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 | **Monday, August 12, 2024** | **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. 1372 *Next Ordinance No. 385*

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS/PROCLAMATIONS/ANNOUNCEMENTS

5. APPROVE ORDER OF THE AGENDA

This is the appropriate time for the Mayor or Councilmembers to approve the agenda as is or reorder.

6. 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.

7. 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.*

8. 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.

8.A. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF AUGUST 12, 2024

RECOMMENDATION: Approve.
CL_AGN_240812_CC_AffidavitofPosting.pdf

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

8.C. APPROVE THE FOLLOWING CITY COUNCIL MINUTES: JULY 22, 2024 REGULAR MEETING
RECOMMENDATION: Approve as presented.
CL_MIN_240722_CC_F.pdf

8.D. PAYMENT OF BILLS
RECOMMENDATION: Approve as presented.
CL_AGN_240812_CC_PaymentOfBills.pdf

8.E. REPUBLIC SERVICES RECYCLING TONNAGE AND COMPLAINT REPORTS FOR JUNE 2024
RECOMMENDATION: Receive and file.
VC_REP_240722_June_YTD_TonnageReport.pdf
VC_REP_240722_June_C&D_Report.pdf
VC_REP_240722_June_RedTagReport.pdf
VC_REP_240722_June_CallLog_Redacted.pdf
VC_REP_240724_June_ComplaintsList2024_Redacted.pdf

9. EXCLUDED CONSENT CALENDAR ITEMS

10. COMMISSION ITEMS

11. PUBLIC HEARINGS

11.A. ZONING CASE NO. 23-070: SITE PLAN REVIEW TO DEVELOP A VACANT LOT INCLUDING NON-EXEMPT GRADING AND THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE WITH BASEMENT, RETAINING WALLS EXCEEDING A HEIGHT OF 3 FEET (UP TO A MAXIMUM HEIGHT OF 5 FEET), DRIVEWAY WITH PORTIONS THAT EXCEED A WIDTH OF 20 FEET, AND OTHER IMPROVEMENTS; CONDITIONAL USE PERMITS FOR CONSTRUCTION OF A STABLE, CORRAL, DETACHED TRELLIS, AND GUEST HOUSE; AND VARIANCES TO ALLOW THE STABLE, CORRAL, SWIMMING POOL, AND RETAINING WALLS TO ENCROACH INTO THE FRONT YARD, ALLOW A PORTION OF THE CORRAL TO ENCROACH INTO THE FRONT YARD SETBACK, CONSTRUCT RETAINING WALLS EXCEEDING THE MAXIMUM AVERAGE HEIGHT OF TWO-AND-ONE-HALF FEET, CONSTRUCT A BASEMENT WITH A PORTION EXTENDING BEYOND THE BUILDING WALLS OF THE RESIDENCE, CONSTRUCT DECKS/PATIOS MORE THAN ONE FOOT ABOVE GRADE, AND ALLOW GRADING EXPORT FOR A PROPERTY LOCATED AT 23 CREST ROAD EAST, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LOT 132A-MS) (OGASAWARA)

RECOMMENDATION: Open the public hearing, take public testimony, and provide direction to staff and the applicant. A resolution is provided in case the City Council wishes to approve the project with conditions (Attachment 11).

Attachment 1A: PL_ADR_240711_23CRE_RadiusMap_VicinityMap_Google.pdf
Attachment 1B: PL_ADR_23CrestRdE_ZC23-070_ProximityMap.pdf
Attachment 2: PL_ADR_240607_23CrestRdE_ZC23-070_DevelopmentTable.pdf
Attachment 3: 2024-06_PC_Resolution_23CrestRoadE_ZC23-070_F_E.pdf
Attachment 4: 240613_23 Crest Road East_ZC23-070_PhotosForCCAgenda.pdf
Attachment 5A: PL_ADR_240118_23CrestRdE_ZC23-070_CopyofEmailfromResidents17CRE_01.17.24.pdf
Attachment 5B: PL_ADR_240521_23CrestRdE_ZC23-070_EmailfromPaulHuh.pdf
Attachment 6: Attachment06_LandscapeReviewComments_23CrestRoadEast (ZC23-070)
Attachment7: 240605_Comparison_Table_23_Crest_Road_East_CCMeeting_8.12.pdf
Attachment 8: PL_ADR_23CrestRdE_ZC23-070_StaffReports_CC240812_GradingBreakdown.pdf
Attachment 9: 240605_ChangeLog_23 Crest Road East_CCMeeting_8.12.pdf
Attachment 10: CL_PBN_240812_PH_CC_23CrestRdE_ZC23-070_Affidavit.pdf
Attachment 11: ResolutionNo1376_23CrestRoadE_ZC23-070_F.pdf
Attachment 12: PL_ADR_23CrestRdE_ZC23-070_240715_Plans_9thSubmittal_CCMeeting7.22.24.pdf

11.B. A HEARING REGARDING A NUISANCE ABATEMENT AT 6 SADDLEBACK ROAD (LOT 18-RH), AND CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DECLARING THE CONDITION OF THE PROPERTY TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT THEREOF

RECOMMENDATION:

Open the public hearing, consider all testimony and, upon consideration of the evidence, adopt Resolution No. 1375 declaring the condition to constitute a public nuisance and ordering the abatement thereof.

Attachment 1: CE_ADD_6SaddlebackRd_Letters_240229_NOV_FirstNotice.pdf
Attachment 2: CE_ADD_6SaddlebackRd_Letters_240319_NOV_SecondNotice.pdf
Attachment 3: CE_ADD_6SaddlebackRd_240515_ComplianceDemandLetter_BBK_attorney.pdf
Attachment 4: CE_ADD_6SaddlebackRd_240711_Notice_to_Abate.pdf
Attachment 5: ResolutionNo1375_6SaddlebackRd_NoticeToAbate_F.pdf

12. OLD BUSINESS

13. NEW BUSINESS

13.A. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH S&K CONSULTING SERVICES TO PROVIDE AN ENGINEERING DESIGN FOR CONSTRUCTION OF A DUAL-FUEL EMERGENCY GENERATOR ON THE CITY HALL CAMPUS AT A NOT-TO-EXCEED FEE OF $54,879

RECOMMENDATION: Approve as presented.

CA_AGR_240812_S&K_DualFuelGenerator_Design_F

14. MATTERS FROM THE CITY COUNCIL

14.A. CONSIDERATION AND POSSIBLE ACTION AUTHORIZING THE MAYOR TO SIGN A LETTER IN OPPOSITION TO SENATE BILL 610 (WIENER), FIRE PREVENTION AND LOCAL DISCRETIONAL REVIEW.

RECOMMENDATION: Authorize the Mayor to sign a letter opposing Senate Bill 610 (Wiener), Fire Prevention, and Local Discretional Review, and if significant amendments are made to the Bill, authorize staff to work with the mayor to update the letter.

Attachment A - DRAFT SB 610 Letter of Opposition.pdf
ATTACHMENT B - SB 610 Coalition Opposition Fact Sheet.pdf
ATTACHMENT C - SB 610 Wiener Fact Sheet 6.14 2024.pdf
ATTACHMENT D - SB 610 Letter of Opposition_City of Santa Rosa.pdf
Attachment E - California Legislature SB 610-Amended.pdf

15. MATTERS FROM STAFF

15.A. RECEIVE AND FILE FIRE FUEL ABATEMENT AND CODE ENFORCEMENT QUARTERLY REPORT FOR THE SECOND QUARTER OF 2024 (APRIL 1 TO JUNE 30)

RECOMMENDATION: Receive and file.

ATTACHMENT 1: CE_QRP_2024_Q2_240812_CC_CE_ClosedCases.pdf
ATTACHMENT 2: CE_QRP_2024_Q2_240812_CC_CE_OpenedCases.pdf
ATTACHMENT 3: CE_QRP_2024_Q2_240812_CC_CE_AllOpenCases.pdf

16. RECESS TO CLOSED SESSION

16.A. CONFERENCE WITH LEGAL COUNSEL: THREATENED LITIGATION GOVERNMENT CODE SECTION 54956.9(D)(2) AND (E)(3)THE CITY COUNCIL FINDS, BASED ON ADVICE FROM LEGAL COUNSEL, THAT DISCUSSION IN OPEN SESSION WILL PREJUDICE THE POSITION OF THE CITY IN THE LITIGATION.NUMBER OF POTENTIAL CASES: (21)(GOVERNMENT CLAIMS ACT FORM SUBMITTED BY VARIOUS PROPERTY OWNERS IN RANCHO PALOS VERDES AGAINST THE CITY OF ROLLING HILLS ALLEGING DAMAGE TO PROPERTY)

RECOMMENDATION: None.

16.B. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION A CLOSED SESSION WILL BE HELD, PURSUANT TO GOVERNMENT CODE SECTION 54956.9(C) AND (D)(4) REGARDING THE DECISION OF WHETHER TO INITIATE LITIGATION (1 CASE)

RECOMMENDATION: None.

17. RECONVENE TO OPEN SESSION

18. ADJOURNMENT

Next regular meeting: Monday, August 26, 2024 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.

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 8.A
Mtg. Date: 08/12/2024

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

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

THRU: **KARINA BAÑALES, CITY MANAGER**

SUBJECT: **APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF AUGUST 12, 2024**

DATE: **August 12, 2024**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve.

ATTACHMENTS:
CL_AGN_240812_CC_AffidavitofPosting.pdf

Administrative Report

8.A., **File #** 2366 **Meeting Date**: 8/12/2024

To: MAYOR & CITY COUNCIL

From: Christian Horvath, City Clerk

TITLE

APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL ADJOURNED REGULAR MEETING OF AUGUST 12, 2024

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	Adjourned 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	AUGUST 12, 2024 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: August 9, 2024

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 8.B
Mtg. Date: 08/12/2024

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

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

THRU: **KARINA BAÑALES, CITY MANAGER**

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

DATE: **August 12, 2024**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve.

ATTACHMENTS:

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 8.C
Mtg. Date: 08/12/2024

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

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

THRU: **KARINA BAÑALES, CITY MANAGER**

SUBJECT: **APPROVE THE FOLLOWING CITY COUNCIL MINUTES: JULY 22, 2024 REGULAR MEETING**

DATE: **August 12, 2024**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve as presented.

ATTACHMENTS:
CL_MIN_240722_CC_F.pdf

Minutes
Rolling Hills City Council
Monday, July 22, 2024
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 7:04 p.m. Mayor Mirsch presiding.

2. ROLL CALL

Councilmembers Present:	Wilson, Black, Dieringer, Pieper, Mayor Mirsch
Councilmembers Absent:	None
Staff Present:	Karina Bañales, City Manager
	Christian Horvath, City Clerk / Executive Assistant to the City Manager
	John Signo, Planning & Community Services Director
	Robert Samario, Finance Operations Lead Consultant
	Pat Donegan, City Attorney

3. PLEDGE OF ALLEGIANCE – Councilmember Dieringer

4. PRESENTATIONS / PROCLAMATIONS / ANNOUNCEMENTS – NONE

5. APPROVE ORDER OF THE AGENDA

Mayor Mirsch requested moving item 13A after Consent Calendar, then recessing to closed session for Item 16A and after reconvening, returning to Item 10. Without objection, so ordered.

6. BLUE FOLDER ITEMS (SUPPLEMENTAL) – NONE

7. PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment: Jim Aichele, Alfred Visco

8. CONSENT CALENDAR

8.A. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF JULY 22, 2024

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

8.C. APPROVE THE FOLLOWING CITY COUNCIL MINUTES: JULY 8, 2024 REGULAR MEETING

8.D. PAYMENT OF BILLS

8.E. DESIGNATE VOTING DELEGATE AND ALTERNATE VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE FROM OCTOBER 16-18 TO BE HELD IN LONG BEACH, CA

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

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

9. EXCLUDED CONSENT CALENDAR ITEMS – NONE

Mayor Mirsch moved to New Business.

13. NEW BUSINESS

13.A. APPROVE THE FOURTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH LSL, LLC TO PROVIDE FINANCIAL AUDIT SERVICES FOR THE FISCAL YEAR ENDED JUNE 30, 2024 FOR AN AMOUNT NOT-TO-EXCEED $31,950

Presentation by Finance Operations Lead Consultant Robert Samario

Motion by Councilmember Black, seconded by Mayor Pro Tem Pieper to approve as presented and modify the not-to-exceed amount to $26,950. Motion carried unanimously with the following vote:

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

Mayor Mirsch moved to Item 16A.

16. RECESS TO CLOSED SESSION – 7:26 P.M.

16.A. CONFERENCE WITH LEGAL COUNSEL: THREATENED LITIGATION GOVERNMENT CODE SECTION 54956.9(D)(2) AND (E)(3) THE CITY COUNCIL FINDS, BASED ON ADVICE FROM LEGAL COUNSEL, THAT DISCUSSION IN OPEN SESSION WILL PREJUDICE THE POSITION OF THE CITY IN THE LITIGATION. NUMBER OF POTENTIAL CASES: (7) (GOVERNMENT CLAIMS ACT FORM SUBMITTED BY VARIOUS PROPERTY OWNERS IN RANCHO PALOS VERDES AGAINST THE CITY OF ROLLING HILLS ALLEGING DAMAGE TO PROPERTY)

17. RECONVENE TO OPEN SESSION – 8:10 P.M.

Mayor Mirsch moved to Item 10.

10. COMMISSION ITEMS

10.A. ZONING CASE NO. 24-017: CONDITIONAL USE PERMIT FOR A DETACHED PERGOLA THAT EXCEEDS 200 SQUARE FEET; AND VARIANCES FOR A NEW SWIMMING POOL AND PERGOLA TO ENCROACH INTO THE FRONT YARD, AND POOL EQUIPMENT TO ENCROACH INTO THE SIDE YARD SETBACK LOCATED AT 9 OUTRIDER ROAD, ROLLING HILLS, CA 90274, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LOT 92-B-EF) (SONSTEIN)

Presentation by Planning & Community Services Director John Signo

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

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

10.B. ZONING CASE NO. 24-016: SITE PLAN REVIEW TO CONSTRUCT A NEW STABLE, NON-EXEMPT GRADING, RETAINING WALLS TO EXCEED 3 FEET (MAXIMUM 5 FEET HEIGHT), AND RELATED IMPROVEMENTS; CONDITIONAL USE PERMIT TO CONVERT AN EXISTING RECREATIONAL SPORTS COURT INTO AN EQUESTRIAN RIDING ARENA, AND FOR STABLE GREATER THAN 200 SQUARE FEET; AND VARIANCES FOR CONSTRUCTION OF A STABLE IN THE FRONT YARD, CORRAL IN THE FRONT AND SIDE YARD SETBACKS, IMPORT OF DIRT, AND TO EXCEED THE MAXIMUM 40% DISTURBED AREA FOR A PROPERTY LOCATED AT 1 MORGAN LANE AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LOT 170-1-MS) (HU)

Presentation by Planning & Community Services Director John Signo

Public Comment: David Mclewee, Alfred Visco

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

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

10.C. ZONING CASE 24-018: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A LOT LINE ADJUSTMENT BETWEEN FOUR PARCELS AT 1-4 STORM HILL LANE, AND DETERMINING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (APN 7570-024-019, 7570-024-020, 7570-024-021, AND 7570-024-024) (STORM PROPERTIES, INC.)

