developed "as is." However, subdivision could provide an incentive for future development during the planning period.*

- Further discussions with non-profit developers regarding the opportunity to construct housing on the site, including technical assistance to developers where requested.
- Consideration of permit streamlining, CEQA clearance, and fee reductions for future affordable housing development on the site. Multi-family housing is already permitted "by right" subject to objective design standards adopted in February 2021, but further steps could be taken to reduce future development costs.

Quantified Objectives:	(1) 16 units of affordable housing on the RDM site (excludes density bonus, addressed in Program 3) (2) Annual meeting between the City Manager and School Superintendent
Funding Source:	City General Fund
Responsible Agency:	City Manager
Implementation Time Frame:	(1) Meeting with School Superintendent by end of 2022 and once annually thereafter (2) Preparation of site "fact sheet" for review by School District and School Board by June 2023 (3) Subdivision creating "western" parcel by end of 2024, subject to School Superintendent and Board approval

Program 3: No Net Loss Monitoring and Other Multi-Family Housing Opportunities

The City has identified adequate capacity to accommodate 45 units of housing, as required by the Regional Housing Needs Allocation. Sixteen of these units are on the Rancho Del Mar Site. Five are new single family homes on vacant lots (three of which are already approved). The remainder are Accessory Dwelling Units. Rolling Hills will continue to maintain General Plan and zoning designations that facilitate development of the required number of units and will continue to comply with the Housing Accountability Act in the event projects are proposed. It will also affirmatively market lower-income housing opportunities to non-residents to achieve increased housing mobility in the region.

SB 166 (2017) requires that every city maintain "adequate sites" to accommodate its RHNA by income category at all times during the eight-year Housing Element period. If a designated housing opportunity site becomes unavailable, the city must demonstrate that it still has adequate capacity on its remaining sites (e.g., "no net loss"). In the event the Rancho Del Mar site becomes unavailable to produce the housing units envisioned by the overlay zone, the City would need another suitable site to accommodate those units.

Cities generally meet the no net loss mandate by providing one or more "buffer" sites in addition to their primary sites. These sites must meet HCD criteria, including the ability to accommodate 16 units at a density of at least 20 units per acre. As demonstrated in Chapter 4, due to the lack of sewer and the community's natural hazards, Rolling Hills does not have a buffer site available. The City will continue to explore potential housing sites that could supplement the RDM site, particularly where sanitary sewer service could be made available in the future. The City will continue to rely on accessory dwelling units to meet the balance of its lower-income housing assignment, regardless.

Quantified Objectives:	(1) No net loss of housing capacity to meet RHNA at all times (2) Provide an 80% density bonus on the Rancho Del Mar site, enabling 29 units of new affordable housing instead of the 16 allowed by the base zoning.
Funding Source:	City General Fund/ Permitting Fees
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Continuous through 2029

Program 4: Add Definitions of Transitional and Supportive Housing, Residential Care Facilities, and Employee Housing, to Municipal Code

The City added these definitions during the first year of the planning period (August 2022) and the City now allows these housing types. It will continue to support diverse housing types in the future.

To comply with Government Code Section 65583(c)(3), the City of Rolling Hills was required to clarify that residential care facilities, transitional housing, and supportive housing are considered residential uses and are subject to the same restrictions that apply to the other residential uses that are allowed in a given zoning district. In other words, a single family home used as a group home for persons with disabilities is subject to the same planning and zoning requirements that apply to a single family home used by a traditional family. Most local governments have addressed this requirement by adding definitions to their zoning codes for transitional and supportive housing, as well as large and small residential care facilities.

The purpose of this program was to add those definitions to the Rolling Hills Municipal Code (Chapter 17). The definitions acknowledge that such housing is permitted in the same manner as other residential dwellings of the same type in the same zone as required by State law. The recent Code amendments also explicitly state that supportive housing shall be a use by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses. The amendments ensure that no special requirements are placed on residential care facilities with seven or more occupants, as required by State law. Definitions of low barrier navigation centers also have been added to the Code and referenced in other zoning regulations, as required by State law.

This program also included a Municipal Code Amendment to add a definition for employee housing in accordance with the California Health and Safety Code (HSC). HSC Section 17021.5 states that employee housing providing accommodations for six or fewer people shall be deemed a single family structure with a residential land use designation. It further states that employee housing may not be considered a boarding house, rooming house, hotel, dormitory, or similar term that implies that such housing is a business run for profit or differs in any other way from a single family dwelling. State law precludes a city from requiring a conditional use permit, zoning variance or other zoning variance for such housing, and stipulates that the use of a single family dwelling for six of fewer employees does not constitute a change of occupancy for building code purposes. As of August 2022, the City fully complies with this requirement.

Quantified Objectives:	Create local housing opportunities for at least six households employed in Rolling Hills (and currently living outside the city) during the planning period.
Funding Source:	City General Fund
Responsible Agency:	Planning and Community Services Department/ City Attorney

Implementation Time Frame: (1) Ordinance revisions completed in August 2022
(2) Opportunities for at least six individuals working in Rolling Hills and living elsewhere to reside in the community (in ADUs, guest houses, affordable units on the Rancho Del Mar site, etc.) by 2029

Program 5: Density Bonus Ordinance

This action was completed in August 2022.

Section 65915 of the California Government Code establishes mandatory statewide provisions for density bonuses for affordable and senior housing projects. Prior to August 2022, Rolling Hills did not currently have density bonus provisions in its Municipal Code. Historically, the City has not had multi-family housing, nor any site where multi-family housing could be constructed. With the creation of the Rancho Del Mar Overlay Zone, a developer could request a density bonus and related concessions from a developer. State standards would apply in this instance. The City has adopted provisions in its Municipal Code acknowledging the applicability of State density bonus laws in the event a request is received.

Quantified Objectives:	Application of density bonus to future affordable rental housing on Rancho Del Mar Overlay site (up to 13 additional units, assuming 100% affordable project on the site)
Funding Source:	General Fund
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Ordinance Adopted in August 2022

Program 6: Accessory Dwelling Unit (ADU) Production, Monitoring, and Incentives

As noted in Chapter 4, the City intends to meet its Regional Housing Needs Allocation of 29 lower income units through a combination of affordable housing on the Rancho Del Mar site (16 units, before density bonuses) and privately constructed and rented ADUs on scattered sites throughout the city. At least 18 ADUs should meet affordability thresholds for low and very low income households.[2] Creating opportunities for lower income households on scattered sites supports one of the main objectives of the State's Affirmatively Further Fair Housing (AFFH) requirements, which is to avoid the concentration of lower income housing in a single location. An ADU-centered strategy also responds to the lack of sanitary sewer, storm drainage, and public streets in Rolling Hills and the community's rural densities and absence of supportive services.

As stated in Chapter 4, the City approved nine ADUs in 2021 alone, including two that are projected to be affordable to lower income households based on their small size. Thus, creating additional ADUs affordable to lower income households over the next eight years is an attainable goal. The Annual Housing Progress Report should address the City's progress toward meeting this goal; if the City is falling short after two years, the strategy should be revisited and additional incentives should be developed.

Program 6 includes a number of specific elements, which are listed below:

[2] *Two ADUs meeting affordability criteria for low/very low are already under construction (see Table 4.1)*

6.1 Develop Citywide ADU Registry. The City developed an ADU registry in October 2021 and will expand it as new units are created. Currently, the registry (or data base) contains fields such as Address, Owner, month approved, square footage, and a description of each unit. This should be expanded to include information on whether the unit is occupied, the number of occupants, and the rent charged—this information would be requested from homeowners on a voluntary basis. Tracking occupancy and affordability is intended to determine how many units are serving very low- and low-income households, and to demonstrate that the City is meeting its RHNA.

6.2 Annual ADU Survey and Monitoring. The City will send an annual letter to households on the ADU roster requesting information on the status of the unit. The information will be used to prepare a summary that can be referenced as part of the City's Annual Progress Report. As part of this task, the City will also identify instances where very low or extremely low income households (including family members, domestic employees, caregivers, etc.) are residing on Rolling Hills properties and paying below market rent (or no rent). To the extent these households are occupying independent living quarters, this data provides evidence that the City is accommodating its RHNA target for very low income households.

As part of this effort, the City will also implement an annual monitoring program to ensure that the Housing Element targets for ADUs are being achieved. A determination of the City's progress toward meeting its RHNA target for 2021-2029 shall be made once per year. In the event the City is not on track to meet its target, it will consider alternative means of meeting its RHNA goals within six months of this determination. These could include additional ADU incentives, modifications to the affordable housing overlay zone, and other actions that would facilitate production of additional affordable units.

6.3 Develop Inventory of Potential ADUs. Over time, the City will develop a parcel data base of potential (or "unintended") ADUs, which are existing habitable spaces that could potentially be converted into independent dwelling units. This would include guest houses, pool houses, and similar accessory structures that are used by the primary residence. As the inventory is completed, owners would be advised of the opportunity to convert the space into a legal ADU.

6.4 Incentives for ADU Construction. The City will develop incentives for ADU construction. Different incentives may be developed for those building new homes (i.e., reduced fees for including an ADU in a new residence), those adding a new ADU on their property, and those converting existing habitable floor space into an ADU. In accordance with California Health and Safety Code (HSC), Section 65583(c)(7) (effective January 1, 2021), the City will explore the use of State CalHome, LEAP, REAP, and SB 2 funding to help local homeowners build or finance ADUs on their properties. Access to these funds typically requires rents that are affordable to low and very low-income households.

6.5 Pre-Approved ADU Plans. The City will determine its eligibility for State grant funding to develop "pre-approved" plans for ADUs that can be used by Rolling Hills residents. These architect-developed plans would be specifically tailored to meet the RHCA design guidelines and would respond to the topography and access constraints found on most Rolling Hills lots. Enabling homeowners to use pre-approved plans may reduce architectural design costs, and potentially reduce construction costs. This can make ADUs more feasible and allow them to be rented more affordably.

6.6 Coordination with RHCA. The City will coordinate with the Rolling Hills Community Association to ensure that RHCA's design review practices and procedures do not constrain ADU construction or add to their costs. City staff will meet with RHCA staff and the RHCA Architectural Committee regularly to coordinate review, advise RHCA of State laws relating to ADUs, and address any issues that may arise in the future. The City will also work with the Rolling Hills Community Association to explore reduction of annual HOA fees for property owners agreeing to limit rents on their ADUs.

6.7 Septic Tank Replacement Grants or Financial Assistance. The City will pursue funding for a grant which can be used to assist homeowners with septic tank replacement when paired with the addition of an ADU. The grants would be targeted to lower income households and seniors who may seek to add an ADU but lack the financial resources to replace their septic tanks.

6.8 Non-Profit Construction of ADUs. The City will explore the possibility of engaging a non-profit housing developer in a program to develop ADUs in partnership with interested Rolling Hills property owners. Participation could be limited to qualifying lower income residents, or to homeowners who agree to limit rents to levels that are affordable to lower income households. Such a program was successfully implemented by the City of Santa Cruz, in collaboration with Habitat for Humanity, and could be considered locally.

6.9 Monitor Best Practices in ADUs. The City will continue to track statewide and national trends in ADU management, incentives, and regulations. The focus will be on cities in California that are comparable to Rolling Hills in density, character, and constraints, with an eye toward cities that are relying on ADUs to meet a substantial share of their RHNA for lower income households. Programs that are potentially transferable to Rolling Hills will be considered for local implementation. The City is currently working with the South Bay Cities Council of Governments on an ADU research study, including a state-funded "ADU Acceleration Project" to explore ways to promote ADUs in southern LA County cities.

6.10 Update Municipal Code Provisions for ADUs. This action was completed in August 2022. The City has updated its ADU ordinance to reflect changes to State law made since the last revision to the ordinance in February 2020. This included eliminating references to a maximum bedroom count in an ADU and including provisions for complete applications to be deemed approved if they are not acted upon within 60 days.

6.11 Outreach to ADU Permit Recipients. The City will monitor ADU approvals, including six-month "check-ins" with all applicants receiving ADU permits until the units are completed. These check-ins will include status updates on the projects, including whether a building permit has been issued and what progress is being made. In the event an applicant chooses not to follow through on an approved ADU, staff will make an effort to document the reasons and evaluate any changes that might be made to the City's ADU program to improve completion rates. This information should be part of the City's annual housing progress report.

In addition to the specific measures listed above, City staff will continue to assist homeowners who are interested in adding an ADU, and will work with applicants to facilitate ADU review, permitting, and approval.

Quantified Objectives:	(1) Citywide ADU registry of 40 ADUs by 2029, including at least 18 ADUs rented at levels meeting affordability criteria for lower income households (2) ADU Survey, administered once a year (3) Inventory of potential ADUs (4) ADU Incentives (5) Two to four pre-approved ADU architectural plans (6) Municipal Code Revisions (see 6.10 above) -- Completed (7) 100% completion of ADUs receiving permits (8) Seven ADUs/guest houses constructed by non-profits by 2029 (see 6.8 above and Program 9 below)
Funding Source:	City General Fund/ State grants
Responsible Agency:	Planning and Community Services Department/ City Attorney
Implementation Time Frame:	(1) Rosters and Surveys prepared by 2022 and updated annually (2) ADU incentives by 2023 (3) Approved architectural plans by 2024, or as funding allows (4) Amend Municipal Code Chapter 17.28 (Accessory Dwelling Units) for consistency with State law by August 2022 (this action has been completed) (5) Establish protocol for 6-month check-ins with ADU permit recipients by January 1, 2023 (6) Annual monitoring report on ADU production

Program 7: Accessory Dwelling Unit (ADU) Outreach, Education, and Information

Program 7 addresses public outreach, education, and information on ADUs. Like Program 6, it has multiple elements.

7.1 Biennial Mailing. The City will send or help coordinate a mailing to all households in Rolling Hills at least once every two years advising them of the opportunity to create an ADU, the potential benefits of having an ADU, and potential incentives in the event the ADU will be occupied by a household worker, caregiver, family member, or other household meeting the definition of a low or very low income household. The mailing may consist of an article in the City's monthly newsletter, or could be included as a component of the South Bay Cities COG efforts to encourage ADU production. The City is one of 15 cities participating in this program.

7.2 Website. The City will develop a landing page on its website with information on ADU opportunities ("Thinking about building an ADU?"). The website landing page will include information on the types of ADUs an owner may consider (detached, attached, junior, etc.), the typical cost and cost considerations, financing options, tax implications, development standards, tenant selection, and so on. The information should also be provided in printed form for interested homeowners.

7.3 RHCA Design Guidelines Update. The City will work with the Rolling Hills Community Association to facilitate an update of the RHCA Design Guidelines so that they address ADUs. Currently, the Guidelines do not acknowledge ADUs at all. The Update would provide objective design standards for ADUs that are consistent with Rolling Hills zoning standards as well as the design guidelines that currently apply.

Quantified Objectives:	(1) Outreach mailer to 639 households (at least once every 2 years) (2) Creation of 40 new ADUs by 2029 (5 per year)
Funding Source:	City General Fund, State grants
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	(1) First mailing by March 2023 (2) Website update by June 2023 (3) Update of design guidelines by 2024

Program 8: Assist Senior and Disabled Households

The City will continue to address the housing needs of seniors and persons with disabilities by connecting those in need with social service agencies, non-profits, volunteer organizations, and other service providers, and by coordinating with the RHCA in the services and programs it provides. As noted in the Needs Assessment, more than one-third of the city's residents are over 65 and about 10 percent have one or more disabilities. The City will work with seniors, especially those on fixed incomes, to evaluate housing needs and resources. Within 18 months of Housing Element adoption, the City Council will convene a study session jointly with the RHCA Needs of Seniors Committee and at least one local non-profit serving seniors (such as Peninsula Seniors) to discuss the needs of Rolling Hills seniors and potential programs to address these needs.

Several of the programs listed elsewhere in this Element (shared housing, assistance with home maintenance, reduced utility rates, etc.) are primarily intended to benefit lower income seniors. The City also will support expanded opportunities for persons with disabilities, including the use of universal design principles and accessibility standards in new construction and ADUs. As part of this program, Rolling Hills will also work with the Harbor Regional Center to implement outreach services to Rolling Hills families on services available to persons with developmental disabilities. The City's website will be updated to include links to housing and supportive services for seniors and disabled persons.

Quantified Objectives:	Website landing page with senior housing resources Facilitate age-in-place retrofits for 10 senior households City Council study session on needs of seniors and potential actions to assist Rolling Hills seniors
Funding Source:	City General Fund
Responsible Agency:	Planning and Community Services Department/ City Manager
Implementation Time Frame:	June 2023 (for website) Council Study Session before December 2023

Program 9: Assist Extremely Low-Income Households

Extremely Low Income (ELI) households have incomes that 30 percent or less of the County median. In 2021, the income thresholds for ELI were $24,850 for a household of one; $28,400 for a household of two; $31,950 for a household of three; and $34,450 for a household of four.

Based on CHAS data, there are 25 ELI households in Rolling Hills, representing about 3.5 percent of the city's households. The CHAS data indicated that all 25 of these households were homeowners, suggesting they are primarily seniors on fixed incomes. The City will explore ways to assist Rolling Hills homeowners on fixed incomes with home maintenance, repair, and retrofit activities. It will also direct these households to appropriate resources, such as shared housing services and programs to reduce utility costs.

There are additional ELI households in Rolling Hills that may not be counted in the Census data, including extended family members living in independent quarters on a property, or domestic employees (housekeepers, au pairs, personal assistants, etc.) living in guest houses, accessory buildings, or in separate quarters within the primary residence. The City will address the needs

of these households by prioritizing applications for ADUs and encouraging homeowners to create opportunities for domestic employees and family members to live "on site."

A study sponsored by SCAG in 2020 determined that 15 percent of the ADUs in the coastal Los Angeles area were likely to be available at rents affordable to Extremely Low Income Households.[3] A 2018 study further found that 17% of the ADUs in Portland, Seattle, and Vancouver were occupied by a friend or family member for free.[4] A 2014 study found that 18% of the ADUs in Portland were occupied for free or extremely low cost.[5] A 2012 UC Berkeley publication indicates that up to half of all ADUs are occupied at no cost.[6]

Based on these analyses, the City is estimating that seven "rent free" or extremely low income rentals will be added to the Rolling Hills housing stock by 2029. It will seek to document and measure progress toward this objective by soliciting voluntary reporting of such units by individual homeowners. As noted in Program 6.2, an annual survey is proposed to be administered to all registered ADU owners in the city. This would enable tracking of rent-free or reduced rent ADUs.

Quantified Objectives:	Provide seven housing units affordable to Extremely Low Income
Funding Source:	City General Fund/ Permitting Fees
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Prepare inventory of Extremely Low Income (ELI) units by 2024, update annually Facilitate housing assistance to at least seven ELI homeowners by 2029

Program 10: Support Regional Efforts to End Homelessness

Extremely low-income persons also include those who are homeless or may be at risk of becoming homeless. Although the point-in-time surveys for the last five years have not counted any homeless residents in Rolling Hills, the City recognizes that homelessness is a regional problem that requires regional solutions. Rolling Hills will continue to allow emergency shelters and single room occupancy hotels in the Rancho Del Mar Overlay Zone and will monitor the effectiveness of its regulations in its Annual Housing Progress Report.

The City will continue to work with adjacent communities on emergency shelter referrals. As a member of SCAG and the South Bay Cities COG, staff and elected officials participate in forums and discussions of homelessness, and potential programs and resources to end homelessness and increase the supply of shelter, transitional, and supportive housing in Greater Los Angeles.

[3] *SCAG Regional Accessory Dwelling Unit Affordability Analysis, 2020*
[4] *Jumpstarting the Market for ADUs. Terner Center (for ULI), San Francisco, 2018*
[5] *ADUs in Portland OR. Environmental Solutions Management, 2014*
[6] *Scaling Up Secondary Unit Production in the East Bay. Berkeley Institute of Regional Development, 2012*

Quantified Objectives: Participation in point in time surveys; participation in at least one regional meeting annually on strategies to end homelessness
Funding Source: City General Fund/ Permitting Fees
Responsible Agency: Planning and Community Services Department/ City Manager
Implementation Time Frame: Ongoing, 2021 through 2029

Program 11: Permit Streamlining

The City will continue its efforts to expedite permit processing, ensure efficiency, and reduce administrative and processing costs for new development. This could include provisions for reduced fees for ADUs that are rented at below market levels, or occupied by qualifying lower income households. As part of the annual budgeting process, the City will ensure that fees are appropriate for the services provided, and will consider ways to improve the permitting and entitlement processes.

This program includes working with LA County Building and Safety to receive periodic updates on the status of active building permits in Rolling Hills. While this data is available on-line through the County's website, it is not consistently updated or made available in a format that allows the City to easily track the status of entitled projects. The City will use this data to identify approved housing units (including ADUs) that have been entitled but not yet constructed so that it may follow up with owners in the event of permitting delays.

Quantified Objectives: Compliance with all provisions of the Permit Streamlining Act
Funding Source: City General Fund/ Permitting Fees
Responsible Agency: City Manager/ Finance Director/ Planning and Community Services Department/ LA County Building and Safety
Implementation Time Frame: Ongoing, 2021 through 2029

Program 12: Facilitate Communication with Affordable Housing Service Providers, Developers, and Advocates

The City of Rolling Hills periodically receives requests from housing advocates, non-profit developers, and service providers to disseminate information on affordable housing needs and opportunities and work collaboratively to address housing issues. City planning staff regularly field requests from for-profit and non-profit developers, participate in regional housing meetings and discussions, and work with other cities to explore creative, effective ways to meet housing needs. In the event a non-profit agency or developer wishes to submit a grant application that will increase housing affordability for senior or low-income Rolling Hills residents, staff will provide administrative support wherever possible.

Quantified Objective: Hold at least one meeting a year with one or more non-profit housing sponsors to discuss housing opportunities and needs in Rolling Hills
See also Programs 8, 13, and 15
Funding Source: General Fund
Responsible Agency: Planning and Community Services Department
Implementation Time Frame: Convene one meeting before December 2022. Convene additional meetings at least once a year from 2023 to 2029.

Program 13: Home Sharing

Shared housing enables homeowners to offset their housing costs by receiving rent, or get additional help in managing housing duties. It also creates a resource for lower income households in the community, including college-aged students and young adults, caregivers, domestic workers, landscapers and building industry workers, child care workers, teachers, and other public service employees. It can also be a resource for seniors, some of whom may no longer wish to live alone or lack the financial resources to live alone.

Residents in Rolling Hills have access to two nearby home sharing programs: Focal Point at the South Bay Senior Services Center in Torrance and the Anderson Senior Center in San Pedro. Both these centers offer resources to assist seniors locate roommates interested in sharing housing. These programs make roommate matches between seniors based on telephone requests.

Numerous other home sharing services have emerged over the last decade. These include SHARE! Collaborative Housing, a public-private partnership supporting shared single family housing for persons with disabilities in Los Angeles County; Affordable Living for the Aging, which matches younger single tenants with seniors in Los Angeles County; and Los Angeles County HomeShare, which serves residents of all ages throughout the County. There are also private services such as Silverleaf (Long Beach) that facilitate home sharing for a fee.

The City will continue to apprise residents about shared housing programs by providing information at the public counter and online, including an article in the City Newsletter in 2023. It will also proactively meet with at least one non-profit home-sharing service provider in 2023 to discuss opportunities in Rolling Hills.

Quantified Objectives:	Continue to provide informational brochures advertising shared housing programs at City Hall and on the City's website At least eight non-resident households participating in a non-profit managed home sharing program enabling them to reside in Rolling Hills by 2029
Funding Source:	City General Fund
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Provide article and meet with home sharing service in 2023

Program 14: Sewer Feasibility Studies and Phase One Construction

As indicated in Section 5.3.5 of this Housing Element, Rolling Hills does not have a sanitary sewer system. With a few exceptions, the entire city is served by private septic systems. Septic system installation is costly and requires customized design to reflect steep terrain. The cost of installing sanitary sewers and storm drains would be even more costly, as it would likely require easements, force mains, and lift stations.

The City recently completed design drawings for a sanitary sewer extension through adjacent Rolling Hills Estates that will bring service to Rolling Hills City Hall and the Tennis Courts. A future phase of this project could continue southward along Portuguese Bend Road, allowing some Rolling Hills homes and a number of vacant properties to be served by sewer. A survey done by the City in 2021 indicated there was strong support for a sewer extension project, contingent on the cost to each homeowner. There is currently no funding source for such an extension. Grant funding would be required, as it would reduce the cost burden on homeowners and make the project more feasible.

The City will continue to work toward addressing this constraint during the 2021-29 planning period. This includes:

- Developing the initial phase of the project, serving City Hall and the Tennis Courts
- Conducting feasibility and cost studies for a future phase to serve privately owned homes and parcels in the northern part of Rolling Hills
- Pursuing funding for future phases
- Continuing to poll Rolling Hills residents on their level of support for the project

In addition, the City continues to monitor water quality issues related to its MS 4 permit for stormwater discharge. Efforts to address runoff quality and implement best management practices to reduce pollution are ongoing and will continue.

Quantified Objective:	(1) Complete 1,585-foot sanitary sewer extension to City Hall/ Tennis Courts (Phase I) (2) Complete feasibility / cost study of sanitary sewer extension (3) Obtain grants for Phase I project construction (4) Updated “Will Serve” letter from the Los Angeles County Sanitation District, indicating ability to accept effluent from 235 existing homes upon completion of future phase sewer system
Funding Source:	General Fund/ State grants
Responsible Agency:	City Manager
Implementation Time Frame:	Complete Phase I by 2024 Determine viability of future phases and available grants by 2023

Program 15: Pursue Grants for Minor Home Repair Program

At least once every two years, the City should re-evaluate the feasibility of joining the Los Angeles Urban County CDBG program in order to create a funding source for home improvements for qualifying lower income Rolling Hills residents. In the event the City finds that the amount of funding it will receive exceeds the costs of administering the program (including staffing and reporting requirements), the City will participate in the program. Available funds will be used to improve housing conditions for lower income or senior Rolling Hills residents, including:

- Grants for minor home repair and rehabilitation projects, including electrical, plumbing, and heating repairs; health and safety improvements; and energy efficiency improvements;
- Grants to facilitate "aging in place" for lower income seniors and residents with disabilities;
- Grants for septic system repair for lower income homeowners seeking to add an ADU

If the City determines that CDBG participation is not viable, it will pursue other funding sources that could support a similar grant program for lower-income Rolling Hills homeowners. This could include administration of home repair grants by another entity (such as South Bay Cities COG) or a local non-profit.

Quantified Objectives:	Minor home repair/ age-in-place/ septic tank replacement assistance to at least ten lower-income or senior Rolling Hills households
Funding Source:	LA Urban County CDBG Program/ State grants
Responsible Agency:	City Manager/ Finance Director
Implementation Time Frame:	By 2023, and every two years thereafter

Program 16: Code Enforcement

The City will continue code enforcement and nuisance abatement activities to ensure the safety and habitability of housing in Rolling Hills. While property maintenance in Rolling Hills is excellent, there is a need for ongoing enforcement of planning and building codes. The City has a "Code Enforcement" webpage with online forms for reporting suspected violations, including those relating to vegetation management and outdoor lighting as well as unpermitted construction or nuisances. Periodic information on code enforcement resources and requirements is also provided to residents through the City's monthly newsletter.

Quantified Objective:	Respond to 100 percent of resident Code Enforcement inquiries
Funding Source:	General Fund
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Ongoing, 2021-2029

Program 17: Reduce Home Energy Costs

Energy bills can be a significant cost burden, particularly for households on fixed incomes with large homes to heat and cool. The City has adopted the Green Building Code and enforces Title 24 energy efficiency requirements through its contract with the Los Angeles County Department of Building and Safety. New residential projects, including new homes, ADUs, renovations, and additions, will continue to be required to meet Title 24 standards. These requirements result in energy savings which reduce gas and electric consumption and home utility bills.

Rolling Hills also works with Southern California Edison to distribute information to residents on energy conservation and weatherization, including information on financial assistance and lower utility rates for low-income customers. The City will provide links on its website to assist lower income residents in accessing information on reduced utility rates. Rolling Hills is also a member of the South Bay Environmental Services Center, which provides information on energy incentives, audits and rebates. These programs will continue in the future.

The City will also support resident installation of solar energy systems. A growing number of Rolling Hills homeowners have installed photovoltaic panels, increasing energy independence and resilience while reducing home energy costs.

Quantified Objective:	(1) Provide links on City website related to energy conservation, weatherization, and financial assistance (2) Adopt updated Building Code standards for energy efficiency
Funding Source:	General Fund, LIHEAP
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Website Update, with links: Complete by January 2023

Program 18: Facilitate New Construction and Home Improvements

The City will continue to work with property owners, architects, and builders to enable new housing to be built in the City. Continued cooperation and communication between City staff, applicants, and neighbors will facilitate the construction of new housing. The City is committed to efficient planning, building, and inspection procedures, and regularly seeks ways to improve the process and reduce delays.

With few vacant lots remaining, most construction projects in Rolling Hills consist of home additions, repairs and modernization, or replacement of existing dwellings. Continued investment in Rolling Hills housing stock is strongly encouraged and will continue to be supported in the future. Although the City does not provide direct financial assistance to lower income homeowners, it assists owners in keeping costs down through permit streamlining and fees that are generally below average compared to other cities in Los Angeles County.

Quantified Objective:	5 new single family homes (above moderate income)
Funding Source:	Private Funds (Permitting Fees)
Responsible Agency:	Planning and Community Services Department, LA County Building and Safety
Implementation Time Frame:	Objective covers the period from 2021 through 2029

Program 19: Remediate Geologic Hazards

The City will continue to explore solutions to ground stability and landslide problems. Grading, new structures and additions typically require a soils and geology report along with grading and building permits. The City has developed strict grading practices that limit grading to no more than 40 percent of the lot and require maintenance of natural slopes. These practices are necessary to safeguard the public against ground instability.

The City will support repair work on landslide-damaged homes and hillsides that have been damaged or compromised by past landslides. The City will strive to avoid further loss of its housing stock as a result of natural disasters, including landslides and wildfires.

Quantified Objective:	Geologic studies for new development and major grading permits
Funding Source:	City General Fund
Responsible Agency:	Planning and Community Services Department/ City Manager
Implementation Time Frame:	On-going, 2021 to 2029

Program 20: Fair Housing Services Program Administration

The City will complete a Fair Housing Outreach and Enforcement Options Memorandum to determine options for ensuring that existing and prospective residents have access to fair housing services, and that property owners are apprised of Fair Housing laws and practices. This could include an agreement with a third party fair housing services provider to promote and affirmatively further fair housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, disability, or other characteristics protected by state and federal fair housing law. Other alternatives for outreach, education, and enforcement also may be considered. Based on the findings of the Memorandum, the City will implement Fair Housing measures, including Programs 21 and 22 described below.

Quantified Objective:	At least five households assisted
Funding Source:	General Fund
Responsible Agency:	City Manager
Implementation Time Frame:	Complete memorandum by June 2023

Program 21: Fair Housing Outreach and Affirmative Marketing

The City will provide information on fair housing resources on its website, including links to fair housing services. Other outreach measures to be implemented include posting regulations regarding housing discrimination, as well as phone contacts, at City Hall and periodically providing this information in the City's newsletter.

The City will also provide a referral process for any person who believes they have been denied access to housing because of their race, sex, marital status, ancestry, national origin, color, familial status or disability. In the event a complaint is received, the City will refer the party to a fair housing service provider for follow up and work with the complainant to resolve the issue.

In addition, the City will affirmatively market future housing opportunities in the city by:

- Requiring an affirmative marketing plan for any affordable multi-family development created in the Rancho Del Mar Overlay Zone. Such a plan would be prepared by the project's developers and would ensure that future units are marketed to attract occupants who are demographically diverse, including lower-income households in other parts of the South Bay and Los Angeles County.

- Developing materials for Rolling Hills residents who may be seeking tenants for their ADUs, which will be provided to ADU applicants at the time they apply for a building permit or ADU permit. These affirmative marketing materials will include contact information for housing service providers and non-profit housing organizations that serve lower-income tenants in the surrounding region. Interested residents can use these materials to find prospective tenants in a larger market area than the Palos Verdes Peninsula, including residents of all races, ethnicities, ages, and abilities.

Quantified Objective:	(1) At least 50% of future occupants of affordable housing created on the RDMO site are from outside Rolling Hills. (2) At least 50% of future ADU occupants are from outside Rolling Hills (to be measured through the ADU survey described in Program 6.2)
Funding Source:	General Fund
Responsible Agency:	City Manager, Planning and Community Services Director
Implementation Time Frame:	Ongoing, 2021-2029. Website update by December 2022.

Program 22: Fair Housing Training for Staff

At least one City staff member will attend an on-line fair housing certification training class on an annual basis. These classes are typically three-hour sessions in which participants are informed and educated about federal and California fair housing laws, compliance, and illegal housing practices. The trainings cover prohibited and best practices, including language guidance for advertising housing for sale or for rent, and protected classes under federal and California law.

In addition, the City will regularly evaluate the need for multi-lingual services, including translation of material on its website into other languages. It will also continue to implement its reasonable accommodations ordinance and monitor data on persons with disabilities in the city to ensure that barriers to mobility are eliminated to the greatest extent possible.

Quantified Objective:	(1) At least one Rolling Hills staff member participates in on-line Fair Housing training each year through 2029 (2) At least one presentation on fair housing is delivered to the City Council in a noticed public hearing, attended by at least 10 residents
Funding Source:	General Fund
Responsible Agency:	City Manager
Implementation Time Frame:	2023

Program 23: Written Procedures for SB 35 Projects

As required by State law, the City will prepare written procedures and application materials for projects seeking to use SB 35. Affordable multi-family housing development on the Rancho Del Mar site would be potentially eligible. The procedures would follow the provisions established by the Affordable Housing Overlay Zone, and include the objective standards and application procedures identified when that zone was adopted. Once completed, the information will be included as a PDF link on the Planning and Community Services Department website for easy access.

Quantified Objective:	Posted information on SB 35, including application form
Funding Source:	General Fund
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Complete by December 31, 2022

Program 24: Updating of Linked Files on Planning and Community Services Department Landing Page

AB 1483 requires that every city post current information on fees, zoning standards, design guidelines, processes and procedures, nexus studies and other pertinent information on its website. Although Rolling Hills complies with this requirement today, reorganization of the material could provide greater clarity and easier access to this information. For example, the website could include a link to the RHCA design guidelines, as well as updated flow charts and graphics showing approval processes. As noted under Program 7.2, the website also should include dedicated information about Accessory Dwelling Units (ADUs) and the steps residents can take to add an ADU on their property.

Quantified Objective:	Reorganized and updated Planning and Community Services Department website
Funding Source:	General Fund
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Complete by December 31, 2023

6.3 Summary of 2021-2029 Quantified Objectives

Table 6.1 provides quantified objectives for housing construction, rehabilitation, and conservation by income group. The new construction objectives align with the RHNA numbers that appear earlier in the Housing Element. The rehabilitation objective aims to assist 10 very low-income or senior households over the eight-year period. The conservation and preservation objectives correspond to the approximate number of households in Rolling Hills by income group based on Census data. The objectives aim to preserve housing for 100 percent of these households. There are no housing units in Rolling Hills that are at risk of conversion from affordable to market-rate.

Table 6.1: Quantified Objectives by Income Group for Rolling Hills (2021-2029)

Income Category	New Construction	Rehabilitation	Conservation/ Preservation
Extremely Low [1]	7	5	25
Very Low [2]	13	5	45
Low [2]	9		45
Moderate	11		25
Above Moderate	5		500
Total Housing Units	**45**	**10**	**640**

Source: SCAG Adopted Regional Housing Needs Determinations (November 2012)

[1] City's RHNA for "Very Low" income is 20 units. This has been allocated proportionally to "Extremely Low" and "Very Low" based on Table 3.8, which indicates the current proportion of "Very Low" income households in these two groups. Extremely low income households represent 35% of the "very low" total.

[2] The new construction objectives shown in Table 6-1 correspond to the City's total RHNA. In addition to these units, the City is aiming to exceed the low- and very low-income targets shown here through a density bonus on the Rancho Del Mar site and the construction of ADUs beyond those shown in the table. Distribution of 40 ADUs by income is estimated at 18 lower income units, 15 moderate-income units, and 7 above moderate-income units.

Table 6.2 summarizes the 24 Housing Element programs listed in this chapter. It includes a quantified objective and timeframe for each program, as presented above.

Table 6.2: Housing Element Action Plan Summary

#	Program	Timing	Quantified Objective
1	Prepare Annual Progress Report on Housing Element implementation	Annually, by April 1	One Report per year
2	Facilitate affordable housing on Rancho Del Mar Housing Opportunity site	• Annual meeting with School Superintendent • Subdivision by 2024	16 lower-income units by 2029
3	No net loss monitoring/ other housing opportunities	Continuous, through 2029. Address in Annual Report.	• No net loss of housing capacity for duration of planning period • 13 affordable density bonus units on Rancho Del Mar site (29 total)
4	Add definitions of transitional, supportive, employee housing and residential care facilities to Municipal Code	August 2022	• Council action adopting definitions and identification of permitted uses (COMPLETED) • Opportunities for 6 non-residents employed in city to reside in Rolling Hills (in ADUs, etc.)
5	Adopt density bonus provisions in Municipal Code	August 2022	• Council action adopting density bonus provisions (COMPLETED). • 13 density bonus units by 2029 (on Rancho Del Mar site)
6	Accessory Dwelling Unit production, monitoring, and production	• Updated ADU ordinance by August 2022 • ADU Roster in 2021 • Annual ADU survey, starting in 2022 • Pre-approved plans in 2024 • ADU incentives in 2023 • Annual monitoring program (2023)	40 ADUs by 2029, including at least 18 ADUs affordable to lower income households
7	Accessory Dwelling Unit Outreach, Education, and Information	• First biennial mailing by end of 2022 • Website update by 6/23 • Update of design guidelines by 2024	• Outreach mailer to 639 households • ADU website landing page • ADU section added to RHCA Guidelines
#	Program	Timing	Quantified Objective

8	Assist senior and disabled households	• Website update by 6/23 • Housing assistance during 2021-2029	Assist 10 lower income or senior households with age in place retrofits
9	Assist extremely low income households	• Prepare inventory of ELI units by 2024	7 ADUs affordable to ELI households
10	Support regional efforts to end homelessness	Ongoing	• Participate in point-in-time surveys • Attend one mtg a year
11	Permit streamlining	Ongoing	Compliance with Permit Streamlining Act
12	Facilitate communication with affordable housing service providers, developers, and advocates	By December 2022	• Convene at least one meeting a year • See Programs 8, 13, 15
13	Home Sharing	By December 2022	• Provide information on website, plus print media resources • Eight shared housing arrangements
14	Sewer feasibility studies and Phase I construction	Phase I construction (serving City Hall) by 2024	• Sewer extension to City Hall/ Tennis Courts • Feasibility study for sewer extension • “Will serve” letter for 235 existing homes
15	Consider participation in Urban County CBDG Program	By 2023	Minor home repair/septic tank replacement assistance to 10 lower income or senior households
16	Code enforcement	Ongoing	100% follow up
17	Reduce home energy costs	By 2023	Website update
18	Facilitate new construction and home improvements	Ongoing	5 market-rate single family homes (including 3 already approved)
19	Remediate geologic hazards	Ongoing	Geologic studies for new development
20	Fair housing program administration	Develop fair housing compliance program by December 2022	Assist five households

#	Program	Timing	Quantified Objective
21	Fair housing outreach and affirmative marketing	Website update by December 2022	• At least 50% of future occupants of affordable housing created on the RDMO site are from outside Rolling Hills • At least 50% of future ADU occupants are from outside Rolling Hills
22	Fair housing training for City staff	Initiate in 2022	• Training for one staff member annually • Noticed presentation to City Council attended by at least 10 residents
23	Prepare written instructions for SB 35 applications	Complete by December 31, 2022	Guidance memo and application form
24	Update Planning and Community Services website	Complete by December 31, 2023	Updated website

6. Housing Goals, Policies, Objectives, and Programs

Chapter 6 provides the City's housing plan for the next eight years. The plan has three components:

- A statement of the City's goals and policies for housing. The goals and policies balance State mandates and Government Code requirements with local needs and priorities.
- An action program. The action program identifies the specific, measurable steps the City will take during 2021-2029 to implement the policies.
- Measurable objectives for housing production. These objectives correspond to the City's Regional Housing Needs Allocation (RHNA) and also include numeric targets for housing rehabilitation and conservation.

6.1 Goals and Policies

The following goals and policies reflect the City's continued commitment to actively support residential development and plan for the City's fair share of regional housing needs:

GOAL 1: Provide housing opportunities which meet the needs of existing and future Rolling Hills' residents.

Policy 1.1: Accommodate Rolling Hills' share of the region's housing needs in a way that protects public safety, responds to infrastructure constraints and natural hazards, recognizes market conditions, and respects the historic context and land use pattern in the city.

Policy 1.2: Allow the development of a variety of housing types in the city, including multi-family housing. While Rolling Hills will remain a rural equestrian community, housing opportunities will be provided for all income groups as required by State law.

Policy 1.3: Facilitate development on the remaining vacant buildable lots in the city in a manner consistent with adopted zoning standards.

Policy 1.4: Allow Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in all residential zones. Maintain objective standards to ensure that ADUs and JADUs are compatible with the community; minimize visual, parking, traffic, and other impacts; and respect neighborhood context.

Policy 1.5: Explore incentives to create and maintain Accessory Dwelling Units that are affordable to low and very low income households.

Policy 1.6: Encourage the conversion of existing guest houses and other habitable accessory buildings into legal ADUs.

Policy 1.7: Work with other governmental entities and the non-profit community to support the development of affordable or senior housing on the Palos Verdes Peninsula

and in nearby South Bay cities.

Policy 1.8: Maintain planning and building procedures that maximize efficiency and reduce permit processing times and high fees. Encourage public understanding of the planning and building processes to reduce project costs and delays.

GOAL 2: Maintain and enhance the quality of residential neighborhoods in Rolling Hills.

Policy 2.1: Encourage and facilitate the maintenance and improvement of existing homes.

Policy 2.2: Ensure that new housing and home improvements comply with building code and fire safety requirements.

Policy 2.3: Maintain a code enforcement program, including procedures to remediate violations.

Policy 2.4: Require the design of home improvements, additions, ADUs, and infill housing to minimize impacts on existing residences. Include objective standards in the zoning ordinance that protect visual quality, privacy, and community character.

Policy 2.5: Mitigate hazards that could potentially cause a loss of housing units in the city, including wildfires, landslides, and earthquakes. Encourage home hardening and defensible space to minimize the potential for housing loss during a natural disaster.

Policy 2.6 Prohibit the use of ADUs as short-term rentals in order to maintain their viability as permanent housing units.

Policy 2.7: Encourage weatherization, energy conservation, and renewable energy to increase energy efficiency and reduce home energy costs.

GOAL 3: Address the housing needs of older adults and others in the community with special housing needs.

Policy 3.1: Provide reference and referral services for seniors, such as in-home care and counseling for housing-related issues.

Policy 3.2: Support shared housing programs and room rentals as options for seniors to remain in the community without financial hardship.

Policy 3.3: Encourage housing opportunities for live-in care givers, domestic employees, and family members who may assist elderly or mobility-impaired residents who wish to age in place.

Policy 3.4: Consider participation in state and federal programs that assist lower income and senior households in home repair and maintenance.

Policy 3.5: Strive to meet the needs of extremely low-income Rolling Hills residents, including seniors on fixed incomes.

Policy 3.6: Encourage the retrofitting of existing Rolling Hills homes so they are accessible to the disabled, including persons with developmental disabilities. Provide reasonable accommodations in rules, policies, practices, and procedures for disabled persons to ensure equal access to housing.

Policy 3.7: Participate in countywide programs to meet the needs of unsheltered residents and others who may need emergency housing assistance.

GOAL 4: Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, disability status, or national origin.

Policy 4.1: Affirmatively further fair housing by ensuring that housing opportunities for persons of all income levels, races and ethnicities, and physical abilities are available in Rolling Hills.

Policy 4.2: Enforce all applicable laws and policies pertaining to equal housing opportunity and discrimination. Maintain third party agreements to follow-up on and correct alleged violations.

Policy 4.3 Make information on fair housing laws available to residents and realtors in the City by providing information on the City's website and print media at the City Hall public counter.

Policy 4.4: Ensure effective and informed community participation in local housing decisions. This should include special efforts to include traditionally underrepresented groups, including persons working or providing services in Rolling Hills.

Policy 4.5: Distribute affordable housing opportunities around the city by focusing on ADUs as a housing strategy.

Policy 4.6: Participate in regional forums and initiatives to promote fair housing.

6.2 Housing Implementation Plan, 2021-2029

The goals and policies set forth in the Housing Element will be implemented through a series of housing programs. Some of these programs are already underway and others will be implemented over the next eight years. This section of the Housing Element provides a brief description of each program, including measurable objectives, responsible entities, and implementation timeframes. Each of these programs has been developed consistent with HCD guidelines and State Government Code requirements.

Program 1: Annual Progress Report

As required by State law, the City will prepare and file an annual report on the progress made toward implementing its Housing Element using forms and definitions adopted by the California Department of Housing and Community Development (HCD). Guidance on the content of the report is provided by the State Office of Planning and Research. It documents the City's progress toward meeting its share of regional housing needs and efforts to remove government constraints to housing production. The report must be presented to the City Council prior to its submittal (it may be approved as a consent item).

Quantified Objective: Provide one report per year
Funding Source: City General Fund
Responsible Agency: Planning and Community Services Department
Implementation Time Frame: File by April 1 of each year

Program 2: Rancho Del Mar Opportunity Site Monitoring

In February 2021, the City adopted the Rancho Del Mar Overlay Zone on the 31-acre Rancho Del Mar (RDM) campus owned by the Palos Verdes Unified School District. As documented in Chapter 4 and Appendix B of this Housing Element, large parts of the RDM site are unimproved and vacant. The new zoning permits 16 affordable multi-family units on the site, which may be developed "by right" at a minimum density of 20 units per acre.

The City Manager will meet at least once annually with the School Superintendent to discuss the future of the site, including future development opportunities. Next steps to be pursued on the site include:

- Subdividing the site to create a separate parcel west of the PVPTA transit facility. This site could potentially be more easily marketed as a development opportunity than the 31-acre site as a whole.[1]
- Preparation of a "fact sheet" for the site, for review by the School Superintendent and School Board, highlighting the potential for multi-family housing
- Further discussions with the School Board regarding opportunities for ~~teacher~~ housing ~~and/or senior housing~~ on the site.
- In collaboration with the School District, make information on the site (e.g., the "Fact Sheet") available to affordable housing developers.

[1] *Subdivision is not required to develop the site—it can also be developed "as is." However, subdivision could provide an incentive for future development during the planning period.*

- Further discussions with non-profit developers regarding the opportunity to construct housing on the site, including technical assistance to developers where requested.
- Consideration of permit streamlining, CEQA clearance, and fee reductions for future affordable housing development on the site. Multi-family housing is already permitted "by right" subject to objective design standards adopted in February 2021, but further steps could be taken to reduce future development costs.

Quantified Objectives:	(1) 16 units of affordable housing on the RDM site (excludes density bonus, addressed in Program 3) (2) Annual meeting between the City Manager and School Superintendent
Funding Source:	City General Fund
Responsible Agency:	City Manager
Implementation Time Frame:	(1) Meeting with School Superintendent by end of 2022 and once annually thereafter (2) Preparation of site "fact sheet" for review by School District and School Board by June 2023 (3) Subdivision creating "western" parcel by end of 2024, subject to School Superintendent and Board approval

Program 3: No Net Loss Monitoring and Other Multi-Family Housing Opportunities

The City has identified adequate capacity to accommodate 45 units of housing, as required by the Regional Housing Needs Allocation. Sixteen of these units are on the Rancho Del Mar Site. Five are new single family homes on vacant lots (three of which are already approved). The remainder are Accessory Dwelling Units. Rolling Hills will continue to maintain General Plan and zoning designations that facilitate development of the required number of units and will continue to comply with the Housing Accountability Act in the event projects are proposed. It will also affirmatively market lower-income housing opportunities to non-residents to achieve increased housing mobility in the region.