Councilmember Dieringer recused herself from the item and left the dais at 8:55 p.m.

Presentation by Planning & Community Services Director John Signo

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

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

Councilmember Dieringer returned the dais at 9:08 p.m.

10.D. ZONING CASE NO. 23-070: SITE PLAN REVIEW TO DEVELOP A VACANT LOT INCLUDING NON-EXEMPT GRADING AND THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE WITH BASEMENT, RETAINING WALLS EXCEEDING A HEIGHT OF 3 FEET (UP TO A MAXIMUM HEIGHT OF 5 FEET), DRIVEWAY WITH PORTIONS THAT EXCEED A WIDTH OF 20 FEET, AND OTHER IMPROVEMENTS; CONDITIONAL USE PERMITS FOR CONSTRUCTION OF A STABLE, CORRAL, DETACHED TRELLIS, AND GUEST HOUSE; AND VARIANCES TO ALLOW THE

STABLE, CORRAL, SWIMMING POOL, AND RETAINING WALLS TO ENCROACH INTO THE FRONT YARD, ALLOW A PORTION OF THE CORRAL TO ENCROACH INTO THE FRONT YARD SETBACK, CONSTRUCT RETAINING WALLS EXCEEDING THE MAXIMUM AVERAGE HEIGHT OF TWO-AND-ONE-HALF FEET, CONSTRUCT A BASEMENT WITH A PORTION EXTENDING BEYOND THE BUILDING WALLS OF THE RESIDENCE, CONSTRUCT DECKS/PATIOS MORE THAN ONE FOOT ABOVE GRADE, AND ALLOW GRADING EXPORT FOR A PROPERTY LOCATED AT 23 CREST ROAD EAST, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LOT 132A-MS) (OGASAWARA)

Presentation by Planning & Community Services Director John Signo

Public Comment: Charlie Raine, Mike Nash, David Ramis, Alfred Visco

Motion by Councilmember Wilson, seconded by Councilmember Black to take the project under the City Council's jurisdiction and set a public hearing for August 12, 2024. Motion carried unanimously with the following vote:

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

11. PUBLIC HEARINGS – NONE

12. OLD BUSINESS – NONE

14. MATTERS FROM THE CITY COUNCIL

Mayor Mirsch discussed concerns over SB 610 and requested staff research and return with a letter of opposition for Council consideration.

15. MATTERS FROM STAFF – NONE

16. RECESS TO CLOSED SESSION – 10:33 P.M.

16.B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) (ONE CASE): LETTER REGARDING BKK LANDFILL

17. RECONVENE TO OPEN SESSION – 10:44 P.M.

18. ADJOURNMENT: 10:44 P.M.

The meeting was adjourned at 10:44 p.m. on July 22, 2024. The next regular adjourned meeting of the City Council is scheduled to be held on Monday, August 12, 2024 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,

Leah Mirsch, Mayor

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 8.D
Mtg. Date: 08/12/2024

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

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

THRU: **KARINA BAÑALES, CITY MANAGER**

SUBJECT: **PAYMENT OF BILLS**

DATE: **August 12, 2024**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve as presented.

ATTACHMENTS:
CL_AGN_240812_CC_PaymentOfBills.pdf

CITY OF ROLLING HILLS
AP25-002, ACH25-002
Check Run 08/07/2024

Check No.	Check Date	Payee	Description	Amount
028671	8/7/2024	4Leaf, Inc.	Code Enforcement Services for June 2024	4,560.00
028672	8/7/2024	Alan Palermo Consulting	Jun 30 to Aug 3, 2024 Serv - ADA, Sewer, Siren,	2,186.25
028673	8/7/2024	Bennett Landscape	Landscape Maintenance Services for August 2024	1,139.67
028674	8/7/2024	Cell Business Equipment	Toner Freight Charge	50.00
028674	8/7/2024	Cell Business Equipment	Toner Freight Charges	32.00
CHECK TOTAL			**$ 82.00**	
028675	8/7/2024	Complete Fire Service Inc.	Fire Extinguisher Services (2)	59.90
028676	8/7/2024	Cox Communications	Phone Service from July 26 to Aug 25, 2024	88.66
028677	8/7/2024	Southern California News Group	Public Hearing Notice for 23 Crest Rd E.	644.37
028678	8/7/2024	Executive Suite Services Inc.	July 2024 Janitorial Services	920.00
028679	8/7/2024	County of Los Angeles	Buidling Services for June 2024	20,484.35
028680	8/7/2024	LA County Sheriff's Department	June 2024 Law Enforcement Services	33,732.05
028681	8/7/2024	McGowan Consulting	Municipal Stormwater Consulting Services for June	4,570.15
028682	8/7/2024	MV CHENG AND ASSOCIATES	Reissued-June 2024 Monthly Accounting Services	6,380.00
028683	8/7/2024	Orkin	July 2024 Pest Control Service	172.99
028684	8/7/2024	Race Communications	Race Communications Fiber for Aug. 2024	1,020.00
028685	8/7/2024	Robert Clem	Zoning Case No#24-049 CD Permit #934 - 3 Reata	1,000.00
028686	8/7/2024	Sam Maus	Landscape Deposit Refund-21 Chuckwagon Road	5,000.00
ACH-594	7/9/2024	CalPERS	CalPERS Retirement Payroll Ending 07-09-24	4,025.54
ACH-595	7/23/2024	CalPERS	CalPERS Retirement Payroll Ending 07-23-24	3,829.01
ACH-596	8/1/2024	Delta Dental	Dental Coverage for August 2024	1,084.38
ACH-597	8/1/2024	Forum Info-Tech. Inc./Levelcloud	August 2024 Monthly Cloud Services	5,781.95
ACH-598	8/1/2024	Nextiva	Business Phone Service for August 2024	289.72
ACH-599	7/25/2024	Pacific Premier Bank / FNBO	Pacific Prem CC Stmt #5550_July 2024	3,854.07
ACH-600	7/1/2024	Race Communications	Race Communication Fiber for July 2024	1,020.00
ACH-601	8/1/2024	Standard Insurance Company	August 2024 Life Insurance Policy # 161783 Div 0001	247.69
ACH-602	7/9/2024	Vantagepoint Transfer Agents -	Deferred Comp Contributions PR Ending 07-09-24	1,888.58
ACH-603	7/23/2024	Vantagepoint Transfer Agents -	Deferred Comp Contributions PR Ending 07-23-24	1,809.09

ACH-604	8/1/2024	Vision Service Plan - (CA)	August 2024 Vision Plan Insurance	164.32
ACH-605	7/31/2024	Xpress Bill Pay	July 2024 Online Bill Pay	35.00
PR LINK	7/26/2024	PR LINK - Payroll & PR Taxes PR#15	Payroll Processing Fee PR#15_07/10/24 - 07/23/24	77.71
PR LINK	7/26/2024	PR LINK - Payroll & PR Taxes PR#15	Pay Period PR#15_07/10/24 - 07/23/24	22,769.64
REPORT TOTAL				**128,917.09**

I, Karina Banales, City Manager of Rolling Hills, California certify that the above demands are accurate and there is available in the General Fund a balance of
$ 128,917.09 for the payment of above items.

Karina Banales, City Manager

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 8.E
Mtg. Date: 08/12/2024

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

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

THRU: **KARINA BAÑALES, CITY MANAGER**

SUBJECT: **REPUBLIC SERVICES RECYCLING TONNAGE AND COMPLAINT REPORTS FOR JUNE 2024**

DATE: **August 12, 2024**

BACKGROUND:
Please note that Republic has been asked to provide footnotes per Council direction. They will try to accommodate this.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Receive and file.

ATTACHMENTS:
VC_REP_240722_June_YTD_TonnageReport.pdf
VC_REP_240722_June_C&D_Report.pdf
VC_REP_240722_June_RedTagReport.pdf
VC_REP_240722_June_CallLog_Redacted.pdf
VC_REP_240724_June_ComplaintsList2024_Redacted.pdf

CITY OF ROLLING HILLS RESIDENTIAL FRANCHISE

2024

Year 2024
Franchise Y/N Y

Month	Commodity	Tons Collected	Tons Recovered	Tons Disposed	Diversion %
1	Greenwaste	79.86	79.86	-	100.00%
	Trash	247.10	-	247.10	0.00%
1 Total		326.96	79.86	247.10	24.43%
2	Greenwaste	51.72	51.72	-	100.00%
	Trash	198.13	-	198.13	0.00%
2 Total		249.85	51.72	198.13	20.70%
3	Greenwaste	53.42	53.42	-	100.00%
	Trash	199.60	-	199.60	0.00%
3 Total		253.02	53.42	199.60	21.11%
4	Greenwaste	116.50	116.50	-	100.00%
	Trash	183.05	-	183.05	0.00%
	Trash - Free Residential Roll Off Bin	3.76	-	3.76	0.00%
4 Total		303.31	116.50	186.81	38.41%
5	Greenwaste	101.62	101.62	-	100.00%
	Trash	180.98	-	180.98	0.00%
5 Total		282.60	101.62	180.98	35.96%
6	Greenwaste	83.11	83.11	-	100.00%
	Trash	195.05	-	195.05	0.00%
	Trash - Free Residential Roll Off Bin	1.10	-	1.10	0.00%
	Greenwaste - Free Residential Roll Off Bin	2.30	2.30	-	100.00%
6 Total		281.56	85.41	196.15	30.33%
Grand Total		1,697.30	488.53	1,208.77	28.78%

CITY OF ROLLING HILLS NON-FRANCHISE
2024

Year 2024
Franchise Y/N N

Month	Commodity	Tons Collected	Tons Recovered	Tons Disposed	Diversion %
1	Greenwaste	19.61	19.61	-	100.00%
	Recycle	0.27	0.04	0.23	15.00%
	Trash	59.97	-	59.97	0.00%
	Organics	0.16	0.10	0.06	61.71%
	C&D	4.27	3.43	0.84	80.24%
1 Total		84.29	23.18	61.11	27.50%
2	Greenwaste	16.94	16.94	-	100.00%
	Recycle	0.29	0.11	0.18	37.67%
	Trash	57.05	-	57.05	0.00%
	C&D	11.29	9.05	2.25	80.10%
2 Total		85.57	26.09	59.47	30.50%
3	Greenwaste	6.42	6.42	-	100.00%
	Recycle	0.22	0.08	0.13	38.48%
	Trash	35.05	-	35.05	0.00%
3 Total		41.69	6.50	35.19	15.60%
4	Greenwaste	11.07	11.07	-	100.00%
	Recycle	0.27	0.11	0.16	40.00%
	Trash	46.40	-	46.40	0.00%
4 Total		57.74	11.18	46.56	19.36%
5	Recycle	0.27	0.09	0.19	31.77%
	Trash	70.08	-	70.08	0.00%
	Organics	0.17	0.12	0.05	70.73%
	C&D	11.15	8.95	2.20	80.24%
5 Total		81.68	9.16	72.52	11.21%
6	Greenwaste	11.95	11.95	-	100.00%
	Recycle	0.21	0.07	0.13	36.18%
	Trash	45.24	-	45.24	0.00%
	Organics	0.16	0.12	0.04	73.76%
6 Total		57.56	12.14	45.42	21.09%
Grand Total		408.52	88.25	320.27	21.60%

Republic Services
C&D Report

City of Rolling Hills
Reporting Period June-24

Disposal Site	Material	Loads Taken	Tons Collected
No C&D to Report			

Summary	
Row Labels	**Sum of Tons Collected**
(blank)	
Grand Total	

Sustainability in Action

Rolling Hills Red Tags – June 2024

Date	Address	Code	Issue	COMM
6/3/2024	1 MAVERICK LN	1	Dog unleashed	No
6/4/2024	3 WRANGLER RD	1	Dog unleashed	No

Republic Services Call Log Report

City: Rolling Hills

Year 2024

Month/Quarter 6

Summary of Calls by Type		
Final Call Final Call Type	**Sub-Type**	**Total**
2.Complaint	Escalation	3
	Complaint	1
2.Complaint Total		**4**
3.Missed Pick Up	Missed Trash - Residential	7
	Missed Yard Waste - Residential	5
	Missed Bulk Service	2
3.Missed Pick Up Total		**14**
Grand Total		**18**

Republic Services Call Log Report

Final Call Type	Sub-Type	Case Number	Date/Time Opened	Date/Time Closed	Created By	Request Description	Resolution Comments	Customer Category	Account Number	Site	Account Name	Site Address	Phone
2.Complaint	Complaint	20240614-195410176	6/14/2024 3:40 PM	(blank)	Josie Nunez	dina elespheriou[redacted] called to report an issue. Cust is worried about MPU for today. Says her trash can is full and needs trash picked up today. Says she can't wait for Monday. Please call customer. .	(blank)	RESI	9020003594	1	CURRENT RESIDENT	54 EASTFIELD DR ROLLING HILLS CA	(000) 000-0000
2.Complaint	Escalation	20240612-195171600	6/12/2024 8:13 AM	6/25/2024 9:32 AM	Lakeisha Jones	Ben Hung[redacted] We missed Ben's bulk pick up on Friday. We put in a MPU and it has yet to be recovered. He has now been fined by his HOA. Can we please get a driver out there to get this recovered.	recovered on 06/18/24 no other action needed -HS OE	RESI	9020003066	1	RESIDENT	11 OUTRIDER RD ROLLING HILLS CA	(000) 000-0000
2.Complaint	Escalation	20240617-195516283	6/17/2024 3:02 PM	(blank)	Tiana Woods	G Stephanie[redacted] to report an issue. clientstates garbage has not been picked up in weeks - garbage is piling .	(blank)	RESI	9020003497	1	CURRENT RESIDENT	62 CREST RD E ROLLING HILLS CA	(000) 000-0000
2.Complaint	Escalation	20240621-195827037	6/21/2024 8:31 AM	6/24/2024 6:11 AM	Tiana Charles	Sam Zeim[redacted] called to report an issue. cx states his yard waste was missed on 6/13/24 wants pu asap please call cx. .	Sent email to Ops Sup MR to assist with YW mpu, customer was contacted will CB to verify recovery. CK 062124 9:10 MST, Ops In process of recovery. Ops has contacted customer, customer was advised to break down bags, driver was instructed to tag bags when	RESI	9020003303	1	CURRENT RESIDENT	17 CHUCKWAGON RD ROLLING HILLS CA	(000) 000-0000
3.Missed Pick Up	Missed Bulk Service	20240610-194972048	6/10/2024 8:16 AM	6/12/2024 10:44 PM	Erin Wright	(blank)	(blank)	RESI	9020003066	1	RESIDENT	11 OUTRIDER RD ROLLING HILLS CA	(000) 000-0000