SB 166 (2017) requires that every city maintain "adequate sites" to accommodate its RHNA by income category at all times during the eight-year Housing Element period. If a designated housing opportunity site becomes unavailable, the city must demonstrate that it still has adequate capacity on its remaining sites (e.g., "no net loss"). In the event the Rancho Del Mar site becomes unavailable to produce the housing units envisioned by the overlay zone, the City would need another suitable site to accommodate those units.

Cities generally meet the no net loss mandate by providing one or more "buffer" sites in addition to their primary sites. These sites must meet HCD criteria, including the ability to accommodate 16 units at a density of at least 20 units per acre. As demonstrated in Chapter 4, due to the lack of sewer and the community's natural hazards, Rolling Hills does not have a buffer site available. The City will continue to explore potential housing sites that could supplement the RDM site, particularly where sanitary sewer service could be made available in the future. The City will continue to rely on accessory dwelling units to meet the balance of its lower-income housing assignment, regardless.

Quantified Objectives: (1) No net loss of housing capacity to meet RHNA at all times
(2) Provide an 80% density bonus on the Rancho Del Mar site, enabling 29 units of new affordable housing instead of the 16 allowed by the base zoning.
Funding Source: City General Fund/ Permitting Fees
Responsible Agency: Planning and Community Services Department
Implementation Time Frame: Continuous through 2029

Program 4: Add Definitions of Transitional and Supportive Housing, Residential Care Facilities, and Employee Housing, to Municipal Code

The City added these definitions during the first year of the planning period ~~is action was completed in~~ (August 2022) and the City now allows these housing types. It will continue to support diverse housing types in the future.

To comply with Government Code Section 65583(c)(3), the City of Rolling Hills was required to clarify that residential care facilities, transitional housing, and supportive housing are considered residential uses and are subject to the same restrictions that apply to the other residential uses that are allowed in a given zoning district. In other words, a single family home used as a group home for persons with disabilities is subject to the same planning and zoning requirements that apply to a single family home used by a traditional family. Most local governments have addressed this requirement by adding definitions to their zoning codes for transitional and supportive housing, as well as large and small residential care facilities.

The purpose of this program was to add those definitions to the Rolling Hills Municipal Code (Chapter 17). The definitions acknowledge that such housing is permitted in the same manner as other residential dwellings of the same type in the same zone as required by State law. The recent Code amendments also explicitly state that supportive housing shall be a use by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses. The amendments ensure that no special requirements are placed on residential care facilities with seven or more occupants, as required by State law. Definitions of low barrier navigation centers also have been added to the Code and referenced in other zoning regulations, as required by State law.

This program also included a Municipal Code Amendment to add a definition for employee housing in accordance with the California Health and Safety Code (HSC). HSC Section 17021.5 states that employee housing providing accommodations for six or fewer people shall be deemed a single family structure with a residential land use designation. It further states that employee housing may not be considered a boarding house, rooming house, hotel, dormitory, or similar term that implies that such housing is a business run for profit or differs in any other way from a single family dwelling. State law precludes a city from requiring a conditional use permit, zoning variance or other zoning variance for such housing, and stipulates that the use of a single family dwelling for six of fewer employees does not constitute a change of occupancy for building code purposes. As of August 2022, the City fully complies with this requirement.

Quantified Objectives: ~~N/A (program completed)~~ Create local housing opportunities for at least six ~~four~~ households employed in Rolling Hills (and currently living outside the city) during the planning period.
Funding Source: City General Fund
Responsible Agency: Planning and Community Services Department/ City Attorney

Implementation Time Frame: (1) Ordinance revisions ~~C~~completed in August 2022
(2) Opportunities for at least ~~four~~ six individuals working in Rolling Hills and living elsewhere to reside in the community (in ADUs, guest houses, affordable units on the Rancho Del Mar site, etc.) by 2029

Program 5: Density Bonus Ordinance

This action was completed in August 2022.

Section 65915 of the California Government Code establishes mandatory statewide provisions for density bonuses for affordable and senior housing projects. Prior to August 2022, Rolling Hills did not currently have density bonus provisions in its Municipal Code. Historically, the City has not had multi-family housing, nor any site where multi-family housing could be constructed. With the creation of the Rancho Del Mar Overlay Zone, a developer could request a density bonus and related concessions from a developer. State standards would apply in this instance. The City has adopted provisions in its Municipal Code acknowledging the applicability of State density bonus laws in the event a request is received.

Quantified Objectives:	Application of density bonus to future affordable rental housing on Rancho Del Mar Overlay site (up to 13~~12~~ additional units, assuming 100% affordable project on the site)
Funding Source:	General Fund
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Ordinance Adopted in August 2022

Program 6: Accessory Dwelling Unit (ADU) Production, Monitoring, and Incentives

As noted in Chapter 4, the City intends to meet its Regional Housing Needs Allocation of 29 lower income units through a combination of affordable housing on the Rancho Del Mar site (16 units, before density bonuses) and privately constructed and rented ADUs on scattered sites throughout the city. At least ~~13 ADUs~~ 18 ADUs should meet affordability thresholds for low and very low income households.[2] Creating opportunities for lower income households on scattered sites supports one of the main objectives of the State's Affirmatively Further Fair Housing (AFFH) requirements, which is to avoid the concentration of lower income housing in a single location. An ADU-centered strategy also responds to the lack of sanitary sewer, storm drainage, and public streets in Rolling Hills and the community's rural densities and absence of supportive services.

As stated in Chapter 4, the City approved nine ADUs in 2021 alone, including two that are projected to be affordable to lower income households based on their small size. Thus, creating ~~another 11~~ additional ADUs affordable to lower income households over the next eight years is an attainable goal. The Annual Housing Progress Report should address the City's progress toward meeting this goal; if the City is falling short after two years, the strategy should be revisited and additional incentives should be developed.

[2] *Two ADUs meeting affordability criteria for low/very low are already under construction (see Table 4.1)~~, leaving a balance of 11 needed~~.*

Program 6 includes a number of specific elements, which are listed below:

6.1 Develop Citywide ADU Registry. The City developed an ADU registry in October 2021 and will expand it as new units are created. Currently, the registry (or data base) contains fields such as Address, Owner, month approved, square footage, and a description of each unit. This should be expanded to include information on whether the unit is occupied, the number of occupants, and the rent charged—this information would be requested from homeowners on a voluntary basis. Tracking occupancy and affordability is intended to determine how many units are serving very low- and low-income households, and to demonstrate that the City is meeting its RHNA.

6.2 Annual ADU Survey and Monitoring. The City will send an annual letter to households on the ADU roster requesting information on the status of the unit. The information will be used to prepare a summary that can be referenced as part of the City's Annual Progress Report. As part of this task, the City will also identify instances where very low or extremely low income households (including family members, domestic employees, caregivers, etc.) are residing on Rolling Hills properties and paying below market rent (or no rent). To the extent these households are occupying independent living quarters, this data provides evidence that the City is accommodating its RHNA target for very low income households.

As part of this effort, the City will also implement an annual monitoring program to ensure that the Housing Element targets for ADUs are being achieved. A determination of the City's progress toward meeting its RHNA target ~~of 40 units over~~ for 2021-2029 shall be made once per year. In the event the City is not on track to meet its target, it will consider alternative means of meeting its RHNA goals within six months of this determination. These could include additional ADU incentives, modifications to the affordable housing overlay zone, and other actions that would facilitate production of additional affordable units.

6.3 Develop Inventory of Potential ADUs. Over time, the City will develop a parcel data base of potential (or "unintended") ADUs, which are existing habitable spaces that could potentially be converted into independent dwelling units. This would include guest houses, pool houses, and similar accessory structures that are used by the primary residence. As the inventory is completed, owners would be advised of the opportunity to convert the space into a legal ADU.

6.4 Incentives for ADU Construction. The City will develop incentives for ADU construction. Different incentives may be developed for those building new homes (i.e., reduced fees for including an ADU in a new residence), those adding a new ADU on their property, and those converting existing habitable floor space into an ADU. In accordance with California Health and Safety Code (HSC), Section 65583(c)(7) (effective January 1, 2021), the City will explore the use of State CalHome, LEAP, REAP, and SB 2 funding to help local homeowners build or finance ADUs on their properties. Access to these funds typically requires rents that are affordable to low and very low-income households.

6.5 Pre-Approved ADU Plans. The City will determine its eligibility for State grant funding to develop "pre-approved" plans for ADUs that can be used by Rolling Hills residents. These architect-developed plans would be specifically tailored to meet the RHCA design guidelines and would respond to the topography and access constraints found on most Rolling Hills lots. Enabling homeowners to use pre-approved plans may reduce architectural design costs, and potentially reduce construction costs. This can make ADUs more feasible and

allow them to be rented more affordably.

6.6 Coordination with RHCA. The City will coordinate with the Rolling Hills Community Association to ensure that RHCA's design review practices and procedures do not constrain ADU construction or add to their costs. City staff will meet with RHCA staff and the RHCA Architectural Committee regularly to coordinate review, advise RHCA of State laws relating to ADUs, and address any issues that may arise in the future. The City will also work with the Rolling Hills Community Association to explore reduction of annual HOA fees for property owners agreeing to limit rents on their ADUs.

6.7 Septic Tank Replacement Grants or Financial Assistance. The City will pursue funding for a grant which can be used to assist homeowners with septic tank replacement when paired with the addition of an ADU. The grants would be targeted to lower income households and seniors who may seek to add an ADU but lack the financial resources to replace their septic tanks.

6.8 Non-Profit Construction of ADUs. The City will explore the possibility of engaging a non-profit housing developer in a program to develop ADUs in partnership with interested Rolling Hills property owners. Participation could be limited to qualifying lower income residents, or to homeowners who agree to limit rents to levels that are affordable to lower income households. Such a program was successfully implemented by the City of Santa Cruz, in collaboration with Habitat for Humanity, and could be considered locally.

6.9 Monitor Best Practices in ADUs. The City will continue to track statewide and national trends in ADU management, incentives, and regulations. The focus will be on cities in California that are comparable to Rolling Hills in density, character, and constraints, with an eye toward cities that are relying on ADUs to meet a substantial share of their RHNA for lower income households. Programs that are potentially transferable to Rolling Hills will be considered for local implementation. The City is currently working with the South Bay Cities Council of Governments on an ADU research study, including a state-funded "ADU Acceleration Project" to explore ways to promote ADUs in southern LA County cities.

6.10 Update Municipal Code Provisions for ADUs. This action was completed in August 2022. The City has updated its ADU ordinance to reflect changes to State law made since the last revision to the ordinance in February 2020. This included eliminating references to a maximum bedroom count in an ADU and including provisions for complete applications to be deemed approved if they are not acted upon within 60 days.

6.11 Outreach to ADU Permit Recipients. The City will monitor ADU approvals, including six-month "check-ins" with all applicants receiving ADU permits until the units are completed. These check-ins will include status updates on the projects, including whether a building permit has been issued and what progress is being made. In the event an applicant chooses not to follow through on an approved ADU, staff will make an effort to document the reasons and evaluate any changes that might be made to the City's ADU program to improve completion rates. This information should be part of the City's annual housing progress report.

In addition to the specific measures listed above, City staff will continue to assist homeowners who are interested in adding an ADU, and will work with applicants to facilitate ADU review, permitting, and approval.

Quantified Objectives:	(1) Citywide ADU registry of 40 ADUs by 2029, including at least ~~13~~ 18 ADUs rented at levels meeting affordability criteria for lower income households (2) ADU Survey, administered once a year (3) Inventory of potential ADUs (4) ADU Incentives (5) Two to four pre-approved ADU architectural plans (6) Municipal Code Revisions (see 6.10 above) -- Completed (7) 100% completion of ADUs receiving permits (8) Seven ~~Four~~ ADUs/guest houses constructed by non-profits by 2029 (see 6.8 above and Program 9 below)
Funding Source:	City General Fund/ State grants
Responsible Agency:	Planning and Community Services Department/ City Attorney
Implementation Time Frame:	(1) Rosters and Surveys prepared by 2022 and updated annually (2) ADU incentives by 2023 (3) Approved architectural plans by 2024, or as funding allows (4) Amend Municipal Code Chapter 17.28 (Accessory Dwelling Units) for consistency with State law by August 2022 (this action has been completed) (5) Establish protocol for 6-month check-ins with ADU permit recipients by January 1, 2023 (6) Annual monitoring report on ADU production

Program 7: Accessory Dwelling Unit (ADU) Outreach, Education, and Information

Program 7 addresses public outreach, education, and information on ADUs. Like Program 6, it has multiple elements.

7.1 Biennial Mailing. The City will send or help coordinate a mailing to all households in Rolling Hills at least once every two years advising them of the opportunity to create an ADU, the potential benefits of having an ADU, and potential incentives in the event the ADU will be occupied by a household worker, caregiver, family member, or other household meeting the definition of a low or very low income household. The mailing may consist of an article in the City's monthly newsletter, or could be included as a component of the South Bay Cities COG efforts to encourage ADU production. The City is one of 15 cities participating in this program.

7.2 Website. The City will develop a landing page on its website with information on ADU opportunities ("Thinking about building an ADU?"). The website landing page will include information on the types of ADUs an owner may consider (detached, attached, junior, etc.), the typical cost and cost considerations, financing options, tax implications, development standards, tenant selection, and so on. The information should also be provided in printed form for interested homeowners.

7.3 RHCA Design Guidelines Update. The City will work with the Rolling Hills Community Association to facilitate an update of the RHCA Design Guidelines so that they address ADUs. Currently, the Guidelines do not acknowledge ADUs at all. The Update would provide objective design standards for ADUs that are consistent with Rolling Hills zoning standards as well as the design guidelines that currently apply.

Quantified Objectives:	(1) Outreach mailer to 639 households (at least once every 2 years) (2) Creation of 40 new ADUs by 2029 (5 per year)
Funding Source:	City General Fund, State grants
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	(1) First mailing by March 2023 (2) Website update by June 2023 (3) Update of design guidelines by 2024

Program 8: Assist Senior and Disabled Households

The City will continue to address the housing needs of seniors and persons with disabilities by connecting those in need with social service agencies, non-profits, volunteer organizations, and other service providers, and by coordinating with the RHCA in the services and programs it provides. As noted in the Needs Assessment, more than one-third of the city's residents are over 65 and about 10 percent have one or more disabilities. The City will work with seniors, especially those on fixed incomes, to evaluate housing needs and resources. Within 18 months of Housing Element adoption, the City Council will convene a study session jointly with the RHCA Needs of Seniors Committee and at least one local non-profit serving seniors (such as Peninsula Seniors) to discuss the needs of Rolling Hills seniors and potential programs to address these needs.

Several of the programs listed elsewhere in this Element (shared housing, assistance with home maintenance, reduced utility rates, etc.) are primarily intended to benefit lower income seniors. The City also will support expanded opportunities for persons with disabilities, including the use of universal design principles and accessibility standards in new construction and ADUs. As part of this program, Rolling Hills will also work with the Harbor Regional Center to implement outreach services to Rolling Hills families on services available to persons with developmental disabilities. The City's website will be updated to include links to housing and supportive services for seniors and disabled persons.

Quantified Objectives:	Website landing page with senior housing resources Facilitate age-in-place retrofits for 10 senior households City Council study session on needs of seniors and potential actions to assist Rolling Hills seniors
Funding Source:	City General Fund
Responsible Agency:	Planning and Community Services Department/ City Manager
Implementation Time Frame:	June 2023 (for website) Council Study Session before December 2023

Program 9: Assist Extremely Low-Income Households

Extremely Low Income (ELI) households have incomes that 30 percent or less of the County median. In 2021, the income thresholds for ELI were $24,850 for a household of one; $28,400 for a household of two; $31,950 for a household of three; and $34,450 for a household of four.

Based on CHAS data, there are 25 ELI households in Rolling Hills, representing about 3.5 percent of the city's households. The CHAS data indicated that all 25 of these households were homeowners, suggesting they are primarily seniors on fixed incomes. The City will explore ways to assist ~~elder~~ Rolling Hills homeowners on fixed incomes with home maintenance, repair, and retrofit activities. It will also direct these households to appropriate resources, such as shared housing services and programs to reduce utility costs.

There are additional ELI households in Rolling Hills that may not be counted in the Census data, including extended family members living in independent quarters on a property, or domestic employees (housekeepers, au pairs, personal assistants, etc.) living in guest houses, accessory buildings, or in separate quarters within the primary residence. The City will address the needs

of these households by prioritizing applications for ADUs and encouraging homeowners to create opportunities for domestic employees and family members to live "on site."

A study sponsored by SCAG in 2020 determined that 15 percent of the ADUs in the coastal Los Angeles area were likely to be available at rents affordable to Extremely Low Income Households.[3] A 2018 study further found that 17% of the ADUs in Portland, Seattle, and Vancouver were occupied by a friend or family member for free.[4] A 2014 study found that 18% of the ADUs in Portland were occupied for free or extremely low cost.[5] A 2012 UC Berkeley publication indicates that up to half of all ADUs are occupied at no cost.[6]

Based on these analyses, the City is estimating that seven "rent free" or extremely low income rentals will be added to the Rolling Hills housing stock by 2029. It will seek to document and measure progress toward this objective by soliciting voluntary reporting of such units by individual homeowners. As noted in Program 6.2, an annual survey is proposed to be administered to all registered ADU owners in the city. This would enable tracking of rent-free or reduced rent ADUs.

Quantified Objectives:	Provide seven housing units affordable to Extremely Low Income
Funding Source:	City General Fund/ Permitting Fees
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Prepare inventory of Extremely Low Income (ELI) units by 2024, update annually Facilitate housing assistance to at least seven ~~four~~ ~~three~~ ELI ~~senior~~ homeowners by 2029 ~~2026~~5

Program 10: Support Regional Efforts to End Homelessness

Extremely low-income persons also include those who are homeless or may be at risk of becoming homeless. Although the point-in-time surveys for the last five years have not counted any homeless residents in Rolling Hills, the City recognizes that homelessness is a regional problem that requires regional solutions. Rolling Hills will continue to allow emergency shelters and single room occupancy hotels in the Rancho Del Mar Overlay Zone and will monitor the effectiveness of its regulations in its Annual Housing Progress Report.

The City will continue to work with adjacent communities on emergency shelter referrals. As a member of SCAG and the South Bay Cities COG, staff and elected officials participate in forums and discussions of homelessness, and potential programs and resources to end homelessness and increase the supply of shelter, transitional, and supportive housing in Greater Los Angeles.

[3] *SCAG Regional Accessory Dwelling Unit Affordability Analysis, 2020*
[4] *Jumpstarting the Market for ADUs. Terner Center (for ULI), San Francisco, 2018*
[5] *ADUs in Portland OR. Environmental Solutions Management, 2014*
[6] *Scaling Up Secondary Unit Production in the East Bay. Berkeley Institute of Regional Development, 2012*

Quantified Objectives: Participation in point in time surveys; participation in at least one regional meeting annually on strategies to end homelessness
Funding Source: City General Fund/ Permitting Fees
Responsible Agency: Planning and Community Services Department/ City Manager
Implementation Time Frame: Ongoing, 2021 through 2029

Program 11: Permit Streamlining

The City will continue its efforts to expedite permit processing, ensure efficiency, and reduce administrative and processing costs for new development. This could include provisions for reduced fees for ADUs that are rented at below market levels, or occupied by qualifying lower income households. As part of the annual budgeting process, the City will ensure that fees are appropriate for the services provided, and will consider ways to improve the permitting and entitlement processes.

This program includes working with LA County Building and Safety to receive periodic updates on the status of active building permits in Rolling Hills. While this data is available on-line through the County's website, it is not consistently updated or made available in a format that allows the City to easily track the status of entitled projects. The City will use this data to identify approved housing units (including ADUs) that have been entitled but not yet constructed so that it may follow up with owners in the event of permitting delays.

Quantified Objectives: Compliance with all provisions of the Permit Streamlining Act
Funding Source: City General Fund/ Permitting Fees
Responsible Agency: City Manager/ Finance Director/ Planning and Community Services Department/ LA County Building and Safety
Implementation Time Frame: Ongoing, 2021 through 2029

Program 12: Facilitate Communication with Affordable Housing Service Providers, Developers, and Advocates

The City of Rolling Hills periodically receives requests from housing advocates, non-profit developers, and service providers to disseminate information on affordable housing needs and opportunities and work collaboratively to address housing issues. City planning staff regularly field requests from for-profit and non-profit developers, participate in regional housing meetings and discussions, and work with other cities to explore creative, effective ways to meet housing needs. In the event a non-profit agency or developer wishes to submit a grant application that will increase housing affordability for senior or low-income Rolling Hills residents, staff will provide administrative support wherever possible.

Quantified Objective: Hold at least one meeting a year with one or more non-profit housing sponsors to discuss housing opportunities and needs in Rolling Hills
See also Programs 8, 13, and 15
Funding Source: General Fund
Responsible Agency: Planning and Community Services Department
Implementation Time Frame: Convene one meeting before December 2022. Convene additional meetings at least once a year from 2023 to 2029.

Program 13: Home Sharing

Shared housing enables homeowners to offset their housing costs by receiving rent, or get additional help in managing housing duties. It also creates a resource for lower income households in the community, including college-aged students and young adults, caregivers, domestic workers, landscapers and building industry workers, child care workers, teachers, and other public service employees. It can also be a resource for seniors, some of whom may no longer wish to live alone or lack the financial resources to live alone.

Residents in Rolling Hills have access to two nearby home sharing programs: Focal Point at the South Bay Senior Services Center in Torrance and the Anderson Senior Center in San Pedro. Both these centers offer resources to assist seniors locate roommates interested in sharing housing. These programs make roommate matches between seniors based on telephone requests.

Numerous other home sharing services have emerged over the last decade. These include SHARE! Collaborative Housing, a public-private partnership supporting shared single family housing for persons with disabilities in Los Angeles County; Affordable Living for the Aging, which matches younger single tenants with seniors in Los Angeles County; and Los Angeles County HomeShare, which serves residents of all ages throughout the County. There are also private services such as Silverleaf (Long Beach) that facilitate home sharing for a fee.

The City will continue to apprise residents about shared housing programs by providing information at the public counter and online, including an article in the City Newsletter in 2023. It will also proactively meet with at least one non-profit home-sharing service provider in 2023 to discuss opportunities in Rolling Hills.

Quantified Objectives:	Continue to provide informational brochures advertising shared housing programs at City Hall and on the City's website At least eight ~~six five~~ non-resident ~~Rolling Hills~~ households participating in a non-profit managed home sharing program enabling them to reside in Rolling Hills by 2029
Funding Source:	City General Fund
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Provide article and meet with home sharing service in 2023

Program 14: Sewer Feasibility Studies and Phase One Construction

As indicated in Section 5.3.5 of this Housing Element, Rolling Hills does not have a sanitary sewer system. With a few exceptions, the entire city is served by private septic systems. Septic system installation is costly and requires customized design to reflect steep terrain. The cost of installing sanitary sewers and storm drains would be even more costly, as it would likely require easements, force mains, and lift stations.

The City recently completed design drawings for a sanitary sewer extension through adjacent Rolling Hills Estates that will bring service to Rolling Hills City Hall and the Tennis Courts. A future phase of this project could continue southward along Portuguese Bend Road, allowing some Rolling Hills homes and a number of vacant properties to be served by sewer. A survey done by the City in 2021 indicated there was strong support for a sewer extension project, contingent on the cost to each homeowner. There is currently no funding source for such an extension. Grant funding would be required, as it would reduce the cost burden on homeowners and make the project more feasible.

The City will continue to work toward addressing this constraint during the 2021-29 planning period. This includes:

- Developing the initial phase of the project, serving City Hall and the Tennis Courts
- Conducting feasibility and cost studies for a future phase to serve privately owned homes and parcels in the northern part of Rolling Hills
- Pursuing funding for future phases
- Continuing to poll Rolling Hills residents on their level of support for the project

In addition, the City continues to monitor water quality issues related to its MS 4 permit for stormwater discharge. Efforts to address runoff quality and implement best management practices to reduce pollution are ongoing and will continue.

Quantified Objective:	(1) Complete 1,585-foot sanitary sewer extension to City Hall/ Tennis Courts (Phase I) (2) Complete feasibility / cost study of sanitary sewer extension (3) Obtain grants for Phase I project construction (4) Updated “Will Serve” letter from the Los Angeles County Sanitation District, indicating ability to accept effluent from 235 existing homes upon completion of future phase sewer system
Funding Source:	General Fund/ State grants
Responsible Agency:	City Manager
Implementation Time Frame:	Complete Phase I by 2024 Determine viability of future phases and available grants by 2023

Program 15: Pursue Grants for Minor Home Repair Program

At least once every two years, the City should re-evaluate the feasibility of joining the Los Angeles Urban County CDBG program in order to create a funding source for home improvements for qualifying lower income Rolling Hills residents. In the event the City finds that the amount of funding it will receive exceeds the costs of administering the program (including staffing and reporting requirements), the City will participate in the program. Available funds will be used to improve housing conditions for lower income or senior Rolling Hills residents, including:

- Grants for minor home repair and rehabilitation projects, including electrical, plumbing, and heating repairs; health and safety improvements; and energy efficiency improvements;
- Grants to facilitate "aging in place" for lower income seniors and residents with disabilities;
- Grants for septic system repair for lower income homeowners seeking to add an ADU

If the City determines that CDBG participation is not viable, it will pursue other funding sources that could support a similar grant program for lower-income Rolling Hills homeowners. This could include administration of home repair grants by another entity (such as South Bay Cities COG) or a local non-profit.

Quantified Objectives:	Minor home repair/ age-in-place/ septic tank replacement assistance to at least ten lower-income or senior Rolling Hills households
Funding Source:	LA Urban County CDBG Program/ State grants
Responsible Agency:	City Manager/ Finance Director
Implementation Time Frame:	By 2023, and every two years thereafter

Program 16: Code Enforcement

The City will continue code enforcement and nuisance abatement activities to ensure the safety and habitability of housing in Rolling Hills. While property maintenance in Rolling Hills is excellent, there is a need for ongoing enforcement of planning and building codes. The City has a "Code Enforcement" webpage with online forms for reporting suspected violations, including those relating to vegetation management and outdoor lighting as well as unpermitted construction or nuisances. Periodic information on code enforcement resources and requirements is also provided to residents through the City's monthly newsletter.

Quantified Objective:	Respond to 100 percent of resident Code Enforcement inquiries
Funding Source:	General Fund
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Ongoing, 2021-2029

Program 17: Reduce Home Energy Costs

Energy bills can be a significant cost burden, particularly for households on fixed incomes with large homes to heat and cool. The City has adopted the Green Building Code and enforces Title 24 energy efficiency requirements through its contract with the Los Angeles County Department of Building and Safety. New residential projects, including new homes, ADUs, renovations, and additions, will continue to be required to meet Title 24 standards. These requirements result in energy savings which reduce gas and electric consumption and home utility bills.

Rolling Hills also works with Southern California Edison to distribute information to residents on energy conservation and weatherization, including information on financial assistance and lower utility rates for low-income customers. The City will provide links on its website to assist lower income residents in accessing information on reduced utility rates. Rolling Hills is also a member of the South Bay Environmental Services Center, which provides information on energy incentives, audits and rebates. These programs will continue in the future.

The City will also support resident installation of solar energy systems. A growing number of Rolling Hills homeowners have installed photovoltaic panels, increasing energy independence and resilience while reducing home energy costs.

Quantified Objective:	(1) Provide links on City website related to energy conservation, weatherization, and financial assistance (2) Adopt updated Building Code standards for energy efficiency
Funding Source:	General Fund, LIHEAP
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Website Update, with links: Complete by January 2023

Program 18: Facilitate New Construction and Home Improvements

The City will continue to work with property owners, architects, and builders to enable new housing to be built in the City. Continued cooperation and communication between City staff, applicants, and neighbors will facilitate the construction of new housing. The City is committed to efficient planning, building, and inspection procedures, and regularly seeks ways to improve the process and reduce delays.

With few vacant lots remaining, most construction projects in Rolling Hills consist of home additions, repairs and modernization, or replacement of existing dwellings. Continued investment in Rolling Hills housing stock is strongly encouraged and will continue to be supported in the future. Although the City does not provide direct financial assistance to lower income homeowners, it assists owners in keeping costs down through permit streamlining and fees that are generally below average compared to other cities in Los Angeles County.

Quantified Objective:	5 new single family homes (above moderate income)
Funding Source:	Private Funds (Permitting Fees)
Responsible Agency:	Planning and Community Services Department, LA County Building and Safety
Implementation Time Frame:	Objective covers the period from 2021 through 2029

Program 19: Remediate Geologic Hazards

The City will continue to explore solutions to ground stability and landslide problems. Grading, new structures and additions typically require a soils and geology report along with grading and building permits. The City has developed strict grading practices that limit grading to no more than 40 percent of the lot and require maintenance of natural slopes. These practices are necessary to safeguard the public against ground instability.

The City will support repair work on landslide-damaged homes and hillsides that have been damaged or compromised by past landslides. The City will strive to avoid further loss of its housing stock as a result of natural disasters, including landslides and wildfires.

Quantified Objective:	Geologic studies for new development and major grading permits
Funding Source:	City General Fund
Responsible Agency:	Planning and Community Services Department/ City Manager
Implementation Time Frame:	On-going, 2021 to 2029

Program 20: Fair Housing Services Program Administration

The City will complete a Fair Housing Outreach and Enforcement Options Memorandum to determine options for ensuring that existing and prospective residents have access to fair housing services, and that property owners are apprised of Fair Housing laws and practices. This could include an agreement with a third party fair housing services provider to promote and affirmatively further fair housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, disability, or other characteristics protected by state and federal fair housing law. Other alternatives for outreach, education, and enforcement also may be considered. Based on the findings of the Memorandum, the City will implement Fair Housing measures, including Programs 21 and 22 described below.

Quantified Objective:	~~100% response rate for any fair housing complaint received by the City~~ At least five ~~three~~ households assisted
Funding Source:	General Fund
Responsible Agency:	City Manager
Implementation Time Frame:	Complete memorandum by June 2023

Program 21: Fair Housing Outreach and Affirmative Marketing

The City will provide information on fair housing resources on its website, including links to fair housing services. Other outreach measures to be implemented include posting regulations regarding housing discrimination, as well as phone contacts, at City Hall and periodically providing this information in the City's newsletter.

The City will also provide a referral process for any person who believes they have been denied access to housing because of their race, sex, marital status, ancestry, national origin, color, familial status or disability. In the event a complaint is received, the City will refer the party to a fair housing service provider for follow up and work with the complainant to resolve the issue.

In addition, the City will affirmatively market future housing opportunities in the city by:

- Requiring an affirmative marketing plan for any affordable multi-family development created in the Rancho Del Mar Overlay Zone. Such a plan would be prepared by the project's developers and would ensure that future units are marketed to attract occupants who are demographically diverse, including lower-income households in other parts of the South Bay and Los Angeles County.

- Developing materials for Rolling Hills residents who may be seeking tenants for their ADUs, which will be provided to ADU applicants at the time they apply for a building permit or ADU permit. These affirmative marketing materials will include contact information for housing service providers and non-profit housing organizations that serve lower-income tenants in the surrounding region. Interested residents can use these materials to find prospective tenants in a larger market area than the Palos Verdes Peninsula, including residents of all races, ethnicities, ages, and abilities.

Quantified Objective:	(1) At least 50% of future occupants of affordable housing created on the RDMO site are from outside Rolling Hills. (2) At least 50% of future ADU occupants are from outside Rolling Hills (to be measured through the ADU survey described in Program 6.2)
Funding Source:	General Fund
Responsible Agency:	City Manager, Planning and Community Services Director
Implementation Time Frame:	Ongoing, 2021-2029. Website update by December 2022.

Program 22: Fair Housing Training for Staff

At least one City staff member will attend an on-line fair housing certification training class on an annual basis. These classes are typically three-hour sessions in which participants are informed and educated about federal and California fair housing laws, compliance, and illegal housing practices. The trainings cover prohibited and best practices, including language guidance for advertising housing for sale or for rent, and protected classes under federal and California law.

In addition, the City will regularly evaluate the need for multi-lingual services, including translation of material on its website into other languages. It will also continue to implement its reasonable accommodations ordinance and monitor data on persons with disabilities in the city to ensure that barriers to mobility are eliminated to the greatest extent possible.

Quantified Objective:	(1) At least one Rolling Hills staff member participates in on-line Fair Housing training each year through 2029 (2) At least one presentation on fair housing is delivered to the City Council in a noticed public hearing, attended by at least 10 residents
Funding Source:	General Fund
Responsible Agency:	City Manager
Implementation Time Frame:	2023

Program 23: Written Procedures for SB 35 Projects

As required by State law, the City will prepare written procedures and application materials for projects seeking to use SB 35. Affordable multi-family housing development on the Rancho Del Mar site would be potentially eligible. The procedures would follow the provisions established by the Affordable Housing Overlay Zone, and include the objective standards and application procedures identified when that zone was adopted. Once completed, the information will be included as a PDF link on the Planning and Community Services Department website for easy access.

Quantified Objective:	Posted information on SB 35, including application form
Funding Source:	General Fund
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Complete by December 31, 2022

Program 24: Updating of Linked Files on Planning and Community Services Department Landing Page

AB 1483 requires that every city post current information on fees, zoning standards, design guidelines, processes and procedures, nexus studies and other pertinent information on its website. Although Rolling Hills complies with this requirement today, reorganization of the material could provide greater clarity and easier access to this information. For example, the website could include a link to the RHCA design guidelines, as well as updated flow charts and graphics showing approval processes. As noted under Program 7.2, the website also should include dedicated information about Accessory Dwelling Units (ADUs) and the steps residents can take to add an ADU on their property.

Quantified Objective:	Reorganized and updated Planning and Community Services Department website
Funding Source:	General Fund
Responsible Agency:	Planning and Community Services Department
Implementation Time Frame:	Complete by December 31, 2023

6.3 Summary of 2021-2029 Quantified Objectives

Table 6.1 provides quantified objectives for housing construction, rehabilitation, and conservation by income group. The new construction objectives align with the RHNA numbers that appear earlier in the Housing Element. The rehabilitation objective aims to assist 10 very low-income or senior households over the eight-year period. The conservation and preservation objectives correspond to the approximate number of households in Rolling Hills by income group based on Census data. The objectives aim to preserve housing for 100 percent of these households. There are no housing units in Rolling Hills that are at risk of conversion from affordable to market-rate.

Table 6.1: Quantified Objectives by Income Group for Rolling Hills (2021-2029)

Income Category	New Construction	Rehabilitation	Conservation/ Preservation
Extremely Low [1]	7	5	25
Very Low [2]	13	5	45
Low [2]	9		45
Moderate	11		25
Above Moderate	5		500
Total Housing Units	**45**	**10**	**640**

Source: SCAG Adopted Regional Housing Needs Determinations (November 2012)

[1] City's RHNA for "Very Low" income is 20 units. This has been allocated proportionally to "Extremely Low" and "Very Low" based on Table 3.8, which indicates the current proportion of "Very Low" income households in these two groups. Extremely low income households represent 35% of the "very low" total.

[2] The new construction objectives shown in Table 6-1 correspond to the City's total RHNA. In addition to these units, the City is aiming to exceed the low- and very low-income targets shown here through a density bonus on the Rancho Del Mar site and the construction of ADUs beyond those shown in the table. Distribution of 40 ADUs by income is estimated at 18 lower income units, 15 moderate-income units, and 7 above moderate-income units.

Table 6.2 summarizes the 24 Housing Element programs listed in this chapter. It includes a quantified objective and timeframe for each program, as presented above.

Table 6.2: Housing Element Action Plan Summary

#	Program	Timing	Quantified Objective
1	Prepare Annual Progress Report on Housing Element implementation	Annually, by April 1	One Report per year
2	Facilitate affordable housing on Rancho Del Mar Housing Opportunity site	• Annual meeting with School Superintendent • Subdivision by 2024	16 lower-income units by 2029
3	No net loss monitoring/ other housing opportunities	Continuous, through 2029. Address in Annual Report.	• No net loss of housing capacity for duration of planning period • 13 affordable density bonus units on Rancho Del Mar site (29 total)
4	Add definitions of transitional, supportive, employee housing and residential care facilities to Municipal Code	August 2022	• Council action adopting definitions and identification of permitted uses (COMPLETED) • Opportunities for ~~4~~ 6 non-residents employed in city to reside in Rolling Hills (in ADUs, etc.)
5	Adopt density bonus provisions in Municipal Code	August 2022	• Council action adopting density bonus provisions (COMPLETED). • 13~~2~~ density bonus units by 2029 (on Rancho Del Mar site)
6	Accessory Dwelling Unit production, monitoring, and production	• Updated ADU ordinance by August 2022 • ADU Roster in 2021 • Annual ADU survey, starting in 2022 • Pre-approved plans in 2024 • ADU incentives in 2023 • Annual monitoring program (2023)	40 ADUs by 2029, including at least 18 ~~13~~ ADUs affordable to lower income households
7	Accessory Dwelling Unit Outreach, Education, and Information	• First biennial mailing by end of 2022 • Website update by 6/23 • Update of design guidelines by 2024	• Outreach mailer to 639 households • ADU website landing page • ADU section added to RHCA Guidelines
#	Program	Timing	Quantified Objective

8	Assist senior and disabled households	• Website update by 6/23 • Housing assistance during 2021-2029	Assist 10 lower income or senior households with age in place retrofits
9	Assist extremely low income households	• Prepare inventory of ELI units by 2024	7 ADUs affordable to ELI households
10	Support regional efforts to end homelessness	Ongoing	• Participate in point-in-time surveys • Attend one mtg a year
11	Permit streamlining	Ongoing	Compliance with Permit Streamlining Act
12	Facilitate communication with affordable housing service providers, developers, and advocates	By December 2022	• Convene at least one meeting a year • See Programs 8, 13, 15
13	Home Sharing	By December 2022	• Provide information on website, plus print media resources • ~~Five~~ ~~Six~~ Eight shared housing arrangements
14	Sewer feasibility studies and Phase I construction	Phase I construction (serving City Hall) by 2024	• Sewer extension to City Hall/ Tennis Courts • Feasibility study for sewer extension • "Will serve" letter for 235 existing homes
15	Consider participation in Urban County CBDG Program	By 2023	Minor home repair/septic tank replacement assistance to 10 lower income or senior households
16	Code enforcement	Ongoing	100% follow up
17	Reduce home energy costs	By 2023	Website update
18	Facilitate new construction and home improvements	Ongoing	5 market-rate single family homes (including 3 already approved)
19	Remediate geologic hazards	Ongoing	Geologic studies for new development
20	Fair housing program administration	Develop fair housing compliance program by December 2022	~~100% response to all Fair Housing complaints~~Assist ~~three~~ five households

#	Program	Timing	Quantified Objective
21	Fair housing outreach and affirmative marketing	Website update by December 2022	• At least 50% of future occupants of affordable housing created on the RDMO site are from outside Rolling Hills • At least 50% of future ADU occupants are from outside Rolling Hills
22	Fair housing training for City staff	Initiate in 2022	• Training for one staff member annually • Noticed presentation to City Council attended by at least 10 residents
23	Prepare written instructions for SB 35 applications	Complete by December 31, 2022	Guidance memo and application form
24	Update Planning and Community Services website	Complete by December 31, 2023	Updated website

City of: Rolling Hills
Adopted Received: 9/28/2022
Addressing HCD Findings Letter Dated: 7/21/2022

HCD's Finding	Page #	Prelim Review	Notes
Affirmatively Furthering Fair Housing			
Metrics: The element did not address this finding. As found in HCD's prior review, the element must include quantifiable metrics or numerical objectives to target beneficial impacts for people, households, and neighborhoods (e.g., number of people or households assisted, number of housing units built, number of parks or infrastructure projects completed).	6-4-	~	- Mostly Limited to RHNA, seniors or Rolling Hills residents Programs: - 3 – Add metric for additional multifamily - 4 – Add metrics, especially employees - 6.8 – Add metric - 9 – Increase metric, go beyond senior homeowners - 13 – Increase metric, go beyond rolling hills residents - 20 – Convert metric to assisted households
Housing Mobility: Promoting housing mobility removes barriers to higher opportunity areas and strategically enhances access to housing choices and affordability. Given, among other things, that the City is entirely highest category of disparities in access opportunity and largely does not reflect the socio-economic characteristics of the broader region, the element must include significant actions to promote housing mobility within the City and relative to the region to promote an overall inclusive community. To address this requirement, the element relied on the City's one affordable housing site to accommodate the regional housing need allocation (RHNA) and fair housing enforcement and outreach programs. However, actions should go beyond the RHNA and be significant to facilitate meaningful change. The element could consider improving existing programs or including new programs related to homesharing, promoting a city-wide affordable rental registry for accessory dwelling units (ADUs)	6-11	No	- Mostly Limited to RHNA, seniors or Rolling Hills residents - Consider doubling school site and ADU metrics

paired with affirmative marketing outside of the City and coordination with regional entities.			
Increasing Housing Choices and Affordability in Higher Opportunity Areas: To address this finding, the element relied on actions that are required to comply with state law including updating the City's density bonus program and allowing for transitional, supportive, group, and employee housing. However, to increase housing choices and affordability throughout the City, the element should consider going above and beyond state law such as allowing two JADUs on a single family lot, developing and marketing a homeowner rehabilitation and/or down payment assistance program, etc.	6-17	~	
Sites Inventor			
Zoning for a Variety of Housing Types (Permanent and Supportive Housing): The element was revised with a program to define supportive housing and permit it as a residential use, similar to other residential uses. However, the element still must address the requirements under Government Code section 65651. As found in the prior review, Supportive housing shall be a use by-right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses pursuant to Government Code section 65651. The element must demonstrate compliance with this requirement or add or modify programs as appropriate.	6-6	Y	
Constraints			
Approval Time: The element was revised to include a discussion on the time between entitlements and construction and the current conditions of the construction market. However, this does not address HCD's prior review.	5-25	Y~	Provides times and identifies city action for to receive regular updates from county on active building permits, but not identified in the programs section.

Specifically, the element must be revised to include an estimate for the length of time between receiving approval for housing development and submittal of an application for building permits that potentially hinder the construction of a locality's share of the regional housing need.			

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.G
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH ONWARD ENGINEERING TO PROVIDE ON-CALL CONSTRUCTION OR GENERAL INSPECTION SERVICES DURING FY22/23 FOR A NOT-TO-EXCEED FEE OF $24,470; ADOPT BY RESOLUTION NO. 1319 AUTHORIZING A BUDGET MODIFICATION OF $24,470**

DATE: **December 13, 2022**

BACKGROUND:
Councilmember Bea Dieringer noted that the City should conduct construction inspections in conjunction with the recently completed emergency drainpipe repairs at 1 Middleridge Lane North. In response, staff released a Request for Proposals (RFP) soliciting Construction and General Inspection Services to assist with the following projects:

- Emergency storm drainpipe repair at 3 Middleridge Lane North
- Anticipated traffic improvements on Johns Canyon Road pending City Council's approval
- General inspections on an as-needed basis

The RFP for Construction and General Inspection was published on the city's website on Monday, October 31. To meet the needs of the emergency repair at 3 Middleridge Lane North, the RFP closed on Wednesday, November 9, 2022 at 3pm.

DISCUSSION:
At the November 14, 2022 City Council Meeting, the Council voted 4/0/1 with Councilmember Dieringer abstaining to approve the selection of Onward Engineering and directed staff to prepare a Professional Services Agreement for a not to exceed amount of $24,470.00.

FISCAL IMPACT:
The emergency drainage repair and the pending traffic improvements were not anticipated at

the time the Fiscal Year 2022-2023 budget adoption. As such, the construction inspections associated with these projects were not included in the current budget. This project requires an appropriation of $24,470.00 from General Fund reserves. Reserve balances are well above the amount required by the revised reserve policy, and the use of reserves for this type of unexpected capital cost is in line with the City's budget policies.

RECOMMENDATION:
Adopt Resolution No. 1319 and approve as presented.

ATTACHMENTS:
ResolutionNo1319_Onward Engineering_PSA_BudgetAmendment_Inspection.pdf
CA_AGR_221213_PSA_OnwardEngineering_InspectionServices.pdf

RESOLUTION NO. 1319

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS. CALIFORNIA AUTHORIZING A FISCAL YEAR 2022-2023 BUDGET MODIFICATION TO APPROPRIATE $24,470 IN GENERAL FUND RESERVES FOR THE PROFESSIONAL SERVICES AGREEMENT WITH ONWARD ENGINEERING, INC. FOR ON-CALL CONSTRUCTION INSPECTION AND OTHER GENERAL INSPECTION SERVICES

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. Recitals.

A. It is the intention of the City Council of the City of Rolling Hills to review the adopted budget from time to time.

B. On November 14, 2022 the City Council received a report regarding the need for on-call construction inspection and other general inspection services for the City's capital improvement projects and other projects.

C. After the report the City Council directed staff to draft and bring back a Professional Services Agreement for on-call construction inspection and other general inspection services with Onward Engineering, Inc. Attached hereto as Exhibit "A" is the Professional Services Agreement with Onward Engineering, Inc.

Section 2. The sum of twenty four thousand, four hundred and seventy dollar ($24,470) is hereby appropriated from the General Fund Reserves to fund the work contemplated by the Professional Services Agreement with Onward Engineering, Inc.

Section 3. This Resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book or original resolutions.

PASSED, APPROVED, AND ADOPTED this 13th day of December, 2022

_____
JAMES BLACK, M.D.
MAYOR

ATTEST:

_____
CHRISTIAN HORVATH
CITY CLERK

Exhibit A

CITY OF ROLLING HILLS
PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT made and entered into this 13th day of December, 2022 between the City of Rolling Hills, a municipal corporation, hereinafter referred to as "CITY" and Onward Engineering, Inc. with principal offices at 300 S. Harbor Blvd., Suite 814, Anaheim, CA, 9280, hereinafter referred to as "CONSULTANT."

1. RECITALS:

A. The CITY desires to contract the CONSULTANT for on-call construction inspection and other general inspection services.

B. CONSULTANT is well qualified by reason of education and experience to perform such services; and

C. CONSULTANT is willing to render such on-call construction inspection and other general inspection services as hereinafter defined.

Now, therefore, for and in consideration of the mutual covenants and conditions herein contained, CITY hereby engages CONSULTANT and CONSULTANT agrees to perform the services set forth in this AGREEMENT.

2. SCOPE OF WORK

CONSULTANT shall perform all work necessary to complete in a manner satisfactory to CITY the services set forth in the specifications and the scope of work described in Request of Proposals Capital Improvements Construction and General inspection Services, attached herein as Exhibit A (hereinafter referred to as “SERVICES”).

3. COST

The CITY agrees to pay CONSULTANT for all the work or any part of the work performed under this AGREEMENT at the rates and in the manner established in the attached Scope of Work, attached herein as Exhibit A.

Total contract shall not exceed the sum of $24,470 during the Fiscal year 2022-2023. This fee includes all expenses, consisting of all local travel, attendance at meetings, printing and submission of grants, which are accrued during that period. It also includes any escalation or inflation factors anticipated.

Any increase in contract amount or scope shall be approved by expressed written amendment executed by the CITY and CONSULTANT.

4. METHOD OF PAYMENT

CONSULTANT shall be reimbursed within 30 (thirty) days of submitting an invoice to City for the SERVICES. CONSULTANT shall submit an invoice for the SERVICES within 10 (ten) days of completing each task or portion thereof identified in Exhibit A to this AGREEMENT. CONSULTANT shall submit invoices electronically to the City Manager of the CITY and shall also provide a courtesy copy by U.S. Mail addressed to the City Manager of the CITY.

5. SUBCONTRACTING

CONSULTANT may employ qualified independent subcontractor(s) to assist CONSULTANT in the performance of SERVICES with CITY's prior written approval.

6. COMMENCEMENT OF WORK

CONSULTANT shall commence work under this AGREEMENT upon execution of this AGREEMENT.

7. PERFORMANCE TO SATISFACTION OF CITY

CONSULTANT agrees to perform all work to the reasonable satisfaction of CITY and within the time hereinafter specified.

8. COMPLIANCE WITH LAW

All SERVICES rendered hereunder shall be provided in accordance with the requirements of relevant local, State and Federal Law.

9. ACCOUNTING RECORDS

CONSULTANT must maintain accounting records and other evidence pertaining to costs incurred which records and documents shall be kept available at the CONSULTANT's California office during the contract period and thereafter for five years from the date of final payment.

10. OWNERSHIP OF DATA

All data, maps, photographs, and other material collected or prepared under the contract shall become the property of the CITY.

11. TERM OF CONTRACT

This contract shall be valid for the City's Fiscal Year 2022-2023.

12. TERMINATION

This contract may be terminated by either party with or without cause upon seven (7) days written notice to the other party. All work satisfactorily performed pursuant to the contract and prior to the date of termination may be claimed for reimbursement.

13. ASSIGNABILITY

CONSULTANT shall not assign or transfer interest in this contract without the prior written consent of the CITY.

14. AMENDMENT

It is mutually understood and agreed that no alteration or variation of the terms of this contract, or any subcontract requiring the approval of the CITY, shall be valid unless made in writing, signed by the parties hereto, and approved by all necessary parties.

15. NON-SOLICITATION CLAUSE

The CONSULTANT warrants that he or she has not employed or retained any company or persons, other than a bona fide employee working solely for the CONSULTANT, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon or resulting from the award or making of this contract. For breach or violation of this warranty, the CITY shall have the right to annul this contract without liability, or, in its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

16. INDEMNITY

CONSULTANT shall indemnify and save harmless CITY, its elected and appointed officers and employees from all claims, damages, suits, cost or actions of every name, kind or description, brought for, or on account of, (i) injuries to or death of any person, (ii) damage to property or (iii) arising from performance of this AGREEMENT in any manner that resulted from the fault or negligence of CONSULTANT, it officers, agents, employees and/or servants in connection with this AGREEMENT.

CITY shall indemnify and save harmless CONSULTANT, its officers, agents, employees, and servants from all claims, damages, suits, costs or actions of every name, kind, or description, brought for, or on account of, (i) injuries to or death of any person, (ii) damage to property or (iii) arising from performance of this AGREEMENT in any manner that resulted from the fault or negligence of the CONSULTANT, its officers, agents, employees, and/or servants in connection with this AGREEMENT.

If CONSULTANT should subcontract all or any portion of the SERVICES to be performed under this AGREEMENT, CONSULTANT shall require each subcontractor to indemnify, hold harmless and defend CITY and each of its officers, officials, employees, agents and volunteers in accordance with the term of the preceding paragraph. This section shall survive termination or expiration of this AGREEMENT.

17. INSURANCE

A. Without limiting CONSULTANT'S obligations arising under paragraph 16 - Indemnity, CONSULTANT shall not begin work under this AGREEMENT until it obtains policies of insurance required under this section. The insurance shall cover CONSULTANT, its agents, representatives and employees in connection with the performance of work under this AGREEMENT, and shall be maintained throughout the term of this AGREEMENT. Insurance coverage shall be as follows:

i. Automobile Liability Insurance with minimum coverage of $300,000 for property damage, $300,000 for injury to one person/single occurrence, and $300,000 for injury to more than one person/single occurrence.

ii. Public Liability and Property Damage Insurance, insuring CITY its elected and appointed officers and employees from claims for damages for personal injury, including death, as well as from claims for property damage which may arise from CONSULTANT'S actions under this AGREEMENT, whether or not done by CONSULTANT or anyone directly or indirectly employed by CONSULTANT. Such insurance shall have a combined single limit of not less than $500,000.

iii. Worker's Compensation Insurance for all CONSULTANT'S employees to the extent required by the State of California. CONSULTANT shall require all subcontractors who are hired by CONSULTANT to perform the SERVICES and who have employees to similarly obtain Worker's Compensation Insurance for all of the subcontractor's employees.

iv. Professional Liability Insurance for CONSULTANT that at a minimum covers professional misconduct or lack of the requisite skill required for the performances of SERVICES in an amount of not less than $500,000 per occurrence.

B. Deductibility Limits for policies referred to in subparagraphs A (i) (ii) and (iii) shall not exceed $5,000 per occurrence.

C. Additional Insured. City, its elected and appointed officers and employees shall be named as additional insured on policies referred to in subparagraphs A (i) and (ii).

D. Primary Insurance. The insurance required in paragraphs A (i) and (ii) shall be primary and not excess coverage.

E. Evidence of Insurance. Consultant shall furnish CITY, prior to the execution of this AGREEMENT, satisfactory evidence of the insurance required, issued by an insurer authorized to do business in California, and an endorsement to each such policy of insurance evidencing that each carrier is required to give CITY at least 30 days prior written notice of the cancellation of any policy during the effective period of the

AGREEMENT. All required insurance policies are subject to approval of the City Attorney. Failure on the part of CONSULTANT to procure or maintain said insurance in full force and effect shall constitute a material breach of this AGREEMENT or procure or renew such insurance, and pay any premiums therefore at CONSULTANT'S expense.

18. ENFORCEMENT OF AGREEMENT

In the event that legal action is commenced to enforce or declare the rights created under this AGREEMENT, the prevailing party shall be entitled to an award of costs and reasonable attorney's fees in the amount to be determined by the court.

19. CONFLICTS OF INTEREST

No member of the governing body of the CITY and no other officer, employee, or agent of the CITY who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this AGREEMENT; and the CONSULTANT further covenants that in the performance of this AGREEMENT, no person having any such interest shall be employed.

20. INDEPENDENT CONTRACTOR

The CONSULTANT is and shall at all times remain as to the CITY a wholly independent contractor. Neither the CITY nor any of its agents shall have control over the conduct of the CONSULTANT or any of the CONSULTANT's employees or subcontractors, except as herein set forth. The CONSULTANT shall not at any time or in any manner represent that it or any of its agents or employees are in any manner agents or employees of the CITY.

21. ENTIRE AGREEMENT OF THE PARTIES

This AGREEMENT supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the employment of CONSULTANT by CITY and contains all the covenants and agreements between the parties with respect such employment in any manner whatsoever. Each party to this AGREEMENT acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that no other agreement or amendment hereto shall be effective unless executed in writing and signed by both CITY and CONSULTANT.

22. NOTICES.

All written notices required by, or related to this AGREEMENT shall be sent by Certified Mail, Return Receipt Requested, postage prepaid and addressed as listed below. Neither party to this AGREEMENT shall refuse to accept such mail; the parties to this AGREEMENT shall promptly inform the other party of any change of address. All

notices required by this AGREEMENT are effective on the day of receipt, unless otherwise indicated herein. The mailing address of each party to this AGREEMENT is as follows:

CITY: Elaine Jeng, PE, City Manager
City of Rolling Hills
No. 2 Portuguese Bend Road
Rolling Hills, CA 90274

CONSULTANT: Onward Engineering
Attn: Majdi Ataya, PE, President
300 S. Harbor Blvd., Suite 814
Anaheim, CA 92805

23. GOVERNING LAW

This AGREEMENT shall be governed by and construed in accordance with the laws of the State of California, and all applicable federal statutes and regulations as amended.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT on the date and year first above written.

CITY OF ROLLING HILLS	CONSULTANT
CITY MANAGER	PRESIDENT
_____	_____
ELAINE JENG, PE	MAJDI ATAYA, PE
DATE:_____	DATE:_____

ATTEST:

_____
CHRISTIAN HORVATH
CITY CLERK

APPROVED AS TO FORM:

_____
MICHAEL JENKINS, CITY ATTORNEY

Exhibit A

Scope of Work

Task 1: Serves as the City's construction inspector for the emergency repair at 3 Middleridge Lane North, slated to start on November 14, 2022 and anticipated to complete by November 30, 2022. Provide site inspections to ensure contractor meets construction documents, industry standards and practices, safety measures per CalOSHA, NPDES (stormwater) requirements for a construction site, applicable city codes, and provide inspection reports to the City on a weekly basis.

Task 2: Serves as the City's construction inspector for traffic improvements approved by the City Council. The Los Angeles County Public Works via the City's General Services Contract will implement majority of traffic improvements in Rolling Hills. Provide inspections to ensure contractor meets construction documents, industry standards and practices, safety measures per CalOSHA, NPDES (stormwater) requirements for a construction site, applicable city codes, and provide inspection reports to the City on a weekly basis.

Task 3: Serves as the City's inspector for the construction activities in the easement (term equivalent to public right of way in a non-private community), on an as-needed basis. Provide inspection reports to the City as appropriate. This task would include responding to residents' inquiries, conducting site visits to private properties in connection with activities in the easement.

Task 4: Meeting with City staff as needed, maximum ten meetings over a twelve-month period.

Agenda Item No.: 7.H
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH BENNETT LANDSCAPE TO PROVIDE LANDSCAPING SERVICES FOR THE CITY HALL CAMPUS**

DATE: **December 13, 2022**

BACKGROUND:
The City requested proposals from qualified firms to provide weekly landscaping maintenance to the City Hall campus located at 2 Portuguese Bend Road, Rolling Hills, California. The City Hall campus is widely utilized by residents and visitors for events, informal social gatherings, tai-chi class, and as park space.

Between 2017 and 2020, the City Hall campus was poorly maintained, with diseased vegetation, broken irrigation lines and sprinklers. Repairs were made and replacement irrigation parts installed; diseased vegetation removed, and isolated new vegetation planted without a holistic plan for the entire campus. An outdated landscape drawing of the City Hall campus was included with the Request for Proposal (RFP) as Attachment 1. The City is lacking as-builts for the campus, including the existing irrigation system and plant palette.

In 2022, a survey of the existing irrigation system was conducted by a licensed landscape architect that resulted in a list of recommended actions to improve the operation of the system. The survey was included with the RFP as Attachment 2. With limited open space, the City desires to keep the City Hall campus functional at all times. The City also desires an aesthetically pleasing campus with attention to details to the plant palette. The west side of the City Hall campus is one of the three main entryways to the community. Residents have expressed to staff that the rose bushes and ground covering adjacent to Portuguese Bend Road are the first visuals upon entering the city and this area should be reflective of the care that the city has for the greater community. The City released the RFP on August 22, 2022. All proposals were due no later than 3 pm on September 20, 2022.

The City received two responses to the RFP. The first from our current provider Bennett Landscape and the second from Stay Green Inc. whose clientele includes Palos Verdes

Estates and Rancho Palos Verdes. The proposals received were evaluated in 4 categories: Expertise, Experience & Training Plus Prior Contracting History; Project Approach & Availability; Cost; and Compliance with RFP.

At the October 24, 2022 City Council meeting, the Council directed staff to provide them with the internal documents used to determine staff's recommendation. The council was provided with both proposals as well as a comparison spreadsheet and evaluation scoring documentation.

DISCUSSION:
At the November 14, 2022 City Council meeting, staff returned with the item and a recommendation to contract with Stay Green Inc. After testimony, consideration and comments, the Council unanimously voted to select Bennett Landscape for a one-year period and directed staff to prepare a professional service agreement.

FISCAL IMPACT:
There are sufficient funds budgeted for FY22/23 in the General Fund to cover the monthly Landscaping Maintenance fees as proposed.

RECOMMENDATION:
Approve as presented.

ATTACHMENTS:
CA_AGR_221213_PSA_BennettLandscape_Maintenance.pdf

CITY OF ROLLING HILLS

AGREEMENT FOR LANDSCAPE MAINTENANCE

THIS AGREEMENT is made and entered into as of December 13, 2022, by and between the **CITY OF ROLLING HILLS** ("City") and Bennett Landscape ("Contractor").

R E C I T A L S

A. City desires to retain the services of Contractor to provide maintenance of landscaping services in the Civic Center Area (City Hall and Tennis Courts) in the City of Rolling Hills.

B. Contractor has represented to City that it has the expertise, experience, and qualifications to perform the services described in Paragraph A, above, and those services which are more fully described in this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the covenants and agreements set forth below, City and Contractor agree as follows:

1. **General Services**. Contractor shall furnish all materials and perform all work required for maintenance of Civic Center Area and Tennis Court area landscaping, which services are more particularly set forth in the Scope of Work attached hereto as Exhibit A and incorporated herein by reference. City expressly reserves the right to contract with other contractors for landscape services other than those described in this Agreement.

2. **Payment.** Contractor shall submit invoices monthly and the City will make payment for both services covered by this Agreement and any authorized extra work on a monthly basis, within 10 days of the close of the month in which work was performed.

Authorized extra work, such as tree trimming for trees over 15 feet, major irrigation repairs, tree removal, and other work not covered by this Agreement, may be performed at the written direction of the City and charges itemized separately as extra work on a monthly invoice. City reserves the right to seek other bids for these services from the successful bidder or from any other contractors.

A. Compensation. City shall pay to Contractor the sum of $1,139.67 per month based on weekly services rendered under this Agreement, representing total compensation for all work, labor, annual fertilizer, equipment, and expenses incurred by Contractor. Additional work and materials shall be provided as stated in Exhibit B. provided for in this Agreement may be authorized by City in writing and compensation therefor shall be agreed upon in advance by the parties.

B. Prevailing Wage. Contractor shall abide be the minimum prevailing rate of wages as determined by the State of California, Department of Industrial Relations for each craft, classification, or type of workman employed to carry out provisions of the Agreement. During the term of this Agreement, Contractor shall keep on file sufficient evidence of its employee

compensation to enable verification of compliance of Prevailing Wages as established by State of California, Department of Industrial Relations.

3. **Term and Termination**. The term of this Agreement shall commence on December 14, 2022 and terminate on December 14, 2023 unless extended by mutual agreement of the parties. City may terminate this Agreement at any time, with or without cause. In such event, Contractor shall be compensated for work satisfactorily accomplished up to the time of termination.

4. **Insurance**. Contractor shall, at his expense, obtain and keep in force during the term of this Agreement, a policy of Comprehensive General Liability Insurance, a policy of Comprehensive Automobile Liability Insurance, and a policy of Workers' Compensation Insurance as set forth more fully below:

A. Contractor shall maintain and deliver to the City copies of their Comprehensive General Liability Insurance with a combined single limit of not less than $1,000,000 covering bodily injury and property damage; insuring Contractor and the City against any liability arising out of the maintenance on the premises and all areas appurtenant thereto. Such insurance shall (a) name City, the Rolling Hills Community Association, and the City of Rolling Hills Estates, their appointed and elected officials, officers, employees, and agents as insureds; and (b) be primary with respect to any insurance or self-insurance programs maintained by the City; and (c) contain standard cross liability provisions.

B. Contractor shall maintain and deliver to City Copies of Comprehensive Automobile Liability Insurance with a combined single limit of not less than $1,000,000 per occurrence. Such insurance shall include coverage for owned, hired, and non-owned automobiles.

C. Contractor shall maintain Workers' Compensation Insurance covering their employees for injuries arising out of and in the course of their employment with limits of not less than $1,000,000 per accident.

D. Contractor shall provide copies of said policies' Certificates of Insurance. If Contractor, for any reason, fails to maintain insurance coverage, which is required pursuant to this Agreement, the same shall be deemed a material breach of this Agreement. City, at its sole option, may forthwith terminate this Agreement and obtain damages from the Contractor resulting from said breach. Alternatively, City may purchase such required insurance coverage, and without further notice to Contractor, City may deduct from sums due to Contractor any premium costs advanced by City for such insurance.

5. **Indemnity**. Notwithstanding the existence of insurance coverage required of Contractor pursuant to this Agreement, Contractor shall save, keep, indemnify, hold harmless, and defend City and its appointed and elected officials, officers, employees, and agents, from every claim or demand made and every liability, loss, damage, or expense of any nature whatsoever and all costs or expenses incurred in connection therewith, which arise at any time, by reason of damage to the property of, or personal injury to, any person, occurring or arising out of the performance by Contractor, its officers, agents, or employees, including, but not limited to, its subcontractors (hereinafter collectively "Contractor"), of the work required pursuant to this Agreement, occasioned by any alleged or actual negligence or wrongful act or omission by the Contractor, including any such liability imposed by reason of any infringement

or alleged infringement of rights of any person or persons, firm or corporation, in consequence of the use in the performance by Contractor of the work hereunder of any article or material supplied or installed pursuant to this Agreement.

A. Contractor will defend any action or actions filed in connection with any of said claims, damages, penalties, obligations, or liabilities and will pay all costs and expenses, including attorneys' fees incurred in connection herewith;

B. Contractor will promptly pay any judgment rendered against City, its officers, agents, or employees for any such claims, penalties, obligations, or liabilities; and,

C. In the event City, its officers, agents, or employees are made a part to any action or proceeding filed or prosecuted against Contractor for such damages or other claims arising out of or in connection with the sole negligence or wrongful acts of Contractor hereunder, Contractor agrees to pay City, its officers, agents, or employees any and all costs and expenses incurred by City, its officers, agents, or employees in such action or proceeding, including but not limited to, reasonable attorneys' fees.

6. **Quality of Work Performed**. All work shall be performed in accordance with accepted horticultural standards of quality and workmanship so as to maintain the landscape in the highest possible aesthetic condition.

7. **Personnel**. Contractor shall provide at all times sufficient landscape personnel with the skills and experience necessary to perform the various landscape activities for the full performance of this work. All personnel provided for the performance of this Agreement shall be employees of the contractor and contractor shall assume payment of all wages, taxes, and all other employee costs, unless otherwise provided.

Contractor shall hold harmless, indemnify, and defend the City against any liability or assessment connected with violations of Federal Statutes pertaining to alien/citizen status.

On-site personnel shall wear identifiable company uniforms including shirts, jackets, and caps, as necessary.

Frequent inspections of the site shall be made by an appropriate supervisor of the Contractor to assure adherence to schedules and policies by the crews performing the work. Supervisors shall be available to attend job walks with the City Manager or representative as necessary.

8. **Work Schedule**. Under normal conditions, the crews shall be on-site at various times to be determined by the City between the hours of 7:30 a.m. and 3:30 p.m. Monday through Friday (no Thursday mornings 7:00 a.m. to 1:00 p.m., Saturdays or Sundays permitted). Contractor shall observe the standard holidays and shall schedule work accordingly.

Contractor’s crews shall not work during inclement weather as damage to ground cover and turf areas may result. Contractor shall have a foreman visit the job site on Rain Days to turn off irrigation clocks and check for storm damage to the landscape. Storm damages noted shall be reported to the City.

9. **Licenses and Permits**. Contractor shall maintain a State Landscape Contractor's license and shall comply with all other license and permit requirements of the City, State, and Federal governments, as well as all other requirements of the law.

10. **Taxes**. Contractor agrees to pay all applicable taxes, including sales tax on material supplies where applicable.

11. **General Requirements.** Contractor shall comply with all City, State, and Federal laws in the performance of its services.

12. **Assignment**. This Agreement is not assignable nor the performance of either party's duties delegable without the prior written consent of the other party. Any attempted or purported assignment or delegation of any of the rights or obligations of either party without the prior written consent of the other shall be void and of no force and effect.

13. **Attorney's Fees**. In any action brought to declare the rights granted herein or to enforce any of the terms of this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees in an amount determined by the court.

14. **Non-discrimination**. Contractor shall not discriminate in the hiring of employees or in the employment of subcontractors on any basis prohibited by law.

15. **Independent Contractor**. Contractor is and shall at all times remain as to City, a wholly independent contractor. Neither City nor any of its agents shall have control of the conduct of Contractor or any of the Contractor's employees, except as herein set forth. Contractor shall not at any time or in any manner represent that it or any of its agents or employees are in any manner agents or employees of the City.

16. **Notices**. All notices and communications shall be sent to the parties at the following addresses:

CITY: **City Manager**
City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, California 90274

CONTRACTOR: **Bennett Landscape**
Attn: Sean A. Bennett
25889 Belle Porte Ave.
Harbor City, CA 90710

17. **Authorized Signature**. Contractor affirms that the signatures, titles, and seals set forth hereinafter in execution of this Agreement represent all individuals, firm members, partners, joint ventures, and corporate officers having a principal interest herein.

18. **Entire Agreement; Modification**. This Agreement supersedes any and all other agreements, either oral or written, between the parties and contains all of the covenants and

agreements between the parties. Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that any other agreement, statements, or promise not contained in this Agreement shall not be valid or binding. Any modification of this Agreement will be effective only if signed by the party to be charged.

IN WITNESS WHEREOF the parties hereto for themselves, their heirs, executors, administrators, successors, and assigns do hereby agree to the full performance of the covenants herein contained and have caused this Agreement to be executed by setting hereunto their names, titles, hands, and seals this 14th day of December, 2022.

CONTRACTOR:

_____

Sean A. Bennett
President and Founder

Contractor's License No._____

Agency Business License No._____

Federal Tax Identification No._____

CITY:

_____
Elaine Jeng,
City Manager of the City of Rolling Hills

Attested:

_____
Christian Horvath,
City Clerk of the City of Rolling Hills

Date: _____

EXHIBIT A

Scope of Work

I. Turf Management

Contractor is expected to perform the tasks listed below:

1. Mow the lawns weekly to maintain a neat and manicured appearance, weather permitting.
2. For all turf areas, inspect grounds for litter and debris prior to mowing and dispose of any litter or debris identified.
3. Mow all irrigated lawn areas to the finished cut height of no less than 1 ½" and no more than 2 ½"unless otherwise requested.
4. Cut lawn to a uniform height. Mowing equipment is to be kept sufficiently sharp and properly adjusted through daily servicing to provide a cleanly cut grass blade. Grass blade bruising, tearing, and shredding are to be prevented.
5. The lawn cutting height shall be appropriate to turf variety. The lawn edges shall be trimmed adjacent to walks, curbs, paving, headers, and shrub areas. Immediately following each mowing, the areas shall be left in a neat and clean condition.
6. Mowing pattern will be varied where possible to reduce rutting and compaction of grade. Any excess clippings will be dispersed and/or collected to prevent damage and unsightly appearance of lawns.
7. Extra care shall be taken to prevent edging wider than necessary margins around sprinkler heads, borders, and trees. Care shall be taken to prevent trimmer damage to tree trunks and structures.
8. Fertilizers shall be applied seasonally on a set schedule to maintain lawn strength, color, and vigor.
9. Fertilizers shall be watered in after the application at the next regularly scheduled watering period.
10. Both chemical and organic fertilizer materials may be used.
11. Contractor shall maintain a log of fertilizer use and provide log to City upon City's request.
12. Broadleaf and grassy weeds, insect pests, and plant diseases shall be treated by application of approved pesticides.
13. Damage to lawns and ground cover due to circumstances beyond the Contractor's control shall be repaired after agreement with the City as to payment for such work.
14. Lawns are to the thatched, scalped, and over-seeded in the Fall.

II. Ground Covers and Shrubs

Contractor is expected to perform the tasks listed below:

1. On a monthly basis, prune and trim ground cover plants neatly away from shrubs, trees, walk-ways, walls, and headers.
2. Shrubs shall be pruned to maintain a natural shape and proper size as a continuous operation.
3. Pruning and shaping of shrubs shall be performed only as necessary to maintain the natural form of the plant, to maintain growth within space limitations, and to eliminate damaged or diseased wood.
4. Shrubs shall not be clipped into balled or boxed forms unless required by the design.
5. Ground cover and shrubs shall be kept trimmed and pruned back so as to not obstruct sprinklers, outdoor lights, fire hydrants, and electrical/telephone boxes.
6. Vines on City Hall shall be removed.
7. Damage to ground covers due to circumstances beyond the Contractor's control shall be repaired after prior agreement with the City as to payment for such work.
8. Plants that are in a state of decline and are dead shall normally be removed if Contractor is satisfied that the property will benefit aesthetically. Contractor must notify the City first, and gain City approval, before plant are removed.
9. Shrub and ground cover areas shall be kept free of broadleaf or grassy weeds, preferably with pre-emergent and/or selective herbicides. Cultivation or hoeing weeds is not permitted.
10. Fertilizer shall be applied seasonally on a programmed and monitored basis or as required to stimulate growth.
11. Contractor shall maintain a log of fertilizer use and provide log to City upon City's request.

III. Small Trees

Contractor is expected to perform the tasks listed below:

1. Maintain all trees and shrubbery to a measure of 15 feet in height or less.
2. Trimming of trees over 15 feet in height may be performed and invoiced as extra work following written approval by the City. City reserves the right to seek other proposals from other contractors for trimming of trees over 15 feet in height.
3. Trees shall be properly staked and tied as necessary. Tree ties shall be inspected at least three times per year to prevent damage caused by abrasion or constriction.

4. Removal of tree stakes shall be considered as soon as possible to encourage tree development.

5. Trees and stumps requiring removal due to storm damage, proximity to buildings, walks, utilities, or other reasons shall be performed as directed and invoiced as extra work following written approval by the City.

6. Contractor shall inspect trees for insects and diseases. Approved chemical sprays shall be applied if required for common and controllable insect and disease infestations. Spraying shall be limited to one application. Additional treatments necessary due to unusual conditions may be invoiced as extra work following written approval by the City. Spraying shall be limited to trees measuring 15 feet or less in overall height.

7. The City may ask that a tree or large shrub be lowered to protect a view. If this requires a non-standard trimming practice that can result in deformity or seriously impact the health of the tree, the ultimate responsibility will be borne by the City.

8. Olive trees shall be sprayed in the spring to reduce the production of olives and shall be performed as part of the monthly service at no additional charge to the City.

9. Contractor shall not be responsible for tree damage caused by tree roots.

IV. Replacement

Contractor is expected to perform the tasks listed below:

1. Comply with the following requirement: any plant material that may expire, due to negligent maintenance procedures, shall be replaced by the Contractor, up to a maximum fifteen-gallon size plant, at no extra cost to the City.

V. Debris Control

Contractor is expected to perform the tasks listed below:

1. On a weekly basis, all lawns, planting beds, and walkways shall be cleaned of papers, bottles, excessive dust, and other types of debris.

2. On a weekly basis, rake and remove leaf debris after tree trimming.

3. As work in each area is completed, the clippings, trimmings, and debris shall be picked up and removed from the property at the end of each workday to leave a clean condition.

VI. Pest Control

Contractor is expected to perform the tasks listed below:

1. A pervasive pest infestation that is out of the ordinary (e.g. an influx of snails, whitefly, and lerp psyllid, etc.) requiring repeated pesticide applications may be invoiced as extra work following written approval by the City. Contractor will bear the responsibility to hire a California licensed pest control and fumigation sub-contractor when the application of services is deemed necessary.

2. Contractor's employees and subcontractors shall exercise the proper use of chemical controls and spray equipment and take all established safety precautions.

3. Contractor shall assume all supervision and responsibility for the application of chemicals and insecticides that are used by Contractor's employees and subcontractors in performing contracted work.

4. Contractor will not be held responsible for children or pets that may ingest pellets, granular products, or treated foliage, unless negligence on the part of the Contractor is the cause.

VII. Irrigation Systems

Contractor is expected to perform the tasks listed below:

1. Continually inspect the irrigation systems for broken and clogged heads, malfunctioning or leaking valves, or any other condition, which hampers the normal operation of the irrigation system.

2. The crew foreman shall manually sequence each automatic irrigation controller on a scheduled basis to ensure that the irrigation system facets are operating properly.

3. Contractor shall replace sprinkler heads damaged by normal landscape maintenance operations at no charge to the City.

4. On a monthly basis, Contractor shall inspect sprinkler heads and make adjustments, if necessary to conserve water and to provide the best possible coverage and least possible spray onto buildings, fences, and tennis courts while conserving water.

5. Contractor will not be held responsible for water damage resulting from sprinkler heads located in close proximity to structures that over-spray in an unavoidable manner.

6. Maintenance crew shall schedule watering area plant material on automatic irrigation controllers in quantities and frequencies consistent with seasonal requirements of the area plant materials.

7. Where practical, watering all vegetation shall be done at night or early morning if the system is automatic, or unless directed otherwise by the City.

8. Repairs and/or replacement of automatic irrigation clocks, major valves, and major piping may be performed and invoiced as extra work following written approval by the City.

9. Minor replacement and repairs to sprinkler heads and pipes shall be performed at no additional cost to the City.

10. Maintenance crew must immediately report to the City any vandalism or accidental damage caused by others. Repairs may be made and invoiced as an extra charge following written approval by the City.

11. If the maintenance crew has determined that the automatic irrigation controller has failed or malfunctioned, the City shall be instructed as to location of clocks and backflow valves so that they may be turned off.

12. Contractor shall provide the City with a 24-hour emergency service telephone number and designate a company person to receive emergency calls. Contractor agrees to respond to City emergency calls during normal business hours (7:30am to 5pm) and during non-business hours (5pm to 7:30am).

13. Contractor shall inspect and clean all drainage swales, grates, and rain gutters on all structures on and leading from the property.

VIII. Irrigation Systems

Contractor is expected to perform the tasks listed below:

1. Special Circumstances. Damage to landscape or irrigation systems caused by others, such as other contractors working on the property, may be repaired and invoiced as extra work following written approval by the City.
2. Stormwater Prevention. Pursuant to the National Pollutant Discharge Elimination System (NPDES) Permit, Public Agencies are required to implement programs to minimize storm water pollution impacts from public agency activities, including from landscape facilities management. Therefore, Contractor shall ensure that no application of pesticides or fertilizers occurs immediately before, during, or immediately after a rain event or when water is flowing off the area to be applied. In addition, Contractor shall not apply any banned or unregistered pesticides or fertilizers.

EXHIBIT B

PROPOSAL REQUIREMENTS

Fees

Landscape Maintenance Services

$263 weekly

Tree Trimming

Campus tree trimming services allotment $11,200.

Tree trimming is performed by a separate crew who specializes in and have the knowledge of tree trimming safety.

Irrigation Repairs

After reaching the cumulative total of $750 in irrigation repairs, we will charge at the standard rate of 2 men crew $125/hr. plus material costs. Monday through Friday 7-4 pm.

New Plantings

Price will be determined on which plants, shrubs, or trees the City of Rolling Hills selects, how many, equipment needed, and availability. Price will include the plant/shrub/tree, soil amendments, slow-release planting tablets, labor, stakes etc.

- 1 gallon $17.95
- 5 gallon $42.50
- 15 gallon $145
- 24" box $500
- 36" box $850

Construction

Price is determined by project. Price includes, equipment, labor, material etc.

Emergency Services – After 4pm, weekends, holidays

Major irrigation repairs, 1 man team	$120 per hour
Tree crew 3 men	
Chipper truck and chipper	$650 per hour
Aerial bucket truck additional	$200 per hour

***After Hours*:**

Main telephone line – listen to prompts	(310) 534-3543

One -time Services Unit Prices – Monday – Friday 7-4pm

a)	Reprogram irrigation controllers	$125/hr.
b)	Replace pressure regulator, Brass Wilkens, regulator each	$2400 each
c)	Check back flow device, certification	$200 each
d)	Change spray nozzles	$9.50 each
e)	Mulch and fertilize planter beds, 50 cu yds wood tree mulch	$900 each
f)	De-thatch, aerate, overseed, top dress, fertilize lawn	$495
g)	New irrigation controllers	$3900 each
h)	Replace 6 failing pop-ups	$42 each
i)	Replace aging valves	$390 each
j)	Replace entire irrigation system	$1500 station/zone each station
k)	2 – 90° gutter repair, downspout	included

It is difficult to price material as the recommendations does not include in some cases model, sizes, and quantity. Only states Hunter I-Core controllers.

****Subject available and substitution due to availability from distributors****

Implement Landscape Architect Recommendations

Licensed landscape architect

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.I
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **APPROVE THE FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN FOR PHASE 2 OF THE SANITARY SEWER FEASIBILITY STUDY FOR A NOT-TO-EXCEED FEE OF $9,010; ADOPT BY RESOLUTION NO. 1318 AUTHORIZING A BUDGET MODIFICATION OF $9,010.**

DATE: **December 13, 2022**

BACKGROUND:
At the May 13, 2019 meeting, the City Council approved a Professional Services Agreement with Willdan Engineering for the Phase II Sanitary Sewer Improvement Feasibility Study. The completed study was submitted to the Sanitation District of Los Angeles County for a Will Serve Letter to accept effluent discharge from Rolling Hills at the County's treatment facility. The County provided two Will Serve Letters: the first Will Serve Letter allows effluent discharge from the City Hall campus and from the Tennis Courts. The second Will Serve Letter allows for effluent discharge from existing 235 single family homes in Rolling Hills. The cities of Rolling Hills Estates and Torrance reviewed the study and the study was approved by the Los Angeles County Department of Public Works (LACDPW) on May 6, 2020.

The City released a Request for Proposal and engaged the services of NV5 in 2020 to provide engineering design for the 8-inch sewer main along Portuguese Bend Road/Rolling Hills Road from the Rolling Hills Community Association's (RHCA) main gate to the intersection of Rolling Hills Road and Crenshaw Boulevard. Since the commencement of the design work, NV5 has met the 65% design, 90% design, and the 100% design milestones. The design documents at various milestones were reviewed by the cities of Rolling Hills Estates and Torrance.

During the review process, the City of Torrance requested additional design services to address the utility conflict from upsizing downstream main lines near the corner of Rolling Hills Road and Crenshaw Boulevard. A proposal to amend NV5's professional services agreement was presented to the City Council on April 25, 2022 at which time the City Council directed staff to look at bifurcating the project into two construction phases.

Phase 1 would include the new 8-inch sewer main along Portuguese Bend Road from the RHCA's main gate to Lariat Lane in Rolling Hills Estates. Phase 2 would involve the downstream sewer improvements in the City of Torrance (upsizing existing sewer mains) along Rolling Hills Road from Lariat Lane to Crenshaw Boulevard.

Per the City Council's direction at the April 25, 2022 meeting, staff confirmed with the cities of Rolling Hills Estates and Torrance as well as LACDPW that the proposed 8-inch sewer main along Portuguese Bend Road/Rolling Hills could be phased as previously described on the condition that the Sanitary Sewer Improvement Feasibility Study prepared by Willdan Engineering be updated. All agencies wanted to confirm that the existing sewer main lines in Rolling Hills Estates and the City of Torrance have the capacity to accept effluent from the City Hall campus and the Tennis Courts (Phase 1) without upsizing.

In June 2022, Willdan Engineering provided a proposal to amend the Sanitary Sewer Improvement Feasibility Study for $9,010. At the June 27, 2022 meeting, the City Council reviewed Willdan Engineering's proposal and directed staff to bring this item back in six months.

DISCUSSION:
At the November 14, 2022 City Council meeting, staff returned as directed and the Council voted unanimously to Approve the proposal from Willdan Engineering and directed staff to prepare a professional services agreement.

FISCAL IMPACT:
The adopted Fiscal Year 2022-2023 budget did not include funds to amend the Sanitary Sewer Improvement Feasibility Study. This project requires an allocation of $9,010.00 from General Fund reserves. The $9,010.00 will be budgeted as a transferred out in the General Fund and will also be appropriated to the Sewer Feasibility Project accounted for in the City's Capital Improvement Fund (40). Reserve balances are well above the amount required by the revised reserve policy, and the use of reserves for this type of unexpected capital cost is in line with the City's budget policies.

RECOMMENDATION:
Adopt Resolution No. 1318 and approve as presented.

ATTACHMENTS:
ResolutionNo1318_Wildan_PSA01_BudgetAmendment_SanitarySewer.pdf
CA_AGR_221213_PSA_Willdan_Amendment01_SanitarySewerFeasibilityStudy.pdf

RESOLUTION NO. 1318

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS. CALIFORNIA AUTHORIZING A FISCAL YEAR 2022-2023 BUDGET MODIFICATION TO APPROPRIATE $9,010 IN GENERAL FUND RESERVES TO THE CAPITAL IMPROVEMENT FUND FOR THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ENGINEERING FOR A FEASIBILITY STUDY FOR PHASED CONSTRUCTION OF AN 8-INCH SEWER MAIN

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. Recitals.

A. It is the intention of the City Council of the City of Rolling Hills to review the adopted budget from time to time.

B. On November 14, 2022 the City Council received a report regarding amending the Sanitary Sewer Improvement Feasibility Study to Phase the Construction of the 8-Inch Sewer Main Project.

C. After the report the City Council directed staff to draft and bring back an Amendment to the existing Agreement with Willdan to phase the work. Attached hereto as Exhibit “A” is the First Amendment to Professional Services Agreement with Willdan Engineering.

Section 2. The sum of nine thousand, ten dollars ($9,010.00) is hereby appropriated from the General Fund Reserves to the Capital Improvement Fund to fund the work contemplated by the First Amendment to Professional Services Agreement with Willdan Engineering.

Section 3. This Resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book or original resolutions.

PASSED, APPROVED, AND ADOPTED this 13th day of December, 2022

_____
JAMES BLACK, M.D.
MAYOR

ATTEST:

_____
CHRISTIAN HORVATH
CITY CLERK

Exhibit A

FIRST AMENDMENT TO
PROFESSIONAL SERVICES AGREEMENT

THIS FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT ("First Amendment") is made and entered into this 13th day of December, 2022, by and between the CITY OF ROLLING HILLS, a California municipal corporation (hereinafter the "CITY"), and Willdan Engineering a subsidiary of Willdan Group, Inc., a California corporation (hereinafter the "CONSULTANT"). CITY and CONSULTANT are sometimes referred to in this First Amendment individually as a "Party" and collectively as the "Parties."

RECITALS

A. CITY and CONSULTANT have entered into that certain Professional Services Agreement for the Phase II Sanitary Sewer Improvement Feasibility Study last executed on or around May 13, 2019 (the "Agreement")

B. The Parties now desire to amend the Agreement in order to amend the Agreement to provide a feasibility study to phase construction of the 8-Inch Sewer Main Project into two construction phases: (i) Phase 1 would be a new 8-inch sewer main along Portuguese Bend Road from the RHCA's main gate to Lariat Lane in Rolling Hills Estates; (ii) Phase 2 would involve the downstream sewer improvements in the City of Torrance (upsizing existing sewer mains along Rolling Hills Road from Lariat Lane to Crenshaw Boulevard and provide for additional compensation to CONSULTANT ("First Amendment").

Now, therefore, for and in consideration of the mutual covenants and conditions herein contained, CITY and CONSULTANT agree the following terms, as set forth in this First Amendment.

1. Section 2 "Scope of Work" of the Agreement is amended to read as follows:

   CONSULTANT shall provide the services described in the Scope of Services attached to the Agreement as Exhibit A and incorporated therein by reference. CONSULTANT shall also provide the following supplemental services ("Supplemental Services") attached to this First Amendment as Exhibit B.

2. Section 3 "Cost" of the Agreement is amended to read as follows:

   The CITY agrees to pay CONSULTANT for the Scope of Services attached to the Agreement as Exhibit A and incorporated therein by reference, an amount not to exceed $49,955.00. This amount was offset by a then balance of $17,535.00 remaining in CONSULTANT'S account. Accordingly the CITY will only make payments totaling $32,420 to CONSULTANT for completion of the work identified in Exhibit A of the Agreement. For the Supplemental Services attached to this First Amendment as Exhiibit B, the City shall pay an amount not to exceed $9,010. These amounts include the cost

for the services and all expenses, travel and mileage, attendance at meetings, and reimbursable expenses.

4. Except as amended by this First Amendment, all provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the date and year first written above.

CITY OF ROLLING HILLS **WILLDAN ENGINEERING**

_____ _____

ELAINE JENG, City Manager VANESSA MUNOZ, Director of Engineering

ATTEST:

_____

CHRISTIAN HORVATH
CITY CLERK

APPROVED AS TO FORM:

_____

MICHAEL JENKINS
CITY ATTORNEY

EXHIBIT B

May 5, 2022 Via e-mail: ejeng@cityofrh.net

Ms. Elaine Jeng, PE, City Manager
City of Rolling Hills
No. 2 Portuguese Bend Road
Rolling Hills, CA 90274

Subject: Sewer Area Study Supplement

Dear Ms. Jeng:

The City of Rolling Hills selected Willdan Engineering in 2018 to prepare a "Sewer Feasibility Study Including City Hall and Tennis Court Site" (Phase 1). The study conducted concept level research and engineering feasibility evaluation regarding the potential of connecting the City Hall, POA building, and the tennis court site, and upstream properties to existing downstream sanitary sewer systems. The report was presented to the City Council on October 8, 2018. The City subsequently selected Willdan in July 2019 to further the design to the preliminary engineering level (Phase 2). The scope of work of the Phase 2 project included:

Analyzing parcels in the City upstream of the City Hall location that can feasibly drain to the proposed sanitary sewer extension;

Estimating the amount of wastewater to be generated by the project area;

Analyzing the capacity of the existing downstream sewer system with the estimated wastewater from the project area;

Preparation of a Sewer Area Study that was submitted to, and received approval from, the City of Torrance, the City of Rolling Hills Estates, LACDPW and the County Sanitation District of Los Angeles County;

Preparation of preliminary engineering plans for the extension of the sanitary sewer to the City Hall, POA Building and tennis court site.

The Phase 2 project determined that pipe size upgrades in the downstream segments in the City of Torrance are required to ensure the sewer pipes do not exceed Design Capacity (pipe half full).

The City now desires to study the impact to the downstream sewers from the sewer flows from the City Hall and the Tennis Court Site only, i.e., not including sewer flow from the upstream properties. The sewer will likely not be extended to the upstream properties for several years and the City would like to not construct the pipe size upgrades at this time if they are not needed. The City has contacted the Cities of Rolling Hills Estates and Torrance and they are acceptable to this concept if the Sewer Area Study is supplemented to verify that the downstream sewer pipes are within Design Capacity without the sewer flows from the upstream properties. This proposal presents Willdan's scope of work, fee and schedule to prepare the Sewer Area Study Supplement.

SCOPE OF WORK

1. **Project Management:**

   The success of any project is dependent upon communication between the client and project manager. This communication ensures that the project performs within the agreed upon scope of work, schedule, and budget. Willdan will provide the City with a bi-weekly Project Status Memorandum which will be delivered via email.

   Products Developed: Bi-Weekly Project Status Memorandum
   Deliverable to Client: Bi-Weekly Project Status Memorandum

2. **Review Approved Sewer Area Study:**

   Willdan will review the Sewer Area Study which was approved by all affected agencies to determine the pertinent documents, figures, and calculations which will require revision.

   Products Developed: Project status documents and working notes
   Deliverable to Client: None

3. **Revise the Sewer Model:**

   Willdan will update the approved sewer model Excel file to reflect the following:

   Delete sewer flows from properties upstream of City Hall / Tennis Court Site;
   Revise pipe slopes to reflect the current design plans provided by the City; and
   Evaluate the results of the model

   Products Developed: Updated Sewer Model
   Deliverable to Client: None

4. **Prepare a Sewer Area Study Supplement:**

Willdan will prepare a textual document which will document the scope and findings of the Supplement. Figures and exhibits which were included in the approved Sewer Area Study will be annotated to reflect the scope and findings of Phase 1. Willdan will prepare a Sewer Area Study Supplement, sealed and signed by a California registered Professional Engineer and submit to the City, Rolling Hills Estates, and Torrance. As Phase 1 will not have any impact on LACDPW facilities, we have emailed them to confirm that a formal submittal to them is not required. As of the writing of this proposal, we have not heard back from LACDPW, but we are including a submittal fee of $2000 in our fee to be conservative. The fee for the LACDPW review of the original Sewer Area Study was $2000 and is based on review effort. The review effort for the Supplement should be less and therefore the $2000 should be conservative. The Cities of Torrance and Rolling Hills Estates require no fee for review of the Supplement.

Products Developed: Sewer Area Study Supplement
Deliverable to Agencies: Draft Sewer Area Study Supplement (2 Hard Copies each to Rolling Hills, Torrance and Rolling Hills Estates. If LACDPW review is required, it is through its electronic permitting service)

5. Revise Sewer Area Study Supplement

Although not anticipated, it is possible that the agencies may have comments after reviewing the Sewer Area Study Supplement. If comments are received, Willdan will revise the documents as required and resubmit the Sewer Area Study, sealed and signed by a California registered Professional Engineer.

Products Developed: Revised Sewer Area Study Supplement
Deliverable to Client: Revised Sewer Area Study Supplement (2 Hard Copies each to Rolling Hills, Torrance and Rolling Hills Estates. If LACDPW review is required, it is through its electronic permitting service)

FEE

We propose to provide the above engineering services for a fixed fee of **$9,010**.

Please indicate the City's approval and authorization to proceed by either printing out and signing two originals and returning one hard copy original to our office, or by scanning one signed original and returning it by e-mail.

City of Rolling Hills
May 5, 2022
Attn: Elaine Jeng, PE, City Manager

SCHEDULE

We estimate the Sewer Area Study Supplement will be completed within four weeks, which excludes agency review time, from receipt of the signed proposal and written Notice-to-Proceed. The proposed Schedule is as follows:

Task	Weeks	Weeks from NTP
1. Project Management	Ongoing	Ongoing
2. Review Approved Sewer Area Study	1	1
3. Revise Sewer Model	1	2
4. Prepare Sewer Area Study Supplement	1	3
5. Revise Sewer Area Study Supplement	1	4

Thank you for the opportunity to be of service to the City of Rolling Hills. We recognize the importance of this preliminary engineering assessment to the City and are committed to accomplishing it timely and successfully. Should you have any questions regarding this proposal, please contact Mr. Chris Stone, P.E. at (702) 289-4247 or Ms. Vanessa Muñoz PE, TE, PTOE at (562) 368-4848.

Respectfully submitted,

WILLDAN ENGINEERING

Vanessa Muñoz, PE, TE, PTOE
President/Director of Engineering

Approval and Authorization to Proceed By:

CITY OF ROLLING HILLS

_____

_____
Date:

910005/WW.00.60/P22-158_23401

PROJECT HOURS AND FEE	***CITY OF ROLLING HILLS Sewer Area Study Supplement***							
PROJECT ACTIVITY DESCRIPTIONS & TEAM	Dep. Dir. Engrg. $214	Project Manager III $191	Sr. Engineer II $183	Asst. Engineer I $127	Admin. Asst II $100	Total Hours #	ODC $	Total Fee $
TASK DESCRIPTION	Peter	Stone	Gandhi	Crim				
1. Project Management		4				**4**		**$764**
2. Review Approved Sewer Area Study		2	4			**6**		**$1,114**
3. Revise Sewer Model		2	6			**8**		**$1,480**
4. Prepare Sewer Area Study Supplement								
Report Writing	1	2	4			**7**		**$1,328**
Revise Exhibits and Figures				3		**3**		**$381**
LACDPW Review Fee (if required)							$ 2,000	**$2,000**
Printing/Binding/Shipping 6 hard copies total				1	2	**3**	$ 100	**$427**
5. Revise Sewer Area Study Supplement								
Revise Report	1	2	2			**5**		**$962**
Revise Exhibits and Figures				2		**2**		**$254**
Printing/Binding/Shipping 6 hard copies total					2	**2**	$ 100	**$300**
Totals	**2**	**12**	**16**	**6**	**4**	**40**	**$ 2,200**	**$9,010**

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.J
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **ACCEPT EMERGENCY STORM DRAIN REPAIR AT 3 MIDDLERIDGE LANE NORTH AS COMPLETE, FILE NOTICE OF COMPLETION, AND RELEASE RETENTION AFTER 30 DAY LIEN PERIOD TO EC CONSTRUCTION**

DATE: **December 13, 2022**

BACKGROUND:
The December 2021 rain storms caused three sinkholes on Middleridge Lane, North and South. Working with the Los Angeles County Department of Public Works to address the sinkholes, the department found a 1972 signed agreement between the Los Angeles County Flood Control District and Rolling Hills noting that the City is responsible for the maintenance of a storm drain line along Middleridge Lane North and South. The sinkholes, located adjacent to the roadway on Middleridge Lane South were caused by breaks in the subject storm drain line as with the sinkhole on 1 Middleridge Lane North. The City made emergency repairs on three areas of the storm drain system between February and April 2022.

Late afternoon Wednesday, September 21, 2022, resident Hamik Mukelyan of 3 Middleridge Lane North visited City Hall and reported sinkholes on the eastern side of his property. Mr. Mukelyan's property is located next to 1 Middleridge Lane North, and during the emergency repairs in March 2022, Mr. Mukelyan connected with city staff and the property owner at 1 Middleridge Lane North about the work as it related to noise and duration of the work. In response to Mr. Mukelyan's report in September 2022, staff requested that Mr. Mukelyan provide photos of the reported sinkholes on his property. They are attached to this report. On Thursday morning, September 22, 2022, staff proactively submitted a Storm Drain Condition Assessment request with Los Angeles County Department of Public Works' City Service Request Tracking System. The request is currently under review.