Republic Services Call Log Report

Final Call Type	Sub-Type	Case Number	Date/Time Opened	Date/Time Closed	Created By	Request Description	Resolution Comments	Customer Category	Account Number	Site	Account Name	Site Address	Phone
3.Missed Pick Up	Missed Bulk Service	20240618-195575735	6/18/2024 10:44 AM	6/19/2024 10:43 PM	Hector Sanchez	(blank)	(blank)	RESI	9020003066	1	RESIDENT	11 OUTRIDER RD ROLLING HILLS CA	(000) 000-0000
3.Missed Pick Up	Missed Trash - Residential	20240604-194649780	6/4/2024 1:47 PM	6/5/2024 10:59 PM	MELISSA BALDOCK	(blank)	(blank)	RESI	9020003273	1	CURRENT RESIDENT	2 CHUCKWAGON RD ROLLING HILLS CA	(000) 000-0000
3.Missed Pick Up	Missed Trash - Residential	20240604-194653261	6/4/2024 2:11 PM	6/5/2024 10:59 PM	Juan Romero Jimenez	(blank)	(blank)	RESI	9020003717	1	CURRENT RESIDENT	3 WRANGLER RD ROLLING HILLS CA	[redacted]
3.Missed Pick Up	Missed Trash - Residential	20240611-195078779	6/11/2024 8:33 AM	6/12/2024 10:44 PM	Barbara Dariana Alcaraz Garcia	(blank)	(blank)	RESI	9020003439	1	RESIDENT	10 UPPER BLACKWATER CYN RD ROLLING HILLS CA	[redacted]
3.Missed Pick Up	Missed Trash - Residential	20240611-195089812	6/11/2024 9:37 AM	6/12/2024 10:44 PM	Darlene Virgen	(blank)	(blank)	RESI	9020003717	1	CURRENT RESIDENT	3 WRANGLER RD ROLLING HILLS CA	[redacted]

Republic Services Call Log Report

Final Call Type	Sub-Type	Case Number	Date/Time Opened	Date/Time Closed	Created By	Request Description	Resolution Comments	Customer Category	Account Number	Site	Account Name	Site Address	Phone
3.Missed Pick Up	Missed Trash - Residential	20240611-195097714	6/11/2024 10:25 AM	6/12/2024 10:44 PM	Juan Carlos Leyva Roman	(blank)	(blank)	RESI	9020003653	1	CURRENT RESIDENT	9 GEORGEFF RD ROLLING HILLS CA	[redacted]
3.Missed Pick Up	Missed Trash - Residential	20240614-195407884	6/14/2024 3:01 PM	6/18/2024 10:43 PM	Juan Romero Jimenez	(blank)	(blank)	RESI	9020003594	1	CURRENT RESIDENT	54 EASTFIELD DR ROLLING HILLS CA	(000) 000-0000
3.Missed Pick Up	Missed Trash - Residential	20240617-195516476	6/17/2024 3:04 PM	6/19/2024 10:43 PM	Tiana Woods	(blank)	(blank)	RESI	9020003497	1	CURRENT RESIDENT	62 CREST RD E ROLLING HILLS CA	(000) 000-0000
3.Missed Pick Up	Missed Yard Waste - Residential	20240604-194653511	6/4/2024 2:13 PM	6/5/2024 10:59 PM	Juan Romero Jimenez	(blank)	(blank)	RESI	9020003717	1	CURRENT RESIDENT	3 WRANGLER RD ROLLING HILLS CA	[redacted]
3.Missed Pick Up	Missed Yard Waste - Residential	20240611-195090194	6/11/2024 9:39 AM	6/12/2024 10:44 PM	Darlene Virgen	(blank)	(blank)	RESI	9020003717	1	CURRENT RESIDENT	3 WRANGLER RD ROLLING HILLS CA	[redacted]

Republic Services Call Log Report

Final Call Type	Sub-Type	Case Number	Date/Time Opened	Date/Time Closed	Created By	Request Description	Resolution Comments	Customer Category	Account Number	Site	Account Name	Site Address	Phone
3.Missed Pick Up	Missed Yard Waste - Residential	20240611-195110100	6/11/2024 11:38 AM	6/12/2024 10:44 PM	Erica Fording	(blank)	(blank)	RESI	9020003273	1	CURRENT RESIDENT	2 CHUCKWAGON RD ROLLING HILLS CA	(000) 000-0000
3.Missed Pick Up	Missed Yard Waste - Residential	20240612-195212190	6/12/2024 12:42 PM	6/14/2024 10:39 PM	Barbara Dariana Alcaraz Garcia	(blank)	(blank)	RESI	9020003303	1	CURRENT RESIDENT	17 CHUCKWAGON RD ROLLING HILLS CA	(000) 000-0000
3.Missed Pick Up	Missed Yard Waste - Residential	20240621-195827299	6/21/2024 8:33 AM	6/25/2024 10:40 PM	Tiana Charles	(blank)	(blank)	RESI	9020003303	1	CURRENT RESIDENT	17 CHUCKWAGON RD ROLLING HILLS CA	(000) 000-0000

City of Rolling Hills - June 2024 Republic Services City Complaint Log

Date of Issue	Time	Issue/Complaint	Resident Name	Resident Address	Republic contacted	Republic Reponse	Date Reponse	Time of Reponse	Resolved
6/10/2024	1:37PM	Missed Trash Pickup	[redacted]	2724 PV Dr. N.	Tanahsa Malone	Adsrian Orssten	6/12/2024	2:47PM	yes
6/10/2024	4:40PM	Missed Trash Pickup		58 Portuguese Bend Rd.	Tanasha Malone	Addrian Orssten	6/12/2024	2:47PM	yes
6/11/2024	12:20PM	Missed Trash Pickup		16 Southfield Dr	Tanasha Malone	Addrian Orssten	6/12/2024	2:47PM	yes
6/11/2024	12:20PM	Missed Trash Pickup		3 Eucalyptus Ln.	Tanasha Malone	Addrian Orssten	6/12/2024	2:47PM	yes
6/11/2024	4:03PM	Missed Trash Pickup For Over a Week		8 Upper Blackwater Canyon Rd.	Dawn Benton	Addrian Orssten	6/11/2024	5:07PM	yes
6/12/2024	9:04AM	Missed Trash Pickup for Over a Week		2 Buckboard Lane	Dawn Benton	Addrian Orssten	6/12/2024	2:47PM	yes
6/12/2024	10:19AM	Missed Trash Pickup		13 Georgeff	Dawn Benton	Addrian Orssten	6/12/2024	2:47PM	yes
6/12/2024	11:53AM	Missed Trash Pickup		25 Portuguese Bend Rd.	Addrian Orssten	Addrian Orssten	6/12/2024	2:47PM	yes
6/12/2024	11:53AM	Missed Trash Pickup		2 Pheasant Lane	Addrian Orssten	Addrian Orssten	6/12/2024	2:47PM	yes
6/12/2024	2:48PM	Missed Trash Pickup		87 Crest Rd. E.	Addrian Orssten	Addrian orssten	6/12/2024	2:47PM	yes
6/14/2024	1:59PM	Missed Trash Pickup		11 wagon Lane	Addrian Orssten	Addrian Orssten	6/12/2024	2:47PM	yes
6/15/2024	3:29PM	Missed Trash Pickup		6 Eastfield Dr.	Rolimar Matammu	Rolimar Matammu	6/17/2024	11:41AM	yes
6/15/2024	2:22PM	Missed Trash Pickup		5 Ring bit Rd W.	Rolimar Matammu	Rolimar Matammu	6/17/2024	11:41AM	yes
6/17/2024	8:31AM	Missed Trash Pickup For Over a Week		25 Eastfield Dr.	Rolimar Matammu	Rolimar Matammu	6/17/2024	11:41AM	yes
6/17/2024	8:47AM	Missed Trash Pickup For Over a Week		2 Wrangler Rd.	Rolimar Matammu	Rolimar Matammu	6/17/2024	11:41AM	yes
6/17/2024	8:53AM	Missed Trash Pickup For Over a Week		32 Eastfield Dr.	Rolimar Matammu	Rolimar Matammu	6/17/2024	11:41AM	yes
6/19/2024	3:39PM	Missed Manure Pickup For Over a Week		15 Buggywhip Dr.	Rolimar Matammu	Rolimar Matammu	6/20/2024	4:06PM	yes
6/20/2024	9:14AM	Missed Trash Pickup For Over a Week		1 Buggywhip Dr.	Rolimar Matammu	Rolimar Matammu	6/20/2024	9:26AM	yes
6/20/2024	9:27AM	Missed Trash Pickup For Over a Week		11 Upper Blackwater Canyon Rd.	Rolimar Matammu	Rolimar Matammu	6/20/2024	9:30AM	yes
6/21/2024	11:15AM	Missed Trash Pickup		62 Eastfield Dr.	Dawn Benton	Dawn Benton	6/20/2024	3:36PM	yes
6/24/2024	8:56AM	Missed Greenwaste Pickup		25 Eastfield Dr.	Tanasha Malone	Tanasha Malone	6/24/2024	2:19PM	yes
6/24/2024	4:13PM	Concerns Regarding Continuous Missed Pickups		9 Upper Blackwater Canyon Rd.	Tanasha Malone	Tanasha Malone	6/25/2024	4:56AM	yes
6/25/2024	4:25PM	Missed Trash Pickup For Over a Week		1 Buggywhip Dr.	Tanasha Malone	Tanasha Malone	6/25/2024	7:05PM	yes
6/25/2024	1:57PM	Missed Green Waste Pickup For Over a Week		25 Eastfield Dr.	Tanasha Malone	Tansaha Malone	6/25/2024	7:33PM	yes
6/27/2024	4:12PM	Missed Trash Pickup		19 Georgeff Rd.	Tanasha Malone	Tanasha Malone	6/28/2024	9:30AM	no
6/28/2024	7:55AM	Missed Trash Pickup		12 Upper Blackwater Canyon Rd.	Tanasha Malone	Tanasha Malone	6/28/2024	8:00AM	yes
6/28/2024	8:16AM	Missed Green Waste Pickup		2 Buckboard Lane	Tanasha Malone	Tanasha Malone	6/28/2024	9:14AM	no
6/28/2024	2:28PM	Missed Trash Pickup		13 Georgeff Rd.	Tanasha Malone	Tanasha Malone	6/31/2024	6:31PM	no
6/28/2024	3:59PM	Missed Trash Pickup For Over a Week		19 Georgeff Rd.	Tanasha Malone	Tanasha Malone	6/31/24	6:33PM	yes

Agenda Item No.: 11.A
Mtg. Date: 08/12/2024

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

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

THRU: **KARINA BAÑALES, CITY MANAGER**

SUBJECT: **ZONING CASE NO. 23-070: SITE PLAN REVIEW TO DEVELOP A VACANT LOT INCLUDING NON-EXEMPT GRADING AND THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE WITH BASEMENT, RETAINING WALLS EXCEEDING A HEIGHT OF 3 FEET (UP TO A MAXIMUM HEIGHT OF 5 FEET), DRIVEWAY WITH PORTIONS THAT EXCEED A WIDTH OF 20 FEET, AND OTHER IMPROVEMENTS; CONDITIONAL USE PERMITS FOR CONSTRUCTION OF A STABLE, CORRAL, DETACHED TRELLIS, AND GUEST HOUSE; AND VARIANCES TO ALLOW THE STABLE, CORRAL, SWIMMING POOL, AND RETAINING WALLS TO ENCROACH INTO THE FRONT YARD, ALLOW A PORTION OF THE CORRAL TO ENCROACH INTO THE FRONT YARD SETBACK, CONSTRUCT RETAINING WALLS EXCEEDING THE MAXIMUM AVERAGE HEIGHT OF TWO-AND-ONE-HALF FEET, CONSTRUCT A BASEMENT WITH A PORTION EXTENDING BEYOND THE BUILDING WALLS OF THE RESIDENCE, CONSTRUCT DECKS/PATIOS MORE THAN ONE FOOT ABOVE GRADE, AND ALLOW GRADING EXPORT FOR A PROPERTY LOCATED AT 23 CREST ROAD EAST, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LOT 132A-MS) (OGASAWARA)**

DATE: **August 12, 2024**

BACKGROUND:
On July 22, 2024, the City Council considered the Planning Commission's action to approve the proposed project and the Traffic Commission's action to approve the driveway apron. The City Council voted 5-0 to take the matter under its own jurisdiction. On August 1, 2024, a public hearing notice was published in the Daily Breeze for the field trip and evening Council meeting on August 12, 2024. Notices were mailed to owners within 1,000 feet of the subject property (Attachments 1A and 10).

Applicant Request
On June 2, 2023, an application was filed by the applicant, Frank Escher of Escher, Gune, Wardena Architecture on behalf of the property owner, Yuki Ogaswara, requesting a Site Plan Review, Conditional Use Permit, and Variances under Zoning Case No. 23-070 (ZC 23-070). The proposed project was for construction of a new 14,680-square-foot (SF) single-family residence with a 7,849 SF basement, 1,000 SF attached garage, 1,225 SF stable, 5,190 SF corral, 600 SF accessory dwelling unit (ADU), 600 SF guest house, 280 SF swimming pool, 155 SF pool equipment, 480 SF of attached covered porches, 95 SF service yard, lightwells, maximum five-foot-high retaining walls, walkways, landscaping, and other improvements (Attachment 2). A 17,700 SF oval driveway was proposed in the front of the property for access to the residence, ADU, and stable.

Previous Projects
On January 2017, the City Council adopted a resolution approving Zoning Case (ZC) No. 902 for construction of an 11,500 SF new single-family residence with an 11,500 SF basement and appurtenances (See City Council Resolution No. 1202).
On December 12, 2018, the Planning Commission granted a two-year time extension for ZC No. 902 to January 23, 2021. Due to COVID-19 several entitlements were placed on hold and Assembly Bill 1561 created an automatic time extension for ZC No. 902 which extended the expiration to July 22, 2022.