To act on the report timely, staff asked for the assistance of a retired Public Works Inspector to visit Mr. Mukelyan's property. The site visit was held on Monday, September 26 following Mr. Mukelyan's Thursday report. At the site visit, the segment of the subject drainage pipe at 3 Middleridge Lane North was observed to be on a steep slope, at the edge of the property line

between 1 and 3 Middleridge Lane North. Per Mr. Mukelyan the area was overgrown with vegetation, and not utilized. Mr. Mukelyan also noted that he recently had his gardener remove vegetation along the alignment of the drainage pipe and discovered two sinkholes. Staff's site observation from site visit was that the two areas noted as sinkholes by Mr. Mukelyan were likely caused by the subject drainage line given the age and condition of the pipe from the emergency repairs earlier this year.

Staff reviewed the Los Angeles County engineering plans to the drainage line at 3 Middleridge Lane North and noted that the segment of the pipe on the property drops significantly, elevation wise, from the segment on the neighbor's property at 1 Middleridge Lane North. Staff also spoke with the EC Construction, the contractor that repaired the upstream segments of the pipe (1 Middleridge Lane North, and roadside adjacent at 1 Middleridge Lane South). EC Construction recalled that the pipe segment replaced at 1 Middleridge Lane North was nearly ten feet deep from the walking surface and that their crew reconnected the new pipe to the existing pipe approximately a foot west of the three-rail fence separating 3 Middleridge Lane North and 1 Middleridge Lane North. EC Construction noted that at the point of connection, the segment of the pipe on 3 Middleridge Lane North was intact for a secure connection.

At the October 10, 2022 City Council meeting, the Council made findings to perform Emergency repairs on 3 Middleridge Lane requiring the use of available General Fund Reserves. In a separate motion, the City Council also authorized the inspection of the storm drain system to assess the condition.

Staff contacted EC Construction who had performed the two previous emergency repairs earlier this year on two other segments that had failed and were causing similar issues. On Friday, October 14, EC Construction visited the site to make an assessment in preparation for an official cost estimate.

At the October 28, 2022 City Council Meeting, the Council Adopted Resolution No. 1312 for emergency work, adopted Resolution No. 1313 for a budget modification, appropriated $40,503.00 (included a 15% contingency) from the General Fund Reserves to Fund 40 for the repair, and directed the City Attorney to finalize a construction contract and authorize the City manager to execute.

DISCUSSION:
EC Construction completed the project during the week of November 14, 2022. The work completed and originally described ECC's estimate to repair the issue was as follows:

1. Remove existing vegetation as required to access damaged pipe.
2. Remove approx. 20 LF of white fencing and replace fencing after pipe installation.
3. Remove soil and approx. 55 LF of damaged 24" CMP. Damaged pipe removal will be from the connection of the new 24" pipe at the edge of the property on 1 Middleridge N to the existing concrete head wall structure.
4. Install approx. 55 LF of new 24" CMP and backfill with native soil.
5. Level off and regrade working area on 1 MIddleridge N.

On November 14, 2022, The City Council approved the selection of Onward Engineering to provide on call Inspection Services for capital projects including this emergency project. The project was completed on November 17, 2022, before the inspector could coordinate with EC Construction. Construction photos are available absent of an inspector's observation of the

work.

FISCAL IMPACT:
The repair to the storm drain line was an unexpected expense and not budgeted in the FY 2022-2023 adopted budget.

The final cost was $35,220.00.

RECOMMENDATION:
Approve as presented.

ATTACHMENTS:
PW_DRA_221017_ECC_EmergencyEstimate_3MiddleridgeLaneN.pdf
PW_DRA_221123_ECC_Invoice_CF_3MiddleridgeLane.pdf
PW_DRA_221213_3MiddleridgeLaneN_NoticeOfCompletion_D - Copy.pdf

BID PROPOSAL AND CONTRACT

2213 CHICO AVE./SO. EL MONTE, CA 91733
Phone: (626) 444-9596 Fax: (626) 444-3077
California Contractors License #366814

DATE: 10/17/2022

TO City of Rolling Hills
2 Portuguese Bend Rd
Rolling Hills, CA 90274

JOB ADDRESS

3 Middleridge Lane N

We agree to furnish all labor, materials, equipment and supervision necessary to complete the following:

STORM DRAIN REPAIR

1. Remove existing vegetation as required to access damaged pipe.
2. Remove approx. 20 LF of white fencing and replace fencing after pipe installation.
3. Remove soil and approx. 55 LF of damaged 24" CMP. Damaged pipe removal will be from the connection of the new 24" pipe at the edge of the property on 1 Middleridge N to the existing concrete head wall structure.
4. Install approx. 55 LF of new 24" CMP and backfill with native soil.
5. Level off and regrade our working area on 1 MIddleridge N.

COST……$35,220.00

Exclusions: permits, inspection fees, SWPPP plan, engineering, survey, relocation of underground utilities, night or weekend work, concrete, slurry, and striping.

The above described work will be performed in a workman like manner and in accordance with standard practices.
TERMS: Unless credit arrangements have been made, in writing, in advance, the invoice for the work described herein is due and payable on presentation. 1 ½ % per month will be charged on a daily basis on all accounts or portions thereof not paid within 10 days of the date of the invoice. Customer agrees to pay reasonable attorney fees and collection costs incurred by E.C. Construction Co. for the collection of both principal and interest due to customer's failure to pay per this agreement.
Unless otherwise specified, if this proposal is not accepted within_____15_____days from bid date, we reserve the right of cancellation.

APPROVE AND ACCEPTED

_____

Date_____20___

Respectfully Submitted,

E.C. CONSTRUCTION CO.

By_____

E. C. CONSTRUCTION CO.
2213 CHICO AVENUE
SOUTH EL MONTE, CA 91733
Phone: (626) 444-9596 **Fax:** (626) 444-3077
Contrs Lic # 366814

Invoice

Invoice Number
19278
Invoice Date
11/21/2022

Bill To: CITY OF ROLLING HILLS
Attn: Christian Horvath
2 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274

Re: STORM DRAIN REPAIR
3 MIDDLERIDGE LANE N

ROLLING HILLS, CA 90274

Our Job No	Customer Job No	Customer PO	Payment Terms	Due Date
221008			Net 30 Days	12/21/2022

Description	Price
STORM DRAIN REPAIRS @ 3 MIDDLERIDGE LANE N. (CONTRACT AMOUNT)	35,220.00
10% RETENTION -3,522.00	- 3,522.00
AMOUNT DUE FOR THIS INVOICE $31,698.00	

Subtotal	$	31,698.00
Sales Tax (if applicable)	$	0.00
Total Due	**$**	**31,698.00**

Thank you for your business!
All Sales Taxes Paid

CONDITIONAL WAIVER AND RELEASE UPON PROGRESS PAYMENT

(California Civil Code No. 3262 (d) (1))

Upon receipt by the undersigned of a check from

CO ROLLING HILLS
(MAKER OF CHECK)

in the sum of $ $31,698.00

payable to E.C. CONSTRUCTION CO.
(PAYEE OF PAYEES OF CHECK)

and when the check has been properly endorsed and has been paid by the bank upon which it is drawn, this document shall become effective to release pro tanto any mechanic's lien, stop notice or bond right the undersigned has on the job of :

CO ROLLING HILLS
(OWNER)

located at STORM DRAIN REPAIR 3 MIDDLE LANE N. ROLLING HILLS, CA 90274
(JOB DESCRIPTION)

to the following extent. This release covers a progress payment for labor, services, equipment or material furnished to:

CO ROLLING HILLS
(YOUR CUSTOMER)

Through 11/30/2022 only and does not cover any retention or items furnished after said date. Before any recipient of this document relies on it, said party should verify evidence of payment to the undersigned.

Date : 11/30/2022

E.C. CONSTRUCTION CO.
(COMPANY NAME)

By: Maria Cacho

Maria Cacho, Office Manager

NOTE: Single or joint payee may be used. Release effective when check clears the bank with proper endorsements.

RECORDING REQUESTED BY
CITY OF ROLLING HILLS
AND WHEN RECORDED MAIL TO:

Name CITY OF ROLLING HILLS

Street Address 2 PORTUGUESE BEND RD

City & State ROLLING HILLS
CA 90274

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

NOTICE OF COMPLETION

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is Rolling Hills Community Association / City of Rolling Hills
3. The full address of the owner is 1 PORTUGUESE BEND ROAD, ROLLING HILLS, CA 90274
4. The nature of the interest or estate of the owner is in fee.
Public safety authority
(If other than fee, strike "in Fee" and insert, for example, "purchaser under contract of purchase," or "lessee")
5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

NAMES	ADDRESSES
N/A	N/A

6. A work of improvement on the property hereinafter described was completed on 11/16/2022 . The work done was:
Middleridge Lane North Emergency Stormwater Drain Repairs (at 3 Middleridge Ln N)
7. The name of the contractor, if any, for such work of improvement was E.C. Construction Co.
(If no contractor for work of improvement as a whole, insert "none") (Date of Contract)
8. The property on which said work of improvement was completed is in the city of Rolling Hills ,
County of Los Angeles , State of California, and is described as follows:
Middleridge Lane North Emergency Stormwater Drain Repairs
9. The street address of said property is at or adjacent to 3 Middleridge Lane North with access from 1 Middleridge
(If no street address has been officially assigned, insert "none")

Dated: 12/13/2022

Signature of owner of corporate officer of owner named in paragraph 2 or his agent

VERIFICATION

I, the undersigned, say: I am the City Manager of the City of Rolling Hills the declarant of the foregoing
("President of," "Manager of," "A partner of," "Owner of," etc.)
notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 13 , 20 22 , at Rolling Hills , California.
(Date of signature) (City where signed)

(Personal signature of the individual who is swearing that the contents of the notice of completion are true)

Agenda Item No.: 10.A
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **JOHN SIGNO, DIRECTOR OF PLANNING & COMMUNITY SERVICES**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCE NO. 381 AND ADOPTION OF URGENCY ORDINANCE NO. 381-U AMENDING CHAPTER 17.28 OF THE ROLLING HILLS MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCES TO BE EXEMPT FROM CEQA**

DATE: **December 13, 2022**

BACKGROUND:
In recent years, the California Legislature has approved, and the Governor has signed into law, a number of bills that impose limits on local authority to regulate accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"). These bills include Assembly Bills 68 and 881 and Senate Bill 13—which went into effect on January 1, 2020. The City Council previously adopted Ordinance Nos. 364U and 364, which updated the City's ADU and JADU regulations (contained in Chapter 17.28 of the Rolling Hills Municipal Code) to comply with this legislation.

Following the bills noted above, in 2020 and 2021 the California Legislature approved, and the Governor signed into law, Assembly Bill 3182 ("AB 3182") and Assembly Bill 345 ("AB 345"), respectively. Among other things, AB 3182 expanded the scenarios under which the City must allow certain ADUs and JADUs with only a building permit. AB 345 required cities to allow the separate sale or conveyance of certain ADUs that satisfy the conditions set forth in Government Code section 65852.26. Such conditions include, among other things, that the ADU or the primary dwelling was constructed by a qualified nonprofit and the ADU is sold to a qualified low-income buyer. In August 2022, the City Council adopted Ordinance No. 376, which further amended the City's ADU and JADU regulations to comply with this legislation.

On November 15, 2022, the Planning Commission held a public hearing and voted, 5-0, to adopt Planning Commission Resolution No. 2022-20 to recommend that the City Council adopt the ADU Ordinance and find the action to be exempt from the California Environmental Quality Act (CEQA).

DISCUSSION:
In September 2022, the California Legislature approved, and the Governor signed into law, a new bill ("SB 897") that further amends state ADU law (i.e., Government Code sections 65852.2 and 65852.22).

Among other things, SB 897: [1]

- Requires the City to allow certain ADUs to be higher—up to 18 or 25 feet, depending the situation;
- Requires the City's front setback requirement to yield for certain ADUs;
- Requires the City to justify a denial with a full set of detailed comments describing the deficiencies in the application and explaining how to remedy them;
- Removes the automatic repeal in 2025 (now the ADU statute is permanent);
- Prohibits the City from denying an application to create an ADU solely because corrections are needed to address nonconforming zoning conditions, building code violations, or unpermitted structures elsewhere on the lot that do not present a threat to public health and safety and are not affected by the construction of the ADU; and
- In instances where a JADU will share a bathroom with the primary dwelling, the City must require the JADU to have an interior entry to the primary dwelling's "main living area," independent of the exterior entrances of the JADU and primary dwelling.

As noted above, the City's ADU and JADU regulations are codified in RHMC Chapter 17.28. Included in Attachment 1 is an ordinance ("ADU Ordinance") that amends Chapter 17.28 to comply with SB 897. Included in Attachment 2 is an urgency ordinance that makes the same amendments but includes findings that there is a current and immediate threat to the public health, safety, or welfare that justify the adoption of the urgency ordinance. Attachment 3 is a redline showing the ADU Ordinance's revisions to the City's existing ADU and JADU regulations. Attachment 4 is Planning Commission Resolution No. 2022-20 recommending approval of the ADU Ordinance to the City Council.

The code amendments provided in the ADU Ordinance are mandated by recent changes in state law. Consequently, staffs' recommendation is for the City Council to adopt the ADU Ordinance.

ENVIRONMENTAL IMPACT
Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the ADU Ordinance is statutorily exempt from CEQA in that the proposed ordinance implements state's ADU law.

[1] Both AB 2221 and SB 897 were signed into law, but AB 2221 has no effect because it would have amended the same statute that SB 897 amended, and SB 897 was signed into law (chaptered) later. AB 2221 was therefore "chaptered out." But section 2.5 of SB 897 expressly includes, among others, changes to the ADU law that would have been made by AB 2221. Ultimately, only SB 897 is effective and relevant.

FISCAL IMPACT:
The ordinance amendment brings the Municipal Code into compliance with State law which protects the City from legal challenges.

RECOMMENDATION:
Open the public hearing, receive public testimony, close the public hearing, and make the following actions:

- Find that the adoption of the ordinances is statutorily exempt from review under CEQA pursuant to Public Resources Code Section 21080.17;
- Introduce for first reading by title only Ordinance No. 381 regarding ADUs and JADUs; and
- Adopt Ordinance No. 381-U regarding ADUs and JADUs.

ATTACHMENTS:
Attachment 1 - CL_ORD_381_ADU Ordinance_D2.pdf
Attachment 2 - CL_ORD_381-U_ADU Urgency Ordinance_D.pdf
Attachment 3 - CL_AGN_CC_221213_REDLINE - ADU Code Amendments (SR Attachment)-c1.pdf
Attachment 4 - CL_RES_2022-20_PCResolution_ADU_Ordinance_111522_E.pdf

ORDINANCE NO. 381

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AMENDING CHAPTER 17.28 OF THE ROLLING HILLS MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA

WHEREAS, the City of Rolling Hills, California ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, state law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"); and

WHEREAS, in 2019, the California Legislature approved, and the Governor signed into law a number of bills ("2019 ADU Laws") that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, in February 2020, the City Council adopted Ordinance Nos. 364U and 364, which updated the City's ADU and JADU regulations (contained in Chapter 17.28 of the Rolling Hills Municipal Code) to comply with the 2019 ADU Laws; and

WHEREAS, in August 2022, the City Council adopted Ordinance No. 376, which further amended the City's ADU and JADU regulations to comply with state law, including Assembly Bills 345 and 3182; and

WHEREAS, in September 2022, the Legislature approved, and the Governor signed into law, Senate Bill 897 ("SB 897"); and

WHEREAS, SB 897 imposed further restrictions on local authority to regulate ADUs and JADUs, including with respect to height limits, setbacks, application review and denial procedures, unpermitted structures, and JADU configurations; and

WHEREAS, this ordinance ("Ordinance") amends the City's ADU and JADU regulations to comply with SB 897; and

WHEREAS, on November 15, 2022, the Planning Commission conducted a duly noticed public hearing to consider the Ordinance, wherein it considered the staff report, supporting documents, public testimony, and all appropriate information submitted with the Ordinance. Following the public hearing, the Planning Commission recommended that the Council adopt the Ordinance; and

WHEREAS, on [insert], 2022, the City Council conducted a duly noticed public hearing to Consider the Ordinance, wherein it considered the staff report and supporting

documents, Planning Commission's recommendation, public testimony, and all appropriate information submitted with the Ordinance; and

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, the City Council of the City of Rolling Hills does ordain as follows:

SECTION 1. Incorporation of Recitals. The recitals above are each incorporated by reference and adopted as findings by the City Council.

SECTION 2. CEQA. Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the Ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

SECTION 3. General Plan. This Ordinance is, as a matter of law, consistent with the City's General Plan pursuant to Government Code Section 65852.2(a)(1)(C).

SECTION 4. Code Amendments. Chapter 17.28 of the Rolling Hills Municipal Code is hereby amended and restated to read in its entirety as provided in Exhibit "A," attached hereto and incorporated herein by reference.

SECTION 5. Submittal to HCD. The City Clerk shall submit a copy of this Ordinance to the Department of Housing and Community Development within 60 days after adoption.

SECTION 6. Severability. If any provision of this Ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any portion thereof.

SECTION 7. Effective Date**.** This Ordinance takes effect 30 days following its adoption.

SECTION 8. Certification. The City Clerk is hereby directed to certify to the passage and adoption of this Ordinance; cause the same, or a summary thereof, to be published or posted in the manner required by law.

PASSED, APPROVED and **ADOPTED** this __th day of _____, 20__.

_____
James Black, Mayor

ATTEST:

_____
Christian Horvath, City Clerk

APPROVED AS TO FORM:

_____
Michael Jenkins, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §§
CITY OF ROLLING HILLS)

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. 381 was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the __th day of _____, 20__, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Christian Horvath
City Clerk

EXHIBIT A

Amended ADU Regulations

(Follows this page)

Chapter 17.28 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

17.28.010 Purpose.

The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code Sections 65852.2 and 65852.22.

17.28.020 Effect of conforming.

An ADU or JADU that conforms to the standards in this section will not be:

A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.

B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

C. Considered in the application of any local ordinance, policy, or program to limit residential growth.

D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030(G) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

17.28.030 Definitions.

As used in this section, terms are defined as follows:

A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:

   1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and

   2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.

B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

D. "Efficiency kitchen" means a kitchen that includes all of the following:

   1. A cooking facility with appliances.

2. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.

E. "Junior accessory dwelling unit" or "JADU" means a residential unit that satisfies all of the following:

1. It is no more than five hundred square feet in size.

2. It is contained entirely within an existing or proposed single-family dwelling. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family dwelling.

3. It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling.

4. If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family dwelling in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.

5. It includes an efficiency kitchen, as defined in subsection (D) above.

F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

17.28.040 Approvals.

The following approvals apply to ADUs and JADUs under this section:

A. Building-permit Only. If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:

1. Converted on Single-family Lot: One ADU as described in this subsection (A)(1) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

(a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to one hundred fifty additional square feet if the expansion is limited to accommodating ingress and egress; and

(b) Has exterior access that is independent of that for the single-family dwelling; and

(c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

2. Limited Detached on Single-family Lot: One detached, new construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (A)(1) above), if the detached ADU satisfies each of the following limitations:

(a) The side- and rear-yard setbacks are at least four feet.

(b) The total floor area is eight hundred square feet or smaller.

(c) The peak height above grade does not exceed the applicable height limit provided in section 17.28.050(B).

3. Converted on Multifamily Lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (A)(3), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to twenty-five percent of the existing multifamily dwelling units.

4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing or proposed multifamily dwelling if each detached ADU satisfies both of the following limitations:

(a) The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the City will not require any modification to the multifamily dwelling as a condition of approving the ADU.

(b) The peak height above grade does not exceed the applicable height limit provided in section 17.28.050(B).

B. ADU Permit.

1. Except as allowed under subsection (A) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.

2. The City may charge an application fee, adopted by resolution of the City Council, to reimburse it for costs incurred in processing ADU permits.

C. Process and Timing.

1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.

2. The City must approve or deny an application to create an ADU or JADU within sixty days from the date that the City receives a completed application. If the City has not approved or denied the completed application within sixty days, the application is deemed approved unless either:

   (a) The applicant requests a delay, in which case the sixty-day time period is tolled for the period of the requested delay, or

   (b) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

3. If the City denies an application to create an ADU or JADU, the City must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the sixty day time period established by subsection (C.2) above.

4. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

17.28.050 General ADU and JADU requirements.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or (B):

A. Zoning.

1. An ADU or JADU subject only to a building permit under Section 17.28.040(A) may be created on a lot in a residential or mixed-use zone.

2. An ADU or JADU subject to an ADU permit under Section 17.28.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

B. Height.

1. Except as otherwise provided by subsections (B.2) and (B.3) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed sixteen feet in height.

2. A detached ADU may be up to eighteen feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is

located within one-half mile walking distance of a major transit stop or a high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of twenty feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

3. A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed eighteen feet in height.

4. An ADU that is attached to the primary dwelling may not exceed twenty five feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower.

5. For purposes of this subsection (B), height is measured above existing legal grade to the peak of the structure.

C. Fire Sprinklers.

1. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

2. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

D. Rental Term. No ADU or JADU may be rented for a term that is shorter than thirty days. This prohibition applies regardless of when the ADU or JADU was created.

E. No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

F. Owner Occupancy.

1. An ADU that is permitted after January 1, 2020, but before January 1, 2025, is not subject to any owner-occupancy requirement.

2. Unless applicable law requires otherwise, all ADUs that are permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.

3. As required by state law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

G. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

1. Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.

2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this chapter.

3. The deed restriction runs with the land and may be enforced against future property owners.

4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

H. Building and Safety.

1. **Must comply with building code**. Subject to subsection (H)(2) below, all ADUs and JADUs must comply with all local building code requirements.

2. **No change in occupancy**. Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or Code Enforcement Division officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection (H)(2) prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

17.28.060 Specific ADU requirements.

The following requirements apply only to ADUs that require an ADU permit under Section 17.28.040(B).

A. Maximum Size.

1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is eight hundred fifty square feet for a studio or one-bedroom unit and one thousand square feet for a unit with two or more bedrooms.

2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent of the floor area of the existing primary dwelling, subject to subsection (A)(3) below.

3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percentage-based size limit in subsection (A)(2) above, or of an FAR, lot coverage limit or open-space requirement may require the ADU to be smaller than eight hundred square feet.

B. Floor Area Ratio (FAR). No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed forty-five percent, subject to Section 17.28.060(A)(3) above.

C. Setbacks.

1. Front Yard.

(a) Subject to subsection (C)(1)(b) below, no part of any ADU subject to this Section 17.28.060 may be located within thirty feet of the front property line.

(b) If the front yard setback is the only location on the lot where an ADU may be lawfully constructed, then the ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit.

2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.

D. Lot Coverage. No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed fifty percent, subject to Section 17.28.060(A)(3) above.

E. Minimum Open Space. No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below fifty percent, subject to subsection Section 17.28.060(A)(3) above.

F. Passageway. No passageway, as defined by Section 17.28.030(H) above, is required for an ADU.

G. Parking.

1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030(K) above.

2. Exceptions. No parking under Section 17.28.060(G.1) is required in the following situations:

   (a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030(J) above.

   (b) The ADU is located within an architecturally and historically significant historic district.

   (c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040(A)(1) above.

   (d) When on-street parking permits are required but not offered to the occupant of the ADU.

   (e) When there is an established car share vehicle stop located within one block of the ADU.

   (f) When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria in subsections (G.2(a) through (G.2(e) above.

3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

H. Architectural Requirements.

1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.

2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

5. The interior horizontal dimensions of an ADU must be at least ten feet wide in every direction, with a minimum interior wall height of seven feet.

6. Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.

7. The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the California Register of Historic

Resources must comply with all applicable ministerial requirements imposed by the Secretary of Interior.

I. Landscape Requirements.

1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:

(a) At least one, fifteen-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one, twenty-four-inch box size plant shall be provided for every ten linear feet of exterior wall.

(b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.

2. All landscaping must be drought-tolerant.

3. All landscaping must be from the City's approved plant list.

J. Historical Protections. An ADU that is subject to this Section 17.28.060 and that is on or within six hundred feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.

17.28.070 Fees.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or Section 17.28.040(B).

A. Impact Fees.

1. No impact fee is required for an ADU that is less than seven hundred fifty square feet in size. For purposes of this Section 17.28.070, "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.

2. Any impact fee that is required for an ADU that is seven hundred fifty square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

B. Utility Fees.

1. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

2. Except as described in subsection 17.28.070(B)(1), converted ADUs on a single-family lot that are created under Section 17.28.040(A)(1) above are

not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.

3. Except as described in Section 17.28.070(B)(1), all ADUs not covered by Section 17.28.070(B)(2) above require a new, separate utility connection directly between the ADU and the utility.

   (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

   (b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

17.28.080 Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

A. **Generally**. The City will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

B. **Unpermitted ADUs constructed before 2018**.

1. **Permit to Legalize**. As required by state law, the City may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:

   (a) The ADU violates applicable building standards; or

   (b) The ADU does not comply with state ADU law (Government Code Section 65852.2) or this ADU ordinance (Chapter 17.28).

2. **Exceptions**.

   (a) Notwithstanding subsection (B.1) above, the City may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the City makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.

   (b) Subsection (B.1) above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

17.28.090 Nonconforming ADUs and discretionary approval.

Any proposed ADU or JADU that does not conform to the objective standards set forth in Section 17.28.010 through Section 17.28.080 of this chapter may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.

ORDINANCE NO. 381-U

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AMENDING CHAPTER 17.28 OF THE ROLLING HILLS MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA

WHEREAS, the City of Rolling Hills, California ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, state law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"); and

WHEREAS, in 2019, the California Legislature approved, and the Governor signed into law a number of bills ("2019 ADU Laws") that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, in February 2020, the City Council adopted Ordinance Nos. 364U and 364, which updated the City's ADU and JADU regulations (contained in Chapter 17.28 of the Rolling Hills Municipal Code) to comply with the 2019 ADU Laws; and

WHEREAS, in August 2022, the City Council adopted Ordinance No. 376, which further amended the City's ADU and JADU regulations to comply with state law, including Assembly Bills 345 and 3182; and

WHEREAS, in September 2022, the Legislature approved, and the Governor signed into law, Senate Bill 897 ("SB 897"); and

WHEREAS, SB 897 imposed further restrictions on local authority to regulate ADUs and JADUs, including with respect to height limits, setbacks, application review and denial procedures, unpermitted structures, and JADU configurations; and

WHEREAS, SB 897 takes effect on January 1, 2023, and if the City's ADU ordinance does not comply with the requirements imposed by SB 897 by that date, the City's entire existing ADU ordinance becomes null and void as a matter of law; and

WHEREAS, the City desires to amend RHMC Chapter 17.28 to comply with SB 897. This ordinance so updates Chapter 17.28; and

WHEREAS, there is a current and immediate threat to the public health, safety, or welfare based on the passage of SB 897 because if the City's ordinance does not comply with the amended laws as of January 1, 2023, and the City's ADU ordinance becomes null and void, the City would thereafter be limited to applying the few default standards

that are provided in Government Code sections 65852.2 and 65852.22 for the approval of ADUs and JADUs; and

WHEREAS, the approval of ADUs and JADUs based solely on the default statutory standards, without local regulations governing height, setback, landscape, and architectural review, among other things, would threaten the character of existing neighborhoods, and negatively impact property values, personal privacy, and fire safety. These threats to public safety, health, and welfare justify adoption of this ordinance as an urgency ordinance to be effective immediately upon adoption by a four-fifths vote of the City Council; and

WHEREAS, to protect the public safety, health, and welfare, the City Council may adopt this ordinance as an urgency measure in accordance with Government Code section 36937, subdivision (b); and

WHEREAS, on November 15, 2022, the Planning Commission held a duly noticed public hearing to consider the ordinance's amendments to RHMC Chapter 17.28. Following the public hearing, the Planning Commission voted to forward the code amendments to the City Council with a recommendation in favor of adoption; and

WHEREAS, all legal prerequisites to the adoption of the ordinance have occurred.

NOW, THEREFORE, the City Council of the City of Rolling Hills does ordain as follows:

SECTION 1. Incorporation of Recitals. The recitals above are each incorporated by reference and adopted as findings by the City Council.

SECTION 2. CEQA. Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

SECTION 3. General Plan. This ordinance is, as a matter of law, consistent with the City's General Plan pursuant to Government Code Section 65852.2(a)(1)(C).

SECTION 4. Code Amendments. Chapter 17.28 of the Rolling Hills Municipal Code is hereby amended and restated to read in its entirety as provided in Exhibit "A," attached hereto and incorporated herein by reference.

SECTION 5. Effective Date. This ordinance takes effect immediately upon its adoption and shall become operative on January 1, 2023.

SECTION 6. Publication. The City Clerk shall certify the passage and adoption of this ordinance and shall cause the same, or a summary thereof, to be published and/or posted in the manner required by law.

SECTION 7. Submittal to HCD. The City Clerk shall submit a copy of this ordinance to the Department of Housing and Community Development within 60 days after adoption.

SECTION 8. Severability. If any provision of this ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this ordinance are severable. The City Council declares that it would have adopted this ordinance irrespective of the invalidity of any portion thereof.

(Continued on next page)

PASSED, APPROVED AND ADOPTED by the City Council of the Rolling Hills, California, at a regular meeting of the City Council held on the ____ day of _____, 20__ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
James Black, M.D., Mayor

ATTEST:

_____
Christian Horvath, City Clerk

APPROVED AS TO FORM:

_____
Michael Jenkins, City Attorney

EXHIBIT A

Amended ADU Regulations

(Follows this page)

Chapter 17.28 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

17.28.010 Purpose.

The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code Sections 65852.2 and 65852.22.

17.28.020 Effect of conforming.

An ADU or JADU that conforms to the standards in this section will not be:

A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.

B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

C. Considered in the application of any local ordinance, policy, or program to limit residential growth.

D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030(G) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

17.28.030 Definitions.

As used in this section, terms are defined as follows:

A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:

   1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and

   2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.

B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

D. "Efficiency kitchen" means a kitchen that includes all of the following:

   1. A cooking facility with appliances.

2. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.

E. "Junior accessory dwelling unit" or "JADU" means a residential unit that satisfies all of the following:

1. It is no more than five hundred square feet in size.

2. It is contained entirely within an existing or proposed single-family dwelling. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family dwelling.

3. It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling.

4. If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family dwelling in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.

5. It includes an efficiency kitchen, as defined in subsection (D) above.

F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

17.28.040 Approvals.

The following approvals apply to ADUs and JADUs under this section:

A. Building-permit Only. If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:

1. Converted on Single-family Lot: One ADU as described in this subsection (A)(1) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

(a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to one hundred fifty additional square feet if the expansion is limited to accommodating ingress and egress; and

(b) Has exterior access that is independent of that for the single-family dwelling; and

(c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

2. Limited Detached on Single-family Lot: One detached, new construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (A)(1) above), if the detached ADU satisfies each of the following limitations:

(a) The side- and rear-yard setbacks are at least four feet.

(b) The total floor area is eight hundred square feet or smaller.

(c) The peak height above grade does not exceed the applicable height limit provided in section 17.28.050(B).

3. Converted on Multifamily Lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (A)(3), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to twenty-five percent of the existing multifamily dwelling units.

4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing or proposed multifamily dwelling if each detached ADU satisfies both of the following limitations:

(a) The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the City will not require any modification to the multifamily dwelling as a condition of approving the ADU.

(b) The peak height above grade does not exceed the applicable height limit provided in section 17.28.050(B).

B. ADU Permit.

1. Except as allowed under subsection (A) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.

2. The City may charge an application fee, adopted by resolution of the City Council, to reimburse it for costs incurred in processing ADU permits.

C. Process and Timing.

1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.

2. The City must approve or deny an application to create an ADU or JADU within sixty days from the date that the City receives a completed application. If the City has not approved or denied the completed application within sixty days, the application is deemed approved unless either:

   (a) The applicant requests a delay, in which case the sixty-day time period is tolled for the period of the requested delay, or

   (b) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

3. If the City denies an application to create an ADU or JADU, the City must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the sixty day time period established by subsection (C.2) above.

4. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

17.28.050 General ADU and JADU requirements.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or (B):

A. Zoning.

1. An ADU or JADU subject only to a building permit under Section 17.28.040(A) may be created on a lot in a residential or mixed-use zone.

2. An ADU or JADU subject to an ADU permit under Section 17.28.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

B. Height.

1. Except as otherwise provided by subsections (B.2) and (B.3) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed sixteen feet in height.

2. A detached ADU may be up to eighteen feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is

located within one-half mile walking distance of a major transit stop or a high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of twenty feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

3. A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed eighteen feet in height.

4. An ADU that is attached to the primary dwelling may not exceed twenty five feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower.

5. For purposes of this subsection (B), height is measured above existing legal grade to the peak of the structure.

C. Fire Sprinklers.

1. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

2. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

D. Rental Term. No ADU or JADU may be rented for a term that is shorter than thirty days. This prohibition applies regardless of when the ADU or JADU was created.

E. No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

F. Owner Occupancy.

1. An ADU that is permitted after January 1, 2020, but before January 1, 2025, is not subject to any owner-occupancy requirement.

2. Unless applicable law requires otherwise, all ADUs that are permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.

3. As required by state law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

G. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

1. Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.

2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this chapter.

3. The deed restriction runs with the land and may be enforced against future property owners.

4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

H. Building and Safety.

1. **Must comply with building code**. Subject to subsection (H)(2) below, all ADUs and JADUs must comply with all local building code requirements.

2. **No change in occupancy**. Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or Code Enforcement Division officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection (H)(2) prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

17.28.060 Specific ADU requirements.

The following requirements apply only to ADUs that require an ADU permit under Section 17.28.040(B).

A. Maximum Size.

1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is eight hundred fifty square feet for a studio or one-bedroom unit and one thousand square feet for a unit with two or more bedrooms.

2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent of the floor area of the existing primary dwelling, subject to subsection (A)(3) below.

3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percentage-based size limit in subsection (A)(2) above, or of an FAR, lot coverage limit or open-space requirement may require the ADU to be smaller than eight hundred square feet.

B. Floor Area Ratio (FAR). No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed forty-five percent, subject to Section 17.28.060(A)(3) above.

C. Setbacks.

1. Front Yard.

(a) Subject to subsection (C)(1)(b) below, no part of any ADU subject to this Section 17.28.060 may be located within thirty feet of the front property line.

(b) If the front yard setback is the only location on the lot where an ADU may be lawfully constructed, then the ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit.

2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.

D. Lot Coverage. No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed fifty percent, subject to Section 17.28.060(A)(3) above.

E. Minimum Open Space. No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below fifty percent, subject to subsection Section 17.28.060(A)(3) above.

F. Passageway. No passageway, as defined by Section 17.28.030(H) above, is required for an ADU.

G. Parking.

1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030(K) above.

2. Exceptions. No parking under Section 17.28.060(G.1) is required in the following situations:

   (a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030(J) above.

   (b) The ADU is located within an architecturally and historically significant historic district.

   (c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040(A)(1) above.

   (d) When on-street parking permits are required but not offered to the occupant of the ADU.

   (e) When there is an established car share vehicle stop located within one block of the ADU.

   (f) When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria in subsections (G.2(a) through (G.2(e) above.

3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

H. Architectural Requirements.

1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.

2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

5. The interior horizontal dimensions of an ADU must be at least ten feet wide in every direction, with a minimum interior wall height of seven feet.

6. Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.

7. The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the California Register of Historic

Resources must comply with all applicable ministerial requirements imposed by the Secretary of Interior.

I. Landscape Requirements.

1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:

(a) At least one, fifteen-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one, twenty-four-inch box size plant shall be provided for every ten linear feet of exterior wall.

(b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.

2. All landscaping must be drought-tolerant.

3. All landscaping must be from the City's approved plant list.

J. Historical Protections. An ADU that is subject to this Section 17.28.060 and that is on or within six hundred feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.

17.28.070 Fees.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or Section 17.28.040(B).

A. Impact Fees.

1. No impact fee is required for an ADU that is less than seven hundred fifty square feet in size. For purposes of this Section 17.28.070, "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.

2. Any impact fee that is required for an ADU that is seven hundred fifty square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

B. Utility Fees.

1. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

2. Except as described in subsection 17.28.070(B)(1), converted ADUs on a single-family lot that are created under Section 17.28.040(A)(1) above are

not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.

3. Except as described in Section 17.28.070(B)(1), all ADUs not covered by Section 17.28.070(B)(2) above require a new, separate utility connection directly between the ADU and the utility.

   (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

   (b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

17.28.080 Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

A. **Generally**. The City will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

B. **Unpermitted ADUs constructed before 2018**.

1. **Permit to Legalize**. As required by state law, the City may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:

   (a) The ADU violates applicable building standards; or

   (b) The ADU does not comply with state ADU law (Government Code Section 65852.2) or this ADU ordinance (Chapter 17.28).

2. **Exceptions**.

   (a) Notwithstanding subsection (B.1) above, the City may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the City makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.

   (b) Subsection (B.1) above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

17.28.090 Nonconforming ADUs and discretionary approval.

Any proposed ADU or JADU that does not conform to the objective standards set forth in Section 17.28.010 through Section 17.28.080 of this chapter may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.

Chapter 17.28 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

17.28.010 Purpose.

The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code Sections 65852.2 and 65852.22.

17.28.020 Effect of conforming.

An ADU or JADU that conforms to the standards in this section will not be:

A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.

B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

C. Considered in the application of any local ordinance, policy, or program to limit residential growth.

D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030(G) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

17.28.030 Definitions.

As used in this section, terms are defined as follows:

A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and

2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.

B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

D. "Efficiency kitchen" means a kitchen that includes all of the following:

1. A cooking facility with appliances.

2. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.

E. "Junior accessory dwelling unit" or "JADU" means a residential unit that satisfies all of the following:

1. ~~Is~~It is no more than five hundred square feet in size~~,~~.

2. ~~Is~~It is contained entirely within an existing or proposed single-family dwelling~~,~~. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family dwelling.

3. ~~Includes~~It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling~~, and~~.

4. If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family dwelling in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.

5. ~~4. Includes~~It includes an efficiency kitchen, as defined in subsection (D) above.

F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

17.28.040 Approvals.

The following approvals apply to ADUs and JADUs under this section:

A. Building-permit Only. If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:

1. Converted on Single-family Lot: One ADU as described in this subsection (A)(1) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

   (a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to one hundred fifty additional square feet if the expansion is limited to accommodating ingress and egress; and

   (b) Has exterior access that is independent of that for the single-family dwelling; and

   (c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

2. Limited Detached on Single-family Lot: One detached, new construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (A)(1) above), if the detached ADU satisfies each of the following limitations:

   (a) The side- and rear-yard setbacks are at least four feet.

   (b) The total floor area is eight hundred square feet or smaller.

   (c) The peak height above grade ~~is sixteen feet or less~~does not exceed the applicable height limit provided in section 17.28.050(B).

3. Converted on Multifamily Lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (A)(3), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to twenty-five percent of the existing multifamily dwelling units.

4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing or proposed multifamily dwelling if each detached ADU satisfies both of the following limitations:

   (a) The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the City will not require any modification to the multifamily dwelling as a condition of approving the ADU.

   (b) The peak height above grade ~~is sixteen feet or less~~does not exceed the applicable height limit provided in section 17.28.050(B).

B. ADU Permit.

1. Except as allowed under subsection (A) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.

2. The City may charge an application fee, adopted by resolution of the City Council, to reimburse it for costs incurred in processing ADU permits.

C. Process and Timing.

1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.

2. The City must ~~act on~~approve or deny an application to create an ADU or JADU within sixty days from the date that the City receives a completed application. If the City ~~does~~has not ~~act upon~~approved or denied the completed application within sixty days, the application is deemed approved unless either:

(a) The applicant requests a delay, in which case the sixty-day time period is tolled for the period of the requested delay, or

(b) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

3. If the City denies an application to create an ADU or JADU, the City must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the sixty day time period established by subsection (C.2) above.

4. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

17.28.050 General ADU and JADU requirements.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or (B):

A. Zoning.

1. An ADU or JADU subject only to a building permit under Section 17.28.040(A) may be created on a lot in a residential or mixed-use zone.

2. An ADU or JADU subject to an ADU permit under Section 17.28.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

B. Height.

1. Except as otherwise provided by subsections (B.2) and (B.3) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed sixteen feet in height.

2. A detached ADU may be up to eighteen feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a major transit stop or a high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of twenty feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

3. A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed eighteen feet in height.

4. An ADU that is attached to the primary dwelling may not exceed twenty five feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower.

5. For purposes of this subsection (B), height is measured above existing legal grade to the peak of the structure.

~~B.~~ C. Fire Sprinklers.

1. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

2. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

~~C.~~ D. Rental Term. No ADU or JADU may be rented for a term that is shorter than thirty days. This prohibition applies regardless of when the ADU or JADU was created.

E. ~~D.~~ No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

F. ~~E.~~ Owner Occupancy.

~~1. All ADUs permitted before January 1, 2020, are subject to the owner-occupancy requirement that was in place when the ADU was created.~~

1. ~~2.~~ An ADU that is permitted after ~~that date~~January 1, 2020, but before January 1, 2025, is not subject to any owner-occupancy requirement.

2. ~~3. All~~Unless applicable law requires otherwise, all ADUs that are permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.

3. ~~4. All~~As required by state law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

G. ~~F.~~ Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

1. Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.

2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this ~~section~~chapter.

3. The deed restriction runs with the land and may be enforced against future property owners.

4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the

deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

H. ~~G.~~ Building and Safety. ~~All~~

1. **Must comply with building code**. Subject to subsection (H)(2) below, all ADUs and JADUs must comply with all local building code requirements.

2. **No change in occupancy**. Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or Code Enforcement Division officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection (H)(2) prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

17.28.060 Specific ADU requirements.

The following requirements apply only to ADUs that require an ADU permit under Section 17.28.040(B).

A. Maximum Size.

1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is eight hundred fifty square feet for a studio or one-bedroom unit and one thousand square feet for a unit with two or more bedrooms.

2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent of the floor area of the existing primary dwelling, subject to subsection (A)(3) below.

3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percentage-based size limit in subsection (A)(2) above, or of an FAR, lot coverage limit or open-space requirement may require the ADU to be smaller than eight hundred square feet.

B. Floor Area Ratio (FAR). No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed forty-five percent, subject to Section 17.28.060(A)(3) above.

C. Setbacks.

1. Front Yard.

(a) Subject to subsection (C)(1)(b) below, no part of any ADU subject to this Section 17.28.060 may be located within thirty feet of the front property line.

(b) If the front yard setback is the only location on the lot where an ADU may be lawfully constructed, then the ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit ~~that is no greater than sixteen feet in height~~.

2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.

D. Lot Coverage. No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed fifty percent, subject to Section 17.28.060(A)(3) above.

E. Minimum Open Space. No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below fifty percent, subject to subsection Section 17.28.060(A)(3) above.

~~F. Height. No ADU subject to this Section 17.28.060 may exceed sixteen feet in height above grade, measured to the peak of the structure.~~

F. ~~G.~~ Passageway. No passageway, as defined by Section 17.28.030(H) above, is required for an ADU.

G. ~~H.~~ Parking.

1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030(K) above.

2. Exceptions. No parking under Section 17.28.060(~~H)(1~~G.1) is required in the following situations:

(a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030(J) above.

(b) The ADU is located within an architecturally and historically significant historic district.

(c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040(A)(1) above.

(d) When on-street parking permits are required but not offered to the occupant of the ADU.

(e) When there is an established car share vehicle stop located within one block of the ADU.

(f) When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria in subsections (G.2(a) through (G.2(e) above.

3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

H. ~~I.~~ Architectural Requirements.

1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.

2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

5. The interior horizontal dimensions of an ADU must be at least ten feet wide in every direction, with a minimum interior wall height of seven feet.

6. Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.

7. The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the California Register of Historic Resources must comply with all applicable ministerial requirements imposed by the Secretary of Interior.

I. ~~J.~~ Landscape Requirements.

1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:

(a) At least one, fifteen-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one, twenty-four-inch box size plant shall be provided for every ten linear feet of exterior wall.

(b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.

2. All landscaping must be drought-tolerant.

3. All landscaping must be from the City's approved plant list.

~~K.~~ J. Historical Protections. An ADU that is subject to this Section 17.28.060 and that is on or within six hundred feet of real property that is listed in the California Register of Historic Resources ~~is subject to all the objective standards imposed by the Secretary of Interior.~~ must be located so as to not be visible from any public right-of-way.

17.28.070 Fees.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or Section 17.28.040(B).

A. Impact Fees.

1. No impact fee is required for an ADU that is less than seven hundred fifty square feet in size. For purposes of this Section 17.28.070, "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.

2. Any impact fee that is required for an ADU that is seven hundred fifty square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

B. Utility Fees.

1. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

2. Except as described in subsection 17.28.070(B)(1), converted ADUs on a single-family lot that are created under Section 17.28.040(A)(1) above are not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.

3. Except as described in Section 17.28.070(B)(1), all ADUs not covered by Section 17.28.070(B)(2) above require a new, separate utility connection directly between the ADU and the utility.

(a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU)

values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

(b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

17.28.080 Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

A. **Generally**. The City will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

B. **Unpermitted ADUs constructed before 2018**.

1. **Permit to Legalize**. As required by state law, the City may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:

(a) The ADU violates applicable building standards; or

(b) The ADU does not comply with state ADU law (Government Code Section 65852.2) or this ADU ordinance (Chapter 17.28).

2. **Exceptions**.

(a) Notwithstanding subsection (B.1) above, the City may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the City makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.

(b) Subsection (B.1) above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

~~17.28.080~~17.28.090 **Nonconforming ADUs and discretionary approval.**

Any proposed ADU or JADU that does not conform to the objective standards set forth in Section 17.28.010 through Section ~~17.28.070~~17.28.080 of this chapter may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.

Summary report: Litera Compare for Word 11.3.0.46 Document comparison done on 11/4/2022 12:52:17 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original filename: v1 Exhibit _A_ - ADU Code Amendments (Nov. 2022).docx	
Modified filename: Exhibit _A_ - ADU Code Amendments (Nov. 2022).docx	
Changes:	
Add	134
~~Delete~~	84
~~Move From~~	0
Move To	0
Table Insert	0
~~Table Delete~~	0
Table moves to	0
~~Table moves from~~	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	218

RESOLUTION NO. 2022-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING CHAPTER 17.28 OF THE ROLLING HILLS MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, the City of Rolling Hills, California ("City") is a municipal corporation, duly organized under the California Constitution and laws of the State of California; and

WHEREAS, the Planning and Zoning Law authorizes local agencies to act by ordinance to provide for the creation and regulation of accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"); and

WHEREAS, in 2019, the California Legislature approved, and the Governor signed into law a number of bills ("2019 ADU Laws") that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, in February 2020, the City Council adopted Ordinance Nos. 364U and 364, which updated the City's ADU and JADU regulations (contained in Chapter 17.28 of the Rolling Hills Municipal Code) to comply with the 2019 ADU Laws; and

WHEREAS, in August 2022, the City Council adopted Ordinance No. 376, which further amended the City's ADU and JADU regulations to comply with state law, including Assembly Bills 345 and 3182; and

WHEREAS, in September 2022, the Legislature approved, and the Governor signed into law, Senate Bill 897 ("SB 897"); and

WHEREAS, SB 897 imposed further restrictions on local authority to regulate ADUs and JADUs, including with respect to height limits, setbacks, application review and denial procedures, unpermitted structures, and JADU configurations; and

WHEREAS, this ordinance ("Ordinance") amends the City's ADU and JADU regulations to comply with SB 897; and

WHEREAS, on November 15, 2022, the Planning Commission conducted a duly noticed public hearing to consider the Ordinance, wherein it considered the staff report, supporting documents, public testimony, and all appropriate information submitted with the Ordinance.

NOW, THEREFORE, the Planning Commission of the City of Rolling Hills does hereby resolve, determine, find, and order as follows:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution.

Section 2. CEQA. Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the Planning Commission finds that adoption of the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the state's ADU law.

Section 3. General Plan. This Ordinance is, as a matter of law, consistent with the City's General Plan pursuant to Government Code Section 65852.2(a)(1)(C).

Section 4. Recommendation. Based on the foregoing recitals and findings, the Planning Commission hereby recommends that the City Council approve and adopt the proposed ordinance and code amendments that are attached as Exhibit "A" hereto and incorporated herein by reference.

Section 5. Certification. The Planning Commission Chair shall sign and the Secretary shall attest to the adoption of this Resolution.

Section 6. Effective Date. This Resolution takes effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED THIS 15th DAY OF NOVEMBER, 2022.

BRAD CHELF, CHAIRPERSON

ATTEST:

CHRISTIAN HORVATH, CITY CLERK

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 17.54.070 of the Rolling Hills Municipal Code and Civil Procedure Section 1094.6.

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §§
CITY OF ROLLING HILLS)

I certify that the foregoing Resolution No. 2022-20 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING CHAPTER 17.28 OF THE ROLLING HILLS MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

was approved and adopted at a regular meeting of the Planning Commission on November 15, 2022, by the following roll call vote:

AYES: Cardenas, Cooley, Douglass, Kirkpatrick, Chair Chelf

NOES: None

ABSENT: None

ABSTAIN: None

and in compliance with the laws of California was posted at the following:

Administrative Offices.

CHRISTIAN HORVATH, CITY CLERK

Chapter 17.28 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

17.28.010 Purpose.

The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code Sections 65852.2 and 65852.22.

17.28.020 Effect of conforming.

An ADU or JADU that conforms to the standards in this section will not be:

A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.

B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

C. Considered in the application of any local ordinance, policy, or program to limit residential growth.

D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030(G) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

17.28.030 Definitions.

As used in this section, terms are defined as follows:

A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:

   1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and

   2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.

B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

D. "Efficiency kitchen" means a kitchen that includes all of the following:

   1. A cooking facility with appliances.

2. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.

E. "Junior accessory dwelling unit" or "JADU" means a residential unit that satisfies all of the following:

1. It is no more than five hundred square feet in size.

2. It is contained entirely within an existing or proposed single-family dwelling. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family dwelling.

3. It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling.

4. If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family dwelling in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.

5. It includes an efficiency kitchen, as defined in subsection (D) above.

F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

17.28.040 Approvals.

The following approvals apply to ADUs and JADUs under this section:

A. Building-permit Only. If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:

1. Converted on Single-family Lot: One ADU as described in this subsection (A)(1) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

(a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to one hundred fifty additional square feet if the expansion is limited to accommodating ingress and egress; and

(b) Has exterior access that is independent of that for the single-family dwelling; and

(c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

2. Limited Detached on Single-family Lot: One detached, new construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (A)(1) above), if the detached ADU satisfies each of the following limitations:

(a) The side- and rear-yard setbacks are at least four feet.

(b) The total floor area is eight hundred square feet or smaller.

(c) The peak height above grade does not exceed the applicable height limit provided in section 17.28.050(B).

3. Converted on Multifamily Lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (A)(3), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to twenty-five percent of the existing multifamily dwelling units.

4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing or proposed multifamily dwelling if each detached ADU satisfies both of the following limitations:

(a) The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the City will not require any modification to the multifamily dwelling as a condition of approving the ADU.

(b) The peak height above grade does not exceed the applicable height limit provided in section 17.28.050(B).

B. ADU Permit.

1. Except as allowed under subsection (A) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.

2. The City may charge an application fee, adopted by resolution of the City Council, to reimburse it for costs incurred in processing ADU permits.

C. Process and Timing.

1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.

2. The City must approve or deny an application to create an ADU or JADU within sixty days from the date that the City receives a completed application. If the City has not approved or denied the completed application within sixty days, the application is deemed approved unless either:

   (a) The applicant requests a delay, in which case the sixty-day time period is tolled for the period of the requested delay, or

   (b) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

3. If the City denies an application to create an ADU or JADU, the City must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the sixty day time period established by subsection (C.2) above.

4. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

17.28.050 General ADU and JADU requirements.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or (B):

A. Zoning.

1. An ADU or JADU subject only to a building permit under Section 17.28.040(A) may be created on a lot in a residential or mixed-use zone.

2. An ADU or JADU subject to an ADU permit under Section 17.28.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

B. Height.

1. Except as otherwise provided by subsections (B.2) and (B.3) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed sixteen feet in height.

2. A detached ADU may be up to eighteen feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is

located within one-half mile walking distance of a major transit stop or a high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of twenty feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

3. A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed eighteen feet in height.

4. An ADU that is attached to the primary dwelling may not exceed twenty five feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower.

5. For purposes of this subsection (B), height is measured above existing legal grade to the peak of the structure.

C. Fire Sprinklers.

1. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

2. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

D. Rental Term. No ADU or JADU may be rented for a term that is shorter than thirty days. This prohibition applies regardless of when the ADU or JADU was created.

E. No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

F. Owner Occupancy.

1. An ADU that is permitted after January 1, 2020, but before January 1, 2025, is not subject to any owner-occupancy requirement.

2. Unless applicable law requires otherwise, all ADUs that are permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.

3. As required by state law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

G. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

1. Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.

2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this chapter.

3. The deed restriction runs with the land and may be enforced against future property owners.

4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

H. Building and Safety.

1. **Must comply with building code**. Subject to subsection (H)(2) below, all ADUs and JADUs must comply with all local building code requirements.

2. **No change in occupancy**. Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or Code Enforcement Division officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection (H)(2) prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

17.28.060 Specific ADU requirements.

The following requirements apply only to ADUs that require an ADU permit under Section 17.28.040(B).

A. Maximum Size.

1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is eight hundred fifty square feet for a studio or one-bedroom unit and one thousand square feet for a unit with two or more bedrooms.

2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent of the floor area of the existing primary dwelling, subject to subsection (A)(3) below.

3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percentage-based size limit in subsection (A)(2) above, or of an FAR, lot coverage limit or open-space requirement may require the ADU to be smaller than eight hundred square feet.

B. Floor Area Ratio (FAR). No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed forty-five percent, subject to Section 17.28.060(A)(3) above.

C. Setbacks.

1. Front Yard.

(a) Subject to subsection (C)(1)(b) below, no part of any ADU subject to this Section 17.28.060 may be located within thirty feet of the front property line.

(b) If the front yard setback is the only location on the lot where an ADU may be lawfully constructed, then the ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit.

2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.

D. Lot Coverage. No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed fifty percent, subject to Section 17.28.060(A)(3) above.

E. Minimum Open Space. No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below fifty percent, subject to subsection Section 17.28.060(A)(3) above.

F. Passageway. No passageway, as defined by Section 17.28.030(H) above, is required for an ADU.

G. Parking.

1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030(K) above.

2. Exceptions. No parking under Section 17.28.060(G.1) is required in the following situations:

   (a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030(J) above.

   (b) The ADU is located within an architecturally and historically significant historic district.

   (c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040(A)(1) above.

   (d) When on-street parking permits are required but not offered to the occupant of the ADU.

   (e) When there is an established car share vehicle stop located within one block of the ADU.

   (f) When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria in subsections (G.2(a) through (G.2(e) above.

3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

H. Architectural Requirements.

1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.

2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

5. The interior horizontal dimensions of an ADU must be at least ten feet wide in every direction, with a minimum interior wall height of seven feet.

6. Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.

7. The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the California Register of Historic

Resources must comply with all applicable ministerial requirements imposed by the Secretary of Interior.

I. Landscape Requirements.

1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:

(a) At least one, fifteen-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one, twenty-four-inch box size plant shall be provided for every ten linear feet of exterior wall.

(b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.

2. All landscaping must be drought-tolerant.

3. All landscaping must be from the City's approved plant list.

J. Historical Protections. An ADU that is subject to this Section 17.28.060 and that is on or within six hundred feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.

17.28.070 Fees.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or Section 17.28.040(B).

A. Impact Fees.

1. No impact fee is required for an ADU that is less than seven hundred fifty square feet in size. For purposes of this Section 17.28.070, "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.

2. Any impact fee that is required for an ADU that is seven hundred fifty square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

B. Utility Fees.

1. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

2. Except as described in subsection 17.28.070(B)(1), converted ADUs on a single-family lot that are created under Section 17.28.040(A)(1) above are

not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.

3. Except as described in Section 17.28.070(B)(1), all ADUs not covered by Section 17.28.070(B)(2) above require a new, separate utility connection directly between the ADU and the utility.

   (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

   (b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

17.28.080 Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

A. **Generally**. The City will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

B. **Unpermitted ADUs constructed before 2018.**

1. **Permit to Legalize**. As required by state law, the City may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:

   (a) The ADU violates applicable building standards; or

   (b) The ADU does not comply with state ADU law (Government Code Section 65852.2) or this ADU ordinance (Chapter 17.28).

2. **Exceptions**.

   (a) Notwithstanding subsection (B.1) above, the City may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the City makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.

   (b) Subsection (B.1) above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

17.28.090 Nonconforming ADUs and discretionary approval.

Any proposed ADU or JADU that does not conform to the objective standards set forth in Section 17.28.010 through Section 17.28.080 of this chapter may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 11.A
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **ADOPT RESOLUTION NO. 1320, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS APPOINTING PATRICK DONEGAN AS CITY ATTORNEY; AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THE APPOINTMENT**

DATE: **December 13, 2022**

BACKGROUND:
The City Attorney is appointed by the City Council and provides legal advice to the City. The City contracts with the law firm Best Best & Krieger, LLP (BB&K) to provide legal services.

DISCUSSION:
Long time City Attorney from BB&K, Mike Jenkins is retiring and recommended the appointment of Patrick Donegan, also from BB&K as the City Attorney. Mr. Donegan has been practicing municipal law for almost a decade, and worked with Mr. Jenkins for the last six years. Since August 2022, Mr. Donegan has been serving as the Deputy City Attorney.

FISCAL IMPACT:
None

RECOMMENDATION:
Approve as presented.

ATTACHMENTS:
ResolutionNo1320_CityAttorneyAppointmnt_PatrickDonegan.pdf
CA_AGR_221213_BBK_Amendment.pdf

RESOLUTION NO. 1320

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, APPOINTING PATRICK DONEGAN AS CITY ATTORNEY

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, RESOLVES AS FOLLOWS

SECTION 1**.** The City Council finds as follows:

A. Michael Jenkins was appointed as the City Attorney by the City Council in 1982.

B. In 2018, Mike's then law firm Jenkins & Hogin, LLP merged with Best Best & Krieger, LLP ("BB&K"), and with the City's consent, BB&K began providing City Attorney services to the City.

C. In his role as City Attorney, Michael Jenkins has continuously served the City well with professionalism, skill, and loyalty, and as Mr. Jenkins looks to retire and maintain an emeritus role with BB&K, the City Council desires to continue utilizing the legal services of BB&K and appoint Patrick Donegan of BB&K as City Attorney in his stead.

SECTION 2. The foregoing recitals are true and correct and incorporated herein by this reference.

SECTION 3. Patrick Donegan is hereby appointed City Attorney for the City of Rolling Hills.

SECTION 4. That all previous Resolutions appointing the City Attorney are hereby repealed.

SECTION 5. This Resolution shall take effect immediately upon its passage.

SECTION 6. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

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PASSED, APPROVED, AND ADOPTED this 13th day of December, 2022

_____
JAMES BLACK, M.D.
MAYOR

ATTEST:

_____
CHRISTIAN HORVATH
CITY CLERK

AMENDMENT TO AGREEMENT FOR LEGAL SERVICES

This Amendment to Agreement for Legal Services ("Amendment") is entered into by and between the City Rolling Hills, a municipal corporation ("Rolling Hills") and the law firm of Best Best & Krieger, LLP ("BBK") as of December 13, 2022.

RECITALS

A. Rolling Hills and Jenkins & Hogin LLP ("J&H") entered into an Agreement for Legal Services ("Agreement") as of March 1, 2001, by the terms of which J&H was engaged as an independent contractor to perform city attorney services and Michael Jenkins was designated as the City Attorney.

B. The Agreement was assigned to the law firm of Best Best & Krieger as of April 1, 2018.

C. The City Council appointed Patrick T. Donegan as City Attorney to succeed Michael Jenkins in closed session at its adjourned regular meeting of November 29, 2022 and authorized the City Manager to execute a corresponding amendment to the Agreement designating Patrick T. Donegan as City Attorney.

NOW, THEREFORE, in consideration of the foregoing, the Agreement is amended as follows:

1. Section 2 of the Agreement entitled "Designation of City Attorney" is amended in its entirety to read as follows:

"Patrick T. Donegan is designated as City Attorney for the City. The City Council may change the designation of City Attorney at any time without amendment to this Agreement. The parties understand and agree that BBK may, from time to time, utilize other attorneys within the firm to assist the designated City Attorney in the performance of this Agreement."

Except as above modified, in all other respects the Agreement, as previously amended, is hereby reaffirmed in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to Agreement for Legal Services to be executed as of the day and year first above written.

BEST BEST & KRIEGER, LLP

_____

CITY OF ROLLING HILLS

By _____
ELAINE JENG
CITY MANAGER

ATTEST:

_____
CHRISTIAN HORVATH
CITY CLERK

Agenda Item No.: 11.B
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **JOHN SIGNO, DIRECTOR OF PLANNING & COMMUNITY SERVICES**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **INTRODUCTION AND FIRST READING OF ORDINANCE NO. 382 AND ADOPTION OF URGENCY ORDINANCE NO. 382-U AMENDING TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE ROLLING HILLS MUNICIPAL CODE AND DETERMINING THE ORDINANCE EXEMPT FROM CEQA**

DATE: **December 13, 2022**

BACKGROUND:

Every three years, the California Building Standards Commission, together with other state agencies (e.g., the Department of Housing and Community Development), updates the State's building standards by adopting a new edition of the California Building Standards Code ("CBSC"). The CBSC consists of multiple building codes codified in Title 24 of the California Code of Regulations (these include the state building code, residential code, electrical code, plumbing code, mechanical code, fire code, energy code, and green building code). Effective January 1, 2023, these building standards apply to all building occupancies throughout the state, whether or not they are adopted by a local jurisdiction. Cities and counties, however, will typically pass ordinances adopting the CBSC by reference for the purpose of amending the state standards in accordance with local conditions and to adopt administrative provisions (e.g., fees, remedies for code violations, etc.).

Local amendments must be specific to each edition of the CBSC. State law also provides that cities and counties may adopt amendments to the state building standards only if the local governing body (i.e., the City Council) finds that such modifications or changes are reasonably necessary because of local climatic, geological or topographical conditions, and if the local amendments are at least as restrictive as the state standards. (Administrative provisions that do not establish building standards may be enacted without necessity findings.)

Traditionally, the City of Rolling Hills has adopted the CBSC as adopted and amended by Los Angeles County. On November 15, 2022, the County Board of Supervisors adopted the new codes with local amendments, effective January 1, 2023. Attached to this report are Ordinance Nos. 382 and 382-U (Attachments 1 and 2) and redlined versions of each

ordinance (Attachments 3 and 4), respectively, which incorporate the changes. A letter from the County of Los Angeles Department of Public Works summarizing the changes adopted by the County (Attachment 5).

DISCUSSION:

Ordinance No. 382 and Ordinance No. 382-U largely function to adopt the current editions of the codes, readopt previously adopted City amendments that continue to apply to local building conditions, and delete or otherwise clean up those provisions of Rolling Hills Municipal Code (RHMC) Title 15 that are obsolete or duplicative of the State and County codes.

Under State law, only those building standards that are effective at the local level at the time an application for a building permit is submitted apply to the plans and the construction performed under that building permit. This means that until the City adopts its local amendments ordinance, as of January 1, 2023, only the default building standards in the 2022 Edition of the CBSC would apply to applications for a building permit in Rolling Hills. The County's regional amendments, which the City has previously adopted, and the City's own amendments specific to local conditions—previously adopted and codified in Title 15 of the RHMC—would no longer be enforceable in the City until the City's ordinance for the 2023 adoption cycle takes effect.

For this reason (and because the County's regional ordinance is typically made available late in any given adoption year), the City has often adopted its local amendments by means of an urgency ordinance. Urgency ordinances take effect immediately upon passage by a fourth-fifths (4/5) vote of the City Council, given a declaration of facts constituting the urgency. As the City's local modifications are necessitated by the area's topographic, geologic and climatic conditions, allowing structures to be built absent the requirements of these tailored building standards presents a risk to the public health, safety and welfare. (Specifically, the City is located in a Very High Fire Hazard Severity Zone characterized by hot, dry summers and heavy winter rains which result in expansive soil conditions. The area's topography is also marked by geological instability, all of which conditions are addressed through the regional and local amendments to the CBSC.)

The City Council adopted Urgency Ordinance No. 373-U on December 14, 2021, and Ordinance No. 373 on January 10, 2022, regarding the Fire Code. The proposed Ordinance Amendment further amends Rolling Hills Municipal Code (RHMC) Chapter 15.20 (Fire Code) to reflect that the statewide Fire Code will take effect. When the Los Angeles County Board of Supervisors amends its version of Title 32, Fire Code, a new ordinance will be needed to amend RHMC Chapter 15.20. The City cannot reference or amend a Code that is not yet in existence. The proposed Ordinance deletes the provisions of Section 15.20.040 (Local amendments), which relate to the LA County Fire Code.

If the Council decides to adopt the ordinance as an urgency measure, it should also proceed to introduce on first reading the version of the ordinance in Attachment 1, as is the City's custom when taking legislative action.

Environmental Review
This ordinance is not a project within the meaning of Section 15378 of the California Environmental Quality Act ("CEQA") Guidelines because it has no potential for resulting in physical change to the environment. Most of the terms of the building standards in the proposed Ordinance are dictated by the California Buildings Standards Code and county amendments to the state standards only make those modifications necessary for local regional conditions which are at least as protective of the environment as the state codes. City-specific amendments are limited to creating administrative processes for local enforcement of the state building standards. Alternatively, even if the ordinance is a project within the meaning of CEQA, its adoption is exempt from CEQA under the general rule that CEQA only applies to projects that may cause significant adverse effects on the environment. Pursuant to CEQA Guideline section 15061(b)(3), as this ordinance is largely administrative in nature, there is no possibility that the City's action would adversely affect the environment in any manner that could be significant.

FISCAL IMPACT:
Building plan check and permit fees are paid to compensate the City for expenditures associated with these activities. As the changes in the Codes are minor, the fees collected will continue to match the expenditures, and there will be no net fiscal impact to the City.

RECOMMENDATION:
Open the public hearing, receive public testimony, close the public hearing, and make the following actions:

- Find that the adoption of the ordinances is not a project subject to CEQA review because it has no potential for resulting in physical change to the environment;
- Introduce for first reading by title only Ordinance No. 382 regarding building and construction; and
- Adopt Ordinance No. 382-U regarding building and construction.

ATTACHMENTS:
ATTACHMENT 1 - CL_ORD_382_BuildingCodeOrdinance_D.pdf
ATTACHMENT 2 - CL_ORD_382-U_BuildingCodeUrgencyOrdinance_D.pdf
ATTACHMENT 3 - CL_ORD_382_BuildingCodeOrdinance_REDLINE_D.pdf
ATTACHMENT 4 - CL_ORD_382-U_BuildingCodeUrgencyOrdinance_REDLINE_D.pdf
ATTACHMENT 5 - PL_ZOA_221024_Letter_LACounty.pdf

ORDINANCE NO. 382

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA PLUMBING CODE, 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2022 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, 2022 EDITION; MAKING AMENDMENTS TO SAID CODES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DOES ORDAIN AS FOLLOWS:

Section 1. Title 15 (Buildings and Construction) of the City of Rolling Hills Municipal Code is amended to read as follows:

"Title 15 – BUILDINGS AND CONSTRUCTION

Chapter 15.04 BUILDING CODE

Sections

15.04.010 Adoption of Building Code.

Except as hereinafter provided, Title 26, Building Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Building Code, 2022 Edition (Part 2 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Building Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Building Code, 2022 Edition, Title 26 of the Los Angeles County Code, or any amendment to the Building Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of

Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.04.020 Short title.

This chapter shall be known as the "Building Code of the City of Rolling Hills" and will be referred to herein as "this code."

15.04.030 Section 105 amended.

Section 105 of the Building Code is amended to add a new subsection 105.7 to read:

> 105.7 Review Hearing. The City Council of the City of Rolling Hills may conduct a public hearing to review any decision or order of the Board of Appeals, the Code Enforcement Appeals Board, or the Building Rehabilitation Appeals Board upon an affirmative vote of three members of the City Council within thirty (30) calendar days of the decision or order. The City Council may, upon conclusion of the public hearing, sustain or reverse in whole or in part any said action or order. Notice of the City Council public hearing shall be given by the City Clerk not less than ten (10) days prior to the hearing by first class mail to all property owners within 1,000 feet of the exterior boundaries of the subject property and all owners of record of the subject property at the time of mailing said notice.

15.04.040 Definitions.

Whenever any of the following names or terms are used in the California Building Code or the County of Los Angeles Building Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"Board of Appeals" means the Board of Appeals established by Section 105 of said Los Angeles County Building Code.

"Building department" means the entities charged by resolution of the City Council with the responsibility of administering the building code for the City.

"Building official" means the persons charged by resolution of the City Council with the responsibility of administering the building code for the City.

"City" means the City of Rolling Hills.

"City Engineer" means the persons charged by resolution of the City Council with the responsibility of performing the functions of city engineer for the City.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

"Electrical Code" means Chapter 15.16 of this code.

"Existing Building Code" means Chapter 15.24 of this code.

"Fire Code" means Chapter 15.20 of this code.

"Fire zone" means the fire zone adopted by an ordinance creating and establishing fire zones or where no such fire zones have been adopted by the City of Rolling Hills, shall mean very high fire hazard severity zone (VHFHSZ).

"General fund" means the City Treasury of the City of Rolling Hills.

"Green Building Standards Code" means Chapter 15.22 of this code.

"Health Code" or "Los Angeles County Health Code" means Chapter 8.04 of this code.

"Health Officer" means the Health Officer of the City of Rolling Hills.

"Mechanical Code" means Chapter 15.12 of this code.

"Plumbing Code" means Chapter 15.08 of this code.

"Residential Code" means Chapter 15.18 of this code.

15.04.050 Fees.

Notwithstanding the provisions of Section 15.04.010, the Building Code is amended by increasing the amount of each and every fee set forth in the Building Code, to a sum set by resolution of the City Council, including a park and recreation fee.

15.04.060 Section 202 amended.

Section 202 of the Building Code, regarding the definition of a basement, is amended to read as follows:

> BASEMENT is any floor level below the first story of the primary residence, including an attached garage. Except for walls within light wells, basement walls across any elevation may not exceed a height of five (5) feet above finished grade at any point immediately adjacent to the basement exterior, and shall have no greater than an average of two and one-half (2½) feet exterior height. Basement well(s) shall be incorporated into the overall design of the building so that it does not give an appearance of a separate story.

15.04.070 Section 202 amended.

Section 202 of the Building Code, regarding the definition of a story, is amended to read as follows:

STORY is that portion of a building included between the upper surface of any floor and the ceiling or roof above it. There shall be no story on top of another, except as permitted in Section 17.16.080 of the Zoning Ordinance.

15.04.080 Amending Appendix J Grading, Section J103 PERMITS REQUIRED.

Section J103.2, Exemption 8, is amended to read as follows:

8. An excavation that does not exceed 50 cubic yards and complies with one of the following conditions and as shown in Figure J103.2:

(a) Is less than 2 feet (0.6 m) in depth.

(b) Does not create a cut slope greater than 5 feet (1.5 m) measured vertically upward from the cut surface to the surface of the natural grade and is not steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

Section J103.2, Exemption 9, is amended to read as follows:

9. A fill not intended to support a structure that does not obstruct a drainage course and complies with one of the following conditions and as shown in Figure J103.2:

(a) Is less than 1 foot (0.3 m) in depth and is placed on natural terrain with a slope flatter than 5 units horizontal to 1 unit vertical (20 percent slope).

(b) Is less than 3 feet (0.9 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 50 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

(c) Is less than 5 feet (1.5 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 20 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

Section J103.6 Compliance with Zoning Code is amended to read as follows:

The Building Official may refuse to issue a grading permit for work on a site if either the proposed grading or the proposed land use for the site shown on the grading plan application does not comply with the provisions of Title 17 of the Rolling Hills Municipal Code (Zoning).

15.04.090 Amending Section J106.1 Maximum cut slopes.

The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no more than one unit vertical to two units horizontal (50 percent slope), unless the owner, or the owner's authorized agent, receives a variance for a steeper slope from the Planning Commission of the City of Rolling Hills and furnishes a geotechnical or an engineering geology report, or both, justifying a steeper slope. The reports must contain a statement by the Geotechnical Engineer or Engineering Geologist that the site was investigated and an opinion that a steeper slope will be stable and will not create a hazard to public or private property, in conformance with the requirements of Section 111. Notwithstanding the provisions of this section, the Building Official may require the slope of cut surfaces to be less than 50 percent, if the Building Official finds it necessary for the stability and safety of the slope.

Exceptions:

The slope of a cut surface may be permitted to be as steep as 1.5 units horizontal to one unit vertical (67 percent) only if all of the following conditions are met:

1. It is not intended to support structures or surcharges.

2. It is approved by the Planning Commission of the City of Rolling Hills.

3. It is adequately protected against erosion.

4. It is no more than 8 feet (2438 mm) in height.

5. It is approved by the Building Official.

6. Ground water is not encountered.

15.04.100 Section J106.2 added.

Section J106 is amended to add subsection J106.2 to read as follows:

Section J106.2 DRIVEWAYS. Driveways which provide access from any lot or parcel of land to any of the private roads in the City of Rolling Hills which are maintained by the Rolling Hills Community Association shall be so constructed that the first twenty (20) feet of said driveway, measured from the edge of the paved portion of said private road, shall not be steeper in grade than seven percent (7%). All new and relocated driveways require approval of the City of Rolling Hills Traffic Commission prior to construction.

15.04.110 Section J106.3 added.

Section J106 is amended to add subsection J106.3 to read as follows:

J106.3 BALANCED CUT AND FILL RATIO

Adherence to balanced cut and fill ratio is an important policy of the City and furthers the goals and objectives of its General Plan, except that export of soil generated from construction of basements and other excavation activities, promotes the preservation of natural terrain of the property. A project, which does not include excavation, may deviate from balanced cut and fill only under unusual circumstances related to the size, shape, topography or other physical conditions of the property that qualify it for a variance pursuant to Municipal Code Section 17.38.050.

1. No import of soil shall be permitted to any lot in the City, except where a variance pursuant to Chapter 17.38 has been approved.

2. No export of soil shall be permitted from any lot in the City, except where the soil is generated from an excavation activity, as defined in Municipal Code Section 17.12.050 or where a variance pursuant to Chapter 17.38 has been approved. Export of soil must comply with City refuse diversion requirements.

3. No grading plan for which a permit is required shall be approved unless the amount of soil to be cut from the site equals the amount of soil to be filled on the site, except where the soil is generated from an excavation activity or where a variance pursuant to Chapter 17.38 has been approved.

4. The City Manager, or his or her designee, may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area), and

(b) That the need to import or export the soil could not have been foreseen prior to commencement of construction.

5. The City Manager or his or her designee may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards for remedial repair of the lot that has eroded, and of hillside or trail if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area);

(b) The import or export of soil is no greater than necessary to avoid a threat of land subsidence or other imminent danger; and

(c) A professionally prepared drainage plan for permanent repair shall be required if the erosion is re-occurring and if/when the amount of dirt requested, when added to the amount of dirt used in previous years, exceeds a total of 500 cubic yards.

15.04.120 Amending Section J107.6 Maximum Slope.

The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than 1 unit vertical to 2 units horizontal (50 percent slope) shall not be permitted unless the owner receives a variance for a steeper fill slope from the Planning Commission of the City of Rolling Hills, pursuant to the provisions of Title 17 of the Municipal Code. Such slopes shall be justified by geotechnical reports conforming with the requirements of Section 111, containing a statement by the Geotechnical Engineer that the site has been investigated and an opinion that a steeper fill slope will be stable and will not create a hazard to public or private property. Substantiating calculations and supporting data may be required where the Building Official determines that such information is necessary to verify the stability and safety of the proposed slope. The Building Official may require the fill slope to be constructed with a face flatter in slope than 2 units horizontal to 1 unit vertical (50 percent slope) if the Building Official finds it necessary for stability and safety of the slope.

15.04.130 Section J107.10 added.

Section J107, FILLS, is amended by adding subsection J107.10 to read as follows:

J107.10 BALANCED CUT AND FILL RATIO

Adherence to balanced cut and fill ratio is an important policy of the City and furthers the goals and objectives of its General Plan, except that export of soil generated from construction of basements and other excavation activities, promotes the preservation of natural terrain of the property. A project, which does not include excavation, may deviate from balanced cut and fill only under unusual circumstances related to the size, shape, topography or other physical conditions of the property that qualify it for a variance pursuant to Municipal Code Section 17.38.050.

1. No import of soil shall be permitted to any lot in the City, except where a variance pursuant to Chapter 17.38 has been approved.

2. No export of soil shall be permitted from any lot in the City, except where the soil is generated from an excavation activity, as defined in Municipal Code Section 17.12.050 or where a variance pursuant to Chapter 17.38 has been approved. Export of soil must comply with City refuse diversion requirements.

3. No grading plan for which a permit is required shall be approved unless the amount of soil to be cut from the site equals the amount of soil to be filled on

the site, except where the soil is generated from an excavation activity or where a variance pursuant to Chapter 17.38 has been approved.

4. The City Manager, or his or her designee, may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export (other than from excavation activities), of soil not to exceed 500 cubic yards if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) Construction of a structure on the lot or parcel has commenced,

(b) That the need to import or export the soil could not have been foreseen prior to commencement of construction, and

(c) That either the structure, as approved, cannot be completed without the requested import or export of soil or that an emergency condition exists due to the threat of land subsidence or other imminent danger.

5. The City Manager or his or her designee may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards for remedial repair of an area of the lot that has eroded, is on a hillside or a trail if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area).

(b) The import or export of soil is no greater than necessary to avoid a threat of land subsidence or other imminent danger.

(c) A professionally prepared drainage plan for permanent repair shall be required if the erosion is re-occurring and if/when the amount of dirt requested, when added to the amount of dirt used in previous years, exceeds a total of 500 cubic yards.

15.04.140 Amending Section J101.2 Flood Hazard areas.

Notwithstanding the provisions of Section 15.04.010 of this chapter, the Building Code is amended by requiring that in addition to Section J101.2, all new construction and substantial improvements proposed to be built in a flood-prone area, as determined in accordance with Section 8.36.050 of the Rolling Hills Municipal Code (RHMC), is subject to the floodplain management regulations set forth in Chapter 8.36 of the RHMC.

15.04.150 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or portion thereof or perform any grading in the City of Rolling Hills, or cause the same to be done, contrary to or in violation of any of the provisions of this code.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.08 PLUMBING CODE

Sections:

15.08.010 Adoption of Plumbing Code.

Except as hereinafter provided, Title 28, Plumbing Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Plumbing Code, 2022 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Plumbing Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Plumbing Code, 2022 Edition, Title 28 of the Los Angeles County Code, or any amendment to the Plumbing Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 2022 Edition, has been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.08.020 Definitions.

Whenever any of the following names of terms are used in the California Plumbing Code and the Los Angeles County Plumbing Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

15.08.030 Fees.

Notwithstanding the provisions of Section 15.08.010, the Plumbing Code is amended by increasing the amount of each and every fee set forth in the Plumbing Code to a sum set by resolution of the City Council.

15.08.040 Violations and penalties.

Every person, firm, or corporation violating any of the provisions of the Plumbing Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.12 MECHANICAL CODE

Sections:

15.12.010 Adoption of Mechanical Code.

Except as hereinafter provided, Title 29, Mechanical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Mechanical Code, 2022 Edition (Part 4 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Mechanical Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Mechanical Code, 2022 Edition, Title 29 of the Los Angeles County Code, or any amendment to the Mechanical Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.12.020 Definitions.

Whenever any of the following names or terms are used in the California Mechanical Code or the County of Los Angeles Mechanical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

15.12.030 Fees.

Notwithstanding the provisions of Section 15.12.010, the Mechanical Code is amended by increasing the amount of each and every fee set forth in the Mechanical Code to a sum set by resolution of the City Council.

15.12.040 Violations and penalties.

A. It shall be unlawful for any person, firm, or corporation to erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, cooling, or refrigeration equipment in the jurisdiction, or cause the same to be done, contrary to or in violation of any of the provisions of Mechanical Code of the City of Rolling Hills. Maintenance of equipment which was unlawful at the time it was installed, and which would be unlawful under this Code if installed after the effective date of this Code, shall constitute a continuing violation of this Code.

B. Any person, firm or corporation violating any of the provisions of the Mechanical Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.16 ELECTRICAL CODE

Sections:

15.16.010 Adoption of Electrical Code.

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California

Electrical Code, 2022 Edition (Part 3 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Electrical Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Electrical Code, 2022 Edition, Title 27 of the Los Angeles County Code, or any amendment to the Electrical Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.16.020 Definitions.

Notwithstanding the provisions of Section 15.16.010 of this chapter, whenever any of the following names or terms are used in the Electrical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated area of the County of Los Angeles" means the City of Rolling Hills.

15.16.030 Electrical Code fees.

Notwithstanding the provisions of Section 15.16.010, fees for plan check, inspection, and all other miscellaneous services shall be based on the fee schedule set forth by Title 27 of the Los Angeles County Code, Fees, as approved by resolution of the City Council.

15.16.040 Violations and penalties.

Every person, firm, or corporation violating any of the provisions of the Plumbing Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.18 RESIDENTIAL CODE

Sections:

15.18.010 Adoption of Residential Code.

Except as herein provided, Title 30, Residential Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Residential Code, 2022 Edition (Part 2.5 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Residential Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Residential Code, 2022 Edition, Title 30 of the Los Angeles County Code, or any amendment to the Residential Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 30 of the Los Angeles County Code and the California Residential Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.18.020 Definitions.

Notwithstanding the provisions of Section 15.18.010, names or terms that are used in this code shall be deemed and construed to have the meaning ascribed to it in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code.

15.18.040 Fees.

Notwithstanding the provisions of Section 15.18.010, the fees set forth for this code shall be the same as the fees prescribed for the Building Code in Section 15.04.050 of Title 15 of the Rolling Hills Municipal Code.

15.18.050 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Residential Code of the City of Rolling Hills.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may

be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.20 FIRE CODE*

Sections:

15.20.010 Adoption of Fire Code.

Except as hereinafter provided in this chapter, California Fire Code, 2022 Edition (Part 9 of Title 24 of the California Code of Regulations), based on the International Fire Code, 2021 Edition, is hereby adopted by reference and shall constitute and may be cited as the Fire Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Fire Code, 2022 Edition, Title 32 of the Los Angeles County Code, or any amendment to the Fire Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of the California Fire Code, 2022 Edition, has been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

15.20.020 Short title.

This chapter shall be known as the "Fire Code of the City of Rolling Hills" and may be cited as such.

15.20.025 Very high fire hazard severity zone (VHFHSZ).

The entire City of Rolling Hills is designated as a very high fire hazard severity zone, as prescribed by the Director of California Department of Forestry and Fire Protection and as designated on a map titled City of Rolling Hills VHFHSZ dated July 1, 2008, and which shall be retained on file in the City Clerk's office at the Rolling Hills City Hall.

15.20.030 Permits.

Any permit heretofore issued by the County of Los Angeles pursuant to the Fire Code of said County, for work within the territorial boundaries of the City of Rolling Hills, shall remain in full force and effect according to its terms.

15.20.035 Reserved.

15.20.040 Local amendments—Reserved.

15.20.050 Violations.

Every person violating any provision of the Fire Code or of any permit or license granted hereunder, or any rule, regulation or policy promulgated pursuant hereto, is guilty of a misdemeanor unless such violation is declared to be an infraction by the Fire Code. Each such violation is a separate offense for each and every day during any portion of which such violation is committed, continued or permitted, and conviction of any such violation shall be punishable by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period not to exceed six months, or by both such fine and imprisonment.

15.20.060 Responsibility.

Any person who personally or through another willfully, negligently, or in violation of law sets a fire, allows a fire to be set, or allows a fire kindled or attended by such person to escape from his or her control, allows any hazardous material to be handled, stored or transported in a manner not in accordance with nationally recognized standards, allows any hazardous material to escape from his or her control, neglects to properly comply with any written notice of the Chief, or willfully or negligently allows the continuation of a violation of the Fire Code and amendments thereto is liable for the expense of fighting the fire or for the expenses incurred during a hazardous materials incident, and such expense shall be a charge against that person. Such charge shall constitute a debt of such person and is collectible by the public agency incurring such expense in the same manner as in the case of an obligation under a contract, expressed or implied.

Chapter 15.22 GREEN BUILDING STANDARDS CODE

Sections:

15.22.010 Adoption of Green Building Standards Code.

Except as hereinafter provided, Title 31, Green Building Standards Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Green Building Standards Code, 2022 Edition (Part 11 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Green Building Standards Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Green Building Standards Code, 2022 Edition, Title 31 of the Los Angeles County Code, or any amendment to the Green Building Standards Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 31 of the Los Angeles County Code and the California Green Building Standards Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.22.020 Definitions.

Notwithstanding the provisions of Section 15.22.010, names or terms that are used in this code shall be construed to have the meaning ascribed to them in the Los Angeles County Green Building Standards Code or in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code, as appropriate.

15.22.030 Water budget.

Notwithstanding the provisions of Section 15.22.010, section 4.304 of the Green Building Standards Codes is amended to add section 4.304.2 to read as follows:

> 4.304.2. Water Budget. A water budget shall be developed for landscape irrigation use installed in conjunction with new construction and new or redeveloped landscaping that conforms to the local water efficient landscape ordinance in Chapter 13.18 of Title 13 of the Rolling Hills Municipal Code.

15.22.040 Low-impact development.

Notwithstanding the provisions of Section 15.22.010, section 4.106.5 of the Green Building Standards Codes is amended to read as follows:

> 4.106.5. Low-impact development. New development or additions or alteration to existing developed sites shall comply with the Storm Water Management and Pollution Control Ordinance, Chapter 8.32 of Title 8 of the Rolling Hills Municipal Code.

15.22.050 Fees.

Notwithstanding the provisions of Section 15.22.010, the fees set forth for this code shall be the same as the fees prescribed by resolution of the City Council for the Building, Electrical, Plumbing, Mechanical, Residential, and Fire Codes of Title 15 of the Rolling Hills Municipal Code.

15.22.060 Violation and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Green Building Standards Code of the City of Rolling Hills.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.24 EXISTING BUILDING CODE

Sections:

15.24.010 Adoption of Existing Building Code.

Except as herein provided, Title 33, Existing Building Code of the Los Angeles County Code, in effect on January 1, 2023, adopting the California Green Building Standards Code, 2022 Edition (Part 10 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known as the Existing Building Code of the City of Rolling Hills.

In the event of any conflict between provisions of Title 33, Existing Building Code of the Los Angeles County Code, 2022 Edition, or any amendment to the Existing Building Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 33 of the Existing Building Code and the 2022 Edition of the California Existing Building Code have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.24.020 Definitions.

Notwithstanding the provisions of Section 15.24.010, names or terms that are used in this code shall be construed to have the meaning ascribed to them in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code.

15.24.030 Fees.

Notwithstanding the provisions of Section 15.24.010, the fees set forth for this code shall be the same as the fees prescribed for the Building Code in Section 15.04.050 of Title 15 of the Rolling Hills Municipal Code.

15.24.040 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City of Rolling Hills, or cause the same to be done, contrary to or in violation of any of the provisions of this code.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.32 UNDERGROUND UTILITY DISTRICTS

Sections:

15.32.010 Definitions.

Whenever in this chapter the words or phrases defined in this section are used, they shall have the respective meanings assigned to them in the following definitions:

A. "Commission" means the Public Utilities Commission of the State of California.

B. "Person" means and includes individuals, firms, corporations, partnerships, and their agents and employees.

C. "Poles, overhead wires and associated overhead structures" means poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above-ground within a district and used or useful in supplying electric, communication or similar or associated service.

D. "Underground utility district" or "district" means that area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 15.32.040.

E. "Utility" includes all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices.

15.32.020 Public hearing—Authorized when—Notice.

The Council may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication or similar or associated service. The City Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least ten days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the Council shall be final and conclusive.

15.32.030 Public hearing—Consultation.

Prior to holding such public hearing, the City Engineer shall consult with all affected utilities and shall prepare a report for submission at such hearing containing, among other information, the extent of such utilities' participation and estimates of the total costs to the city and affected property owners. Such report shall also contain an estimate of the time required to complete such underground installation and removal of overhead facilities.

15.32.040 Council resolution-Procedure.

If, after any such public hearing, the Council finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the Council shall, by resolution, declare such designated area an underground utility district and order such removal and underground installation. Such resolution shall include a description of the area comprising such district and shall fix the time within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground services. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby.

15.32.050 Maintaining overhead structures prohibited when.

Whenever the Council creates an underground utility district and orders the removal of poles, overhead wires and associated overhead structures therein as provided in Section 15.32.040, it is unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant to continue to receive utility service as provided in Section 15.32.100, and for

such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this chapter.

15.32.060 Emergency overhead structures.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period not to exceed ten days without authority of the City Manager in order to provide emergency service. The City Manager may grant special permission on such terms as the City Manager may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.

15.32.070 Council resolution—Exceptions authorized.

In any resolution adopted pursuant to Section 15.32.040, the City may authorize any or all of the following exceptions:

A. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer;

B. Poles or electroliers used exclusively for street lighting;

C. Overhead wires (exclusive of supporting structures) crossing any portion of a district within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a district, which such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;

D. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts;

E. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location of the building to another location on the same building or to an adjacent building without crossing any public street;

F. Antennae, associated equipment and supporting structures used by a utility for furnishing communication services;

G. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts.

H. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

15.32.080 Notice to property owners and utility companies.

A. Within ten days after the effective date of a resolution adopted pursuant to Section 15.32.040, the City Clerk shall notify all affected utilities and all persons owning real property within the district created by said resolution of the adoption thereof. The City Clerk shall further notify such affected property owners of the necessity that if they or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location.

B. Notification by the City Clerk shall be made by mailing a copy of the resolution adopted pursuant to Section 15.32.040, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

15.32.090 Responsibility of utility companies.

If underground construction is necessary to provide utility service within a district created by any resolution adopted pursuant to Section 15.32.040, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the Commission.

15.32.100 Responsibility of property owners—Notice.

Every person owning, operating, leasing, occupying or renting a building or structure within a District shall construct and provide that portion of the service connection on his property between the facilities referred to in Section 15.32.090 and the termination facility on or within said building or structure being served. If the above is not accomplished by any person within the time provided for in the resolution enacted pursuant to Section 15.32.040, the City Engineer shall give, notice in writing to the person in possession of such premises, and a notice in writing to the owner thereof as shown on the last equalized assessment roll, to provide the required underground facilities within ten days after receipt of such notice.

15.32.110 Notice—Service.

The notice to provide the required underground facilities may be given either by personal service or by mail. In case of service by mail on either of such persons, the notice must be deposited in the United States mail in a sealed envelope with postage prepaid, addressed to the person in possession of such premises at such premises, and the notice must be addressed to the owner thereof as such owner's name appears, and must be addressed to such owner's last known address as the same appears on the last equalized assessment roll, and when no address appears, to General Delivery, City of

Rolling Hills, California. If notice is given by mail, such notice shall be deemed to have been received by the person to whom it has been sent within forty-eight hours after the mailing thereof. If notice is given by mail to either the owner or occupant of such premises, the City Engineer shall, within forty-eight hours after the mailing thereof, cause a copy thereof, printed on a card not less than eight inches by ten inches in size to be posted in a conspicuous place on said premises.

15.32.120 Notice—Form.

The notice given by the City Engineer to provide the required underground facilities shall particularly specify what work is required to be done, and shall state that if said work is not completed within thirty days after receipt of such notice, the City Engineer will provide such required underground facilities, in which case the cost and expense thereof will be assessed against the property benefited and become a lien upon such property.

15.32.130 Work by City Engineer—Assessment of costs.

If upon the expiration of the thirty-day period the required underground facilities have not been provided, the City Engineer shall forthwith proceed to do the work; provided, however, if such premises are unoccupied and no electric or communications services are being furnished thereto, the City Engineer may authorize the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property. Upon completion of the work by the City Engineer, he shall file a written report with the City Council setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The Council shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work upon such premises, which said time shall not be less than ten days thereafter.

15.32.140 Assessment—Hearing—Notice.

The City Engineer shall forthwith, upon the time for hearing such protests having been fixed, give a notice in writing to the person in possession of such premises, and a notice in writing thereof to the owner thereof, in the manner provided in this chapter for the giving of the notice to provide the required underground facilities, of the time and place that the Council will pass upon such report and will hear protests against such assessment. Such notice shall also set forth the amount of the proposed assessment.

15.32.150 Assessment—Hearing—Decision.

Upon the date and hour set for the hearing of protests, the Council shall hear and consider the report and all protests if there be any, and then proceed to affirm, modify or reject the assessment.

15.32.160 Assessment—Lien.

If any assessment is not paid within the five days after its confirmation by the Council, the amount of the assessment shall become a lien upon the property against which the assessment is made by the City Engineer, and the City Engineer is directed to turn over to the Assessor and Tax Collector a notice of lien of each of said properties on which the assessment has not been paid, and the Assessor and Tax Collector shall add the amount of said assessment to the next regular bill for taxes levied against the premises upon which said assessment was not paid. Said assessment shall be due and payable, and if not paid when due and payable, shall bear interest at the rate of six percent per annum.

15.32.170 Responsibility of City.

The City shall remove at its own expense all City-owned equipment from all poles required to be removed under this chapter in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to Section 15.32.040.

15.32.180 Extension of time.

In the event that any act required by this chapter or by a resolution adopted pursuant to Section 15.32.040 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the contractor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation.

15.32.190 Violation—Penalty.

It is unlawful for any person to violate any provision or to fail to comply with any requirement of this chapter. Any person violating any provision of this chapter or failing to comply with any of its requirements shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine or not more than one thousand dollars or by imprisonment in County Jail for a period not exceeding six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall be punishable accordingly.

Chapter 15.36 HOURS OF CONSTRUCTION

Sections:

15.36.010 Work of improvement defined.

For the purpose of this chapter, "work of improvement" includes but is not restricted to the construction, alteration, addition, or the repair, in whole or in part, of any building, structure, bridge, ditch, pipeline, tunnel, fence, or road; the cutting or removal of weeds, trees and grass; the seeding, sodding or planting of any lot or tract of land for landscaping purposes; the filling, levelling, grading of any lot or tract of land; or the crushing of rock or the hauling of any material to be used or removed in connection with any of the foregoing; the demolition of buildings; or the removal of buildings.

15.36.020 Hours restricted.

There shall be no work of improvement or the operation of mechanical equipment used in connection with work of improvement within the territorial limits of the City except on Monday through Saturday of each week, commencing at the hour of seven a.m. and ending at the hour of six p.m. on each day.

15.36.030 Exceptions.

The provisions of this chapter shall not apply to residents of the City who are the record owners of land in the City or who are the lessees of the record owners of land in the City.

Chapter 15.40 GEOLOGICAL INVESTIGATIONS AND REPORTS REQUIRED

Sections:

15.40.010 Requirements.

The requirements provided for in this chapter are in addition to any and all other requirements relating to expansive soils and geological inspections and reports required by the building code of the City or any other ordinance of the City.

15.40.020 Authority—Procedure.

A. No building (as defined in the Los Angeles County Building Laws) for which a building or grading permit is required by the building code of the City, shall be issued by the City Engineer if he, and/or the City Council, is of the opinion that a potentially serious geological condition may exist on the land on which the proposed building is to be constructed, or the proposed grading is to be performed, until a geological report prepared by a geologist registered by the State is delivered

to the City Engineer by the applicant for the building or grading permit. The report shall include, among other things, test borings or excavations.

B. If said geological report, in the opinion of the City Engineer, indicates a potential serious geological condition, the City Engineer shall have the authority to employ an independent geologist registered by the State, to prepare and provide him with an independent geological report of the land on which the proposed building is to be constructed or the grading is proposed to be performed, and if necessary, to require additional test borings or excavations to be made by an independent testing service, the depth and accuracy of which shall be approved by said registered geologist.