On November 9, 2021, an application was received for development of a new 8,460 SF residence, basement, accessory dwelling unit (ADU), guest house, stable, swimming pool, spa, and other improvements (ZC No. 21-11). On March 15, 2022, the Planning Commission conducted a field trip and evening public hearing to discuss the project, and continued the public hearing to April 19, 2022. On March 24, 2022, the Traffic Commission recommended approval of the main driveway, but removal of the secondary driveway. On April 13, 2022, the applicant requested the item be pulled from the Planning Commission agenda since the property had been sold to a new owner who did not want to continue with the project. As such, ZC No. 21-11 was closed; the approval for ZC No. 902 ultimately expired.

Planning Commission Review of ZC 23-070

On January 16, 2024, the Planning Commission reviewed ZC 23-070 for the first time. After conducting a field trip and evening public hearing, the Planning Commission continued the item and directed staff to work with the applicant to revise the plans to address certain issues:

- The height of the mound at the center of the oval driveway. The plans indicated a height of 15 feet from the existing grade at the highest point and showed Coast Live Oak Trees (these can grow up to 80 feet tall) to be planted. This would negatively impact the line of site from Crest Road East. The Commission required that the proposed mound be staked and silhouetted.
- The residents at 17 Crest Road East expressed concerns about privacy and the proximity of the proposed barn.
- The walkway that extends out from the basement and the portion of the basement under the covered patio that is not under the footprint of the residence.
- The discrepancies with the grading calculations, application, and plans.
- Mixed-Use Structure/Stable located in the front yard.
- The guest house's proximity to the canyon.

- Retaining walls along the stable.
- Floor level above the grade/raised decks – various sections of the residence, guest house, stable, and guest house show raised decks.
- Trellis calculations need to be added to the calculations (415 square feet (SF)

On April 16, 2024, this item was presented to the Planning Commission for a second time. That morning, the Planning Commission held a field trip at the site. Commissioners, staff, and attendees viewed the silhouettes of the proposed project. The project was presented later at the evening Planning Commission meeting. The Planning Commissioners voted 4-0 (1 Commissioner was absent) to continue the item to the next meeting. The Planning Commission directed staff to work with the applicant to revise the plans to address the following:

- The basement projection from the main residence;
- The exit from the basement;
- The proposed mount height at 1330' elevation, which must be lowered;
- Privacy; and
- View blockage issues.

On June 18, 2024, the Planning Commission conducted a third field trip and evening public hearing. The applicant and several residents were present at the field trip. The Commission and the public were able to walk the site to better understand the proposed project. At the evening hearing, the Commission listened to the staff's presentation and heard the applicants' testimonies. Several residents spoke about stormwater concerns. At the conclusion of the evening hearing, the Planning Commission voted 3-0 (two commissioners absent) to adopt Resolution No. 2024-06 approving ZC 23-070 (Attachment 3). The action included amending the conditions of approval to address future area drainage, the height of the mound and what can be planted atop, and the orientation of a passageway to the basement.

Traffic Commission Review

On December 11, 2023, the Traffic Commission reviewed the proposed driveway and apron. The proposed driveway connects to Crest Road East and has a driveway apron of 62 feet 5 inches wide. The driveway entrance will be 26 feet wide and connects to an oval-shaped driveway that will be 15 feet wide. The oval-shaped driveway connects to the barn, ADU, and main residence. Existing eucalyptus trees along Crest Road East will remain. At the conclusion of the meeting, the Traffic Commission voted 4-0 (one commissioner absent) to approve the proposed driveway and apron.

Zoning, Location, and Lot Description

The property is zoned RAS-2, and the gross lot area is 7.05 acres or 307,098 SF. The net lot area for development purposes is 6.02 acres or 262,368 SF. The lot is currently undeveloped and vacant (see photos in Attachment 4). The lot is irregularly shaped and has a depth of approximately 820 feet and a width of approximately 480 feet. The property slopes downward from Crest Road East to the rear of the property. The grade elevation between the proposed main building pad and the street is approximately 42 feet. The lot is located in the southern portion of the City and has views of the Pacific Ocean. A natural drainage course is located along the western portion of the lot, and a blue line stream, which is a part of the Klondike Canyon System, is located approximately 200 feet south of the southern property line of the lot. The lot is also located in proximity to the Geotechnical Hazardous area of the City, known

as the Flying Triangle. The existing topography of the project site slopes down approximately 115 feet from Crest Road East to the lowest portion of the lot. The closest structures to the proposed project are 330 feet to the north, 179 feet to the east, 220 feet to the west, and 403 feet to the south (Attachment 1B).

DISCUSSION:

Project Approved by the Planning Commission on June 18, 2024

The applicant revised the project during the public hearing process to address issues discussed at previous meetings. On June 18, 2024, the Planning Commission approved the following:

- 14,680 SF single-family residence
- 7,849 SF basement
- 1,000 SF attached garage
- 652 SF accessory dwelling unit (ADU; not subject to discretionary review)
- 1,225 SF stable and 5,190 SF corral (Discussed under the Conditional Use Permit (CUP) and Variance)
- Retaining walls to exceed a height of 3 feet (maximum 5 feet)
- 28,389 cubic yards (CY) of total grading
- 25,343 SF mound in the center of the oval driveway
- 58,050 SF landscaping
- Native plants & tree species
- 3,000 SF native pollinator meadow in the center of the mound

Three building pads are proposed:

- Pad 1: 32,610 SF main building pad
- Pad 2: 1,610 SF accessory dwelling unit (ADU) pad
- Pad 3: 2,900 SF stable pad

The Planning Commission amended or added conditions to address certain issues:

- Condition AB: Language included to address drainage.
- Condition AP: Condition added regarding the mound height (maximum elevation of 1330 feet) and landscaping.
- Condition AQ: Condition added that basement passageway be redesigned to be angled or zigzagged.

Grading

The total grading is 28,389 CY (see Attachment 8). Grading export is 9,715 CY (3,131 CY exempt and 6,584 CY non-exempt). Grading for the mound was reduced from 11,405 CY to 9,337 CY. A Site Plan Review is required for the non-exempt grading and a Variance is required for non-exempt export.

Site Plan Review

Per Rolling Hills Municipal Code (RHMC) Section 17.46.020.A.1, a Site Plan Review is required for the construction of any new buildings or structures that require any grading that is not exempt. RHMC Section 17.46.50 includes required findings which are listed below.

Conditional Use Permit

Per RHMC Section 17.80.050, a conditional use permit (CUP) is required for a stable greater than 200 SF and a corral that is greater than 550 SF. The proposed 1,225 SF stable exceeds the 200 SF limit by 775 SF. The stable has not changed in this project.

Per RHMC Section 17.16.210, a CUP is also required to construct a guest house. The new proposal for the guest house has been changed to 600 SF, which was reduced from 540 SF. The guest house will not encroach into any required setbacks and was moved away from the top of the canyon.

As per RHMC Section 17.16.210, a CUP is required for an accessory structure that exceeds 200 SF. The project includes a detached 415 SF trellis at the bottom of the canyon. There are also two existing trails that lead down to the new trellis. The existing trails are currently overgrown and not accessible. The applicant is proposing to redesign and cut the overgrown vegetation on the pathways for the new trellis. There are no changes to the trellis.

Variances

The Rolling Hills Municipal Code requires a Variance application and approvals for the following:

1. Stable, corral, swimming pool, and retaining walls to encroach into the front yard;
2. Corral to encroach into the required 50-foot front setback;
3. Retaining walls that exceed the maximum average height of two-and-one-half feet;
4. Basement with a portion extending beyond the building walls of the residence;
5. Decks/patios that exceed more than one foot above grade; and
6. Grading export.

Municipal Code Compliance

Lot and Building Pad Coverage

The net lot area is 262,368 SF. The structural coverage is as follows: the total proposed structural coverage is 18,970 SF or 7.23%, which is well below the 20% maximum (with deductions). The proposed flatwork coverage is 18,385 SF or 7.01%, which is below the 15% maximum. The total proposed structural and flatwork coverage for the entire lot with deductions is 37,355 SF or 14.24%, which is well below the 35% maximum. The project complies with all of the RHMC development standards.

The project exceeds the 30% maximum building pad coverage guidelines, the smaller building pads provides less disturbance to the lot and preserves the natural terrain.

Pad 1: Main Residence will be developed with a 32,610 SF building pad area for a total of 17,799 SF, or 54.58% building pad coverage. This exceeds the maximum 30% guideline by 24.58%.

Pad 2: ADU Pad will be developed with a 1,610 SF building pad area and a total of 700 SF, or 43.48% building pad coverage. This exceeds the maximum 30% guideline by 10.5%.

Pad 3: Stable Pad will be developed with a 2,900-square-foot building pad area and a total of

1,340 square feet, or 46.21% building pad coverage. This exceeds the maximum 30% guideline by 16.21%.

Disturbance

The total disturbed area for the lot will be 87,770 SF, or 33.45% of the lot (40% maximum permitted). The previous proposed disturbed area was 87,920 SF, or 33.51% of the lot (40% maximum permitted). This is a reduction of 150 SF or 0.06%.

Stable/Corral

The project includes a 1,225 SF one-story stable with 2 stalls, a tack room/office, 2 bathrooms, a tack workspace, feed/counter space, and a large agricultural space with a garage accessible from the circular driveway. The ridgeline of the new stable is 13.9 feet maximum height. The stable is accessible from a driveway that is connected off of the northwest portion of the oval-shaped driveway.

Site Access

The new driveway apron will be located at Crest Road East on the northeast side of the lot and will provide access to the oval driveway. The driveway will be 15 feet wide, leading to a stable storage garage, motor court, main entry to the house, and garage. The proposed continuous driveway allows for the simplest path between all structures, with a garage in the main residence accommodating four vehicles, suitable per RH guidelines for the main house, guest house, and ADU parking requirements. The center of the oval driveway will be landscaped with native trees, native plants, a native pollinator meadow, and a 115 SF water feature. An entry gate with pilasters will be located at the driveway entrance.

Walls

The RHMC Section 17.16.190(F), requires a Site Plan Review for any walls that exceed a height of 3 feet. Such walls require a variance if located in the front yard. The project includes 6 wall sections:

- Wall A is located at the east wing of the main residence and connects to the guest house. It has a maximum height of 2.5 feet and an average height of 2.5 feet.
- Wall B is a 3-foot-high retaining wall located at the west wing of the main residence along the swimming pool.
- Wall C is located along the south portion of the mound and extends along the south portion of the driveway with a maximum height of 5 feet high with an average height of 4 feet high (Wall C requires a Variance).
- Wall D is located on the west portion of the mound and west portion of the driveway. The maximum height is 5 feet high, with an average height of 4.1 feet (Wall D requires a variance).
- Wall E located along the southern portion of the driveway, is a maximum of 2.5 feet high with an average height of 2.1 feet.
- Wall F is located just north of the stable walkway, and the maximum height is 3 feet high with an average of 2.4 feet high.

Landscaping

The project includes 58,050 SF of new native landscape area and 3,000 SF of a native

pollinator meadow area with a water feature, and 21 native tree species. The project proposes seven Lyonothamnus Floribundus known as the Catalina Ironwood trees that will grow up to a maximum height of 20 feet and maximum width of 12 feet, six Quercus Argrifolia known as the Coast Live Oak with a maximum height of 30 feet and 30 feet maximum width, and 8 Cercus Canadensis known as the Forest Pansy with a maximum height and width of 12 feet. The project will restore the majority of the new landscape areas to a state similar to the original pre-developed, pre-cleared condition of the site, with few visible changes to the existing topography and to the panoramic views from the street and neighboring houses. A review by the City's landscape consultant is required for compliance with landscape standards and the Water Efficiency Landscape Ordinance (WELO). See Attachment 6 for the landscape review.

Building Height and Pad Elevations (Pads 1 - 3)

The new residence, basement, and attached garage will be developed on the lower southern portion of Pad 1 with a maximum ridge height of 12 feet 9 inches; the ridgeline of these structures will be about 31 feet below Crest Road East. The maximum height of the chimneys is 19 feet 2 inches. The main residence includes eaves that will extend a maximum of 8 feet. The basement and atrium are located at the V section of the main residence under the proposed deck. The elevations on Page A201 of the plans show that there is a 5-foot maximum retaining wall just above the finished grade. The guest house will be 13 feet and 2 inches in height; the ridgeline of the structure will be about 31 feet below Crest Road East.

The accessory dwelling unit (ADU) (Pad 2) will be 11 feet and 9 inches in height, with a ridgeline about 5 feet below Crest Road East.

The front upper east portion of the lot (Pad 3) will consist of a corral and stable. The stable will be 13 feet and 9 inches in height, and the ridgeline of the structures will be about 5 feet below Crest Road East.

Drainage

A natural drainage course is located along the western portion of the lot, and a blue line stream, which is part of the Klondike Canyon System, is located approximately 200 feet south of the southern property line of the lot. The lot is also located in proximity to the Geotechnical Hazardous area of the City known as the Flying Triangle; however, no part of the lot is within the Flying Triangle.

This project is subject to the Low Impact Development (LID) requirements pertaining to stormwater management, including provisions for retention of run-off on the property. LID is plan checked by Building Services after the City grants entitlements. The proposed storage system is designed to store the difference in stormwater runoff volume between the pre-and post-development conditions. The design proposes two separate drainage systems, splitting runoff between the two adjacent watercourses, to mimic the existing flow patterns.

Included in each system is a Contech Urbangreen SRPE cistern system, at the main residence pad, to intercept and store runoff as follows:

1. The eastern system will collect runoff from the ADU, easterly driveway, easterly half of the residence and residential pad, and guest house.
2. The western system will collect runoff from the stable/corral, westerly driveway, westerly half of the residence and residential pad, and pool area.
3. Each system:

a. Will first pass runoff through a Contech inline CDS pre-treatment system to remove trash, debris, and suspended solids. Runoff will then enter the storage barrels.
b. Downstream of the storage barrel will be a second manhole with a pump, supplying the irrigation system. Runoff impounded in the storage tanks will be used to irrigate the site after the storm has passed.
c. Above the soffit of the storage barrel, an overflow pipe will direct runoff exceeding the storage capacity and discharge to the watercourse below through an erosion-control outlet structure.

Utility Lines / Septic Tank

All utility lines for the development will be required to be placed underground. The Los Angeles County Public Health department will review the septic system (location to be determined).

Rolling Hills Community Association Review

Rolling Hills Community Association will review this project at a later date.