C. The City Engineer shall also have authority to submit samples of any and all test borings or excavations to an independent qualified geological laboratory for analysis and report.

D. The geological report prepared by the independent registered geologist shall recommend corrective action which is designed to prevent the displacement or slippage of the land.

15.40.030 Corrective action required when.

As a condition to the issuance of a permit by the City Engineer of the City, the corrective action or procedures recommended in the geological report shall be incorporated in the proposed construction or grading for which the permit has been applied.

15.40.040 Assessment of costs.

All expenses incurred by the applicant in complying with the provisions of this chapter shall be paid for by the applicant and shall be in addition to all other charges or fees levied, assessed or charged by the City in connection with the issuance of a building or grading permit."

Section 2. All inconsistencies between the Building Code, Electrical Code, Mechanical Code, Plumbing Code, Residential Code, Green Building Code, and Existing Building Code, as adopted by this ordinance and Parts 2, 2.5, 3, 4, 5, 10, and 11 of the California Code of Regulations, are changes, modifications, amendments, additions, or deletions thereto authorized by California Health and Safety Code Sections 17958 and 17958.7.

Section 3. Justifications for Local Amendments. The City Council hereby finds that the changes and modifications to the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Residential Code, Green Building Code, and Existing Building Code enacted by this ordinance are reasonably necessary because of the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and

heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; location in Southern California; and the relatively flat topography of the City.

The City Council hereby finds that the modifications to the State Building Code in Title 26 of the Los Angeles County Code are reasonably necessary because of the local climatic, geological, and topographical conditions within the City of Rolling Hills. Further, the modifications to the Building, Electrical, Mechanical, Plumbing, Green Building Standards, Residential, and Existing Building Codes in Titles 26, 27, 28, 29, 30, 31 and 33 of the Los Angeles County Code are administrative in nature and are necessary to allow the uniform application of the codes by procedures suited to the size and nature of the City's staff and administrative agencies by means suited to the City's experience with local climatic, geological, and topographical conditions and to provide sufficient staff support for the time-consuming inspections and analysis required by the City's fire and geological hazards.

Section 4. To the extent the provisions of this ordinance are substantially the same as previous provisions of the Rolling Hills Municipal Code, these sections shall be construed as continuations of those provisions and not as new enactments.

Section 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance or any part hereof is for any reason held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Rolling Hills hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid.

Section 6. California Environmental Quality Act. The City Council finds that this ordinance is not a project within the meaning of Section 15378 of the California Environmental Quality Act (“CEQA”) Guidelines because it has no potential for resulting in physical change to the environment. Most of the terms of the building standards adopted herein are dictated by the California Buildings Standards Code and county amendments to the state standards only make those modifications necessary for local regional conditions which are at least as protective of the environment as the state codes. City-specific amendments are limited to creating administrative processes for local enforcement of the state building standards. Alternatively, even if the ordinance is a project within the meaning of CEQA, its adoption is exempt from CEQA under the general rule that CEQA only applies to projects that may cause significant adverse effects on the environment. CEQA Guideline section 15061(b)(3). As this ordinance is largely administrative in nature, there is no possibility that the City’s action would adversely affect the environment in any manner that could be significant.

Section 7. Effective Date. This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code section 36937 and shall apply to all projects submitted to the City for plan check and/or permit application on or after that date.

PASSED, APPROVED, AND ADOPTED this __ day of _____, 2022.

_____
MAYOR

ATTEST

_____

City Clerk

ORDINANCE NO. 382-U

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA PLUMBING CODE, 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2022 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, 2022 EDITION; MAKING AMENDMENTS TO SAID CODES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DOES ORDAIN AS FOLLOWS:

Section 1. Title 15 (Buildings and Construction) of the City of Rolling Hills Municipal Code is amended to read as follows:

"Title 15 – BUILDINGS AND CONSTRUCTION

Chapter 15.04 BUILDING CODE

Sections

15.04.010 Adoption of Building Code.

Except as hereinafter provided, Title 26, Building Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Building Code, 2022 Edition (Part 2 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Building Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Building Code, 2022 Edition, Title 26 of the Los Angeles County Code, or any amendment to the Building Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of

Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.04.020 Short title.

This chapter shall be known as the "Building Code of the City of Rolling Hills" and will be referred to herein as "this code."

15.04.030 Section 105 amended.

Section 105 of the Building Code is amended to add a new subsection 105.7 to read:

> 105.7 Review Hearing. The City Council of the City of Rolling Hills may conduct a public hearing to review any decision or order of the Board of Appeals, the Code Enforcement Appeals Board, or the Building Rehabilitation Appeals Board upon an affirmative vote of three members of the City Council within thirty (30) calendar days of the decision or order. The City Council may, upon conclusion of the public hearing, sustain or reverse in whole or in part any said action or order. Notice of the City Council public hearing shall be given by the City Clerk not less than ten (10) days prior to the hearing by first class mail to all property owners within 1,000 feet of the exterior boundaries of the subject property and all owners of record of the subject property at the time of mailing said notice.

15.04.040 Definitions.

Whenever any of the following names or terms are used in the California Building Code or the County of Los Angeles Building Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"Board of Appeals" means the Board of Appeals established by Section 105 of said Los Angeles County Building Code.

"Building department" means the entities charged by resolution of the City Council with the responsibility of administering the building code for the City.

"Building official" means the persons charged by resolution of the City Council with the responsibility of administering the building code for the City.

"City" means the City of Rolling Hills.

"City Engineer" means the persons charged by resolution of the City Council with the responsibility of performing the functions of city engineer for the City.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

"Electrical Code" means Chapter 15.16 of this code.

"Existing Building Code" means Chapter 15.24 of this code.

"Fire Code" means Chapter 15.20 of this code.

"Fire zone" means the fire zone adopted by an ordinance creating and establishing fire zones or where no such fire zones have been adopted by the City of Rolling Hills, shall mean very high fire hazard severity zone (VHFHSZ).

"General fund" means the City Treasury of the City of Rolling Hills.

"Green Building Standards Code" means Chapter 15.22 of this code.

"Health Code" or "Los Angeles County Health Code" means Chapter 8.04 of this code.

"Health Officer" means the Health Officer of the City of Rolling Hills.

"Mechanical Code" means Chapter 15.12 of this code.

"Plumbing Code" means Chapter 15.08 of this code.

"Residential Code" means Chapter 15.18 of this code.

15.04.050 Fees.

Notwithstanding the provisions of Section 15.04.010, the Building Code is amended by increasing the amount of each and every fee set forth in the Building Code, to a sum set by resolution of the City Council, including a park and recreation fee.

15.04.060 Section 202 amended.

Section 202 of the Building Code, regarding the definition of a basement, is amended to read as follows:

> BASEMENT is any floor level below the first story of the primary residence, including an attached garage. Except for walls within light wells, basement walls across any elevation may not exceed a height of five (5) feet above finished grade at any point immediately adjacent to the basement exterior, and shall have no greater than an average of two and one-half (2½) feet exterior height. Basement well(s) shall be incorporated into the overall design of the building so that it does not give an appearance of a separate story.

15.04.070 Section 202 amended.

Section 202 of the Building Code, regarding the definition of a story, is amended to read as follows:

STORY is that portion of a building included between the upper surface of any floor and the ceiling or roof above it. There shall be no story on top of another, except as permitted in Section 17.16.080 of the Zoning Ordinance.

15.04.080 Amending Appendix J Grading, Section J103 PERMITS REQUIRED.

Section J103.2, Exemption 8, is amended to read as follows:

8. An excavation that does not exceed 50 cubic yards and complies with one of the following conditions and as shown in Figure J103.2:

(a) Is less than 2 feet (0.6 m) in depth.

(b) Does not create a cut slope greater than 5 feet (1.5 m) measured vertically upward from the cut surface to the surface of the natural grade and is not steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

Section J103.2, Exemption 9, is amended to read as follows:

9. A fill not intended to support a structure that does not obstruct a drainage course and complies with one of the following conditions and as shown in Figure J103.2:

(a) Is less than 1 foot (0.3 m) in depth and is placed on natural terrain with a slope flatter than 5 units horizontal to 1 unit vertical (20 percent slope).

(b) Is less than 3 feet (0.9 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 50 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

(c) Is less than 5 feet (1.5 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 20 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

Section J103.6 Compliance with Zoning Code is amended to read as follows:

The Building Official may refuse to issue a grading permit for work on a site if either the proposed grading or the proposed land use for the site shown on the grading plan application does not comply with the provisions of Title 17 of the Rolling Hills Municipal Code (Zoning).

15.04.090 Amending Section J106.1 Maximum cut slopes.

The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no more than one unit vertical to two units horizontal (50 percent slope), unless the owner, or the owner's authorized agent, receives a variance for a steeper slope from the Planning Commission of the City of Rolling Hills and furnishes a geotechnical or an engineering geology report, or both, justifying a steeper slope. The reports must contain a statement by the Geotechnical Engineer or Engineering Geologist that the site was investigated and an opinion that a steeper slope will be stable and will not create a hazard to public or private property, in conformance with the requirements of Section 111. Notwithstanding the provisions of this section, the Building Official may require the slope of cut surfaces to be less than 50 percent, if the Building Official finds it necessary for the stability and safety of the slope.

Exceptions:

The slope of a cut surface may be permitted to be as steep as 1.5 units horizontal to one unit vertical (67 percent) only if all of the following conditions are met:

1. It is not intended to support structures or surcharges.

2. It is approved by the Planning Commission of the City of Rolling Hills.

3. It is adequately protected against erosion.

4. It is no more than 8 feet (2438 mm) in height.

5. It is approved by the Building Official.

6. Ground water is not encountered.

15.04.100 Section J106.2 added.

Section J106 is amended to add subsection J106.2 to read as follows:

Section J106.2 DRIVEWAYS. Driveways which provide access from any lot or parcel of land to any of the private roads in the City of Rolling Hills which are maintained by the Rolling Hills Community Association shall be so constructed that the first twenty (20) feet of said driveway, measured from the edge of the paved portion of said private road, shall not be steeper in grade than seven percent (7%). All new and relocated driveways require approval of the City of Rolling Hills Traffic Commission prior to construction.

15.04.110 Section J106.3 added.

Section J106 is amended to add subsection J106.3 to read as follows:

J106.3 BALANCED CUT AND FILL RATIO

Adherence to balanced cut and fill ratio is an important policy of the City and furthers the goals and objectives of its General Plan, except that export of soil generated from construction of basements and other excavation activities, promotes the preservation of natural terrain of the property. A project, which does not include excavation, may deviate from balanced cut and fill only under unusual circumstances related to the size, shape, topography or other physical conditions of the property that qualify it for a variance pursuant to Municipal Code Section 17.38.050.

1. No import of soil shall be permitted to any lot in the City, except where a variance pursuant to Chapter 17.38 has been approved.

2. No export of soil shall be permitted from any lot in the City, except where the soil is generated from an excavation activity, as defined in Municipal Code Section 17.12.050 or where a variance pursuant to Chapter 17.38 has been approved. Export of soil must comply with City refuse diversion requirements.

3. No grading plan for which a permit is required shall be approved unless the amount of soil to be cut from the site equals the amount of soil to be filled on the site, except where the soil is generated from an excavation activity or where a variance pursuant to Chapter 17.38 has been approved.

4. The City Manager, or his or her designee, may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area), and

(b) That the need to import or export the soil could not have been foreseen prior to commencement of construction.

5. The City Manager or his or her designee may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards for remedial repair of the lot that has eroded, and of hillside or trail if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area);

(b) The import or export of soil is no greater than necessary to avoid a threat of land subsidence or other imminent danger; and

(c) A professionally prepared drainage plan for permanent repair shall be required if the erosion is re-occurring and if/when the amount of dirt requested, when added to the amount of dirt used in previous years, exceeds a total of 500 cubic yards.

15.04.120 Amending Section J107.6 Maximum Slope.

The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than 1 unit vertical to 2 units horizontal (50 percent slope) shall not be permitted unless the owner receives a variance for a steeper fill slope from the Planning Commission of the City of Rolling Hills, pursuant to the provisions of Title 17 of the Municipal Code. Such slopes shall be justified by geotechnical reports conforming with the requirements of Section 111, containing a statement by the Geotechnical Engineer that the site has been investigated and an opinion that a steeper fill slope will be stable and will not create a hazard to public or private property. Substantiating calculations and supporting data may be required where the Building Official determines that such information is necessary to verify the stability and safety of the proposed slope. The Building Official may require the fill slope to be constructed with a face flatter in slope than 2 units horizontal to 1 unit vertical (50 percent slope) if the Building Official finds it necessary for stability and safety of the slope.

15.04.130 Section J107.10 added.

Section J107, FILLS, is amended by adding subsection J107.10 to read as follows:

J107.10 BALANCED CUT AND FILL RATIO

Adherence to balanced cut and fill ratio is an important policy of the City and furthers the goals and objectives of its General Plan, except that export of soil generated from construction of basements and other excavation activities, promotes the preservation of natural terrain of the property. A project, which does not include excavation, may deviate from balanced cut and fill only under unusual circumstances related to the size, shape, topography or other physical conditions of the property that qualify it for a variance pursuant to Municipal Code Section 17.38.050.

1. No import of soil shall be permitted to any lot in the City, except where a variance pursuant to Chapter 17.38 has been approved.

2. No export of soil shall be permitted from any lot in the City, except where the soil is generated from an excavation activity, as defined in Municipal Code Section 17.12.050 or where a variance pursuant to Chapter 17.38 has been approved. Export of soil must comply with City refuse diversion requirements.

3. No grading plan for which a permit is required shall be approved unless the amount of soil to be cut from the site equals the amount of soil to be filled on the site, except where the soil is generated from an excavation activity or where a variance pursuant to Chapter 17.38 has been approved.

4. The City Manager, or his or her designee, may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export (other than from excavation activities), of soil not to exceed 500 cubic yards if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) Construction of a structure on the lot or parcel has commenced,

(b) That the need to import or export the soil could not have been foreseen prior to commencement of construction, and

(c) That either the structure, as approved, cannot be completed without the requested import or export of soil or that an emergency condition exists due to the threat of land subsidence or other imminent danger.

5. The City Manager or his or her designee may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards for remedial repair of an area of the lot that has eroded, is on a hillside or a trail if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area).

(b) The import or export of soil is no greater than necessary to avoid a threat of land subsidence or other imminent danger.

(c) A professionally prepared drainage plan for permanent repair shall be required if the erosion is re-occurring and if/when the amount of dirt requested, when added to the amount of dirt used in previous years, exceeds a total of 500 cubic yards.

15.04.140 Amending Section J101.2 Flood Hazard areas.

Notwithstanding the provisions of Section 15.04.010 of this chapter, the Building Code is amended by requiring that in addition to Section J101.2, all new construction and

substantial improvements proposed to be built in a flood-prone area, as determined in accordance with Section 8.36.050 of the Rolling Hills Municipal Code (RHMC), is subject to the floodplain management regulations set forth in Chapter 8.36 of the RHMC.

15.04.150 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or portion thereof or perform any grading in the City of Rolling Hills, or cause the same to be done, contrary to or in violation of any of the provisions of this code.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.08 PLUMBING CODE

Sections:

15.08.010 Adoption of Plumbing Code.

Except as hereinafter provided, Title 28, Plumbing Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Plumbing Code, 2022 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Plumbing Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Plumbing Code, 2022 Edition, Title 28 of the Los Angeles County Code, or any amendment to the Plumbing Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 2022 Edition, has been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.08.020 Definitions.

Whenever any of the following names of terms are used in the California Plumbing Code and the Los Angeles County Plumbing Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

15.08.030 Fees.

Notwithstanding the provisions of Section 15.08.010, the Plumbing Code is amended by increasing the amount of each and every fee set forth in the Plumbing Code to a sum set by resolution of the City Council.

15.08.040 Violations and penalties.

Every person, firm, or corporation violating any of the provisions of the Plumbing Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.12 MECHANICAL CODE

Sections:

15.12.010 Adoption of Mechanical Code.

Except as hereinafter provided, Title 29, Mechanical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Mechanical Code, 2022 Edition (Part 4 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Mechanical Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Mechanical Code, 2022 Edition, Title 29 of the Los Angeles County Code, or any amendment to the Mechanical Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.12.020 Definitions.

Whenever any of the following names or terms are used in the California Mechanical Code or the County of Los Angeles Mechanical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

15.12.030 Fees.

Notwithstanding the provisions of Section 15.12.010, the Mechanical Code is amended by increasing the amount of each and every fee set forth in the Mechanical Code to a sum set by resolution of the City Council.

15.12.040 Violations and penalties.

A. It shall be unlawful for any person, firm, or corporation to erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, cooling, or refrigeration equipment in the jurisdiction, or cause the same to be done, contrary to or in violation of any of the provisions of Mechanical Code of the City of Rolling Hills. Maintenance of equipment which was unlawful at the time it was installed, and which would be unlawful under this Code if installed after the effective date of this Code, shall constitute a continuing violation of this Code.

B. Any person, firm or corporation violating any of the provisions of the Mechanical Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.16 ELECTRICAL CODE

Sections:

15.16.010 Adoption of Electrical Code.

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Electrical Code, 2022 Edition (Part 3 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Electrical Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Electrical Code, 2022 Edition, Title 27 of the Los Angeles County Code, or any amendment to the Electrical Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.16.020 Definitions.

Notwithstanding the provisions of Section 15.16.010 of this chapter, whenever any of the following names or terms are used in the Electrical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated area of the County of Los Angeles" means the City of Rolling Hills.

15.16.030 Electrical Code fees.

Notwithstanding the provisions of Section 15.16.010, fees for plan check, inspection, and all other miscellaneous services shall be based on the fee schedule set forth by Title 27 of the Los Angeles County Code, Fees, as approved by resolution of the City Council.

15.16.040 Violations and penalties.

Every person, firm, or corporation violating any of the provisions of the Plumbing Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which

any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.18 RESIDENTIAL CODE

Sections:

15.18.010 Adoption of Residential Code.

Except as herein provided, Title 30, Residential Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Residential Code, 2022 Edition (Part 2.5 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Residential Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Residential Code, 2022 Edition, Title 30 of the Los Angeles County Code, or any amendment to the Residential Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 30 of the Los Angeles County Code and the California Residential Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.18.020 Definitions.

Notwithstanding the provisions of Section 15.18.010, names or terms that are used in this code shall be deemed and construed to have the meaning ascribed to it in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code.

15.18.040 Fees.

Notwithstanding the provisions of Section 15.18.010, the fees set forth for this code shall be the same as the fees prescribed for the Building Code in Section 15.04.050 of Title 15 of the Rolling Hills Municipal Code.

15.18.050 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building

or structure or perform any grading in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Residential Code of the City of Rolling Hills.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.20 FIRE CODE*

Sections:

15.20.010 Adoption of Fire Code.

Except as hereinafter provided in this chapter, California Fire Code, 2022 Edition (Part 9 of Title 24 of the California Code of Regulations), based on the International Fire Code, 2021 Edition, is hereby adopted by reference and shall constitute and may be cited as the Fire Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Fire Code, 2022 Edition, Title 32 of the Los Angeles County Code, or any amendment to the Fire Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of the California Fire Code, 2022 Edition, has been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

15.20.020 Short title.

This chapter shall be known as the "Fire Code of the City of Rolling Hills" and may be cited as such.

15.20.025 Very high fire hazard severity zone (VHFHSZ).

The entire City of Rolling Hills is designated as a very high fire hazard severity zone, as prescribed by the Director of California Department of Forestry and Fire Protection and as designated on a map titled City of Rolling Hills VHFHSZ dated July 1, 2008, and which shall be retained on file in the City Clerk's office at the Rolling Hills City Hall.

15.20.030 Permits.

Any permit heretofore issued by the County of Los Angeles pursuant to the Fire Code of said County, for work within the territorial boundaries of the City of Rolling Hills, shall remain in full force and effect according to its terms.

15.20.035 Reserved.

15.20.040 Local amendments—Reserved.

15.20.050 Violations.

Every person violating any provision of the Fire Code or of any permit or license granted hereunder, or any rule, regulation or policy promulgated pursuant hereto, is guilty of a misdemeanor unless such violation is declared to be an infraction by the Fire Code. Each such violation is a separate offense for each and every day during any portion of which such violation is committed, continued or permitted, and conviction of any such violation shall be punishable by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period not to exceed six months, or by both such fine and imprisonment.

15.20.060 Responsibility.

Any person who personally or through another willfully, negligently, or in violation of law sets a fire, allows a fire to be set, or allows a fire kindled or attended by such person to escape from his or her control, allows any hazardous material to be handled, stored or transported in a manner not in accordance with nationally recognized standards, allows any hazardous material to escape from his or her control, neglects to properly comply with any written notice of the Chief, or willfully or negligently allows the continuation of a violation of the Fire Code and amendments thereto is liable for the expense of fighting the fire or for the expenses incurred during a hazardous materials incident, and such expense shall be a charge against that person. Such charge shall constitute a debt of such person and is collectible by the public agency incurring such expense in the same manner as in the case of an obligation under a contract, expressed or implied.

Chapter 15.22 GREEN BUILDING STANDARDS CODE

Sections:

15.22.010 Adoption of Green Building Standards Code.

Except as hereinafter provided, Title 31, Green Building Standards Code, of the Los Angeles County Code, as amended and in effect on January 1, 2023, adopting the California Green Building Standards Code, 2022 Edition (Part 11 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if

fully set forth below, and shall be known and may be cited as the Green Building Standards Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Green Building Standards Code, 2022 Edition, Title 31 of the Los Angeles County Code, or any amendment to the Green Building Standards Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 31 of the Los Angeles County Code and the California Green Building Standards Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.22.020 Definitions.

Notwithstanding the provisions of Section 15.22.010, names or terms that are used in this code shall be construed to have the meaning ascribed to them in the Los Angeles County Green Building Standards Code or in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code, as appropriate.

15.22.030 Water budget.

Notwithstanding the provisions of Section 15.22.010, section 4.304 of the Green Building Standards Codes is amended to add section 4.304.2 to read as follows:

> 4.304.2. Water Budget. A water budget shall be developed for landscape irrigation use installed in conjunction with new construction and new or redeveloped landscaping that conforms to the local water efficient landscape ordinance in Chapter 13.18 of Title 13 of the Rolling Hills Municipal Code.

15.22.040 Low-impact development.

Notwithstanding the provisions of Section 15.22.010, section 4.106.5 of the Green Building Standards Codes is amended to read as follows:

> 4.106.5. Low-impact development. New development or additions or alteration to existing developed sites shall comply with the Storm Water Management and Pollution Control Ordinance, Chapter 8.32 of Title 8 of the Rolling Hills Municipal Code.

15.22.050 Fees.

Notwithstanding the provisions of Section 15.22.010, the fees set forth for this code shall be the same as the fees prescribed by resolution of the City Council for the Building, Electrical, Plumbing, Mechanical, Residential, and Fire Codes of Title 15 of the Rolling Hills Municipal Code.

15.22.060 Violation and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Green Building Standards Code of the City of Rolling Hills.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.24 EXISTING BUILDING CODE

Sections:

15.24.010 Adoption of Existing Building Code.

Except as herein provided, Title 33, Existing Building Code of the Los Angeles County Code, in effect on January 1, 2023, adopting the California Green Building Standards Code, 2022 Edition (Part 10 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known as the Existing Building Code of the City of Rolling Hills.

In the event of any conflict between provisions of Title 33, Existing Building Code of the Los Angeles County Code, 2022 Edition, or any amendment to the Existing Building Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 33 of the Existing Building Code and the 2022 Edition of the California Existing Building Code have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.24.020 Definitions.

Notwithstanding the provisions of Section 15.24.010, names or terms that are used in this code shall be construed to have the meaning ascribed to them in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code.

15.24.030 Fees.

Notwithstanding the provisions of Section 15.24.010, the fees set forth for this code shall be the same as the fees prescribed for the Building Code in Section 15.04.050 of Title 15 of the Rolling Hills Municipal Code.

15.24.040 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City of Rolling Hills, or cause the same to be done, contrary to or in violation of any of the provisions of this code.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.32 UNDERGROUND UTILITY DISTRICTS

Sections:

15.32.010 Definitions.

Whenever in this chapter the words or phrases defined in this section are used, they shall have the respective meanings assigned to them in the following definitions:

A. "Commission" means the Public Utilities Commission of the State of California.

B. "Person" means and includes individuals, firms, corporations, partnerships, and their agents and employees.

C. "Poles, overhead wires and associated overhead structures" means poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above-ground within a district and used or useful in supplying electric, communication or similar or associated service.

D. "Underground utility district" or "district" means that area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 15.32.040.

E. "Utility" includes all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices.

15.32.020 Public hearing—Authorized when—Notice.

The Council may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication or similar or associated service. The City Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least ten days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the Council shall be final and conclusive.

15.32.030 Public hearing—Consultation.

Prior to holding such public hearing, the City Engineer shall consult with all affected utilities and shall prepare a report for submission at such hearing containing, among other information, the extent of such utilities' participation and estimates of the total costs to the city and affected property owners. Such report shall also contain an estimate of the time required to complete such underground installation and removal of overhead facilities.

15.32.040 Council resolution-Procedure.

If, after any such public hearing, the Council finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the Council shall, by resolution, declare such designated area an underground utility district and order such removal and underground installation. Such resolution shall include a description of the area comprising such district and shall fix the time within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground services. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby.

15.32.050 Maintaining overhead structures prohibited when.

Whenever the Council creates an underground utility district and orders the removal of poles, overhead wires and associated overhead structures therein as provided in Section 15.32.040, it is unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish

service to an owner or occupant of property prior to the performance by such owner or occupant to continue to receive utility service as provided in Section 15.32.100, and for such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this chapter.

15.32.060 Emergency overhead structures.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period not to exceed ten days without authority of the City Manager in order to provide emergency service. The City Manager may grant special permission on such terms as the City Manager may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.

15.32.070 Council resolution—Exceptions authorized.

In any resolution adopted pursuant to Section 15.32.040, the City may authorize any or all of the following exceptions:

A. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer;

B. Poles or electroliers used exclusively for street lighting;

C. Overhead wires (exclusive of supporting structures) crossing any portion of a district within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a district, which such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;

D. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts;

E. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location of the building to another location on the same building or to an adjacent building without crossing any public street;

F. Antennae, associated equipment and supporting structures used by a utility for furnishing communication services;

G. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts.

H. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

15.32.080 Notice to property owners and utility companies.

A. Within ten days after the effective date of a resolution adopted pursuant to Section 15.32.040, the City Clerk shall notify all affected utilities and all persons owning real property within the district created by said resolution of the adoption thereof. The City Clerk shall further notify such affected property owners of the necessity that if they or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location.

B. Notification by the City Clerk shall be made by mailing a copy of the resolution adopted pursuant to Section 15.32.040, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

15.32.090 Responsibility of utility companies.

If underground construction is necessary to provide utility service within a district created by any resolution adopted pursuant to Section 15.32.040, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the Commission.

15.32.100 Responsibility of property owners—Notice.

Every person owning, operating, leasing, occupying or renting a building or structure within a District shall construct and provide that portion of the service connection on his property between the facilities referred to in Section 15.32.090 and the termination facility on or within said building or structure being served. If the above is not accomplished by any person within the time provided for in the resolution enacted pursuant to Section 15.32.040, the City Engineer shall give, notice in writing to the person in possession of such premises, and a notice in writing to the owner thereof as shown on the last equalized assessment roll, to provide the required underground facilities within ten days after receipt of such notice.

15.32.110 Notice—Service.

The notice to provide the required underground facilities may be given either by personal service or by mail. In case of service by mail on either of such persons, the notice must be deposited in the United States mail in a sealed envelope with postage prepaid, addressed to the person in possession of such premises at such premises, and

the notice must be addressed to the owner thereof as such owner's name appears, and must be addressed to such owner's last known address as the same appears on the last equalized assessment roll, and when no address appears, to General Delivery, City of Rolling Hills, California. If notice is given by mail, such notice shall be deemed to have been received by the person to whom it has been sent within forty-eight hours after the mailing thereof. If notice is given by mail to either the owner or occupant of such premises, the City Engineer shall, within forty-eight hours after the mailing thereof, cause a copy thereof, printed on a card not less than eight inches by ten inches in size to be posted in a conspicuous place on said premises.

15.32.120 Notice—Form.

The notice given by the City Engineer to provide the required underground facilities shall particularly specify what work is required to be done, and shall state that if said work is not completed within thirty days after receipt of such notice, the City Engineer will provide such required underground facilities, in which case the cost and expense thereof will be assessed against the property benefited and become a lien upon such property.

15.32.130 Work by City Engineer—Assessment of costs.

If upon the expiration of the thirty-day period the required underground facilities have not been provided, the City Engineer shall forthwith proceed to do the work; provided, however, if such premises are unoccupied and no electric or communications services are being furnished thereto, the City Engineer may authorize the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property. Upon completion of the work by the City Engineer, he shall file a written report with the City Council setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The Council shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work upon such premises, which said time shall not be less than ten days thereafter.

15.32.140 Assessment—Hearing—Notice.

The City Engineer shall forthwith, upon the time for hearing such protests having been fixed, give a notice in writing to the person in possession of such premises, and a notice in writing thereof to the owner thereof, in the manner provided in this chapter for the giving of the notice to provide the required underground facilities, of the time and place that the Council will pass upon such report and will hear protests against such assessment. Such notice shall also set forth the amount of the proposed assessment.

15.32.150 Assessment—Hearing—Decision.

Upon the date and hour set for the hearing of protests, the Council shall hear and consider the report and all protests if there be any, and then proceed to affirm, modify or reject the assessment.

15.32.160 Assessment—Lien.

If any assessment is not paid within the five days after its confirmation by the Council, the amount of the assessment shall become a lien upon the property against which the assessment is made by the City Engineer, and the City Engineer is directed to turn over to the Assessor and Tax Collector a notice of lien of each of said properties on which the assessment has not been paid, and the Assessor and Tax Collector shall add the amount of said assessment to the next regular bill for taxes levied against the premises upon which said assessment was not paid. Said assessment shall be due and payable, and if not paid when due and payable, shall bear interest at the rate of six percent per annum.

15.32.170 Responsibility of City.

The City shall remove at its own expense all City-owned equipment from all poles required to be removed under this chapter in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to Section 15.32.040.

15.32.180 Extension of time.

In the event that any act required by this chapter or by a resolution adopted pursuant to Section 15.32.040 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the contractor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation.

15.32.190 Violation—Penalty.

It is unlawful for any person to violate any provision or to fail to comply with any requirement of this chapter. Any person violating any provision of this chapter or failing to comply with any of its requirements shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine or not more than one thousand dollars or by imprisonment in County Jail for a period not exceeding six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall be punishable accordingly.

Chapter 15.36 HOURS OF CONSTRUCTION

Sections:

15.36.010 Work of improvement defined.

For the purpose of this chapter, "work of improvement" includes but is not restricted to the construction, alteration, addition, or the repair, in whole or in part, of any building, structure, bridge, ditch, pipeline, tunnel, fence, or road; the cutting or removal of weeds, trees and grass; the seeding, sodding or planting of any lot or tract of land for landscaping purposes; the filling, levelling, grading of any lot or tract of land; or the crushing of rock or the hauling of any material to be used or removed in connection with any of the foregoing; the demolition of buildings; or the removal of buildings.

15.36.020 Hours restricted.

There shall be no work of improvement or the operation of mechanical equipment used in connection with work of improvement within the territorial limits of the City except on Monday through Saturday of each week, commencing at the hour of seven a.m. and ending at the hour of six p.m. on each day.

15.36.030 Exceptions.

The provisions of this chapter shall not apply to residents of the City who are the record owners of land in the City or who are the lessees of the record owners of land in the City.

Chapter 15.40 GEOLOGICAL INVESTIGATIONS AND REPORTS REQUIRED

Sections:

15.40.010 Requirements.

The requirements provided for in this chapter are in addition to any and all other requirements relating to expansive soils and geological inspections and reports required by the building code of the City or any other ordinance of the City.

15.40.020 Authority—Procedure.

A. No building (as defined in the Los Angeles County Building Laws) for which a building or grading permit is required by the building code of the City, shall be issued by the City Engineer if he, and/or the City Council, is of the opinion that a potentially serious geological condition may exist on the land on which the proposed building is to be constructed, or the proposed grading is to be performed, until a geological report prepared by a geologist registered by the State is delivered

to the City Engineer by the applicant for the building or grading permit. The report shall include, among other things, test borings or excavations.

B. If said geological report, in the opinion of the City Engineer, indicates a potential serious geological condition, the City Engineer shall have the authority to employ an independent geologist registered by the State, to prepare and provide him with an independent geological report of the land on which the proposed building is to be constructed or the grading is proposed to be performed, and if necessary, to require additional test borings or excavations to be made by an independent testing service, the depth and accuracy of which shall be approved by said registered geologist.

C. The City Engineer shall also have authority to submit samples of any and all test borings or excavations to an independent qualified geological laboratory for analysis and report.

D. The geological report prepared by the independent registered geologist shall recommend corrective action which is designed to prevent the displacement or slippage of the land.

15.40.030 Corrective action required when.

As a condition to the issuance of a permit by the City Engineer of the City, the corrective action or procedures recommended in the geological report shall be incorporated in the proposed construction or grading for which the permit has been applied.

15.40.040 Assessment of costs.

All expenses incurred by the applicant in complying with the provisions of this chapter shall be paid for by the applicant and shall be in addition to all other charges or fees levied, assessed or charged by the City in connection with the issuance of a building or grading permit."

Section 2. All inconsistencies between the Building Code, Electrical Code, Mechanical Code, Plumbing Code, Residential Code, Green Building Code, and Existing Building Code, as adopted by this ordinance and Parts 2, 2.5, 3, 4, 5, 10, and 11 of the California Code of Regulations, are changes, modifications, amendments, additions, or deletions thereto authorized by California Health and Safety Code Sections 17958 and 17958.7.

Section 3. Justifications for Local Amendments. The City Council hereby finds that the changes and modifications to the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Residential Code, Green Building Code, and Existing Building Code enacted by this ordinance are reasonably necessary because of the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and

heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; location in Southern California; and the relatively flat topography of the City.

The City Council hereby finds that the modifications to the State Building Code in Title 26 of the Los Angeles County Code are reasonably necessary because of the local climatic, geological, and topographical conditions within the City of Rolling Hills. Further, the modifications to the Building, Electrical, Mechanical, Plumbing, Green Building Standards, Residential, and Existing Building Codes in Titles 26, 27, 28, 29, 30, 31 and 33 of the Los Angeles County Code are administrative in nature and are necessary to allow the uniform application of the codes by procedures suited to the size and nature of the City's staff and administrative agencies by means suited to the City's experience with local climatic, geological, and topographical conditions and to provide sufficient staff support for the time-consuming inspections and analysis required by the City's fire and geological hazards.

Section 4. To the extent the provisions of this ordinance are substantially the same as previous provisions of the Rolling Hills Municipal Code, these sections shall be construed as continuations of those provisions and not as new enactments.

Section 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance or any part hereof is for any reason held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Rolling Hills hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid.

Section 6. California Environmental Quality Act. The City Council finds that this ordinance is not a project within the meaning of Section 15378 of the California Environmental Quality Act (“CEQA”) Guidelines because it has no potential for resulting in physical change to the environment. Most of the terms of the building standards adopted herein are dictated by the California Buildings Standards Code and county amendments to the state standards only make those modifications necessary for local regional conditions which are at least as protective of the environment as the state codes. City-specific amendments are limited to creating administrative processes for local enforcement of the state building standards. Alternatively, even if the ordinance is a project within the meaning of CEQA, its adoption is exempt from CEQA under the general rule that CEQA only applies to projects that may cause significant adverse effects on the environment. CEQA Guideline section 15061(b)(3). As this ordinance is largely administrative in nature, there is no possibility that the City’s action would adversely affect the environment in any manner that could be significant.

Section 7. Urgency Ordinance. The unamended California Building Standards Code, 2022 Edition, will become effective within the City on January 1, 2023. The City is currently in the process of adopting, with local amendments by regular ordinance, the Los

Angeles County Code incorporating the California Building Standards Code, 2022 Edition. Such regular ordinance will not be effective by January 1, 2023. To ensure that the amendments are in effect from the effective date of the California Building Standards Code through the effective date of the City's regular ordinance, the City Council wishes to adopt this Urgency Ordinance. The City Council finds that this Urgency Ordinance is necessary to promote the immediate preservation of the public peace, health, and safety by ensuring that the California Building Standards Code and the City's amendments to this code are effective upon the effective date of the amended California Building Standards Code.

Section 8. Effective Date. This Ordinance shall take effect January 1, 2023. This Urgency Ordinance was adopted by the necessary four-fifths vote of the members of the City Council pursuant to California Government Code Sections 36934 and 36937.

PASSED, APPROVED, AND ADOPTED this __ day of _____, 2022.

_____
MAYOR

ATTEST

_____

City Clerk

ORDINANCE NO. 382

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA PLUMBING CODE, 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2022 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, 2022 EDITION; MAKING AMENDMENTS TO SAID CODES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DOES ORDAIN AS FOLLOWS:

Section 1. Title 15 (Buildings and Construction) of the City of Rolling Hills Municipal Code is amended to read as follows:

"Title 15 – BUILDINGS AND CONSTRUCTION

~~Chapters:~~

~~Chapter 15.04 – Building Code~~

~~Chapter 15.08 – Plumbing Code~~

~~Chapter 15.12 – Mechanical Code~~

~~Chapter 15.16 – Electrical Code~~

~~Chapter 15.18 – Residential Code~~

~~Chapter 15.20 – Fire Code~~

~~Chapter 15.22 – Green Building Standards~~

~~Chapter 15.24 – Existing Building Code~~

~~Chapter 15.32 – Underground Utility Districts~~

~~Chapter 15.36 – Hours of Construction~~

~~Chapter 15.40 – Geological Investigations and Reports Required~~

Chapter 15.04 BUILDING CODE

Sections

15.04.010 Adoption of Building Code.

Except as hereinafter provided, Title 26, Building Code, of the Los Angeles County Code, as amended and in effect on January 1, 202~~0~~3, adopting the California Building Code, ~~2019~~ 2022 Edition (Part 2 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Building Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Building Code, 20~~19~~22 Edition, Title 26 of the Los Angeles County Code, or any amendment to the Building Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 20~~19~~22 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.04.020 Short title.

This chapter shall be known as the "Building Code of the City of Rolling Hills" and will be referred to herein as "this code."

15.04.030 Section 105 amended.

Section 105 of the Building Code is amended to add a new subsection 105.7 to read:

> 105.7 Review Hearing. The City Council of the City of Rolling Hills may conduct a public hearing to review any decision or order of the Board of Appeals, the Code Enforcement Appeals Board, or the Building Rehabilitation Appeals Board upon an affirmative vote of three members of the City Council within thirty (30) calendar days of the decision or order. The City Council may, upon conclusion of the public hearing, sustain or reverse in whole or in part any said action or order. Notice of the City Council public hearing shall be given by the City Clerk not less than ten (10) days prior to the hearing by first class mail to all property owners within 1,000 feet of the exterior boundaries of the subject property and all owners of record of the subject property at the time of mailing said notice.

15.04.040 Definitions.

Whenever any of the following names or terms are used in the California Building Code or the County of Los Angeles Building Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"Board of Appeals" means the Board of Appeals established by Section 105 of said Los Angeles County Building Code.

"Building department" means the entities charged by resolution of the City Council with the responsibility of administering the building code for the City.

"Building official" means the persons charged by resolution of the City Council with the responsibility of administering the building code for the City.

"City" means the City of Rolling Hills.

"City Engineer" means the persons charged by resolution of the City Council with the responsibility of performing the functions of city engineer for the City.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

"Electrical Code" means Chapter 15.16 of this code.

"Existing Building Code" means Chapter 15.24 of this code.

"Fire Code" means Chapter 15.20 of this code.

"Fire zone" means the fire zone adopted by an ordinance creating and establishing fire zones or where no such fire zones have been adopted by the City of Rolling Hills, shall mean very high fire hazard severity zone (VHFHSZ).

"General fund" means the City Treasury of the City of Rolling Hills.

"Green Building Standards Code" means Chapter 15.22 of this code.

"Health Code" or "Los Angeles County Health Code" means Chapter 8.04 of this code.

"Health Officer" means the Health Officer of the City of Rolling Hills.

"Mechanical Code" means Chapter 15.12 of this code.

"Plumbing Code" means Chapter 15.08 of this code.

"Residential Code" means Chapter 15.18 of this code.

15.04.050 Fees.

Notwithstanding the provisions of Section 15.04.010, the Building Code is amended by increasing the amount of each and every fee set forth in the Building Code, to a sum set by resolution of the City Council, including a park and recreation fee.

15.04.060 Section 202 amended.

Section 202 of the Building Code, regarding the definition of a basement, is amended to read as follows:

> BASEMENT is any floor level below the first story of the primary residence, including an attached garage. Except for walls within light wells, basement walls across any elevation may not exceed a height of five (5) feet above finished grade at any point immediately adjacent to the basement exterior, and shall have no greater than an average of two and one-half (2½) feet exterior height. Basement well(s) shall be incorporated into the overall design of the building so that it does not give an appearance of a separate story.

15.04.070 Section 202 amended.

Section 202 of the Building Code, regarding the definition of a story, is amended to read as follows:

STORY is that portion of a building included between the upper surface of any floor and the ceiling or roof above it. There shall be no story on top of another, except as permitted in Section 17.16.080 of the Zoning Ordinance.

15.04.080 Amending Appendix J Grading, Section J103 PERMITS REQUIRED.

Section J103.2, Exemptions 8, is amended to read as follows:

8. An excavation that does not exceed 50 cubic yards and complies with one of the following conditions and as shown in Figure J103.2:

(a) Is less than 2 feet (0.6 m) in depth.

(b) Does not create a cut slope greater than 5 feet (1.5 m) measured vertically upward from the cut surface to the surface of the natural grade and is not steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

Section J103.2 Fill, Exemption 9, is amended to read as follows:

9. A fill not intended to support a structure that does not obstruct a drainage course and complies with one of the following conditions and as shown in Figure J103.2:

(a) Is less than 1 foot (0.3 m) in depth and is placed on natural terrain with a slope flatter than 5 units horizontal to 1 unit vertical (20 percent slope).

(b) Is less than 3 feet (0.9 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 50 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

(c) Is less than 5 feet (1.5 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 20 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

Section J103.6 Compliance with Zoning Code is amended to read as follows:

The Building Official may refuse to issue a grading permit for work on a site if either the proposed grading or the proposed land use for the site shown on the grading plan application does not comply with the provisions of Title 17 of the Rolling Hills Municipal Code (Zoning).

15.04.090 Amending Section J106.1 Maximum cut slopes.

The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no more than one unit vertical to two units horizontal (50 percent slope), unless the owner, or the owner's authorized agent, receives a variance for a steeper slope from

the Planning Commission of the City of Rolling Hills and furnishes a geotechnical or an engineering geology report, or both, justifying a steeper slope. The reports must contain a statement by the Geotechnical Engineer or Engineering Geologist that the site was investigated and an opinion that a steeper slope will be stable and will not create a hazard to public or private property, in conformance with the requirements of Section 111. Notwithstanding the provisions of this section, the Building Official may require the slope of cut surfaces to be less than 50 percent, if the Building Official finds it necessary for the stability and safety of the slope.

Exceptions:

The slope of a cut surface may be permitted to be as steep as 1.5 units horizontal to one unit vertical (67 percent) only if all of the following conditions are met:

1. It is not intended to support structures or surcharges.

2. It is approved by the Planning Commission of the City of Rolling Hills.

3. It is adequately protected against erosion.

4. It is no more than 8 feet (2438 mm) in height.

5. It is approved by the Building Official.

6. Ground water is not encountered.

15.04.100 Section J106.2 added.

Section J106 is amended to add subsection J106.2 to read as follows:

Section J106.2 DRIVEWAYS. Driveways which provide access from any lot or parcel of land to any of the private roads in the City of Rolling Hills which are maintained by the Rolling Hills Community Association shall be so constructed that the first twenty (20) feet of said driveway, measured from the edge of the paved portion of said private road, shall not be steeper in grade than seven percent (7%). All new and relocated driveways require approval of the City of Rolling Hills Traffic Commission prior to construction.

15.04.110 Section J106.3 added.

Section J106 is amended to add subsection J106.3 to read as follows:

J106.3 BALANCED CUT AND FILL RATIO

Adherence to balanced cut and fill ratio is an important policy of the City and furthers the goals and objectives of its General Plan, except that export of soil generated from construction of basements and other excavation activities, promotes the preservation of natural terrain of the property. A project, which does

not include excavation, may deviate from balanced cut and fill only under unusual circumstances related to the size, shape, topography or other physical conditions of the property that qualify it for a variance pursuant to Municipal Code Section 17.38.050.

1. No import of soil shall be permitted to any lot in the City, except where a variance pursuant to Chapter 17.38 has been approved.

2. No export of soil shall be permitted from any lot in the City, except where the soil is generated from an excavation activity, as defined in Municipal Code Section 17.12.050 or where a variance pursuant to Chapter 17.38 has been approved. Export of soil must comply with City refuse diversion requirements.

3. No grading plan for which a permit is required shall be approved unless the amount of soil to be cut from the site equals the amount of soil to be filled on the site, except where the soil is generated from an excavation activity or where a variance pursuant to Chapter 17.38 has been approved.

4. The City Manager, or his or her designee, may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area), and

(b) That the need to import or export the soil could not have been foreseen prior to commencement of construction.

5. The City Manager or his or her designee may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards for remedial repair of the lot that has eroded, and of hillside or trail if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area);

(b) The import or export of soil is no greater than necessary to avoid a threat of land subsidence or other imminent danger; and

(c) A professionally prepared drainage plan for permanent repair shall be required if the erosion is re-occurring and if/when the amount of dirt requested, when added to the amount of dirt used in previous years, exceeds a total of 500 cubic yards.

15.04.120 Amending Section J107.6 Maximum Slope.

The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than 1 unit vertical to 2 units horizontal (50 percent slope) shall not be permitted unless the owner receives a variance for a steeper fill slope from the Planning Commission of the City of Rolling Hills, pursuant to the provisions of Title 17 of the Municipal Code. Such slopes shall be justified by geotechnical reports conforming with the requirements of Section 111, containing a statement by the Geotechnical Engineer that the site has been investigated and an opinion that a steeper fill slope will be stable and will not create a hazard to public or private property. Substantiating calculations and supporting data may be required where the Building Official determines that such information is necessary to verify the stability and safety of the proposed slope. The Building Official may require the fill slope to be constructed with a face flatter in slope than 2 units horizontal to 1 unit vertical (50 percent slope) if the Building Official finds it necessary for stability and safety of the slope.

15.04.130 Section J107.10 added.

Section J107, FILLS, is amended by adding subsection J107.10 to read as follows:

J107.10 BALANCED CUT AND FILL RATIO

Adherence to balanced cut and fill ratio is an important policy of the City and furthers the goals and objectives of its General Plan, except that export of soil generated from construction of basements and other excavation activities, promotes the preservation of natural terrain of the property. A project, which does not include excavation, may deviate from balanced cut and fill only under unusual circumstances related to the size, shape, topography or other physical conditions of the property that qualify it for a variance pursuant to Municipal Code Section 17.38.050.

1. No import of soil shall be permitted to any lot in the City, except where a variance pursuant to Chapter 17.38 has been approved.

2. No export of soil shall be permitted from any lot in the City, except where the soil is generated from an excavation activity, as defined in Municipal Code Section 17.12.050 or where a variance pursuant to Chapter 17.38 has been approved. Export of soil must comply with City refuse diversion requirements.

3. No grading plan for which a permit is required shall be approved unless the amount of soil to be cut from the site equals the amount of soil to be filled on the site, except where the soil is generated from an excavation activity or where a variance pursuant to Chapter 17.38 has been approved.

4. The City Manager, or his or her designee, may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export (other than from excavation activities), of soil not to exceed 500 cubic yards if

he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) Construction of a structure on the lot or parcel has commenced,

(b) That the need to import or export the soil could not have been foreseen prior to commencement of construction, and

(c) That either the structure, as approved, cannot be completed without the requested import or export of soil or that an emergency condition exists due to the threat of land subsidence or other imminent danger.

5. The City Manager or his or her designee may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards for remedial repair of an area of the lot that has eroded, is on a hillside or a trail if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area).

(b) The import or export of soil is no greater than necessary to avoid a threat of land subsidence or other imminent danger.

(c) A professionally prepared drainage plan for permanent repair shall be required if the erosion is re-occurring and if/when the amount of dirt requested, when added to the amount of dirt used in previous years, exceeds a total of 500 cubic yards.

15.04.140 Amending Section J101.2 Flood Hazard areas.

Notwithstanding the provisions of Section 15.04.010 of this chapter, the Building Code is amended by requiring that in addition to Section J101.2, all new construction and substantial improvements proposed to be built in a flood-prone area, as determined in accordance with Section 8.36.050 of the Rolling Hills Municipal Code (RHMC), is subject to the floodplain management regulations set forth in Chapter 8.36 of the RHMC.

15.04.150 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or portion thereof or perform any grading in the City of Rolling Hills, or cause the same to be done, contrary to or in violation of any of the provisions of this code.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.08 PLUMBING CODE

Sections:

15.08.010 Adoption of Plumbing Code.

Except as hereinafter provided, Title 28, Plumbing Code, of the Los Angeles County Code, as amended and in effect on January 1, 2020~~3~~, adopting the California Plumbing Code, 20~~19~~22 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Plumbing Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Plumbing Code, 20~~19~~22 Edition, Title 28 of the Los Angeles County Code, or any amendment to the Plumbing Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 20~~19~~22 Edition, has been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.08.020 Definitions.

Whenever any of the following names of terms are used in the California Plumbing Code and the Los Angeles County Plumbing Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

15.08.030 Fees.

Notwithstanding the provisions of Section 15.08.010, the Plumbing Code is amended by increasing the amount of each and every fee set forth in the Plumbing Code to a sum set by resolution of the City Council.

15.08.040 Violations and penalties.

Every person, firm, or corporation violating any of the provisions of the Plumbing Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.12 MECHANICAL CODE

Sections:

15.12.010 Adoption of Mechanical Code.

Except as hereinafter provided, Title 29, Mechanical Code, of the Los Angeles County Code, as amended and in effect on January 1, 202~~0~~3, adopting the California Mechanical Code, 20~~19~~22 Edition (Part 4 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Mechanical Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Mechanical Code, 20~~19~~22 Edition, Title 29 of the Los Angeles County Code, or any amendment to the Mechanical Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 20~~19~~22 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.12.020 Definitions.

Whenever any of the following names or terms are used in the California Mechanical Code or the County of Los Angeles Mechanical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

15.12.030 Fees.

Notwithstanding the provisions of Section 15.12.010, the Mechanical Code is amended by increasing the amount of each and every fee set forth in the Mechanical Code to a sum set by resolution of the City Council.

15.12.040 Violations and penalties.

A. It shall be unlawful for any person, firm, or corporation to erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, cooling, or refrigeration equipment in the jurisdiction, or cause the same to be done, contrary to or in violation of any of the provisions of Mechanical Code of the City of Rolling Hills. Maintenance of equipment which was unlawful at the time it was installed, and which would be unlawful under this Code if installed after the effective date of this Code, shall constitute a continuing violation of this Code.

B. Any person, firm or corporation violating any of the provisions of the Mechanical Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.16 ELECTRICAL CODE

Sections:

15.16.010 Adoption of Electrical Code.

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 1, 202~~0~~3, adopting the California Electrical Code, ~~2019~~ 2022 Edition (Part 3 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Electrical Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Electrical Code, ~~2019~~ 2022 Edition, Title 27 of the Los Angeles County Code, or any amendment to the

Electrical Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, ~~2019~~ 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.16.020 Definitions.

Notwithstanding the provisions of Section 15.16.010 of this chapter, whenever any of the following names or terms are used in the Electrical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated area of the County of Los Angeles" means the City of Rolling Hills.

15.16.030 Electrical Code fees.

Notwithstanding the provisions of Section 15.16.010, fees for plan check, inspection, and all other miscellaneous services shall be based on the fee schedule set forth by Title 27 of the Los Angeles County Code, Fees, as approved by resolution of the City Council.

15.16.040 Violations and penalties.

Every person, firm, or corporation violating any of the provisions of the Plumbing Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.18 RESIDENTIAL CODE

Sections:

15.18.010 Adoption of Residential Code.

Except as herein provided, Title 30, Residential Code, of the Los Angeles County Code, as amended and in effect on January 1, 202~~0~~3, adopting the California Residential Code, ~~2019~~ 2022 Edition (Part 2.5 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Residential Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Residential Code, ~~2019~~ 2022 Edition, Title 30 of the Los Angeles County Code, or any amendment to the Residential Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 30 of the Los Angeles County Code and the California Residential Code, ~~2019~~ 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.18.020 Definitions.

Notwithstanding the provisions of Section 15.18.010, names or terms that are used in this code shall be deemed and construed to have the meaning ascribed to it in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code.

15.18.040 Fees.

Notwithstanding the provisions of Section 15.18.010, the fees set forth for this code shall be the same as the fees prescribed for the Building Code in Section 15.04.050 of Title 15 of the Rolling Hills Municipal Code.

15.18.050 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Residential Code of the City of Rolling Hills.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.20 FIRE CODE*

Sections:

15.20.010 Adoption of Fire Code.

Except as hereinafter provided in this chapter, ~~Title 32 Fire Code of the Los Angeles County Codes, as amended and in effect on January 1, 2020, which constitutes an amended version of the~~ California Fire Code, ~~2019~~ 2022 Edition (Part 9 of Title 24 of the California Code of Regulations), ~~and an amended version of~~ based on the International Fire Code, ~~2018~~ 2021 Edition, is hereby adopted by reference and shall constitute and may be cited as the Fire Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Fire Code, 20~~19~~22 Edition, Title 32 of the Los Angeles County Code, or any amendment to the Fire Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of ~~Title 32 of the Los Angeles County Code, along with a copy of~~ the California Fire Code, 20~~19~~22 Edition, has been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

15.20.020 Short title.

This chapter shall be known as the "Fire Code of the City of Rolling Hills" and may be cited as such.

15.20.025 Very high fire hazard severity zone (VHFHSZ).

The entire City of Rolling Hills is designated as a very high fire hazard severity zone, as prescribed by the Director of California Department of Forestry and Fire Protection and as designated on a map titled City of Rolling Hills VHFHSZ dated July 1, 2008, and which shall be retained on file in the City Clerk's office at the Rolling Hills City Hall.

15.20.030 Permits.

Any permit heretofore issued by the County of Los Angeles pursuant to the Fire Code of said County, for work within the territorial boundaries of the City of Rolling Hills, shall remain in full force and effect according to its terms.

15.20.035 Reserved.

~~**Editor's note(s)—Ord. No. 338, §§ 1, 3, adopted June 9, 2014, repealed former § 15.20.035 which pertained to amendment—draft system identification sign, and**~~

~~derived from Ord. No. 277-U, § 5, adopted 1999; Ord. No. 290-U, § 8, adopted 2002; Ord. No. 311, § 21, adopted 2008; Ord. No. 322-U, § 7, adopted Jan. 10, 2011.~~

15.20.040 Local amendments~~—~~Reserved.~~.~~

~~The following provisions of the Los Angeles County Fire Code are hereby amended as follows:~~

~~1. Section C105.2 (One- and two-family dwellings, and Group R-2 buildings) is amended to read as follows:~~

~~Section C105.2 (One- and two-family dwellings, and Group R-2 buildings)~~

~~A. For one- and two-family dwellings, and Group R-3 buildings, fire hydrants shall be spaced no more than 600 feet (182.88 m) apart. For properties with more than one dwelling unit per acre, no portion of lot frontage should be more than 450 feet (137.16 m) away, via fire apparatus access, from a public hydrant. For properties less than one dwelling unit per acre, no portion of a fire apparatus access roadway shall be farther than 750 feet (228.6 m) away, via fire apparatus access, from a properly spaced public hydrant that meets the required fire-flow.~~

~~B. Notwithstanding paragraph A above, for projects under Chapters 16.50 (SB 9 Urban Lot Splits) and 17.45 (SB 9 Two-Unit Projects), fire hydrants shall be spaced no more than 600 feet (182.88 m) apart. For properties with more than one dwelling unit per acre, no portion of lot frontage should be more than 360 feet away, via fire apparatus access, from a hydrant. For properties less than one dwelling unit per acre, no portion of a fire apparatus access road shall be farther than 600 feet away, via fire apparatus access, from a properly spaced hydrant that meets the required fire-flow.~~

~~2. Section C106.1 (Required on-site hydrants) is set forth below without amendments for purposes of reference only:~~

~~C106.1 Required on-site hydrants.~~

~~When any portion of a proposed structure exceeds the allowable distances from a public hydrant, via fire apparatus access, on-site hydrants shall be provided. The spacing distance between on-site hydrants shall be 300 to 400 feet (91.44 to 121.92 m). All on-site fire hydrants shall have, at a minimum, a fire-flow of 1,250 gallons per minute (4,732 L/min) at 20 psi (137.895 kPa) for a duration of two hours. If more than one on-site fire hydrant is required, the fire flow shall be 2,500 gallons per minute (9,463.53 L/min) at 20 psi (137.895 kPa) for a duration of two hours. All on-site hydrants shall be installed a minimum of 25 feet (7,620 mm) from a structure or protected by a two-hour firewall.~~

~~Exception: For fully sprinklered multifamily residential structures, on-site hydrants may be installed a minimum of 10 feet (3.05 m) from the structure.~~

~~3. Section 503.1.1 (Buildings and facilities) is amended to read as follows:~~

~~503.1.1 Buildings and facilities.~~

~~A. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.~~

~~Exceptions:~~

~~1. The fire code official is authorized to increase the dimension of 150 feet (45,720 mm) where any of the following conditions occur:~~

~~1.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.~~

~~1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.~~

~~1.3. There are not more than two Group R-3 or Group U occupancies.~~

~~2. Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities and a stand-alone battery energy storage structure.~~

~~3. Exterior walls of interior courts that are enclosed on all sides.~~

~~B. Notwithstanding paragraph A above, for projects under Chapters 16.50 (SB 9 Urban Lot Splits) and 17.45 (SB 9 Two-Unit Projects), a lot must have its own paved driveway with a width of at least 30 feet connecting with direct access to a paved right-of-way or fire apparatus access road with a width of at least 40 feet, exclusive of shoulders. No dwelling unit shall be within 30 feet of any other dwelling unit or any other enclosed structure on such lot.~~

~~4. Section 503.1.2 (Additional access) is amended to read as follows:~~

~~503.1.2 - Additional access.~~

~~A. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Such additional access must also comply with Title 21 of the Los Angeles County Code.~~

~~B. Notwithstanding paragraph A above, for projects under Chapters 16.50 (SB 9 Urban Lot Splits) and 17.45 (SB 9 Two-Unit Projects), a lot must access a paved right-of-way or~~

~~fire apparatus access road with at least two independent paved points of access for fire and life safety to access and for residents to evacuate.~~

~~5. Section 503.2.1 (Dimensions) is amended to read as follows:~~

~~Section 503.2.1 Dimensions.~~

~~A. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6,096 mm), exclusive of shoulders, except as specified in Sections 503.2.1.1 through 503.2.1.2.2.2, and for approved security gates in accordance with Section 503.6. Fire apparatus access roads shall have an unobstructed vertical clearance clear to the sky.~~

~~Exception: A minimum vertical clearance of 13 feet 6 inches (4,114.8 mm) may be allowed for protected tree species adjacent to access roads. Any applicable tree-trimming permit from the appropriate agency is required.~~

~~B. Notwithstanding paragraph A above, for projects under Chapters 16.50 (SB 9 Urban Lot Splits) and 17.45 (SB 9 Two-Unit Projects), a lot must have direct access through its own paved driveway with a width of at least 30 feet connecting with direct access to a paved right-of-way or fire apparatus access road with a width of at least 40 feet, exclusive of shoulders.~~

~~6. Section 903.3.1.3 (NFPA 13D sprinkler systems) is amended to read as follows:~~

~~Section 903.3.1.3 NFPA 13D sprinkler systems.~~

~~A. Automatic sprinkler systems installed in one- and two family dwellings, Group R-3, and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D as amended in Chapter 35.~~

~~**B. For all projects under Chapters 16.50 (SB 9 Urban Lot Splits) and 17.45 (SB 9 Two-Unit Projects), all enclosed structures on site must have automatic sprinkler systems installed in accordance with NFPA 13D as amended in Chapter 35.**~~

15.20.050 Violations.

Every person violating any provision of the Fire Code or of any permit or license granted hereunder, or any rule, regulation or policy promulgated pursuant hereto, is guilty of a misdemeanor unless such violation is declared to be an infraction by the Fire Code. Each such violation is a separate offense for each and every day during any portion of which such violation is committed, continued or permitted, and conviction of any such violation shall be punishable by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period not to exceed six months, or by both such fine and imprisonment.

15.20.060 Responsibility.

Any person who personally or through another ~~wilfully~~willfully, negligently, or in violation of law sets a fire, allows a fire to be set, or allows a fire kindled or attended by such person to escape from his or her control, allows any hazardous material to be handled, stored or transported in a manner not in accordance with nationally recognized standards, allows any hazardous material to escape from his or her control, neglects to properly comply with any written notice of the Chief, or ~~wilfully~~willfully or negligently allows the continuation of a violation of the Fire Code and amendments thereto is liable for the expense of fighting the fire or for the expenses incurred during a hazardous materials incident, and such expense shall be a charge against that person. Such charge shall constitute a debt of such person and is collectible by the public agency incurring such expense in the same manner as in the case of an obligation under a contract, expressed or implied.

Chapter 15.22 GREEN BUILDING STANDARDS CODE

Sections:

15.22.010 Adoption of Green Building Standards Code.

Except as hereinafter provided, Title 31, Green Building Standards Code, of the Los Angeles County Code, as amended and in effect on January 1, 202~~0~~3, adopting the California Green Building Standards Code, ~~2019~~ 2022 Edition (Part 11 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Green Building Standards Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Green Building Standards Code, ~~2019~~ 2022 Edition, Title 31 of the Los Angeles County Code, or any amendment to the Green Building Standards Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 31 of the Los Angeles County Code and the California Green Building Standards Code, ~~2019~~ 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.22.020 Definitions.

Notwithstanding the provisions of Section 15.22.010, names or terms that are used in this code shall be construed to have the meaning ascribed to them in the Los Angeles County Green Building Standards Code or in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code, as appropriate.

15.22.030 Water budget.

Notwithstanding the provisions of Section 15.22.010, section 4.304 of the Green Building Standards Codes is amended to add section 4.304.2 to read as follows:

4.304.2. Water Budget. A water budget shall be developed for landscape irrigation use installed in conjunction with new construction and new or redeveloped landscaping that conforms to the local water efficient landscape ordinance in Chapter 13.18 of Title 13 of the Rolling Hills Municipal Code.

15.22.040 Low-impact development.

Notwithstanding the provisions of Section 15.22.010, section 4.106.5 of the Green Building Standards Codes is amended to read as follows:

4.106.5. Low-impact development. New development or additions or alteration to existing developed sites shall comply with the Storm Water Management and Pollution Control Ordinance, Chapter 8.32 of Title 8 of the Rolling Hills Municipal Code.

15.22.050 Fees.

Notwithstanding the provisions of Section 15.22.010, the fees set forth for this code shall be the same as the fees prescribed by resolution of the City Council for the Building, Electrical, Plumbing, Mechanical, Residential, and Fire Codes of Title 15 of the Rolling Hills Municipal Code.

15.22.060 Violation and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Green Building Standards Code of the City of Rolling Hills.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.24 EXISTING BUILDING CODE

Sections:

15.24.010 Adoption of Existing Building Code.

Except as herein provided, Title 33, Existing Building Code of the Los Angeles County Code, in effect on January 1, 2020~~19~~3, adopting the California Green Building Standards Code, 20~~19~~22 Edition (Part 10 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known as the Existing Building Code of the City of Rolling Hills.

In the event of any conflict between provisions of Title 33, Existing Building Code of the Los Angeles County Code, ~~2020~~ 2022 Edition, or any amendment to the Existing Building Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 33 of the Existing Building Code and the 2022 Edition of the California Existing Building Code~~,~~ ha~~s~~ve been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.24.020 Definitions.

Notwithstanding the provisions of Section 15.24.010, names or terms that are used in this code shall be construed to have the meaning ascribed to them in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code.

15.24.030 Fees.

Notwithstanding the provisions of Section 15.24.010, the fees set forth for this code shall be the same as the fees prescribed for the Building Code in Section 15.04.050 of Title 15 of the Rolling Hills Municipal Code.

15.24.040 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City of Rolling Hills, or cause the same to be done, contrary to or in violation of any of the provisions of this code.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in

the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.32 UNDERGROUND UTILITY DISTRICTS

Sections:

15.32.010 Definitions.

Whenever in this chapter the words or phrases defined in this section are used, they shall have the respective meanings assigned to them in the following definitions:

A. "Commission" means the Public Utilities Commission of the State of California.

B. "Person" means and includes individuals, firms, corporations, partnerships, and their agents and employees.

C. "Poles, overhead wires and associated overhead structures" means poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above-ground within a district and used or useful in supplying electric, communication or similar or associated service.

D. "Underground utility district" or "district" means that area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 15.32.040.

E. "Utility" includes all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices.

15.32.020 Public hearing—Authorized when—Notice.

The Council may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication or similar or associated service. The City Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least ten days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the Council shall be final and conclusive.

15.32.030 Public hearing—Consultation.

Prior to holding such public hearing, the City Engineer shall consult with all affected utilities and shall prepare a report for submission at such hearing containing, among other information, the extent of such utilities' participation and estimates of the total costs to the city and affected property owners. Such report shall also contain an estimate of the time required to complete such underground installation and removal of overhead facilities.

15.32.040 Council resolution-Procedure.

If, after any such public hearing, the Council finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the Council shall, by resolution, declare such designated area an underground utility district and order such removal and underground installation. Such resolution shall include a description of the area comprising such district and shall fix the time within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground services. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby.

15.32.050 Maintaining overhead structures prohibited when.

Whenever the Council creates an underground utility district and orders the removal of poles, overhead wires and associated overhead structures therein as provided in Section 15.32.040, it is unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant to continue to receive utility service as provided in Section 15.32.100, and for such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this chapter.

15.32.060 Emergency overhead structures.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period not to exceed ten days without authority of the City Manager in order to provide emergency service. The City Manager may grant special permission on such terms as the City Manager may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.

15.32.070 Council resolution—Exceptions authorized.

In any resolution adopted pursuant to Section 15.32.040, the City may authorize any or all of the following exceptions:

A. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer;

B. Poles or electroliers used exclusively for street lighting;

C. Overhead wires (exclusive of supporting structures) crossing any portion of a district within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a district, which such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;

D. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts;

E. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location of the building to another location on the same building or to an adjacent building without crossing any public street;

F. Antennae, associated equipment and supporting structures used by a utility for furnishing communication services;

G. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts.

H. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

15.32.080 Notice to property owners and utility companies.

A. Within ten days after the effective date of a resolution adopted pursuant to Section 15.32.040, the City Clerk shall notify all affected utilities and all persons owning real property within the district created by said resolution of the adoption thereof. The City Clerk shall further notify such affected property owners of the necessity that if they or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location.

B. Notification by the City Clerk shall be made by mailing a copy of the resolution adopted pursuant to Section 15.32.040, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

15.32.090 Responsibility of utility companies.

If underground construction is necessary to provide utility service within a district created by any resolution adopted pursuant to Section 15.32.040, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the Commission.

15.32.100 Responsibility of property owners—Notice.

Every person owning, operating, leasing, occupying or renting a building or structure within a District shall construct and provide that portion of the service connection on his property between the facilities referred to in Section 15.32.090 and the termination facility on or within said building or structure being served. If the above is not accomplished by any person within the time provided for in the resolution enacted pursuant to Section 15.32.040, the City Engineer shall give, notice in writing to the person in possession of such premises, and a notice in writing to the owner thereof as shown on the last equalized assessment roll, to provide the required underground facilities within ten days after receipt of such notice.

15.32.110 Notice—Service.

The notice to provide the required underground facilities may be given either by personal service or by mail. In case of service by mail on either of such persons, the notice must be deposited in the United States mail in a sealed envelope with postage prepaid, addressed to the person in possession of such premises at such premises, and the notice must be addressed to the owner thereof as such owner's name appears, and must be addressed to such owner's last known address as the same appears on the last equalized assessment roll, and when no address appears, to General Delivery, City of Rolling Hills, California. If notice is given by mail, such notice shall be deemed to have been received by the person to whom it has been sent within forty-eight hours after the mailing thereof. If notice is given by mail to either the owner or occupant of such premises, the City Engineer shall, within forty-eight hours after the mailing thereof, cause a copy thereof, printed on a card not less than eight inches by ten inches in size to be posted in a conspicuous place on said premises.

15.32.120 Notice—Form.

The notice given by the City Engineer to provide the required underground facilities shall particularly specify what work is required to be done, and shall state that if said work is not completed within thirty days after receipt of such notice, the City Engineer will

provide such required underground facilities, in which case the cost and expense thereof will be assessed against the property benefited and become a lien upon such property.

15.32.130 Work by City Engineer—Assessment of costs.

If upon the expiration of the thirty-day period the required underground facilities have not been provided, the City Engineer shall forthwith proceed to do the work; provided, however, if such premises are unoccupied and no electric or communications services are being furnished thereto, the City Engineer may authorize the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property. Upon completion of the work by the City Engineer, he shall file a written report with the City Council setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The Council shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work upon such premises, which said time shall not be less than ten days thereafter.

15.32.140 Assessment—Hearing—Notice.

The City Engineer shall forthwith, upon the time for hearing such protests having been fixed, give a notice in writing to the person in possession of such premises, and a notice in writing thereof to the owner thereof, in the manner provided in this chapter for the giving of the notice to provide the required underground facilities, of the time and place that the Council will pass upon such report and will hear protests against such assessment. Such notice shall also set forth the amount of the proposed assessment.

15.32.150 Assessment—Hearing—Decision.

Upon the date and hour set for the hearing of protests, the Council shall hear and consider the report and all protests if there be any, and then proceed to affirm, modify or reject the assessment.

15.32.160 Assessment—Lien.

If any assessment is not paid within the five days after its confirmation by the Council, the amount of the assessment shall become a lien upon the property against which the assessment is made by the City Engineer, and the City Engineer is directed to turn over to the Assessor and Tax Collector a notice of lien of each of said properties on which the assessment has not been paid, and the Assessor and Tax Collector shall add the amount of said assessment to the next regular bill for taxes levied against the premises upon which said assessment was not paid. Said assessment shall be due and payable, and if not paid when due and payable, shall bear interest at the rate of six percent per annum.

15.32.170 Responsibility of City.

The City shall remove at its own expense all City-owned equipment from all poles required to be removed under this chapter in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to Section 15.32.040.

15.32.180 Extension of time.

In the event that any act required by this chapter or by a resolution adopted pursuant to Section 15.32.040 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the contractor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation.

15.32.190 Violation—Penalty.

It is unlawful for any person to violate any provision or to fail to comply with any requirement of this chapter. Any person violating any provision of this chapter or failing to comply with any of its requirements shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine or not more than one thousand dollars or by imprisonment in County Jail for a period not exceeding six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall be punishable accordingly.

Chapter 15.36 HOURS OF CONSTRUCTION

Sections:

15.36.010 Work of improvement defined.

For the purpose of this chapter, "work of improvement" includes but is not restricted to the construction, alteration, addition, or the repair, in whole or in part, of any building, structure, bridge, ditch, pipeline, tunnel, fence, or road; the cutting or removal of weeds, trees and grass; the seeding, sodding or planting of any lot or tract of land for landscaping purposes; the filling, levelling, grading of any lot or tract of land; or the crushing of rock or the hauling of any material to be used or removed in connection with any of the foregoing; the demolition of buildings; or the removal of buildings.

15.36.020 Hours restricted.

There shall be no work of improvement or the operation of mechanical equipment used in connection with work of improvement within the territorial limits of the City except

on Monday through Saturday of each week, commencing at the hour of seven a.m. and ending at the hour of six p.m. on each day.

15.36.030 Exceptions.

The provisions of this chapter shall not apply to residents of the City who are the record owners of land in the City or who are the lessees of the record owners of land in the City.

Chapter 15.40 GEOLOGICAL INVESTIGATIONS AND REPORTS REQUIRED

Sections:

15.40.010 Requirements.

The requirements provided for in this chapter are in addition to any and all other requirements relating to expansive soils and geological inspections and reports required by the building code of the City or any other ordinance of the City.

15.40.020 Authority—Procedure.

A. No building (as defined in the Los Angeles County Building Laws) for which a building or grading permit is required by the building code of the City, shall be issued by the City Engineer if he, and/or the City Council, is of the opinion that a potentially serious geological condition may exist on the land on which the proposed building is to be constructed, or the proposed grading is to be performed, until a geological report prepared by a geologist registered by the State is delivered to the City Engineer by the applicant for the building or grading permit. The report shall include, among other things, test borings or excavations.

B. If said geological report, in the opinion of the City Engineer, indicates a potential serious geological condition, the City Engineer shall have the authority to employ an independent geologist registered by the State, to prepare and provide him with an independent geological report of the land on which the proposed building is to be constructed or the grading is proposed to be performed, and if necessary, to require additional test borings or excavations to be made by an independent testing service, the depth and accuracy of which shall be approved by said registered geologist.

C. The City Engineer shall also have authority to submit samples of any and all test borings or excavations to an independent qualified geological laboratory for analysis and report.

D. The geological report prepared by the independent registered geologist shall recommend corrective action which is designed to prevent the displacement or slippage of the land.

15.40.030 Corrective action required when.

As a condition to the issuance of a permit by the City Engineer of the City, the corrective action or procedures recommended in the geological report shall be incorporated in the proposed construction or grading for which the permit has been applied.

15.40.040 Assessment of costs.

All expenses incurred by the applicant in complying with the provisions of this chapter shall be paid for by the applicant and shall be in addition to all other charges or fees levied, assessed or charged by the City in connection with the issuance of a building or grading permit."

Section 2. All inconsistencies between the Building Code, Electrical Code, Mechanical Code, Plumbing Code, Residential Code, Green Building Code, and Existing Building Code, as adopted by this ordinance and Parts 2, 2.5, 3, 4, 5, 10, and 11 of the California Code of Regulations, are changes, modifications, amendments, additions, or deletions thereto authorized by California Health and Safety Code Sections 17958 and 17958.7.

Section 3. Justifications for Local Amendments. The City Council hereby finds that the changes and modifications to the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Residential Code, Green Building Code, and Existing Building Code enacted by this ordinance are reasonably necessary because of the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; location in Southern California; and the relatively flat topography of the City.

The City Council hereby finds that the modifications to the State Building Code in Title 26 of the Los Angeles County Code are reasonably necessary because of the local climatic, geological, and topographical conditions within the City of Rolling Hills. Further, the modifications to the Building, Electrical, Mechanical, Plumbing, Green Building Standards, Residential, and Existing Building Codes in Titles 26, 27, 28, 29, 30, 31 and 33 of the Los Angeles County Code are administrative in nature and are necessary to allow the uniform application of the codes by procedures suited to the size and nature of the City's staff and administrative agencies by means suited to the City's experience with local climatic, geological, and topographical conditions and to provide sufficient staff support for the time-consuming inspections and analysis required by the City's fire and geological hazards.

Section 4. To the extent the provisions of this ordinance are substantially the same as previous provisions of the Rolling Hills Municipal Code, these sections shall be construed as continuations of those provisions and not as new enactments.

Section 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance or any part hereof is for any reason held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Rolling Hills hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid.

Section 6. California Environmental Quality Act. The City Council finds that this ordinance is not a project within the meaning of Section 15378 of the California Environmental Quality Act ("CEQA") Guidelines because it has no potential for resulting in physical change to the environment. Most of the terms of the building standards adopted herein are dictated by the California Buildings Standards Code and county amendments to the state standards only make those modifications necessary for local regional conditions which are at least as protective of the environment as the state codes. City-specific amendments are limited to creating administrative processes for local enforcement of the state building standards. Alternatively, even if the ordinance is a project within the meaning of CEQA, its adoption is exempt from CEQA under the general rule that CEQA only applies to projects that may cause significant adverse effects on the environment. CEQA Guideline section 15061(b)(3). As this ordinance is largely administrative in nature, there is no possibility that the City's action would adversely affect the environment in any manner that could be significant.

Section 7. Effective Date. This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code section 36937 and shall apply to all projects submitted to the City for plan check and/or permit application on or after that date.

PASSED, APPROVED, AND ADOPTED this __ day of _____, 2022.

_____
MAYOR

ATTEST

_____

City Clerk

ORDINANCE NO. 382-U

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA PLUMBING CODE, 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2022 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, 2022 EDITION; MAKING AMENDMENTS TO SAID CODES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DOES ORDAIN AS FOLLOWS:

Section 1. Title 15 (Buildings and Construction) of the City of Rolling Hills Municipal Code is amended to read as follows:

"Title 15 – BUILDINGS AND CONSTRUCTION

~~Chapters:~~

~~Chapter 15.04 – Building Code~~

~~Chapter 15.08 – Plumbing Code~~

~~Chapter 15.12 – Mechanical Code~~

~~Chapter 15.16 – Electrical Code~~

~~Chapter 15.18 – Residential Code~~

~~Chapter 15.20 – Fire Code~~

~~Chapter 15.22 – Green Building Standards~~

~~Chapter 15.24 – Existing Building Code~~

~~Chapter 15.32 – Underground Utility Districts~~

~~Chapter 15.36 – Hours of Construction~~

~~Chapter 15.40 – Geological Investigations and Reports Required~~

Chapter 15.04 BUILDING CODE

Sections

15.04.010 Adoption of Building Code.

Except as hereinafter provided, Title 26, Building Code, of the Los Angeles County Code, as amended and in effect on January 1, 202~~0~~3, adopting the California Building Code, ~~2019~~ 2022 Edition (Part 2 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Building Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Building Code, 20~~19~~22 Edition, Title 26 of the Los Angeles County Code, or any amendment to the Building Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 20~~19~~22 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.04.020 Short title.

This chapter shall be known as the "Building Code of the City of Rolling Hills" and will be referred to herein as "this code."

15.04.030 Section 105 amended.

Section 105 of the Building Code is amended to add a new subsection 105.7 to read:

> 105.7 Review Hearing. The City Council of the City of Rolling Hills may conduct a public hearing to review any decision or order of the Board of Appeals, the Code Enforcement Appeals Board, or the Building Rehabilitation Appeals Board upon an affirmative vote of three members of the City Council within thirty (30) calendar days of the decision or order. The City Council may, upon conclusion of the public hearing, sustain or reverse in whole or in part any said action or order. Notice of the City Council public hearing shall be given by the City Clerk not less than ten (10) days prior to the hearing by first class mail to all property owners within 1,000 feet of the exterior boundaries of the subject property and all owners of record of the subject property at the time of mailing said notice.

15.04.040 Definitions.

Whenever any of the following names or terms are used in the California Building Code or the County of Los Angeles Building Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"Board of Appeals" means the Board of Appeals established by Section 105 of said Los Angeles County Building Code.

"Building department" means the entities charged by resolution of the City Council with the responsibility of administering the building code for the City.

"Building official" means the persons charged by resolution of the City Council with the responsibility of administering the building code for the City.

"City" means the City of Rolling Hills.

"City Engineer" means the persons charged by resolution of the City Council with the responsibility of performing the functions of city engineer for the City.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

"Electrical Code" means Chapter 15.16 of this code.

"Existing Building Code" means Chapter 15.24 of this code.

"Fire Code" means Chapter 15.20 of this code.

"Fire zone" means the fire zone adopted by an ordinance creating and establishing fire zones or where no such fire zones have been adopted by the City of Rolling Hills, shall mean very high fire hazard severity zone (VHFHSZ).

"General fund" means the City Treasury of the City of Rolling Hills.

"Green Building Standards Code" means Chapter 15.22 of this code.

"Health Code" or "Los Angeles County Health Code" means Chapter 8.04 of this code.

"Health Officer" means the Health Officer of the City of Rolling Hills.

"Mechanical Code" means Chapter 15.12 of this code.

"Plumbing Code" means Chapter 15.08 of this code.

"Residential Code" means Chapter 15.18 of this code.

15.04.050 Fees.

Notwithstanding the provisions of Section 15.04.010, the Building Code is amended by increasing the amount of each and every fee set forth in the Building Code, to a sum set by resolution of the City Council, including a park and recreation fee.

15.04.060 Section 202 amended.

Section 202 of the Building Code, regarding the definition of a basement, is amended to read as follows:

> BASEMENT is any floor level below the first story of the primary residence, including an attached garage. Except for walls within light wells, basement walls across any elevation may not exceed a height of five (5) feet above finished grade at any point immediately adjacent to the basement exterior, and shall have no greater than an average of two and one-half (2½) feet exterior height. Basement well(s) shall be incorporated into the overall design of the building so that it does not give an appearance of a separate story.

15.04.070 Section 202 amended.

Section 202 of the Building Code, regarding the definition of a story, is amended to read as follows:

STORY is that portion of a building included between the upper surface of any floor and the ceiling or roof above it. There shall be no story on top of another, except as permitted in Section 17.16.080 of the Zoning Ordinance.

15.04.080 Amending Appendix J Grading, Section J103 PERMITS REQUIRED.

Section J103.2, Exemptions 8, is amended to read as follows:

8. An excavation that does not exceed 50 cubic yards and complies with one of the following conditions and as shown in Figure J103.2:

(a) Is less than 2 feet (0.6 m) in depth.

(b) Does not create a cut slope greater than 5 feet (1.5 m) measured vertically upward from the cut surface to the surface of the natural grade and is not steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

Section J103.2 Fill, Exemption 9, is amended to read as follows:

9. A fill not intended to support a structure that does not obstruct a drainage course and complies with one of the following conditions and as shown in Figure J103.2:

(a) Is less than 1 foot (0.3 m) in depth and is placed on natural terrain with a slope flatter than 5 units horizontal to 1 unit vertical (20 percent slope).

(b) Is less than 3 feet (0.9 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 50 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

(c) Is less than 5 feet (1.5 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 20 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

Section J103.6 Compliance with Zoning Code is amended to read as follows:

The Building Official may refuse to issue a grading permit for work on a site if either the proposed grading or the proposed land use for the site shown on the grading plan application does not comply with the provisions of Title 17 of the Rolling Hills Municipal Code (Zoning).

15.04.090 Amending Section J106.1 Maximum cut slopes.

The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no more than one unit vertical to two units horizontal (50 percent slope), unless the owner, or the owner's authorized agent, receives a variance for a steeper slope from

the Planning Commission of the City of Rolling Hills and furnishes a geotechnical or an engineering geology report, or both, justifying a steeper slope. The reports must contain a statement by the Geotechnical Engineer or Engineering Geologist that the site was investigated and an opinion that a steeper slope will be stable and will not create a hazard to public or private property, in conformance with the requirements of Section 111. Notwithstanding the provisions of this section, the Building Official may require the slope of cut surfaces to be less than 50 percent, if the Building Official finds it necessary for the stability and safety of the slope.

Exceptions:

The slope of a cut surface may be permitted to be as steep as 1.5 units horizontal to one unit vertical (67 percent) only if all of the following conditions are met:

1. It is not intended to support structures or surcharges.

2. It is approved by the Planning Commission of the City of Rolling Hills.

3. It is adequately protected against erosion.

4. It is no more than 8 feet (2438 mm) in height.

5. It is approved by the Building Official.

6. Ground water is not encountered.

15.04.100 Section J106.2 added.

Section J106 is amended to add subsection J106.2 to read as follows:

Section J106.2 DRIVEWAYS. Driveways which provide access from any lot or parcel of land to any of the private roads in the City of Rolling Hills which are maintained by the Rolling Hills Community Association shall be so constructed that the first twenty (20) feet of said driveway, measured from the edge of the paved portion of said private road, shall not be steeper in grade than seven percent (7%). All new and relocated driveways require approval of the City of Rolling Hills Traffic Commission prior to construction.

15.04.110 Section J106.3 added.

Section J106 is amended to add subsection J106.3 to read as follows:

J106.3 BALANCED CUT AND FILL RATIO

Adherence to balanced cut and fill ratio is an important policy of the City and furthers the goals and objectives of its General Plan, except that export of soil generated from construction of basements and other excavation activities, promotes the preservation of natural terrain of the property. A project, which does

not include excavation, may deviate from balanced cut and fill only under unusual circumstances related to the size, shape, topography or other physical conditions of the property that qualify it for a variance pursuant to Municipal Code Section 17.38.050.

1. No import of soil shall be permitted to any lot in the City, except where a variance pursuant to Chapter 17.38 has been approved.

2. No export of soil shall be permitted from any lot in the City, except where the soil is generated from an excavation activity, as defined in Municipal Code Section 17.12.050 or where a variance pursuant to Chapter 17.38 has been approved. Export of soil must comply with City refuse diversion requirements.

3. No grading plan for which a permit is required shall be approved unless the amount of soil to be cut from the site equals the amount of soil to be filled on the site, except where the soil is generated from an excavation activity or where a variance pursuant to Chapter 17.38 has been approved.

4. The City Manager, or his or her designee, may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area), and

(b) That the need to import or export the soil could not have been foreseen prior to commencement of construction.

5. The City Manager or his or her designee may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards for remedial repair of the lot that has eroded, and of hillside or trail if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area);

(b) The import or export of soil is no greater than necessary to avoid a threat of land subsidence or other imminent danger; and

(c) A professionally prepared drainage plan for permanent repair shall be required if the erosion is re-occurring and if/when the amount of dirt requested, when added to the amount of dirt used in previous years, exceeds a total of 500 cubic yards.

15.04.120 Amending Section J107.6 Maximum Slope.

The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than 1 unit vertical to 2 units horizontal (50 percent slope) shall not be permitted unless the owner receives a variance for a steeper fill slope from the Planning Commission of the City of Rolling Hills, pursuant to the provisions of Title 17 of the Municipal Code. Such slopes shall be justified by geotechnical reports conforming with the requirements of Section 111, containing a statement by the Geotechnical Engineer that the site has been investigated and an opinion that a steeper fill slope will be stable and will not create a hazard to public or private property. Substantiating calculations and supporting data may be required where the Building Official determines that such information is necessary to verify the stability and safety of the proposed slope. The Building Official may require the fill slope to be constructed with a face flatter in slope than 2 units horizontal to 1 unit vertical (50 percent slope) if the Building Official finds it necessary for stability and safety of the slope.

15.04.130 Section J107.10 added.

Section J107, FILLS, is amended by adding subsection J107.10 to read as follows:

J107.10 BALANCED CUT AND FILL RATIO

Adherence to balanced cut and fill ratio is an important policy of the City and furthers the goals and objectives of its General Plan, except that export of soil generated from construction of basements and other excavation activities, promotes the preservation of natural terrain of the property. A project, which does not include excavation, may deviate from balanced cut and fill only under unusual circumstances related to the size, shape, topography or other physical conditions of the property that qualify it for a variance pursuant to Municipal Code Section 17.38.050.

1. No import of soil shall be permitted to any lot in the City, except where a variance pursuant to Chapter 17.38 has been approved.

2. No export of soil shall be permitted from any lot in the City, except where the soil is generated from an excavation activity, as defined in Municipal Code Section 17.12.050 or where a variance pursuant to Chapter 17.38 has been approved. Export of soil must comply with City refuse diversion requirements.

3. No grading plan for which a permit is required shall be approved unless the amount of soil to be cut from the site equals the amount of soil to be filled on the site, except where the soil is generated from an excavation activity or where a variance pursuant to Chapter 17.38 has been approved.

4. The City Manager, or his or her designee, may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export (other than from excavation activities), of soil not to exceed 500 cubic yards if

he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) Construction of a structure on the lot or parcel has commenced,

(b) That the need to import or export the soil could not have been foreseen prior to commencement of construction, and

(c) That either the structure, as approved, cannot be completed without the requested import or export of soil or that an emergency condition exists due to the threat of land subsidence or other imminent danger.

5. The City Manager or his or her designee may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards for remedial repair of an area of the lot that has eroded, is on a hillside or a trail if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area).

(b) The import or export of soil is no greater than necessary to avoid a threat of land subsidence or other imminent danger.

(c) A professionally prepared drainage plan for permanent repair shall be required if the erosion is re-occurring and if/when the amount of dirt requested, when added to the amount of dirt used in previous years, exceeds a total of 500 cubic yards.

15.04.140 Amending Section J101.2 Flood Hazard areas.

Notwithstanding the provisions of Section 15.04.010 of this chapter, the Building Code is amended by requiring that in addition to Section J101.2, all new construction and substantial improvements proposed to be built in a flood-prone area, as determined in accordance with Section 8.36.050 of the Rolling Hills Municipal Code (RHMC), is subject to the floodplain management regulations set forth in Chapter 8.36 of the RHMC.

15.04.150 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or portion thereof or perform any grading in the City of Rolling Hills, or cause the same to be done, contrary to or in violation of any of the provisions of this code.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.08 PLUMBING CODE

Sections:

15.08.010 Adoption of Plumbing Code.

Except as hereinafter provided, Title 28, Plumbing Code, of the Los Angeles County Code, as amended and in effect on January 1, 2020~~3~~, adopting the California Plumbing Code, 20~~19~~22 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Plumbing Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Plumbing Code, 20~~19~~22 Edition, Title 28 of the Los Angeles County Code, or any amendment to the Plumbing Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 20~~19~~22 Edition, has been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.08.020 Definitions.

Whenever any of the following names of terms are used in the California Plumbing Code and the Los Angeles County Plumbing Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

15.08.030 Fees.

Notwithstanding the provisions of Section 15.08.010, the Plumbing Code is amended by increasing the amount of each and every fee set forth in the Plumbing Code to a sum set by resolution of the City Council.

15.08.040 Violations and penalties.

Every person, firm, or corporation violating any of the provisions of the Plumbing Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.12 MECHANICAL CODE

Sections:

15.12.010 Adoption of Mechanical Code.

Except as hereinafter provided, Title 29, Mechanical Code, of the Los Angeles County Code, as amended and in effect on January 1, 202~~0~~3, adopting the California Mechanical Code, 20~~19~~22 Edition (Part 4 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Mechanical Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Mechanical Code, 20~~19~~22 Edition, Title 29 of the Los Angeles County Code, or any amendment to the Mechanical Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 20~~19~~22 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.12.020 Definitions.

Whenever any of the following names or terms are used in the California Mechanical Code or the County of Los Angeles Mechanical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

15.12.030 Fees.

Notwithstanding the provisions of Section 15.12.010, the Mechanical Code is amended by increasing the amount of each and every fee set forth in the Mechanical Code to a sum set by resolution of the City Council.

15.12.040 Violations and penalties.

A. It shall be unlawful for any person, firm, or corporation to erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, cooling, or refrigeration equipment in the jurisdiction, or cause the same to be done, contrary to or in violation of any of the provisions of Mechanical Code of the City of Rolling Hills. Maintenance of equipment which was unlawful at the time it was installed, and which would be unlawful under this Code if installed after the effective date of this Code, shall constitute a continuing violation of this Code.

B. Any person, firm or corporation violating any of the provisions of the Mechanical Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.16 ELECTRICAL CODE

Sections:

15.16.010 Adoption of Electrical Code.

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 1, 202~~0~~3, adopting the California Electrical Code, ~~2019~~ 2022 Edition (Part 3 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Electrical Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Electrical Code, ~~2019~~ 2022 Edition, Title 27 of the Los Angeles County Code, or any amendment to the

Electrical Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, ~~2019~~ 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.16.020 Definitions.

Notwithstanding the provisions of Section 15.16.010 of this chapter, whenever any of the following names or terms are used in the Electrical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated area of the County of Los Angeles" means the City of Rolling Hills.

15.16.030 Electrical Code fees.

Notwithstanding the provisions of Section 15.16.010, fees for plan check, inspection, and all other miscellaneous services shall be based on the fee schedule set forth by Title 27 of the Los Angeles County Code, Fees, as approved by resolution of the City Council.

15.16.040 Violations and penalties.

Every person, firm, or corporation violating any of the provisions of the Plumbing Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

Chapter 15.18 RESIDENTIAL CODE

Sections:

15.18.010 Adoption of Residential Code.

Except as herein provided, Title 30, Residential Code, of the Los Angeles County Code, as amended and in effect on January 1, 202~~0~~3, adopting the California Residential Code, ~~2019~~ 2022 Edition (Part 2.5 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Residential Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Residential Code, ~~2019~~ 2022 Edition, Title 30 of the Los Angeles County Code, or any amendment to the Residential Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 30 of the Los Angeles County Code and the California Residential Code, ~~2019~~ 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.18.020 Definitions.

Notwithstanding the provisions of Section 15.18.010, names or terms that are used in this code shall be deemed and construed to have the meaning ascribed to it in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code.

15.18.040 Fees.

Notwithstanding the provisions of Section 15.18.010, the fees set forth for this code shall be the same as the fees prescribed for the Building Code in Section 15.04.050 of Title 15 of the Rolling Hills Municipal Code.

15.18.050 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Residential Code of the City of Rolling Hills.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.20 FIRE CODE*

Sections:

15.20.010 Adoption of Fire Code.

Except as hereinafter provided in this chapter, ~~Title 32 Fire Code of the Los Angeles County Codes, as amended and in effect on January 1, 2020, which constitutes an amended version of the~~ California Fire Code, ~~2019~~ 2022 Edition (Part 9 of Title 24 of the California Code of Regulations), ~~and an amended version of~~ based on the International Fire Code, ~~2018~~ 2021 Edition, is hereby adopted by reference and shall constitute and may be cited as the Fire Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Fire Code, 20~~19~~22 Edition, Title 32 of the Los Angeles County Code, or any amendment to the Fire Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of ~~Title 32 of the Los Angeles County Code, along with a copy of~~ the California Fire Code, 20~~19~~22 Edition, has been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

15.20.020 Short title.

This chapter shall be known as the "Fire Code of the City of Rolling Hills" and may be cited as such.

15.20.025 Very high fire hazard severity zone (VHFHSZ).

The entire City of Rolling Hills is designated as a very high fire hazard severity zone, as prescribed by the Director of California Department of Forestry and Fire Protection and as designated on a map titled City of Rolling Hills VHFHSZ dated July 1, 2008, and which shall be retained on file in the City Clerk's office at the Rolling Hills City Hall.

15.20.030 Permits.

Any permit heretofore issued by the County of Los Angeles pursuant to the Fire Code of said County, for work within the territorial boundaries of the City of Rolling Hills, shall remain in full force and effect according to its terms.