Public Participation

On January 16, 2024, Yuan Chang, 17 Crest Road East, attended the morning field trip and expressed concerns with privacy and the proximity of the proposed stable. Youkun Nie, representing the owner, submitted an email dated January 17, 2024, regarding the concern (Attachment 5A). The applicant has since moved the stable away from the property and reduced the size to address the concern.
At the January 16, 2024 evening meeting, John Mackenbach, 56 Portuguese Bend Road, commended the project but suggested putting the cisterns closer to vegetation. He asked about drainage and the applicant's team explained the drainage system.

On May 6, 2024, Paul Huh and Jane Huh, the residents of 20 Crest Road East, came into the City to review the project and express their concerns regarding any view obstructions at 23 Crest Road East. Mr. Huh sent an email to staff on May 21, 2024, opposing any obstructions above the Crest Road East ocean view (Attachment 5B).

On June 10, 2024, Charlie Raine, the resident at 4 Pinto Road, came into the City to review the drainage plans for 23 Crest Road East. He expressed his concerns regarding the capacity of cisterns, impermeable and permeable surfaces, excess water flowing into the canyon, future storm drainpipe that the applicant can tie into, and storm drain plans.
At the June 18, 2024 Planning Commission meeting, Mr. Raine discussed issues with drainage in his neighborhood. Leah Mirsch, 4 Cinchring Road, suggested a larger design for the cisterns.
At the July 22, 2024 City Council meeting, Mr. Raine expressed similar concerns he discussed with the Planning Commission. Mr. Mike Nash discussed the location and commented about stormwater. Mr. Alfred Visco suggested that City Council take the item under its jurisdiction and consider large projects south of Crest Road.

Environmental Review

The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) under Class 3, Section 15303. New construction of a single-family residence and accessory structures.

SITE PLAN REVIEW CRITERIA

RHMC Section 17.46.010 Purpose.

The site plan review process is established to provide discretionary review of certain development projects in the City for the purposes of ensuring that the proposed project is consistent with the City's General Plan; incorporates environmentally and aesthetically sensitive grading practices; preserves existing mature vegetation; is compatible and consistent with the scale, massing and development pattern in the immediate project vicinity; and otherwise preserves and protects the health, safety and welfare of the citizens of Rolling Hills.

RHMC Section 17.46.50 Required findings.

The Commission shall be required to make findings in acting to approve, conditionally approve, or deny a site plan review. No project which requires site plan review approval shall be approved by the Commission, or by the City Council on appeal unless the following findings can be made:

1. The project complies with and is consistent with the goals and policies of the general plan and all requirements of the zoning ordinance; the project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. Lot coverage requirements are regarded as maximums, and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot;
2. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences;
3. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses, and landforms (such as hillsides and knolls);
4. Grading has been designed to follow the natural contours of the site and to minimize the amount of grading required to create the building area;
5. Grading will not modify existing drainage channels nor redirect drainage flow unless such flow is redirected into an existing drainage course;
6. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping, which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas;
7. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles; and
8. The project conforms to the requirements of the California Environmental Quality.

CONDITIONAL USE PERMIT CRITERIA

RHMC Section 17.42.50 Basis for approval or denial of conditional use permit.

The Commission (and Council on appeal), in acting to approve a conditional use permit application, may impose conditions as are reasonably necessary to ensure the project is consistent with the General Plan, compatible with surrounding land use, and meets the provisions and intent of this title. In making such a determination, the hearing body shall find that the proposed use is in general accord with the following principles and standards:

1. That the proposed conditional use is consistent with the General Plan;
2. That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings or structures;
3. That the site for the proposed conditional use is of adequate size and shape to accommodate the use and buildings proposed;
4. That the proposed conditional use complies with all applicable development standards of the zone district;
5. That the proposed use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities;
6. That the proposed conditional use observes the spirit and intent of this title.

CRITERIA FOR VARIANCE

RHMC Section 17.38.050 Required findings.

In granting a variance, the Commission (and Council on appeal) must make the following findings:

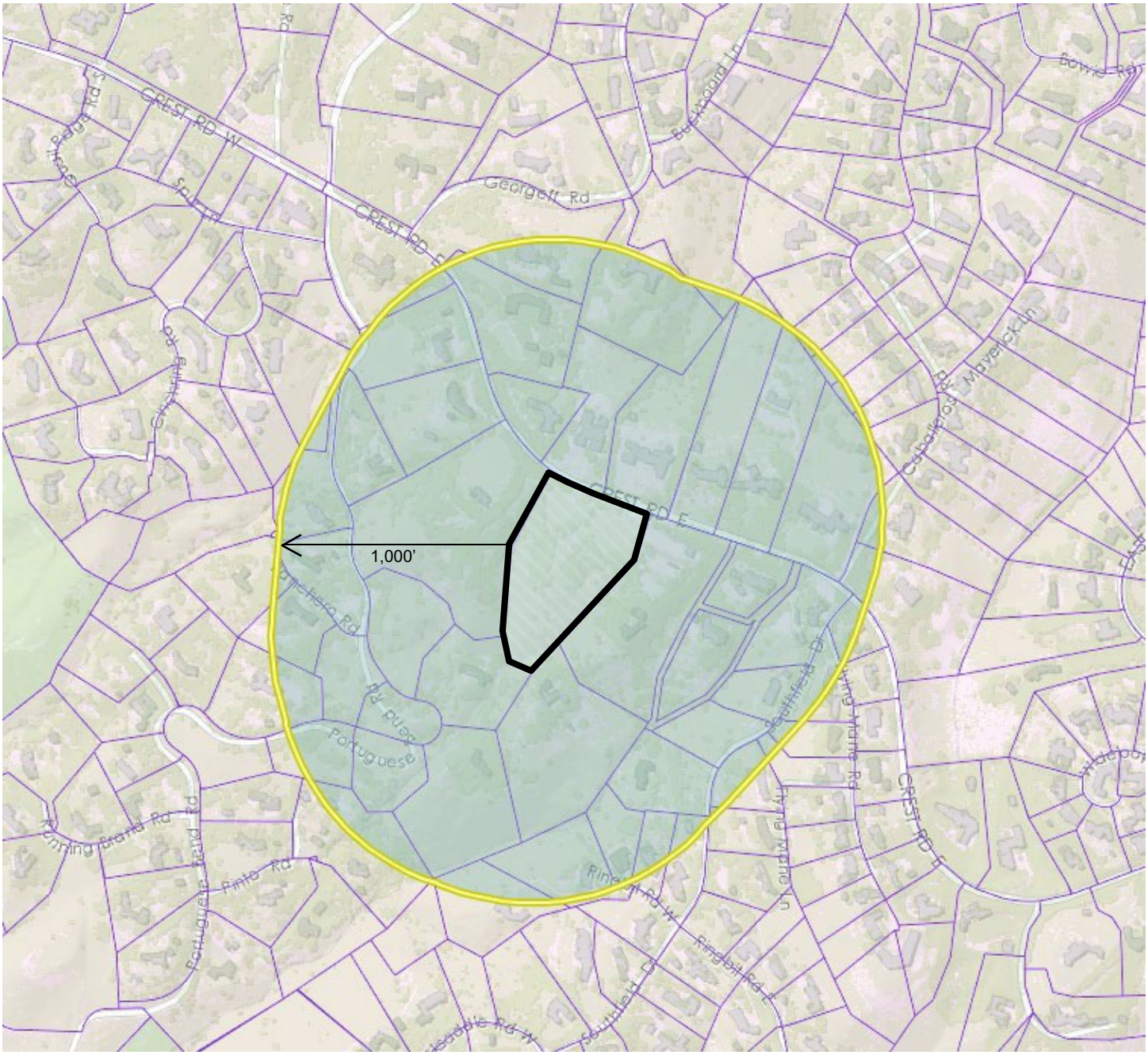
1. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone;
2. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question;
3. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity;
4. That in granting the variance, the spirit and intent of this title will be observed;
5. That the variance does not grant special privilege to the applicant;
6. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities; and
7. That the variance request is consistent with the general plan of the City of Rolling Hills.

FISCAL IMPACT:
None.

RECOMMENDATION:
Open the public hearing, take public testimony, and provide direction to staff and the applicant. A resolution is provided in case the City Council wishes to approve the project with conditions (Attachment 11).

ATTACHMENTS:
Attachment 1A: PL_ADR_240711_23CRE_RadiusMap_VicinityMap_Google.pdf
Attachment 1B: PL_ADR_23CrestRdE_ZC23-070_ProximityMap.pdf
Attachment 2: PL_ADR_240607_23CrestRdE_ZC23-070_DevelopmentTable.pdf
Attachment 3: 2024-06_PC_Resolution_23CrestRoadE_ZC23-070_F_E.pdf
Attachment 4: 240613_23 Crest Road East_ZC23-070_PhotosForCCAgenda.pdf
Attachment 5A: PL_ADR_240118_23CrestRdE_ZC23-070_CopyofEmailfromResidents17CRE_01.17.24.pdf

Attachment 5B: PL_ADR_240521_23CrestRdE_ZC23-070_EmailfromPaulHuh.pdf
Attachment 6: Attachment06_LandscapeReviewComments_23CrestRoadEast (ZC23-070)
Attachment7: 240605_Comparison_Table_23_Crest_Road_East_CCMeeting_8.12.pdf
Attachment 8: PL_ADR_23CrestRdE_ZC23-070_StaffReports_CC240812_GradingBreakdown.pdf
Attachment 9: 240605_ChangeLog_23 Crest Road East_CCMeeting_8.12.pdf
Attachment 10: CL_PBN_240812_PH_CC_23CrestRdE_ZC23-070_Affidavit.pdf
Attachment 11: ResolutionNo1376_23CrestRoadE_ZC23-070_F.pdf
Attachment 12: PL_ADR_23CrestRdE_ZC23-070_240715_Plans_9thSubmittal_CCMeeting7.22.24.pdf


CREST RD W
Georgett Rd
CREST RD E
1,000'
Portuguese Rd
Portuguese Rd
Rancho Rd
Rancho Rd
Rancho

Vicinity Map: 23 Crest Road East



PROXIMITY MAP

23 CREST ROAD EAST

ZC NO. 23-070



Development Table for 23 Crest Road East Zoning Case No. 23-070_Planning Commission Meeting June 18, 2024

Site Plan Review, Conditional Use Permit Variance New 14,680 SF single family residence with 7,849 SF basement, atrium, 1,000 SF garage, 600 SF guest house, 1,225 SF stable, 280 SF pool, new driveway apron, circular driveway, decks, motor court, retaining walls, concrete stairs, and landscape	**EXISTING** **Vacant Lot**	**PROPOSED PAD NO. 1** **Main Residence, Garage, Guest House, Swimming Pool, Decks, Retaining Walls, Entryways, Atrium, Water feature**	**PROPOSED PAD NO. 2** **Accessory Dwelling Unit (ADU)**	**PROPOSED PAD NO. 3** **Structure Stable with Agricultural Storage and Corral**	**TOTAL**
RA-S- 2 Zone Setbacks Front: 50 ft. from front easement line Side: 35 ft. from side property line Rear: 50 ft. from rear easement line					
Net Lot Area	262,368 SF	—	—	—	262,368 SF
Residence	0 SF	14,680 SF	—	—	14,680 SF
Garage	0 SF	1,000 SF	—	—	1,000 SF
Swimming Pool/Spa	0 SF	280 SF	—	—	280 SF
Pool Equipment	0 SF	155 SF	—	—	155 SF
Guest House	0 SF	600 SF	—	—	600 SF
Accessory Dwelling Unit (ADU)	0 SF	—	700 SF	—	700 SF
Stable	0 SF	—	—	1,225 SF	1,225 SF
Basement Depth of Basement	0 SF 0 SF	7,849 SF 10 FT	—	—	7,849 SF 10 FT
Entryway, Breezeway	0 SF	0 SF	—	—	0 SF
Attached Covered Porches	0 SF	480 SF	—	—	480 SF
Detached Structures: Guest House Water Feature Trellis	 0 SF 0 SF 0 SF	 600 SF 115 SF 415 SF	—	—	 600 SF 115 SF 415 SF
Raised Deck	0 SF	0 SF	—	—	0 SF

Development Table for 23 Crest Road East Zoning Case No. 23-070_Planning Commission Meeting June 18, 2024

Service Yard	0 SF	95 SF	—	—	95 SF
	EXISTING	**PROPOSED PAD NO. 1**	**PROPOSED PAD NO. 2**	**PROPOSED PAD NO. 3**	**TOTAL**
Grading	0 CY	19,052 CY Cut 9,337 CY Fill	—	—	28,389 CY
Structural Coverage (20 % maximum)	0 SF	18,970 SF (7.23%)	—	—	18,970 SF (7.23%)
Flatwork Coverage (15% maximum)	0 SF	18,385 SF (7.01%)	—	—	18,385 SF (7.01%)
Total Structural & Flatwork Coverage (35% maximum)	0 SF	37,355 SF (14.24%)	—	—	37,355 SF (14.24%)
Disturbance (40% maximum)	0 SF	87,770 SF (33.45%)	—	—	87,770 SF (33.45%)
Building Pad 1 Area Building Pad Coverage	0 SF 0 SF	32,610 SF 17,799 SF (54.58%)	—	—	32,610 SF 17,799 SF (54.58%)
Building Pad 2 Area Building Pad Coverage	0 SF 0 SF	—	1,610 SF 700 SF (43.48%)	—	1,610 SF 700 SF (43.48%)
Building Pad 3 Area Building Pad Coverage	0 SF 0 SF	—	—	2,900 SF 1,340 SF (46.21%)	2,900 SF 1,340 SF (46.21%)

RESOLUTION NO. 2024-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF ZONING CASE NO. 23-070 FOR A SITE PLAN REVIEW TO DEVELOP A VACANT LOT INCLUDING NON-EXEMPT GRADING AND THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE WITH BASEMENT, RETAINING WALLS EXCEEDING A HEIGHT OF 3 FEET (UP TO A MAXIMUM HEIGHT OF 5 FEET), DRIVEWAY WITH PORTIONS THAT EXCEED A WIDTH OF 20 FEET, AND OTHER IMPROVEMENTS; CONDITIONAL USE PERMITS FOR CONSTRUCTION OF A STABLE, CORRAL, DETACHED TRELLIS, AND GUEST HOUSE; AND VARIANCES TO ALLOW THE STABLE, CORRAL, SWIMMING POOL, AND RETAINING WALLS TO ENCROACH INTO THE FRONT YARD, ALLOW A PORTION OF THE CORRAL TO ENCROACH INTO THE FRONT YARD SETBACK, CONSTRUCT RETAINING WALLS EXCEEDING THE MAXIMUM AVERAGE HEIGHT OF TWO-AND-ONE-HALF FEET, CONSTRUCT A BASEMENT WITH A PORTION EXTENDING BEYOND THE BUILDING WALLS OF THE RESIDENCE, CONSTRUCT DECKS/PATIOS MORE THAN ONE FOOT ABOVE GRADE, AND ALLOW GRADING EXPORT FOR A PROPERTY LOCATED AT 23 CREST ROAD EAST, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LOT 132A-MS) (OGASAWARA)

THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. On June 2, 2023, application was filed by the applicant, Frank Escher of Escher, Gune, Wardena Architecture on behalf of the property owner Yuki Ogasawara, to request approval to construct on the vacant lot at 23 Crest Road East. The proposed project under Zoning Case (ZC) No. 23-070 includes a new 14,680-square-foot (SF) single-family residence with a 7,849 SF basement, 1,000 SF attached garage, 1,225 SF stable, 5,190 SF corral, 652 SF accessory dwelling unit (ADU), 600 SF guest house, 280 SF swimming pool, 155 pool equipment, 480 square feet of attached covered porches, service yard, lightwells, maximum five- foot-high retaining walls, walkways, native landscaping, and other improvements. There is a proposed 13,480-square-foot oval driveway with access to the residence, ADU, and stable.