15.20.035 Reserved.

~~**Editor's note(s)—Ord. No. 338, §§ 1, 3, adopted June 9, 2014, repealed former § 15.20.035 which pertained to amendment—draft system identification sign, and**~~

~~derived from Ord. No. 277-U, § 5, adopted 1999; Ord. No. 290-U, § 8, adopted 2002; Ord. No. 311, § 21, adopted 2008; Ord. No. 322-U, § 7, adopted Jan. 10, 2011.~~

15.20.040 Local amendments~~—~~Reserved.~~.~~

~~The following provisions of the Los Angeles County Fire Code are hereby amended as follows:~~

~~1. Section C105.2 (One- and two-family dwellings, and Group R-2 buildings) is amended to read as follows:~~

~~Section C105.2 (One- and two-family dwellings, and Group R-2 buildings)~~

~~A. For one- and two-family dwellings, and Group R-3 buildings, fire hydrants shall be spaced no more than 600 feet (182.88 m) apart. For properties with more than one dwelling unit per acre, no portion of lot frontage should be more than 450 feet (137.16 m) away, via fire apparatus access, from a public hydrant. For properties less than one dwelling unit per acre, no portion of a fire apparatus access roadway shall be farther than 750 feet (228.6 m) away, via fire apparatus access, from a properly spaced public hydrant that meets the required fire-flow.~~

~~B. Notwithstanding paragraph A above, for projects under Chapters 16.50 (SB 9 Urban Lot Splits) and 17.45 (SB 9 Two-Unit Projects), fire hydrants shall be spaced no more than 600 feet (182.88 m) apart. For properties with more than one dwelling unit per acre, no portion of lot frontage should be more than 360 feet away, via fire apparatus access, from a hydrant. For properties less than one dwelling unit per acre, no portion of a fire apparatus access road shall be farther than 600 feet away, via fire apparatus access, from a properly spaced hydrant that meets the required fire-flow.~~

~~2. Section C106.1 (Required on-site hydrants) is set forth below without amendments for purposes of reference only:~~

~~C106.1 Required on-site hydrants.~~

~~When any portion of a proposed structure exceeds the allowable distances from a public hydrant, via fire apparatus access, on-site hydrants shall be provided. The spacing distance between on-site hydrants shall be 300 to 400 feet (91.44 to 121.92 m). All on-site fire hydrants shall have, at a minimum, a fire-flow of 1,250 gallons per minute (4,732 L/min) at 20 psi (137.895 kPa) for a duration of two hours. If more than one on-site fire hydrant is required, the fire flow shall be 2,500 gallons per minute (9,463.53 L/min) at 20 psi (137.895 kPa) for a duration of two hours. All on-site hydrants shall be installed a minimum of 25 feet (7,620 mm) from a structure or protected by a two-hour firewall.~~

~~Exception: For fully sprinklered multifamily residential structures, on-site hydrants may be installed a minimum of 10 feet (3.05 m) from the structure.~~

~~3. Section 503.1.1 (Buildings and facilities) is amended to read as follows:~~

~~503.1.1 Buildings and facilities.~~

~~A. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.~~

~~Exceptions:~~

~~1. The fire code official is authorized to increase the dimension of 150 feet (45,720 mm) where any of the following conditions occur:~~

~~1.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.~~

~~1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.~~

~~1.3. There are not more than two Group R-3 or Group U occupancies.~~

~~2. Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities and a stand-alone battery energy storage structure.~~

~~3. Exterior walls of interior courts that are enclosed on all sides.~~

~~B. Notwithstanding paragraph A above, for projects under Chapters 16.50 (SB 9 Urban Lot Splits) and 17.45 (SB 9 Two-Unit Projects), a lot must have its own paved driveway with a width of at least 30 feet connecting with direct access to a paved right-of-way or fire apparatus access road with a width of at least 40 feet, exclusive of shoulders. No dwelling unit shall be within 30 feet of any other dwelling unit or any other enclosed structure on such lot.~~

~~4. Section 503.1.2 (Additional access) is amended to read as follows:~~

~~503.1.2 - Additional access.~~

~~A. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Such additional access must also comply with Title 21 of the Los Angeles County Code.~~

~~B. Notwithstanding paragraph A above, for projects under Chapters 16.50 (SB 9 Urban Lot Splits) and 17.45 (SB 9 Two-Unit Projects), a lot must access a paved right-of-way or~~

~~fire apparatus access road with at least two independent paved points of access for fire and life safety to access and for residents to evacuate.~~

~~5. Section 503.2.1 (Dimensions) is amended to read as follows:~~

~~Section 503.2.1 Dimensions.~~

~~A. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6,096 mm), exclusive of shoulders, except as specified in Sections 503.2.1.1 through 503.2.1.2.2.2, and for approved security gates in accordance with Section 503.6. Fire apparatus access roads shall have an unobstructed vertical clearance clear to the sky.~~

~~Exception: A minimum vertical clearance of 13 feet 6 inches (4,114.8 mm) may be allowed for protected tree species adjacent to access roads. Any applicable tree-trimming permit from the appropriate agency is required.~~

~~B. Notwithstanding paragraph A above, for projects under Chapters 16.50 (SB 9 Urban Lot Splits) and 17.45 (SB 9 Two-Unit Projects), a lot must have direct access through its own paved driveway with a width of at least 30 feet connecting with direct access to a paved right-of-way or fire apparatus access road with a width of at least 40 feet, exclusive of shoulders.~~

~~6. Section 903.3.1.3 (NFPA 13D sprinkler systems) is amended to read as follows:~~

~~Section 903.3.1.3 NFPA 13D sprinkler systems.~~

~~A. Automatic sprinkler systems installed in one- and two family dwellings, Group R-3, and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D as amended in Chapter 35.~~

~~**B. For all projects under Chapters 16.50 (SB 9 Urban Lot Splits) and 17.45 (SB 9 Two-Unit Projects), all enclosed structures on site must have automatic sprinkler systems installed in accordance with NFPA 13D as amended in Chapter 35.**~~

15.20.050 Violations.

Every person violating any provision of the Fire Code or of any permit or license granted hereunder, or any rule, regulation or policy promulgated pursuant hereto, is guilty of a misdemeanor unless such violation is declared to be an infraction by the Fire Code. Each such violation is a separate offense for each and every day during any portion of which such violation is committed, continued or permitted, and conviction of any such violation shall be punishable by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period not to exceed six months, or by both such fine and imprisonment.

15.20.060 Responsibility.

Any person who personally or through another ~~wilfully~~willfully, negligently, or in violation of law sets a fire, allows a fire to be set, or allows a fire kindled or attended by such person to escape from his or her control, allows any hazardous material to be handled, stored or transported in a manner not in accordance with nationally recognized standards, allows any hazardous material to escape from his or her control, neglects to properly comply with any written notice of the Chief, or ~~wilfully~~willfully or negligently allows the continuation of a violation of the Fire Code and amendments thereto is liable for the expense of fighting the fire or for the expenses incurred during a hazardous materials incident, and such expense shall be a charge against that person. Such charge shall constitute a debt of such person and is collectible by the public agency incurring such expense in the same manner as in the case of an obligation under a contract, expressed or implied.

Chapter 15.22 GREEN BUILDING STANDARDS CODE

Sections:

15.22.010 Adoption of Green Building Standards Code.

Except as hereinafter provided, Title 31, Green Building Standards Code, of the Los Angeles County Code, as amended and in effect on January 1, 202~~0~~3, adopting the California Green Building Standards Code, ~~2019~~ 2022 Edition (Part 11 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Green Building Standards Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Green Building Standards Code, ~~2019~~ 2022 Edition, Title 31 of the Los Angeles County Code, or any amendment to the Green Building Standards Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 31 of the Los Angeles County Code and the California Green Building Standards Code, ~~2019~~ 2022 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.22.020 Definitions.

Notwithstanding the provisions of Section 15.22.010, names or terms that are used in this code shall be construed to have the meaning ascribed to them in the Los Angeles County Green Building Standards Code or in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code, as appropriate.

15.22.030 Water budget.

Notwithstanding the provisions of Section 15.22.010, section 4.304 of the Green Building Standards Codes is amended to add section 4.304.2 to read as follows:

4.304.2. Water Budget. A water budget shall be developed for landscape irrigation use installed in conjunction with new construction and new or redeveloped landscaping that conforms to the local water efficient landscape ordinance in Chapter 13.18 of Title 13 of the Rolling Hills Municipal Code.

15.22.040 Low-impact development.

Notwithstanding the provisions of Section 15.22.010, section 4.106.5 of the Green Building Standards Codes is amended to read as follows:

4.106.5. Low-impact development. New development or additions or alteration to existing developed sites shall comply with the Storm Water Management and Pollution Control Ordinance, Chapter 8.32 of Title 8 of the Rolling Hills Municipal Code.

15.22.050 Fees.

Notwithstanding the provisions of Section 15.22.010, the fees set forth for this code shall be the same as the fees prescribed by resolution of the City Council for the Building, Electrical, Plumbing, Mechanical, Residential, and Fire Codes of Title 15 of the Rolling Hills Municipal Code.

15.22.060 Violation and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Green Building Standards Code of the City of Rolling Hills.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.24 EXISTING BUILDING CODE

Sections:

15.24.010 Adoption of Existing Building Code.

Except as herein provided, Title 33, Existing Building Code of the Los Angeles County Code, in effect on January 1, 2020~~19~~03, adopting the California Green Building Standards Code, 20~~19~~22 Edition (Part 10 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known as the Existing Building Code of the City of Rolling Hills.

In the event of any conflict between provisions of Title 33, Existing Building Code of the Los Angeles County Code, ~~2020~~ 2022 Edition, or any amendment to the Existing Building Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 33 of the Existing Building Code and the 2022 Edition of the California Existing Building Code, ha~~s~~ve been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.24.020 Definitions.

Notwithstanding the provisions of Section 15.24.010, names or terms that are used in this code shall be construed to have the meaning ascribed to them in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code.

15.24.030 Fees.

Notwithstanding the provisions of Section 15.24.010, the fees set forth for this code shall be the same as the fees prescribed for the Building Code in Section 15.04.050 of Title 15 of the Rolling Hills Municipal Code.

15.24.040 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City of Rolling Hills, or cause the same to be done, contrary to or in violation of any of the provisions of this code.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars or by imprisonment in

the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

Chapter 15.32 UNDERGROUND UTILITY DISTRICTS

Sections:

15.32.010 Definitions.

Whenever in this chapter the words or phrases defined in this section are used, they shall have the respective meanings assigned to them in the following definitions:

A. "Commission" means the Public Utilities Commission of the State of California.

B. "Person" means and includes individuals, firms, corporations, partnerships, and their agents and employees.

C. "Poles, overhead wires and associated overhead structures" means poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above-ground within a district and used or useful in supplying electric, communication or similar or associated service.

D. "Underground utility district" or "district" means that area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 15.32.040.

E. "Utility" includes all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices.

15.32.020 Public hearing—Authorized when—Notice.

The Council may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication or similar or associated service. The City Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least ten days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the Council shall be final and conclusive.

15.32.030 Public hearing—Consultation.

Prior to holding such public hearing, the City Engineer shall consult with all affected utilities and shall prepare a report for submission at such hearing containing, among other information, the extent of such utilities' participation and estimates of the total costs to the city and affected property owners. Such report shall also contain an estimate of the time required to complete such underground installation and removal of overhead facilities.

15.32.040 Council resolution-Procedure.

If, after any such public hearing, the Council finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the Council shall, by resolution, declare such designated area an underground utility district and order such removal and underground installation. Such resolution shall include a description of the area comprising such district and shall fix the time within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground services. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby.

15.32.050 Maintaining overhead structures prohibited when.

Whenever the Council creates an underground utility district and orders the removal of poles, overhead wires and associated overhead structures therein as provided in Section 15.32.040, it is unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant to continue to receive utility service as provided in Section 15.32.100, and for such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this chapter.

15.32.060 Emergency overhead structures.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period not to exceed ten days without authority of the City Manager in order to provide emergency service. The City Manager may grant special permission on such terms as the City Manager may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.

15.32.070 Council resolution—Exceptions authorized.

In any resolution adopted pursuant to Section 15.32.040, the City may authorize any or all of the following exceptions:

A. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer;

B. Poles or electroliers used exclusively for street lighting;

C. Overhead wires (exclusive of supporting structures) crossing any portion of a district within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a district, which such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;

D. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts;

E. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location of the building to another location on the same building or to an adjacent building without crossing any public street;

F. Antennae, associated equipment and supporting structures used by a utility for furnishing communication services;

G. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts.

H. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

15.32.080 Notice to property owners and utility companies.

A. Within ten days after the effective date of a resolution adopted pursuant to Section 15.32.040, the City Clerk shall notify all affected utilities and all persons owning real property within the district created by said resolution of the adoption thereof. The City Clerk shall further notify such affected property owners of the necessity that if they or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location.

B. Notification by the City Clerk shall be made by mailing a copy of the resolution adopted pursuant to Section 15.32.040, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

15.32.090 Responsibility of utility companies.

If underground construction is necessary to provide utility service within a district created by any resolution adopted pursuant to Section 15.32.040, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the Commission.

15.32.100 Responsibility of property owners—Notice.

Every person owning, operating, leasing, occupying or renting a building or structure within a District shall construct and provide that portion of the service connection on his property between the facilities referred to in Section 15.32.090 and the termination facility on or within said building or structure being served. If the above is not accomplished by any person within the time provided for in the resolution enacted pursuant to Section 15.32.040, the City Engineer shall give, notice in writing to the person in possession of such premises, and a notice in writing to the owner thereof as shown on the last equalized assessment roll, to provide the required underground facilities within ten days after receipt of such notice.

15.32.110 Notice—Service.

The notice to provide the required underground facilities may be given either by personal service or by mail. In case of service by mail on either of such persons, the notice must be deposited in the United States mail in a sealed envelope with postage prepaid, addressed to the person in possession of such premises at such premises, and the notice must be addressed to the owner thereof as such owner's name appears, and must be addressed to such owner's last known address as the same appears on the last equalized assessment roll, and when no address appears, to General Delivery, City of Rolling Hills, California. If notice is given by mail, such notice shall be deemed to have been received by the person to whom it has been sent within forty-eight hours after the mailing thereof. If notice is given by mail to either the owner or occupant of such premises, the City Engineer shall, within forty-eight hours after the mailing thereof, cause a copy thereof, printed on a card not less than eight inches by ten inches in size to be posted in a conspicuous place on said premises.

15.32.120 Notice—Form.

The notice given by the City Engineer to provide the required underground facilities shall particularly specify what work is required to be done, and shall state that if said work is not completed within thirty days after receipt of such notice, the City Engineer will

provide such required underground facilities, in which case the cost and expense thereof will be assessed against the property benefited and become a lien upon such property.

15.32.130 Work by City Engineer—Assessment of costs.

If upon the expiration of the thirty-day period the required underground facilities have not been provided, the City Engineer shall forthwith proceed to do the work; provided, however, if such premises are unoccupied and no electric or communications services are being furnished thereto, the City Engineer may authorize the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property. Upon completion of the work by the City Engineer, he shall file a written report with the City Council setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The Council shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work upon such premises, which said time shall not be less than ten days thereafter.

15.32.140 Assessment—Hearing—Notice.

The City Engineer shall forthwith, upon the time for hearing such protests having been fixed, give a notice in writing to the person in possession of such premises, and a notice in writing thereof to the owner thereof, in the manner provided in this chapter for the giving of the notice to provide the required underground facilities, of the time and place that the Council will pass upon such report and will hear protests against such assessment. Such notice shall also set forth the amount of the proposed assessment.

15.32.150 Assessment—Hearing—Decision.

Upon the date and hour set for the hearing of protests, the Council shall hear and consider the report and all protests if there be any, and then proceed to affirm, modify or reject the assessment.

15.32.160 Assessment—Lien.

If any assessment is not paid within the five days after its confirmation by the Council, the amount of the assessment shall become a lien upon the property against which the assessment is made by the City Engineer, and the City Engineer is directed to turn over to the Assessor and Tax Collector a notice of lien of each of said properties on which the assessment has not been paid, and the Assessor and Tax Collector shall add the amount of said assessment to the next regular bill for taxes levied against the premises upon which said assessment was not paid. Said assessment shall be due and payable, and if not paid when due and payable, shall bear interest at the rate of six percent per annum.

15.32.170 Responsibility of City.

The City shall remove at its own expense all City-owned equipment from all poles required to be removed under this chapter in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to Section 15.32.040.

15.32.180 Extension of time.

In the event that any act required by this chapter or by a resolution adopted pursuant to Section 15.32.040 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the contractor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation.

15.32.190 Violation—Penalty.

It is unlawful for any person to violate any provision or to fail to comply with any requirement of this chapter. Any person violating any provision of this chapter or failing to comply with any of its requirements shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine or not more than one thousand dollars or by imprisonment in County Jail for a period not exceeding six months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall be punishable accordingly.

Chapter 15.36 HOURS OF CONSTRUCTION

Sections:

15.36.010 Work of improvement defined.

For the purpose of this chapter, "work of improvement" includes but is not restricted to the construction, alteration, addition, or the repair, in whole or in part, of any building, structure, bridge, ditch, pipeline, tunnel, fence, or road; the cutting or removal of weeds, trees and grass; the seeding, sodding or planting of any lot or tract of land for landscaping purposes; the filling, levelling, grading of any lot or tract of land; or the crushing of rock or the hauling of any material to be used or removed in connection with any of the foregoing; the demolition of buildings; or the removal of buildings.

15.36.020 Hours restricted.

There shall be no work of improvement or the operation of mechanical equipment used in connection with work of improvement within the territorial limits of the City except

on Monday through Saturday of each week, commencing at the hour of seven a.m. and ending at the hour of six p.m. on each day.

15.36.030 Exceptions.

The provisions of this chapter shall not apply to residents of the City who are the record owners of land in the City or who are the lessees of the record owners of land in the City.

Chapter 15.40 GEOLOGICAL INVESTIGATIONS AND REPORTS REQUIRED

Sections:

15.40.010 Requirements.

The requirements provided for in this chapter are in addition to any and all other requirements relating to expansive soils and geological inspections and reports required by the building code of the City or any other ordinance of the City.

15.40.020 Authority—Procedure.

A. No building (as defined in the Los Angeles County Building Laws) for which a building or grading permit is required by the building code of the City, shall be issued by the City Engineer if he, and/or the City Council, is of the opinion that a potentially serious geological condition may exist on the land on which the proposed building is to be constructed, or the proposed grading is to be performed, until a geological report prepared by a geologist registered by the State is delivered to the City Engineer by the applicant for the building or grading permit. The report shall include, among other things, test borings or excavations.

B. If said geological report, in the opinion of the City Engineer, indicates a potential serious geological condition, the City Engineer shall have the authority to employ an independent geologist registered by the State, to prepare and provide him with an independent geological report of the land on which the proposed building is to be constructed or the grading is proposed to be performed, and if necessary, to require additional test borings or excavations to be made by an independent testing service, the depth and accuracy of which shall be approved by said registered geologist.

C. The City Engineer shall also have authority to submit samples of any and all test borings or excavations to an independent qualified geological laboratory for analysis and report.

D. The geological report prepared by the independent registered geologist shall recommend corrective action which is designed to prevent the displacement or slippage of the land.

15.40.030 Corrective action required when.

As a condition to the issuance of a permit by the City Engineer of the City, the corrective action or procedures recommended in the geological report shall be incorporated in the proposed construction or grading for which the permit has been applied.

15.40.040 Assessment of costs.

All expenses incurred by the applicant in complying with the provisions of this chapter shall be paid for by the applicant and shall be in addition to all other charges or fees levied, assessed or charged by the City in connection with the issuance of a building or grading permit."

Section 2. All inconsistencies between the Building Code, Electrical Code, Mechanical Code, Plumbing Code, Residential Code, Green Building Code, and Existing Building Code, as adopted by this ordinance and Parts 2, 2.5, 3, 4, 5, 10, and 11 of the California Code of Regulations, are changes, modifications, amendments, additions, or deletions thereto authorized by California Health and Safety Code Sections 17958 and 17958.7.

Section 3. Justifications for Local Amendments. The City Council hereby finds that the changes and modifications to the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Residential Code, Green Building Code, and Existing Building Code enacted by this ordinance are reasonably necessary because of the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; location in Southern California; and the relatively flat topography of the City.

The City Council hereby finds that the modifications to the State Building Code in Title 26 of the Los Angeles County Code are reasonably necessary because of the local climatic, geological, and topographical conditions within the City of Rolling Hills. Further, the modifications to the Building, Electrical, Mechanical, Plumbing, Green Building Standards, Residential, and Existing Building Codes in Titles 26, 27, 28, 29, 30, 31 and 33 of the Los Angeles County Code are administrative in nature and are necessary to allow the uniform application of the codes by procedures suited to the size and nature of the City's staff and administrative agencies by means suited to the City's experience with local climatic, geological, and topographical conditions and to provide sufficient staff support for the time-consuming inspections and analysis required by the City's fire and geological hazards.

Section 4. To the extent the provisions of this ordinance are substantially the same as previous provisions of the Rolling Hills Municipal Code, these sections shall be construed as continuations of those provisions and not as new enactments.

Section 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance or any part hereof is for any reason held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Rolling Hills hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid.

Section 6. California Environmental Quality Act. The City Council finds that this ordinance is not a project within the meaning of Section 15378 of the California Environmental Quality Act ("CEQA") Guidelines because it has no potential for resulting in physical change to the environment. Most of the terms of the building standards adopted herein are dictated by the California Buildings Standards Code and county amendments to the state standards only make those modifications necessary for local regional conditions which are at least as protective of the environment as the state codes. City-specific amendments are limited to creating administrative processes for local enforcement of the state building standards. Alternatively, even if the ordinance is a project within the meaning of CEQA, its adoption is exempt from CEQA under the general rule that CEQA only applies to projects that may cause significant adverse effects on the environment. CEQA Guideline section 15061(b)(3). As this ordinance is largely administrative in nature, there is no possibility that the City's action would adversely affect the environment in any manner that could be significant.

Section 7. Urgency Ordinance. The unamended California Building Standards Code, 2022 Edition, will become effective within the City on January 1, 2023. The City is currently in the process of adopting, with local amendments by regular ordinance, the Los Angeles County Code incorporating the California Building Standards Code, 2022 Edition. Such regular ordinance will not be effective by January 1, 2023. To ensure that the amendments are in effect from the effective date of the California Building Standards Code through the effective date of the City's regular ordinance, the City Council wishes to adopt this Urgency Ordinance. The City Council finds that this Urgency Ordinance is necessary to promote the immediate preservation of the public peace, health, and safety by ensuring that the California Building Standards Code and the City's amendments to this code are effective upon the effective date of the amended California Building Standards Code.

Section 8. Effective Date. This Ordinance shall take effect January 1, 2023. This Urgency Ordinance was adopted by the necessary four-fifths vote of the members of the City Council pursuant to California Government Code Sections 36934 and 36937.

PASSED, APPROVED, AND ADOPTED this __ day of _____, 2022.

_____
MAYOR

ATTEST

City Clerk

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

MARK PESTRELLA, Director

RECEIVED
OCT 29 2022
City of Rolling Hills
By _____

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: B-0

October 24, 2022

Ms. Yolanta Schwartz
Planning Director
2 Portuguese Bend Road
Rolling Hills, CA 90274

Dear Ms.Schwartz:

2023 LOS ANGELES COUNTY BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, RESIDENTIAL, GREEN BUILDING STANDARDS, AND EXISTING BUILDING CODES

The County of Los Angeles Board of Supervisors will consider seven ordinances to adopt the 2022 State of California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes as amended, on November 15, 2022, and if approved will be effective in the unincorporated areas of the County on January 1, 2023.

The County, your City, and other local jurisdictions may amend the Building Standards Code adopted by the State to establish more restrictive building standards provided that the amendments are reasonably necessary because of local climatic, geological, and/or topographic conditions.

The primary source for the County amendments to this code has been the Los Angeles Basin Chapter of the International Code Council, which represents 88 cities and the County of Los Angeles. The Los Angeles Basin Chapter took the lead in reviewing the 2022 California Building, Residential, and Green Building Standards Codes and previous amendments that were developed by the Los Angeles Regional Uniform Code Program in 2019 to determine which amendments are essential for our region based on our specific needs. This effort ensures conformity and consistency among all local jurisdictions that will help designers, developers, and the public at large in having one set of local amendments.

The ordinances will also re-adopt the mandatory repair and retrofit programs contained in Chapters 94, 95, and 96 of Title 26 of the County Code. If adopted by your City, these programs could require repair or retrofit of existing city- and privately-owned buildings within your jurisdiction. Your City should consider whether these programs are appropriate for your specific jurisdiction prior to adopting Title 26 of the County Code, Chapters 94, 95, and 96.

Title 33 of the County Code is the Existing Building Code which sets forth regulations for existing buildings and structures. Appendix A4 of the Existing Building Code will be adopted by the County and will provide a code compliant design method for building owners who opt to voluntarily improve soft or weak story conditions in residential occupancies. To emphasize, Appendix A4 will not be a mandatory retrofit provision, only a voluntary provision.

The County is adopting Appendix AQ to Title 30 of the County Code, the Residential Code. Appendix AQ, Tiny Houses, provides flexibility to certain life-safety provisions to promote the construction of smaller dwellings.

The County is adopting a voluntary appendix to Title 26 and Title 30 of the County Code to establish Emergency Housing provisions. Appendices P and AZ of the Building Code and Residential Code, respectively, provide requirements for emergency housing and emergency housing facilities that are occupied during a declaration of state of emergency, local emergency, or shelter crisis. Since these appendices are not mandatory, your City may opt to not adopt them.

The County is adding an amendment to Title 27 of the County Code, the Electrical Code, which will require new one- and two-family dwellings to include the capacity on the service panel for the future installation of an energy storage system. This will allow owners to more easily install a storage system in the future. The purpose of this amendment is to capitalize on opportunities to create energy self-sufficient communities.

We encourage your City to become familiar with the California Green Building Standards Code (CALGreen) and to contemplate the need for any desired amendments to reflect local conditions within the City. To assist in this effort, we have a summary of CALGreen code changes, as well as a comparison to the additional local amendments effective in the unincorporated areas of the County.

Our Building and Safety Division Office Managers and staff are available to assist you as your City prepares your ordinances for adoption. Please note that any local amendments to the California Building Standards Code authored by the City shall comply with Health and Safety Code Sections 17958 and 18941.5 and include the necessary findings.

Ordinances, the summary of the CALGreen code changes, and supporting documents are available for download at http://dpw.lacounty.gov/bsd/rds Username: COOR Password: cORDs13!

If you would like further assistance in the adoption of these Codes, please contact Mr. Razmig Shamim of our Building and Safety Research Section at (626) 458-6388.

Very truly yours,

MARK PESTRELLA, PE
Director of Public Works

JUAN MADRIGAL
Assistant Deputy Director
Building and Safety

RS:ts
P:\BSPUB\ADMIN\LETTERS\2022\2023 LA COUNTY LTR TO CITIES.DOCX

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 12.A
Mtg. Date: 12/13/2022

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **VANESSA HEVENER, SENIOR MANAGEMENT ANALYST**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **RECEIVE FEEDBACK FROM CALWATER, COUNTY OF LOS ANGELES FIRE DEPARTMENT, AND PALOS VERDES PENINSULA UNIFIED SCHOOL DISTRICT ON THE OUTDOOR SIREN PROJECT, AND APPROVE THE THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH HQE SYSTEMS IN THE AMOUNT OF $4,195**

DATE: **December 13, 2022**

BACKGROUND:
In Fiscal Years 2019-2020 and 2020-2021, the City Council provided funding for the Block Captain Program to investigate communication platforms in the event of complete power failure in the community. The Block Captains and City staff used funds to purchase two-way radios and when the handheld radio option proved to be ineffective, a Request for Proposal (RFP) was issued in February 2021 to solicit proposals on other communication systems. The City received one proposal from HQE Systems, Inc. (HQE).

On April 26, 2021, Staff recommended that City Council engage the services of HQE. The City Council directed Councilmember Pieper to work with Staff to better understand the evolution of the communication project and the scope of the feasibility study. As directed, Staff met with Councilmember Pieper on four occasions: May 20, 2021, July 15, 2021, July 23, 2021 and August 12, 2021. Some of the meetings with Councilmember Pieper included the Lead Block Captains Arlene and Gene Honbo. Staff also worked with Project Manager Alan Palermo and HQE to provide technical information requested by Councilmember Pieper. The Lead Block Captains, along with members of the Block Captains were in support of a feasibility study. The City Council approved a Professional Services Agreement (PSA) with HQE to prepare a feasibility study that would identify the hardware, location of the hardware, software, system integration, and a detailed cost estimate to install a siren system for the community.

At the January 10, 2022, City Council meeting Staff presented the final Feasibility Study and recommended to City Council to conduct a community survey to gauge interest for an outdoor siren system. In review of the Feasibility Study, the City Council requested information relating to the annual maintenance cost of the proposed outdoor siren system. The City Council also requested a street level map of Solution A and Solution B presented in the Feasibility Study.

On March 14, 2022, the City Council unanimously voted to amend the PSA with HQE allocating an additional not to exceed $3,500 to investigate potential co-location sites of the poles. On June 16, 2022, HQE Staff and Block Captain Leads Arlene and Gene Honbo conducted a site visit at the Main Gate, Crest Gate, Eastfield Gate and the Radar Station. In early July, HQE submitted the revised Feasibility Study that included two additional options: Solution C included the three gates and FAA Radar Station and Solution D included only the three gates.

At the August 8, 2022, City Council meeting, Staff presented potential site locations and to consider Solution D. HQE representatives were present to answer questions from Council and members of the public. HQE informed City Council that they had completed the remaining tasks of the Feasibility Study at no cost to the City, a savings of $22,814 and invited the Council to observe a demonstration of the proposed system, if desired. City Council directed Staff to seek approval from the Rolling Hills Community Association to place the siren poles at the three gate locations.

On September 1, 2022, Staff and Councilmember Mirsch attended a demonstration of the proposed outdoor siren system equipment at HQE headquarters. The demonstration included a tour of their facility where manufacturing of the equipment was conducted in-house and a demonstration simulated a test warning that would be sent out in case of an emergency. The equipment used consisted of a single 4' speaker mounted on a pole 25 feet above ground (for Rolling Hills, there would be 4-4' speakers mounted 50 feet above ground at each gate). The quality of the intelligible voice was clear and could be easily heard. The speakers could be adjusted to rotate a few degrees at a time through the use of a software application to ensure the best sound coverage.

In our discussion with HQE, it was conveyed that they were recently awarded a contract with the City of Paradise to install 21 poles and are in the process of installing them.

On September 1, 2022, Staff also attended the Rolling Hills Community Association (RHCA) Board meeting. Per Council direction, the City Manager asked that the RHCA Manager present to the Board of Directors the City's request to place the siren poles at the three gatehouse locations. During that meeting, the City's question was not presented as requested. As a result, the Board of Directors began asking questions with respect to public safety, an area outside the purview of the RHCA. The Board of Directors ultimately did not discuss the City's request to place siren poles at the three gates. Instead, the Board of Directors requested that the RHCA Manager meet with City Staff and that the RHCA Liaisons meet with the City Council Subcommittee to discuss why the Board of Directors were not informed of the project, if the project was warranted, and concerns relating to only having one proposer submit a proposal for the project.

In addition, per Council direction, Staff reached out to the five homes adjacent to the three gates to inform them of the project. Two residences were in support, one was opposed, and the other two did not respond.

At the September 12, 2022 City Council meeting, the City Council directed the Subcommittee members to follow up with their counterparts at RHCA. On September 15, 2022, Staff made a presentation at the Rolling Hills Community Association Board meeting requesting an approval to place the siren system at the three gates. The RHCA Board expressed concerns about the

health of the guard attendants who would be exposed to high levels of sound emitting from the sirens, interference with the operations of the guardhouses, and aesthetics and noise impacts on residents. The RHCA Board ultimately voted to not support the the City's request of placing the siren system at the gates.

Following the RHCA Board meeting, Staff contacted HQE to seek additional information on noise levels that could be heard at the base of the poles. Based on HQE's response, the speakers will emit up to 124 decibels 50' above ground; however, at the base of the pole, the decibel is 90 or equivalent to a hairdryer. Included in the packet is additional information on sound prepared by HQE.

At the September 26, 2022 City Council meeting, the City Council directed Staff to do the following:

- seek input from the First Responders on usage scenarios when the siren system is deployed for evacuation and non-evacuation purposes and system with voice capability vs siren only
- obtain information on easement requirements from the Rolling Hills Community Association

Staff contacted Los Angeles County Fire Department Chief Bennett and Los Angeles County Sheriff's Department Captain Powers to seek their input on the proposed usage scenarios and whether siren only system or a system with siren tone and intelligible voice would be the preferred option. Based on feedback received from the First Responders, their preferred option is the combined siren tone and intelligible voice because it could provide information to residents that are comprehensible regardless of the scenario (e.g., shelter in Place or mandatory evacuation). Staff has also created a flow chart to activate the siren.

In addition, on September 28, 2022, Staff submitted a letter to the RHCA requesting easement requirements for siting of poles at locations identified in Solution A and Solution B in easements held by RHCA with a response date of October 6, 2022. It is important to note that RHCA staff was present when pole locations were identified in Solution A and Solution B.

At the October 6, 2022 RHCA Board meeting, the Board discussed the item and requested that the City follow these procedures:

1. Obtain permission from the owner of the property where the siren will be placed,
2. Submit a written request to the Board for a license(s) to use the Association easement for Board review and approval. The request should include:
    - Site plan with the location of the pole and any ground mounted equipment indicated,
    - Specifications of the height and size of the pole and any pole mounted equipment

Site plans should include property and easement lines, edge of pavement and property address. If the license is approved by the Board, the City would be responsible for legal and recording fees incurred for the license agreement(s). RHCA would waive fees for excavation permits.

Per Council direction, the pole locations are identified based on the "Outdoor Siren Location-Street Level" prepared by HQE:

Solution A - Proposed Pole Locations

- Siren A-1: On Blackwater Canyon Trail (behind 13 Portuguese Bend Rd) between Lower Blackwater Canyon Rd and Portuguese Bend Road
- Siren A-2: In front of 9 Upper Black Canyon Rd
- Siren A-3: In front of 57 Saddleback Rd
- Siren A-4: On Storm's Ridge Trail/Buggy Whip Trail (near 4 Storm Hill Ln)
- Siren A-5: In the canyon behind 4 Possum Ridge Road
- Siren A-6: Near 4 Poppy Trail
- Siren A-7: In the canyon behind 1 Hackamore Rd
- Siren A-8: Near 74 Portuguese Bend Rd
- Siren A-9: On Crest Rd East (near 63 Crest Road East)

Solution B- Proposed Pole Locations

- Siren B-1: On Pine Tree Lane (adjacent to 10 Pine Tree Ln)
- Siren B-2: Corner of Portuguese Bend Road and Fuld's Furlong Trail
- Siren B-3: In the canyon on Crest Road East (east of 38 Crest Road East)

Based on the discussion from the October 10, 2022 City Council meeting, Staff was directed to the do following:

- seek permission from CalWater to place 50' poles at their water facilities
- identify City properties where the poles could be placed

On October 19, 2022, Staff held a virtual meeting with CalWater representatives to discuss whether there is a possibility of installing poles in their three water facilities. CalWater representatives were open to the discussion and asked that the City provide additional information such as the specification of poles to be installed, length of access needed at their facilities, and any electronic equipment placed on poles. The requested information will assist CalWater to determine if the proposed poles would interfere with their current operations and/or any future planned activities at their sites. It may take up to the end of this year or early next year for CalWater to decide if their sites are viable options to install the poles.

HQE has been a generous partner with the City in providing additional information requested by Staff without receiving additional compensation. Given the new locations to investigate, it was necessary to obtain another proposal from HQE in order to conduct a site survey, perform a sound propagation analysis, provide systems option and cost to provide technical support to third-party entities. HQE submitted a proposal in the amount of $6,095 to evaluate up to four sites and correspond directly with CalWater on behalf of the City on technical matters.

At the October 24, 2022 City Council meeting, the City Council directed staff to engage the services of HQE to provide technical support in conversations with CalWater for $1,900.

To keep the community informed of the outdoor siren project, the City published a Special Blue Newsletter on October 27, 2022 identifying the proposed ten sites with the disclaimer that the final locations were not confirmed.

On October 28, 2022, Staff, HQE, and CalWater representatives held a follow-up meeting to discuss the proposed locations, specification of poles to be installed, length of access needed at their facilities, and any electronic equipment placed on poles. During the meeting, CalWater eliminated the following facilities for consideration due to space constraints: CalWater

Reservoir #12, 23 Portuguese Bend (Water Tank Trail/Black Water Cayon/Tallyhand Rd), CalWater on Sunnyridge Rd in unincorporated LA County and tentatively allowed the possibility of installations of poles at the CalWater Reservoir #22 on Spur Lane and at 3960 Crest Road upon further review by various CalWater departments. On November 1, 2022, with assistance from HQE, Staff submitted the requested document to CalWater for their review. Staff anticipates to receive a response from CalWater in the next two weeks to determine if any follow-up steps are warranted.

Subsequent to that meeting, the City published another Special Blue Newsletter on November 3, 2022, updating the residents of promising news in which CalWater had tentatively allowed two facilities as possible sites for the installation of siren poles. Following that publication, Mr. Frederick Lorig submitted an email on November 7, 2022 to Staff and the City Council to express his concerns.

At the November 14, 2022 City Council meeting, the City Council directed Staff to eliminate the CalWater facility on Spur Lane and look into two other locations: Fire Station 56 and Rancho del Mar High School, located at 12 and 38 Crest Road West.

DISCUSSION:
On December 5, 2022, Staff, HQE and representatives from CalWater, Los Angeles County Fire Department, and Palos Verdes Peninsula Unified School District conducted separate consultation visits at the three proposed sites to assess the properties and answer questions from the respective agencies. All three agencies were in support of having the poles placed at their properties and were open to assisting the City with its outdoor siren project. Attached are photos taken during the consultation visits showing possible siren installation location at each of the properties.

At present, there are a total of eight possible locations for consideration where siren system could be installed: four City owned properties, CalWater facility on 3960 Crest Road East, the Crest Road East Gate, Fire Station 56 and the Rancho del Mar High School (attached map). HQE has indicated that an effective siren system could be designed with up to four locations and any of the eight potential sites could function in that capacity.

Continuing the discussion from the October 24, 2022 City Council, Staff is recommending the approval of the additional work outlined in the attached HQE proposal in the amount of $4,195 to perform a sound propagation analysis, and provide systems option for up to four locations.

FISCAL IMPACT:
There is sufficient funding in Fiscal Year 2022-2023 Capital Improvement Project (CIP).

RECOMMENDATION:
Receive and file; approve the Third Amendment to Professional Services Agreement with HQE Systems in the amount of $4,195

ATTACHMENTS:
CL_AGN_221213_CC_PSA_HQE_Amendment03.pdf
CL_AGN_221024_CC_ScopeOfWork2_HQE 221020.pdf
CL-AGN_221213_Siren Locations_rv221201.pdf
CL_AGN_221213_SiteSurveys.pdf

THIRD AMENDMENT TO
PROFESSIONAL SERVICES AGREEMENT

THIS THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT ("Third Amendment") is made and entered into this 13th day of December, 2022, by and between the CITY OF ROLLING HILLS, a California municipal corporation (hereinafter the "CITY"), and HQE Systems, Inc., a California corporation with its principal office at 42075 Remington Avenue, Suite #109, Temecula, California 92590 (hereinafter the "CONSULTANT"). CITY and CONSULTANT are sometimes referred to in this Third Amendment individually as a "Party" and collectively as the "Parties."

RECITALS

A. CITY and CONSULTANT have entered into that certain Professional Services Agreement for Emergency Communications System services last executed on August 26, 2021 (the "Agreement").

B. CITY and CONSULTANT are parties to the Agreement that was amended by the First Amendment to the Agreement dated April 11, 2022 ("the First Amendment") by which CITY engaged CONSULTANT to perform Supplemental Services, a fixed fee of Three Thousand Five Hundred ($3,500).

C. CITY and CONSULTANT are parties to the Agreement that was amended by the Second Amendment to the Agreement dated October 10, 2022 ("the Second Amendment") by which CITY engaged CONSULTANT to perform Supplemental Services, a fixed fee of One thousand nine hundred ($1,900).

D. The Parties now desire to amend the Agreement for a third time in order to extend the term, provide for additional services to be rendered by CONSULTANT, and provide for additional compensation to CONSULTANT ("Third Amendment") the additional compensation for the work contemplated by this Third Amendment shall not exceed $4,195.

Now, therefore, for and in consideration of the mutual covenants and conditions herein contained, CITY and CONSULTANT agree the following terms, as set forth in this Third Amendment.

1. Section 2 "Scope of Work" of the Agreement is amended to read as follows:

CONSULTANT shall provide the services described in the Scope of Services attached to the Agreement as Exhibit A and incorporated therein by reference. CONSULTANT shall also provide the following supplemental services ("Supplemental Services"):

Conduct site survey (up to 4 sites), Sound Propagation Analysis of the sites (up to 4 sites), and Proposed Systems Option (up to 4 sites)

The term of the Agreement shall be from August 26, 2021 to August 26, 2023 unless terminated sooner pursuant to the provisions of this Agreement. Such term may be extended upon written agreement of both CITY and CONSULTANT.

2. Section 3 "Cost" of the Agreement is amended to read as follows:

The CITY agrees to pay CONSULTANT for the Scope of Services attached to the Agreement as Exhibit A and incorporated therein by reference, a fixed fee of Three Thousand Two Hundred Eighty Dollars ($3,280). The CITY agrees to pay CONSULTANT for the Supplemental Services, a fixed fee of Three Thousand Five Hundred Dollars ($3,500). The CITY agrees to pay CONSULTANT for the Supplemental Services, a fixed fee of One thousand nine hundred ($1,900). The CITY agrees to pay CONSULTANT for the Supplemental Services, a fixed fee of Four thousand one hundred ninety five ($4,195). These amounts include the cost for the services and all expenses, travel and mileage, attendance at meetings, and reimbursable expenses.

3. Section 4 "Method of Payment" of the Agreement is amended to read as follows:

Upon full execution of the Agreement and this Third Amendment, CONSULTANT shall submit an invoice in duplicate and addressed to the CITY OF ROLLING HILLS, CITY MANAGER, 2 Portuguese Bend Road, Rolling Hills, CA 90274. CITY shall remit payment for the Services within fourteen (14 days) of receiving the invoices.

4. Except as amended by this Third Amendment, all provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the date and year first written above.

CITY OF ROLLING HILLS **HQE SYSTEMS, INC.**

_____ _____

ELAINE JENG, City Manager QAIS ALKURDI, Chief Executive Officer

ATTEST:

_____

CHRISTIAN HORVATH, City Clerk

APPROVED AS TO FORM:

_____
MICHAEL JENKINS
CITY ATTORNEY

Estimate

From

HQE Systems, Inc.
27419 Via Industria
Temecula, CA 92590
1 (800) 967-3036

Estimate For **City of Rolling Hills, CA**

Estimate Id **RHCA - 4231**

Issue Date 10/12/2022

Subject City of Rolling Hills - Feasibility Study

Item Type	Description	Quantity	Unit Price	Amount
Services	**Feasibility Study** Outdoor Mass Notification systems to include a site survey (up to 4 sites), Sound Propagation Analysis of the sites (up to 4 sites), and Proposed Systems Option (up to 4 sites)	1.00	$4,195.00	**$4,195.00**
	Coordination and technical support with any 3rd party organizations. Up to 20 hours.	1.00	$1,900.00	$1,900.00

Estimate Total $6,095.00

Notes

Prices are firm until expiration date above unless shown otherwise. Upon acceptance, prices are firm for 30 days. This quotation is expressly subject to acceptance by Buyer of all Terms stated in the attached Terms document, and any exception to or modification of such Terms shall not be binding on Seller unless expressly accepted in writing by an authorized agent or Officer of Seller. Any order submitted to Seller on the basis set forth above, in whole or in part, shall constitute an acceptance by Buyer of the Terms. Any such order shall be subject to acceptance by Seller in its discretion. If the total price for the items set forth above exceeds $50,000 then this quotation IS ONLY VALID if countersigned below by a representative of HQE Systems, Inc.. Installation is not included unless specifically quoted as a line item above. See attached Terms sheet.

Payment Terms: Prior to Shipment

Quote Approved by: _____ Date: _____

VETERAN OWNED
HQE SYSTEMS

Estimate

From
HQE Systems, Inc.
27419 Via Industria
Temecula, CA 92590
1 (800) 967-3036

Estimate For **City of Rolling Hills, CA**

Estimate Id **RHCA - 4231**

Issue Date 10/12/2022

Subject City of Rolling Hills - Feasibility Study

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	Coordination and technical support with any 3rd party organizations. Up to 20 hours.	1.00	$1,900.00	$1,900.00

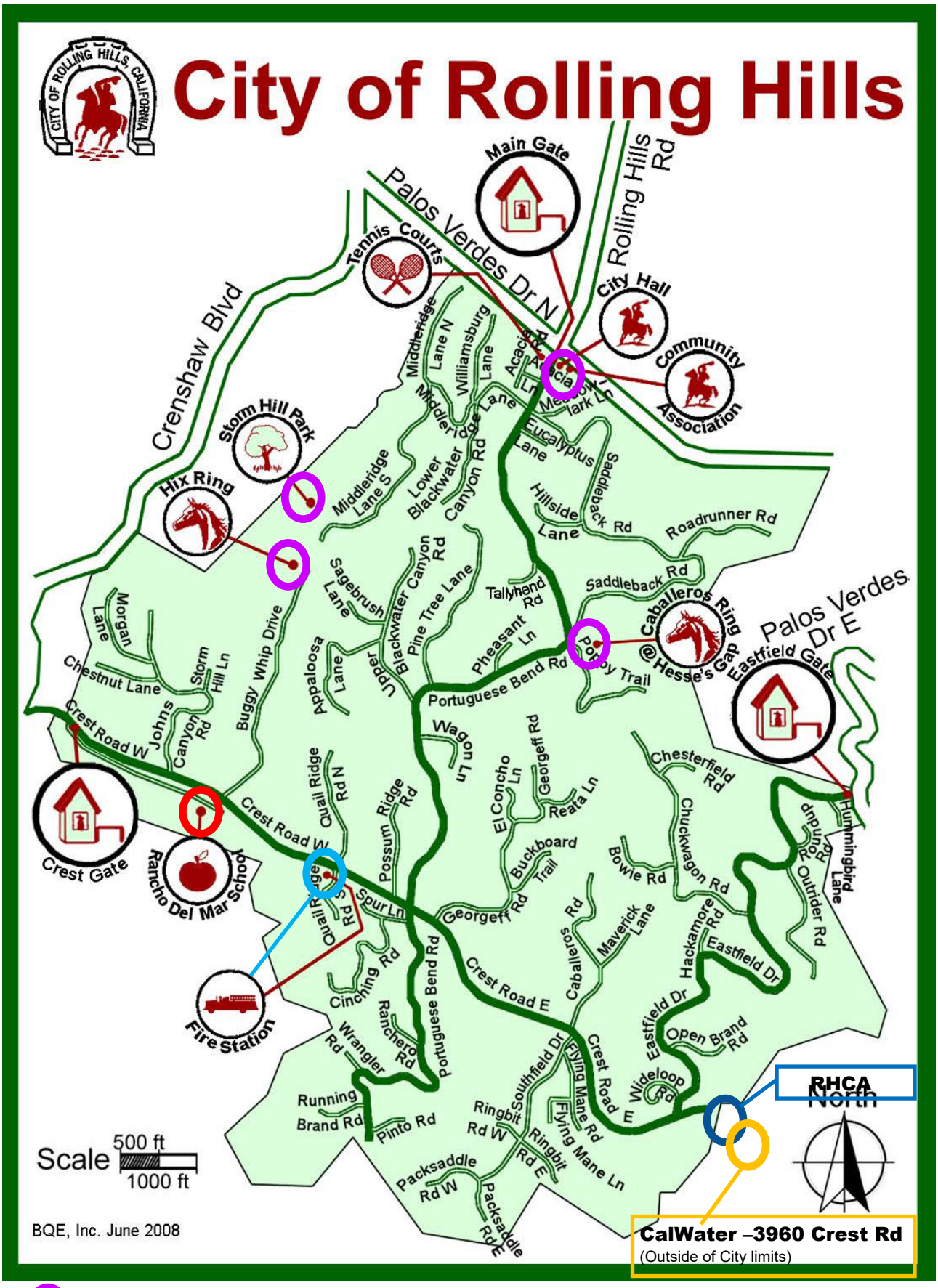
Estimate Total $6,095.00

Notes

Prices are firm until expiration date above unless shown otherwise. Upon acceptance, prices are firm for 30 days. This quotation is expressly subject to acceptance by Buyer of all Terms stated in the attached Terms document, and any exception to or modification of such Terms shall not be binding on Seller unless expressly accepted in writing by an authorized agent or Officer of Seller. Any order submitted to Seller on the basis set forth above, in whole or in part, shall constitute an acceptance by Buyer of the Terms. Any such order shall be subject to acceptance by Seller in its discretion. If the total price for the items set forth above exceeds $50,000 then this quotation IS ONLY VALID if countersigned below by a representative of HQE Systems, Inc.. Installation is not included unless specifically quoted as a line item above. See attached Terms sheet.

Payment Terms: Prior to Shipment

Quote Approved by: _____ Date: _____



4 City Properties 1 CalWater Facility

1 RHCA Crest Rd East Gate 1 Fire Station 56 1 PVPUSD—Rancho del Mar

Fire Station 56 (12 Crest Road West)







CalWater Facility (3960 Crest Road East)







Rancho del Mar High School (38 Crest Road West)