Section 2. The property is zoned RAS-2 and the gross lot area is 7.05 acres or 307,098 square feet. The net lot area for development purposes is 6.02 acres or 262,368 square feet. The lot is currently undeveloped and vacant. The lot is irregularly shaped and has a depth of approximately 820 feet and a width of approximately 480 feet. The property slopes downward from Crest Road East to the rear of the property. The grade elevation between the proposed main building pad and the street is approximately 42 feet. The lot is located in the southern portion of the City, and has views of the Pacific Ocean. A natural drainage course is located along the western portion of the lot and a blue line stream, which is a part of the Klondike Canyon System, is located approximately 200 feet south of the southern property line of the lot. The lot is also located in proximity to the Geotechnical Hazardous area of the City, known as the Flying Triangle.

Section 3. The Planning Commission conducted duly noticed public hearings to consider the application at its morning field trip meeting and regular meeting for the first time on January 16, 2024. Neighbors within a 1,000-foot radius were notified of the public hearings and a notice was published in the Daily Breeze on January 5, 2024. The applicant and owner were notified of the public hearings and were in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal. The Planning Commission opened the meeting, took public testimony, and continued the public hearing to a later date. The Planning Commission directed staff to work with the applicant on revising the plans to address the issues.

The Planning Commission conducted duly noticed public hearings to consider the application at its morning field trip meeting and regular meeting for a second time on April 16, 2024. Neighbors within a 1,000-foot radius were notified of the public hearings and a notice was published in the Daily Breeze on April 5, 2024. The applicant and owner were notified of the public hearings and were in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal. The Planning Commission opened the meeting, took public testimony, and continued the public hearing to a later date. The Planning Commission directed staff to work with the applicant on revising the plans to address the issues.

Subsequently, the applicant revised the Project, and it was brought back to the Planning Commission. The Planning Commission conducted duly noticed public hearings to consider the application at its field trip meeting and regular meeting for a third time on June 18, 2024. Neighbors within a 1,000-foot radius were notified of the public hearings and a notice was published in the Daily Breeze on April 8, 2024. The applicant was notified of the public hearings and was in attendance at the hearings. Evidence was heard and presented at the public hearings from all persons interested in affecting said proposal.

Section 4. On February 13, 2017, the City Council adopted Resolution No. 1202 approving Zoning Case (ZC) No. 902 for construction of an 11,500-square-foot new single-family residence with an 11,500-square-foot basement and appurtenances. On December 12, 2018, the Planning Commission granted a two-year time extension for ZC No. 902 to January 23, 2021. Due to COVID-19 entitlements were placed on hold and Assembly Bill 1561 created an automatic time extension. As such, the expiration date for ZC No. 902 was extended to July 22, 2022, but the permit was not used and expired.

On November 9, 2021, an application was received for development of a new 8,460-square-foot residence, basement, accessory dwelling unit (ADU), guest house, stable, swimming pool, spa, and other improvements (ZC No. 21-11). On March 15, 2022, the Planning Commission conducted a field trip and evening meeting and continued the item to April 19, 2022. However, before the April 19, 2022 meeting could take place, the applicant requested the item be pulled because the property had been sold and there was no interest in moving forward with the project as proposed. As such, the item did not return to the Planning Commission and ZC No. 21-11 was closed. Thus, the project was never approved.

On December 11, 2023, the Traffic Commission reviewed the proposed driveway and apron located on Crest Road East under the current application (ZC No. 23-070). The Traffic Commission approved the new driveway and apron.

Section 5. The Project is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures), which exempts the construction and location of a limited number of new, small facilities or structures, including accessory structures, including but not limited to garages, carports, patios, swimming pools and fences. Here, the proposed Project includes development on a vacant lot for a new single-family residence, basement, attached garage, driveway, stable, swimming pool, ADU, guesthouse, trellis, walls, hardscape, landscape, and other residential improvements. Accordingly, the Project qualifies for the exemption pursuant to Section 15303. Further, no exceptions to the exemption apply; there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The lot is vacant, and it is one of the last undeveloped lots in the neighborhood.

Section 6. Site Plan Review. Site Plan Review is required for construction of any new building or structure pursuant to Rolling Hills Municipal Code (RHMC) Section 17.46.020(A). The Project is for Site Plan Review (SPR) to develop a vacant lot including non-exempt grading and the construction of a new single-family residence, basement, attached garage, retaining walls to exceed a height of 3 feet (up to a maximum of 5 feet), oval driveway with portions that exceed a width of 20 feet, and other improvements. With respect to the Site Plan Review for the development, the Planning Commission hereby makes the following findings:

A. The Project complies with and is consistent with the goals and policies of the General Plan and all requirements of the zoning ordinance.

The proposed development is compatible with the General Plan and Zoning ordinance. The proposed structures comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures. The Project maintains the maximum possible distances from adjacent neighbors. The main residence has been integrated into the existing slope to minimize grading and land disturbance by constructing a long and narrow V-shaped floor plan that closely follows the existing topography, which will reduce the visual impact from neighboring properties. The Project complies with all of the City of Rolling Hills Development standards with the exception of requiring Variances for the structures to encroach into the front yard.

The Project conforms to Zoning Code lot coverage requirements. The net lot area of the lot is 262,368 square feet (6.02 acres) per RHMC Section 17.16.060(A). The structural net lot coverage is proposed at 18,970 square feet or 7.23% (20% max. permitted) excluding exempt structures; and the total lot coverage proposed, including flatwork, would be 37,770 square feet or 14.40% (35% max. permitted). The disturbed area is 87,770 square feet or 33.45% (40% max permitted).

B. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. Lot coverage requirements are regarded as

maximums, and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot.

The topography and the configuration of the lot have been considered, and the project will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures; the project will be built on new building pads which enables project elements to be the least intrusive to surrounding properties. Further, the project will be a sufficient distance from nearby residences so views and privacy of surrounding neighbors will not be impacted. The main house is sited to minimize grading and minimize impact on the site below the 1293-foot contour line that defines both the Finished Floor level and the precise orientation of the wings of the house. The landscape below this line will not experience any site disturbance and will be utilized to seed and reestablish a pallet of native species back into the landscape above the house. The Project includes three new building pads: Pad #1 is for the main residence for a total of 32,610 SF; Pad #2 is for the ADU for a total of 1,610 SF; and Pad #3 is for the stable for a total of 2,900 SF.

C. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences.

The proposed development, as conditioned, is harmonious in scale and mass with the site, and is consistent with the scale of the neighborhood when compared to new residences in the vicinity of said lot. The proposed site plan is harmonious with the site conditions of the existing lot and neighboring lots. The integration of the into the slope following the topography enables the residence to be largely hidden from view from the street and neighboring residences, maximizing the distance between the main house and the street. The slopes being created have been rounded and it was attempted to mimic the existing natural slopes in the area.

D. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls).

There will be no significant changes to the overall drainage features on the lot. There will be minimal impact to site design, vegetation, and mature trees. The property will be landscaped in accordance with the approved landscape plan.

E. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area.

The total proposed grading for the Project is 28,389 Cubic Yards (19,052 CY of cut and 9,337 CY of fill). The excavation for the basement 3,026 CY and pool 105 CY are exempt, the Site Plan Review is for the non-exempt grading total 25,247 CY. The Grading will be balanced on site with exception to 6,584 CY of non-exempt export. The project has been designed to follow natural contours of the site and minimize grading.

F. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course.

Grading will be balanced on site with exception to 9,715 cubic yards of export (3,131 CY exempt and 6,584 CY non-exempt). Grading has been minimized by integrating the main residence into the natural slope. The width of the main residence is limited to 25 feet, and the result is a long and narrow ranch house rambling along the 1293-foot contour line. The main residence is centered on its site so that runoff is not increased within existing drainage courses on either side of the lot. Control of water collected by impervious surfaces will utilize large cisterns to collect and redistribute storm-water in a controlled manner that does not alter drainage courses or runoff loads from the undeveloped state of the lot.

G. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas.

Surrounding native vegetation and mature trees will not be affected or will be replaced. New vegetation will be installed in accordance with the approved landscape plan. The development will be considerate of the environment and will enhance the rural character of the community. As such, the rural character of the community is maintained and privacy is maintained with neighbors. The new landscape will utilize this plant community as the framework for all new plantings in the landscape that will enhance the existing habitat and ecological community already present on site. These native plants are well suited to the existing site without the need for irrigation beyond their establishment period of 1 to 2 years. The trees will provide visual buffers and habitat creation between neighboring properties while preserving and protecting natural drainage patterns on the site. The new landscape adjacent to Crest Road focuses largely on the reestablishment of the coastal sage scrub planting community and providing habit for the local fauna while seamlessly blending the house into the surrounding native hillside without obstructing views

H. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles.

The proposed site plan is not detrimental to convenience and safety of pedestrians and vehicles. The proposed continuous driveway allows for the simplest path between all structures, with an attached garage in the main residence accommodating four vehicles, suitable per Rolling Hills guidelines for the main house, guest house and ADU parking requirements. The open agricultural room in the stable will also facilitate storage of maintenance vehicles and equipment, as well as animal transportation equipment.

I. The project conforms to the requirements of the California Environmental Quality Act (CEQA).

The Project is exempt from the CEQA Guidelines pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures), which exempts the construction and location of a limited number of new, small facilities or structures, including single family residence and accessory structures, including but not limited to garages, carports, patios, swimming pools and fences. Here, the Project includes development on a vacant lot for a new single-family residence, basement, attached garage, driveway, stable, swimming pool, ADU, guesthouse,

trellis, walls, and other residential improvements. Accordingly, the Project qualifies for the exemption pursuant to Section 15303. Further, no exceptions to the exemption apply; there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The lot is vacant, and it is one of the last undeveloped lots in the neighborhood.

Section 7. Conditional Use Permit Findings. RHMC Section 17.16.040 and 17.16.200 require a Conditional Use Permit per RHMC Section 17.16.040(A)(3) for a guest house, per RHMC Section 17.16.040(A)(6) for a stable over 200 square feet, per RHMC Section 17.16.040(A)(7) for corral over 550 square feet, and per 17.16.200(H) for a 400 SF detached trellis, respectively. The Applicant is proposing a 540 SF guesthouse located at the eastern portion of the main building pad. The Applicant is also proposing a 1,225 SF stable with two stalls and a tack room, and a 5,190 SF corral. Given the foregoing, in accordance with RHMC Section 17.42.050, the Planning Commission makes the following findings:

A. That the proposed conditional use is consistent with the General Plan.

The granting of a Conditional Use Permit for a guesthouse, stable, corral, and trellis is consistent with the purposes and objectives of the Zoning Ordinance and General Plan because the use is consistent with similar uses in the community, and meets all the applicable code development standards for such use. The Project is compatible with existing land uses as other properties in the same zone have a guest house and stable.

B. That the nature, condition and development of adjacent uses, buildings and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, building or structures.

The nature, condition, and development of adjacent structures have been considered, and the Project will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures because the proposed guest house, stable, corral, and trellis will be located on the property with sufficient proximity to neighboring buildings and structures.

C. That the site for the proposed conditional use is of adequate size and shape to accommodate the uses and buildings proposed.

The proposed conditional uses comply with all applicable development standards in the RAS-2 Zone. The net lot area is 262,368 square feet (6.02 acres) and is adequate to support the proposed uses. The area of the site considered the "front yard", between the proposed main residence and the street, is the widest and most level part of the site. The exception to this is the location of the stable in the front yard, and the corral in the front yard setback, both are subject to variances. The property will be developed and adequate in size and shape to accommodate the proposed uses and buildings.

D. That the proposed conditional use complies with all applicable development standards of the zone district.

The proposed conditional uses comply with all applicable development standards of the RAS-2 Zone, with exception to the variances requested herein.

E. That the proposed use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities.

Granting the proposed conditional use for the project will be consistent with the applicable portions of the Los Angeles County Hazardous Waste Management Plan related to siting criteria for hazardous waste facilities. The project site is not listed on the current State of California Hazardous Waste and Substances Sites List. The proposed project would not constitute a hazardous waste facility.

F. That the proposed conditional use observes the spirit and intent of this title.

The proposed project allows the Applicant the ability to enjoy rights enjoyed by other residents in the City. The proposed uses are consistent with the residential character of the City.

Section 8. Variance Findings. Section 17.38.050 sets forth the required findings for granting Variances to allow the stable, corral, swimming pool, and retaining walls to encroach into the front yard, allow a portion of the corral to encroach into the front yard setback, construct retaining walls exceeding the maximum average height of two-and one-half-feet, construct a basement with a portion extending beyond the building walls of the residence, construct decks/patios more than one foot above grade, and allow grading export. With respect to this request for Variances, the Planning Commission finds as follows:

A. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone.

There are extraordinary circumstances applicable to this property. The location of stable and corral between the main house and the street is a design adopted by many neighbors on Crest Road East, requiring a variance to allow stables and corrals in the front yard and front yard setback. The area of the site considered the "front yard", between the proposed main residence and the street, is the widest and most level part of the site. Allowing the proposed pool and retaining walls to encroach into the front yard will be consistent with the natural slope of the existing property. The construction of retaining walls to exceed the maximum average height of two-and one-half-feet, a basement with a portion extending beyond the building walls of the residence, and construction decks/patios more than one foot above grade will minimize grading and support the development. As a result of the shape of the lot, the grading of the project requires a variance to export non-exempt grading of 3,160 CY of soil to keep the peak of the knoll below the height of the street and out of the view of neighbors.

B. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question.

Developments similar to the proposed project, with stables and corrals in the front yard, are enjoyed by many neighbors on Crest Road East who similarly position main residences away from the street to create privacy and maximize views from their residences, all while making the equestrian uses of the neighborhood visible along the street. The variance requests are necessary for preservation and enjoyment of property rights consistent with other properties in the same vicinity and zone.

C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity.

Granting a variance for the Project will not be detrimental to the public welfare and will not be injurious to properties in the vicinity because it is consistent with the encroachments by the existing residences and structures.

D. That in granting the variance, the spirit and intent of this title will be observed.

The granting of the variance will allow for a development that is harmonious in scale and mass with the site, the proposed project is visually harmonious with adjacent properties and in scale with adjacent residential development.

E. That the variance does not grant special privilege to the applicant.

The variance does not grant special privileges for the Applicant; the proposed project is similar to other properties on Crest Road East that have stables and corrals in the front yard and setbacks. The project, together with the variance, will be compatible with the objectives, policies, and general land uses specified in the General Plan.

F. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities.

Granting a variance for the project will be consistent with the applicable portions of the Los Angeles County Hazardous Waste Management Plan related to siting criteria for hazardous waste facilities. The project site is not listed on the current State of California Hazardous Waste and Substances Sites List. The proposed project would not constitute a hazardous waste facility.

G. That the variance request is consistent with the General Plan of the City of Rolling Hills.

Approvals granting the variance to allow encroachments into the front yard setback will be consistent with the General Plan of the City of Rolling Hills, which encourages residential and equestrian uses.

Section 9. Based upon the foregoing findings, and the evidence in the record, the Planning Commission hereby approves Zoning Case No. 23-070 subject to the following conditions:

A. Approval for the Site Plan Review, Conditional Use Permits, and Variances shall expire within two years from the effective date of approval as defined in RHMC Section 17.38.070 of the Zoning Ordinance unless otherwise extended pursuant to the requirements of this section.

B. If any condition of this resolution is violated, the entitlement granted by this resolution shall be suspended and the privileges granted hereunder shall lapse and upon receipt of written notice from the City, all construction work being performed on the subject property shall immediately cease, other than work determined by the City Manager or his/her designee required to cure the violation. The suspension and stop work order will be lifted once the Applicant cures the violation to the satisfaction of the City Manager or his/her designee. In the event that the Applicant disputes the City Manager or his/her designee's determination that a violation exists or disputes how the violation must be cured, the Applicant may request a hearing before the City Council. The hearing shall be scheduled at the next regular meeting of the City Council for which the agenda has not yet been posted; the Applicant shall be provided written notice of the hearing. The stop work order shall remain in effect during the pendency of the hearing. The City Council shall make a determination as to whether a violation of this Resolution has occurred. If the Council determines that a violation has not occurred or has been cured by the time of the hearing, the Council will lift the suspension and the stop work order. If the Council determines that a violation has occurred and has not yet been cured, the Council shall provide the Applicant with a deadline to cure the violation; no construction work shall be performed on the property until and unless the violation is cured by the deadline, other than work designated by the Council to accomplish the cure. If the violation is not cured by the deadline, the Council may either extend the deadline at the Applicant's request or schedule a hearing for the revocation of the entitlements granted by this Resolution pursuant to Chapter 17.58 of the Rolling Hills Municipal Code (RHMC).

C. All requirements of the Building and Construction Ordinance, the Zoning ordinance, and of the zone in which the subject property is located must be complied with unless otherwise a variance to such requirement has been approved.

D. The lot shall be developed and maintained in substantial conformance with the site plan on file at City Hall and approved by the Planning Commission on June 18, 2024, except as otherwise provided in these conditions. The working drawings submitted to the Department of Building and Safety for plan check review shall conform to the approved development plan. All conditions of the Site Plan Review, Conditional Use Permits, and Variance approvals shall be incorporated into the building permit working drawings, and where applicable complied with prior to issuance of a grading or building permit from the building department.

The conditions of approval of this Resolution shall be printed onto a separate sheet and included in the building plans submitted to the Building Department for review and shall be kept on site at all times.

Any proposed modifications and/or changes to the approved project, including resulting from field conditions, shall be discussed with staff so that staff can determine whether the modification is minor or major in nature. Minor modifications are subject to approval by the City Manager or his or her designee. Major modifications are subject to approval by the Planning Commissioner after a public hearing. Applicant shall not implement modifications or changes to the approved project without the appropriate approval from the City Manager or designee or the Planning Commission, as required.

E. Prior to submittal of final working drawings to Building and Safety Department for issuance of building and grading permits, the plans for the project shall be submitted to City staff for verification that the final plans are in compliance with the plans approved by the Planning Commission.

F. A licensed professional preparing construction plans for this project for Building Department review shall execute a Certificate affirming that the plans conform in all respects to this Resolution approving this project and all of the conditions set forth herein and the City's Building Code and Zoning Ordinance.

Further, the person obtaining a building and/or grading permit for this project shall execute a Certificate of Construction stating that the project will be constructed according to this Resolution and any plans approved therewith.

G. Structural lot coverage of the lot shall not exceed 18,970 square feet or 7.23% of the net lot area (20% maximum). The flatwork coverage is 118,385 square feet or 7.01%. The total lot coverage proposed, including structures and flatwork, shall not exceed 35,590 square feet or 13.95% (35% maximum).

H. The total disturbed area will be 87,770 square feet or 33.45% (maximum 40%). Grading for this project shall not exceed 19,052 cubic yards of cut and 9,337 cubic yards of fill for a total of 28,389 cubic yards. Total export of 9,715 cubic yards, Variance granted for non-exempt 6,584 cubic yards, and export of exempt 3,131 cubic yards for the basement and swimming pool.

I. The total proposed building pad coverage for the residential main pad 1 (32,610 square foot area) is 17,905 square feet or 54.91% which is above the 30% maximum guideline. The total proposed building pad coverage for the ADU pad 2 (1,610 square foot area) will be 700 square feet or 43.48%, which exceeds the maximum 30% guideline. The total proposed for stable pad 3 (2,900 square foot area) is 1,340 square feet or 46.21% which exceeds the maximum 30% guideline.

J. A driveway access shall be provided per the Fire Department requirements and the driveway shall be roughened and the first 20 feet of the driveway shall not exceed 7% in slope.

K. Access to the stable and to the corral shall be decomposed granite or 100% pervious roughened material; it shall not be wider than 12 feet.

L. A minimum of five-foot level path and/or walkway, which does not have to be paved, shall be provided around the entire perimeter of all of the proposed structures, including the detached garage and stable, or as otherwise required by the Fire Department.

M. The applicant shall comply with all requirements of the Low Impact Development requirements for storm water management on site (RHMC Chapter 8.32).

N. Hydrology, soils, geology and other reports, as required by the Building and Public Works Departments, and as may be required by the Building Official, shall be prepared.

O. Prior to issuance of a final construction approval of the project, all graded slopes shall be landscaped. Prior to issuance of building permit, the landscaping plan shall meet the requirements of the City, shall be submitted to the City in conformance with Fire Department Fuel Modification requirements, and shall be approved by the City's landscape consultant.

P. The project shall be landscaped, and continually maintained in substantial conformance with the landscaping plan on file approved by the City's landscape consultant. A detailed landscaping plan shall provide that any trees and shrubs used in the landscaping scheme for this project shall be planted in a way that screens the project development from adjacent streets and neighbors, such that shrubs and trees as they mature do not grow into a hedge or impede any neighbors' views and the plan shall provide that all landscaping be maintained at a height no higher than the roof line of the nearest project structure. In addition, the landscaping plan shall provide for screening of development with vegetation not to exceed 10 feet in height, and that the vegetation used for screening shall be planted in an off-set manner, so as to prevent it, as it grows from forming a solid hedge. The landscaping plan shall utilize to the maximum extent feasible, plants that are native to the area, are water-wise and are consistent with the rural character of the community. Plants listed as high hazardous plants under RHMC Section 8.30.015 are prohibited.

Q. The applicant shall submit a landscaping performance bond or other financial obligation, to be kept on deposit by the City, in the amount of the planting plus irrigation plus 15%. The bond shall be released no sooner than two years after completion of all plantings, subject to a City staff determination that the plantings required for the project are in substantial conformance with approved plans and are in good condition.

A Certificate of Completion shall be submitted by the project designer or contractor prior to final landscape installation inspection.

R. The landscaping shall be subject to the requirements of the City's Water Efficient Landscape Ordinance, (Chapter 13.18 of the RHMC).

S. Pursuant to Chapter 8.30 of the RHMC, the property shall at all times be maintained free of dead trees and vegetation.

T. The setback lines and roadway easement lines in the vicinity of the construction for this project shall remain staked throughout the construction. A construction fence may be required.

U. Perimeter easements, including roadway easements and trails, if any, shall remain free and clear of any improvements to advance equestrian use and emergency preparedness for evacuation within the City. Where RHCA has demonstrated authority over the easement, the City's Planning Director may grant relief from this condition upon satisfactory proof of permission from RHCA and a legitimate showing that there is no need for the condition to advance equestrian uses and emergency preparedness.

V. Minimum of 65% of any construction materials must be recycled or diverted from landfills. The hauler of the materials shall obtain City's Construction and Demolition permits for waste hauling prior to start of work and provide proper documentation to the City.

W. *During construction*, conformance with the air quality management district requirements, storm water pollution prevention practices, county and local ordinances and engineering practices so that people or property are not exposed to undue vehicle trips, noise, dust, objectionable odors, landslides, mudflows, erosion, or land subsidence shall be required.

X. *During construction*, to the extent feasible, all parking shall take place on the project site, on the new driveway and, if necessary, any overflow parking may take place within the unimproved roadway easements along adjacent streets, and shall not obstruct neighboring driveways, visibility at intersections or pedestrian and equestrian passage. During construction, to the maximum extent feasible, employees of the contractor shall car-pool into the City. To the extent feasible, a minimum of 4' wide path, from the edge of the roadway pavement, for pedestrian and equestrian passage shall be available and be clear of vehicles, construction materials and equipment at all times.

Y. *During construction*, the property owners shall be required to schedule and regulate construction and relate traffic noise throughout the day between the hours of 7 AM and 6 PM, Monday through Saturday only, when construction and mechanical equipment noise is permitted, so as not to interfere with the quiet residential environment of the City of Rolling Hills.

Z. Prior to demolition of the existing structures, an investigation shall be conducted for the presence of hazardous chemicals, lead-based paints or products, mercury and asbestos-containing materials (ACMs). If hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, remediation shall be undertaken in compliance with California environmental regulations and policies.

AA. The property owner and/or his/her contractor/applicant shall be responsible for compliance with the no-smoking provisions in the Municipal Code. The contractor shall not use tools that could produce a spark, including for clearing and grubbing, during red flag warning conditions. Weather conditions can be found at: **http://www.wrh.noaa.gov/lox/main.php?suite=safety&page=hazard_definitions#FIRE.** It is the sole responsibility of the property owner and/or his/her contractor to monitor the red flag warning conditions.

AB. Development shall drain in accordance with the approved grading and drainage plan. Drainage dissipaters shall be constructed outside of any easements. The drainage system

shall be approved by the Department of Building and Safety. If an above ground swale and/or dissipater is required, it shall be designed in such a manner as not to cross over any equestrian trails or discharge water onto a trail, shall be stained in an earth tone color, and shall be screened from any trail, road and neighbors' view to the maximum extent practicable, without impairing the function of the drainage system. In the event a storm drain pipe is installed to divert water flows through Klondike Canyon, the property owner shall use reasonable efforts to investigate the viability of creating a connection between the water overflow from the two cisterns on the property and the installed storm drain pipe..

AC. *During construction*, dust control measures shall be used to stabilize the soil from wind erosion and reduce dust and objectionable odors generated by construction activities in accordance with South Coast Air Quality Management District, Los Angeles County and local ordinances and engineering practices.

AD. *During construction*, an Erosion Control Plan containing the elements set forth in Section 7010 of the 2022 County of Los Angeles Uniform Building Code shall be followed to minimize erosion and to protect slopes and channels to control storm water pollution.

AE. The property owners shall be required to conform to the Regional Water Quality Control Board and County Health Department requirements for the installation and maintenance of storm water drainage facilities and septic tank.

AF. The applicant shall pay all of the applicable Building and Safety and Public Works Department fees and Palos Verdes Peninsula Unified School District fees, if any.

AG. Prior to final inspection of the project, "as graded" and "as constructed" plans and certifications shall be provided to the Planning Department and the Building Department to ascertain that the completed project is in compliance with the Planning Commission approved plans. In addition, any modifications made to the project during construction, shall be depicted on the "as built/as graded" plan.

AH. The applicants shall execute an Affidavit of Acceptance of all conditions of the Variance approval, or the approval shall not be effective.

AI. All conditions of this Resolution, when applicable, must be complied with prior to the issuance of a grading or building permit from the Building and Safety Department.

AJ. 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 Code of Civil Procedure Section 1094.6.

AK. To the extent permitted by law, Permittee shall defend, indemnify and hold harmless the City of Rolling Hills, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void any permit or approval for this project authorized by the City, including (without limitation) reimbursing the City its actual attorney's fees and costs in defense of the litigation. The City may, in its sole discretion,

elect to defend any such action with attorneys of its choice. The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this permit. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.

AL. The stable and corral shall comply with all requirements in Sections 17.18.060 and 17.18.090, unless otherwise approved herein.

AM. Future expansion of the driveway or motor court is prohibited unless previously approved by the City. Connection to the stable and corral shall be decomposed granite or 100% pervious roughened material; it shall not be less than 6 feet wide and no wider than 12 feet.

AN. New landscaping in the Rolling Hills Community Association (RHCA) easement is prohibited unless previously approved by RHCA. Landscaping not approved by RHCA in the easement shall be removed from the final landscape plan.

AO. The ADU will require Evergreen landscape screening that must be planted and maintained between the ADU and adjacent parcels. The plant specimens for screening must not exceed the maximum roofline height of the ADU. All landscaping must be drought-tolerant. All landscaping must be from the City's approved plant list.

AP. The mound shall have a maximum elevation of 1330 feet. Landscaping on the mound shall be limited to a maximum of five Catalina Ironwood trees with a minimum clearance of six feet from ground to canopy. Three-foot-high shrubs shall be allowed atop the mound. Landscaping shall be reviewed and approved by the City's landscape consultant prior to issuance of a grading permit.

AQ. The passageway on the western side of the basement shall be angled or zigzagged. The passageway shall be redesigned on the plans and reviewed and approved by the Planning Department prior to submittal to building plan check.

PASSED, APPROVED AND ADOPTED THIS 18th DAY OF JUNE 2024.

BRAD CHELF, CHAIRPERSON

Gregg Kirkpatrick Vice Chair

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. 2024-06 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF ZONING CASE NO. 23-070 FOR A SITE PLAN REVIEW TO DEVELOP A VACANT LOT INCLUDING NON-EXEMPT GRADING AND THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE WITH BASEMENT, RETAINING WALLS EXCEEDING A HEIGHT OF 3 FEET (UP TO A MAXIMUM HEIGHT OF 5 FEET), DRIVEWAY WITH PORTIONS THAT EXCEED A WIDTH OF 20 FEET, AND OTHER IMPROVEMENTS; CONDITIONAL USE PERMITS FOR CONSTRUCTION OF A STABLE, CORRAL, DETACHED TRELLIS, AND GUEST HOUSE; AND VARIANCES TO ALLOW THE STABLE, CORRAL, SWIMMING POOL, AND RETAINING WALLS TO ENCROACH INTO THE FRONT YARD, ALLOW A PORTION OF THE CORRAL TO ENCROACH INTO THE FRONT YARD SETBACK, CONSTRUCT RETAINING WALLS EXCEEDING THE MAXIMUM AVERAGE HEIGHT OF TWO-AND-ONE-HALF FEET, CONSTRUCT A BASEMENT WITH A PORTION EXTENDING BEYOND THE BUILDING WALLS OF THE RESIDENCE, CONSTRUCT DECKS/PATIOS MORE THAN ONE FOOT ABOVE GRADE, AND ALLOW GRADING EXPORT FOR A PROPERTY LOCATED AT 23 CREST ROAD EAST, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LOT 132A-MS) (OGASAWARA)

was approved and adopted at a regular meeting of the Planning Commission on June 18, 2024, by the following roll call vote:

AYES: Cooley, Douglass, Vice Chair Kirkpatrick

NOES:

ABSENT: Cardenas, Chair Chelf

ABSTAIN:

and in compliance with the laws of California was posted at the following:

Administrative Offices.

CHRISTIAN HORVATH, CITY CLERK

23 Crest Road East (Zoning Case No. 23-070)

June 18, 2024 Planning Commission Meeting Photos

Photo #1: Taken on June 13, 2024 from top of Crest Road East looking west.



Photo 2 taken on June 13, 2024 from standing at the top of Crest Road East looking west.



Photo 3: Taken on June 13, 2024 from standing at the top of Crest Road East looking west.



From: Youkun Nie <youkunnie@yahoo.com>
Sent: Wednesday, January 17, 2024 4:04 PM
To: John Signo <jsigno@cityofrh.net>; Stephanie Grant <sgrant@cityofrh.net>
Cc: TAO SPACES <taospaces.ca@gmail.com>; zhe song <zhesong0303@gmail.com>
Subject: 23 Crest Rd East---My client's concerns

External (youkunnie@yahoo.com)

Report This Email FAQ Protection by INKY

Hi John, Stephanie,

Hope you are doing well!

After participating the field trip and public hearing yesterday on the development plan at 23 Crest Road East (Subject Project), my client has a few concerns about the Subject Project:

1. The potential impact of the Subject Project's WEST WING on my client's privacy

The Subject Project is located at a higher grade than my client's house at 17 Crest Rd East, and its site layout will enable the people in its west wing to see my client's house from high above.

To better understand how the Subject Project might impact his privacy, my client would like to request a site section from the Owner of the Subject Project. The site section shall include both the Subject project and my client's house and demonstrate what measures the Subject project will take to protect my client's privacy.

2. The Potential impact of the Subject Project's STABLE on my client's privacy

My client is not comfortable with the location of the Subject Projects Stable either. The Stable's adjacency to my client's property will potentially impact my client's privacy, and the Stable's odor will potentially bring unpleasant feeling to my client. It might be more desirable if the Owner of the Subject Project could consider switching the Stable location with ADU's,

My client understands that he was supposed to raise his concerns before the Public Hearing. He will greatly appreciate it if you can kindly advise what he can do with his above concerns.

Any way, it doesn't mean my client opposes to the Subject Project. While he is raising his concerns, he wants to be a good neighbor of the Subject Project's Owner.

Thanks for your time. Look forward to hearing from you.

Best,
Youkun Nie

From: Paul Huh
To: Stephanie Grant
Cc: Jane Huh
Subject: Fw: 27 Crest Road East - new contruction
Date: Tuesday, May 21, 2024 7:46:43 AM

This is the first time you received an email from this sender (pahuh@pafco.net). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Stephanie Grant,

Thank you for meeting with me regarding the plans for 27 Crest Road East (not sure if this is the correct address).

Per our conversation, the Huh family residence on 20 Crest Road East is against any obstruction above Crest Road East street level to the ocean view.

Thank you,
Paul Huh

Confidentiality Notice: The information contained in this electronic e-mail and any accompanying attachment(s) is intended only for the use of the intended recipient and may be confidential and/or privileged. If any reader of this communication is not the intended recipient, unauthorized use, disclosure or copying is strictly prohibited, and may be unlawful. If you have received this communication in error, please immediately notify the sender by return e-mail, and delete the original message and all copies from your system. FRAUD ALERT: **Be aware! Online banking fraud is on the rise! Email accounts in this industry are targets of cyber criminals that use information in an attempt to initiate fraudulent wire requests. If you receive an e-mail or any other communication that appears to be generated from an employee of Pacific American Fish Co., Inc. that contains new, revised or altered bank wire instructions, consider it suspect and protect yourself by calling our office at a number you trust before you initiate any transfer. It is recommended that you independently research our contact information to confirm instructions and do not rely on information contained in an email signature block. Our wire instructions do not change.

DATE: January 30, 2024
TO: Stephanie Grant
FIRM: City of Rolling Hills
FROM: Carrie Mandarino
PROJECT: 23 Crest Road E
SUBJECT: Conceptual Landscape Plan Review

Dear Stephanie,

Thank you for the opportunity to review the conceptual landscape plan for 23 Crest Road East located in the City of Rolling Hills. The landscape plans have been reviewed for compliance with the Model Water Efficient Landscape Ordinance (MWELO). Landscape plans were reviewed for appropriateness and adaptability of selected plants, water efficient irrigation design, and the use of design elements that enhance the character of the community. Review of hardscape and precise grading and drainage are not included.

Model Water Efficient Landscape Ordinance (MWELO) Compliance
Landscape plans have been reviewed for compliance with The City of Rolling Hills Water Efficient Landscape Ordinance No. 361.

This is a Conceptual Plan submittal with approximately 83,000 s.f. of landscape. The MAWA and ETWU calculations for the project are not provided. Refer to the City of Rolling Hills Water Efficient Landscape Submittal Package for plan requirements and Water Efficient Landscape Worksheet. Use the Eto of 39.7 for City of Rolling Hills in the calculations. Include the water feature in the ETWU calculation with a 1.0 plant factor and 1.0 irrigation efficiency (1.0 ETAF). Show the fountain as a high hydrozone, and provide a hydrozone map.

The proposed plant palette is comprised low water use native plants. Three groups of low water use zones are shown and include a Native Meadow, Native Garden, and Native Chaparral. Photos with plant water use are shown and checked per WUCOLS IV Region 3 South Coastal.

The Project Application needs to be submitted. Show a Statement of Compliance with the Landscape Ordinance, and a note requiring a 3-inch layer of mulch on the plan. Planting notes should include soil preparation with amendments for planting.

Irrigation Plan
An irrigation plan was not submitted. A Conceptual Plan for Water Management was included. Provide an irrigation plan showing equipment location and a legend.

Planting Plan
The plant palette is comprised of a variety of low water use trees, shrubs, succulents, grasses, and ground cover that are adapted to the local climate and conditions on site. Three plant palette zones of low water use plants are shown including, Native Meadow, Native Garden, and Native Chaparral. Photos of plants are included with the WUCOLS Water Use.

Low water use native trees specified include: Quercus agrifolia and Lyonothamnus.
Moderate water use Cercis 'Forest Pansy' is also specified.
Planting details are shown. Planting notes should also be provided with soil preparation and amendments.

City Requirements and Notes
Per City of Rolling Hills requirements, trees specified shall not grow taller than the roof ridge height. Species of concern that grow taller than this include Quercus agrifolia and Lyonothamnus. Cercis 'Forest Pansy' trees are acceptable. Trees should also be located so that neighboring views are not obstructed. Show the mature tree height in legend. No City prohibited tree species are shown on the plan.

No planting is allowed in the RHCA easement. In addition, hedges are not allowed in Rolling Hills. The Toyon hedge shown at the edge of the property should be spaced in an uneven pattern approximately 15 feet minimum apart so as not to create a hedge.

The following notes should be added to the Plan:
No landscaping shall be allowed in the RHCA easement.
Trees specified shall not grow higher than the height of the roof ridge.
Trees shall be planted in locations that do not hinder views from the adjacent lots.
Trees are required to be maintained to a height not to exceed the roof ridge and so that views from adjacent lots are not obstructed.
Hedges are not allowed.

Required Revisions for MWELO Compliance

- Provide Water Efficient Landscape Worksheet project calculations.
- Include water feature in calculations as a high hydrozone with a 1.0 ETAF.
- Provide required notes on plan: Statement of Compliance with Landscape Ordinance, and 3-inches of mulch required in all planting areas.
- Provide irrigation plan with legend, notes/specifications, and details.
- Provide planting plan with legend, and notes/specifications.
- Specify smaller trees with acceptable mature tree height below roof ridge. Locate trees so that neighboring views are not obstructed. Show mature height in legend.
- Space Toyon shrubs so as not to create a hedge.
- Add City Required Notes shown above to plan.

Installation Note
The irrigation and planting plans shall be installed per the approved landscape plan documentation package. Any changes or substitutions to plans shall be subject to approval by the planning department and landscape architect for the City.
A Certificate of Completion shall be submitted by the project designer or contractor prior to final landscape installation inspection.

I appreciate the opportunity to assist with the review of this landscape plan and would be happy to discuss any questions you may have.

Respectfully submitted,
Environmental Design Associates

Carrie Mandarino, RLA #4769

Comparison Table: 2017 Hynes, 2022 Dark Moon Ranch, and 2023 Ogasawara Orig. and Rev-1 Proposals					
	Hynes 2017	**Dark Moon Ranch 2022**	**Ogasawara 1/16/24**	**Ogasawara 4/16/24**	**Ogasawara 6/18/24**
Architecture					
Main Residence and Garage	11,520 sf	9,970 sf	13,000 sf	14,680 sf	14,680 sf
Basement	10,400 sf	8,460 sf	7,610 sf	8,240 sf	7,849 sf
Covered Porches	2,500 sf	2,165 sf	480 sf	480 sf	480 sf
Guest House	800 sf	800 sf	540 sf	600 sf	600 sf
Guest House Porches	369 sf	570 sf	0 sf	0 sf	0 sf
Stable	2,092 sf	2,456 sf	1,940 sf	1,225 sf	1,225 sf
Stable Porches	350 sf	1,225 sf	0 sf	0 sf	0 sf
Misc Accessory Structures	956 sf	882 sf	300 sf	1,070 sf	1,070 sf
Raised Deck	0 sf	520 sf	0 sf	0 sf	0 sf
Pool	864 sf	1,230 sf	270 sf	315 sf	280 sf
Hardscape	8,100 sf	6,390 sf	6,430 sf	5,595 sf	5,595 sf
Primary Driveway	8,860 sf	8,050 sf	16,100 sf	13,480 sf	13,480 sf
Secondary Driveway	600 sf	1.850 sf	0 sf	0 sf	0 sf
Disturbance	95,850 sf	104,850 sf	92,460 sf	87,920 sf	87,770 sf
Mound Height	n/a	n/a	1335'	1335'	1330'
Structure					
Total Structures	29,851 sf	28,178 sf	17,184 sf	18,872 sf	18,970 sf
Total Structures (excluding Basment)	19,451 sf	19,718 sf	9,574 sf	10,632 sf	11,121 sf
Total Flatwork	17,560 sf	16,290 sf	20,520 sf	18,714 sf	18,385 sf
Total Structures and Flatwork	47,411 sf	44,468 sf	37,704 sf	37,587 sf	37,770 sf
Total Structures (excluding Basment) and Flatwork	37,011 sf	36,008 sf	30,094 sf	29,347 sf	29,921 sf
Grading					
Cut	15,185 cy	14,600 cy	16,980 cy	17,320 cy	19,052 cy
Fill	7,300 cy	9,310 cy	11,950 cy	11,405 cy	9,337 cy
Over-excavation	11,750 cy	17.510 cy	3,760 cy	3,760 cy	3,760 cy
Recompaction	13,885 cy	22,800 cy	5,400 cy	5,400 cy	5,400 cy
Total Cut and Fill	22,485 cy	23,910 cy	28,930 cy	28,725 cy	28,389 cy
Total Overall	48,120 cy	64,220 cy	38,090 cy	37,885 cy	37,549 cy

RECEIVED
City of Rolling Hills
By _____
6.5.24

23 CREST ROAD EAST – ZONING CASE NO. 23-070 – GRADING TABLE

OVERALL SITE GRADING IN CUBIC YARDS (CY)	
Cut	19,052
Fill	9,337
Over-Excavation	3,760
Re-Compaction	5,400
Total Grading	**28,389**
Total Allowable Export (Exempt)	**3,131**
Total Export (Non-Exempt)	**6,584**

CUT/EXCAVATION BREAKDOWN		
LOCATION	**CUBIC YARDS**	**MAXIMUM DEPTH IN FEET**
For House/Addition	5,363	13.6
Stable	63	3.3
ADU	61	3.8
Driveways	2,848	15.0
Yard Areas	3,826	15.1
Basement Excavation	3,026	10
Pool/Spa Excavation	105	4.5
Total Over-Excavation	3,760	3.0
TOTAL CUT	**19,052**	**16.4**

FILL/RE-COMPACTION BREAKDOWN		
LOCATION	**CUBIC YARDS**	**MAXIMUM DEPTH IN FEET**
For House/Addition	12	3.2
Stable	202	6.8
ADU	10	1.8
Driveways	457	6.9
Yard Areas	3,256	11.9
Basement Re-compaction	0	0
Pool/Spa Re-compaction	0	0
Total Re-compaction	5,400	3
TOTAL FILL	**9,337**	**11.9**

Architectural Changelog for 23 Crest Road East
Rev. 2024/06/13

Main House
-Building footprint moved 9’-5” North and 3’-5” West.
-Southwest building corner from property line 57-9” (Previous 65’-9”)
-Building east wing rotated clockwise 5 deg.
-Pool deck area 1,100 sf (Previous 1,500 sf)
-All basement area under covered porch has been removed.
-Basement area 7,849 sf (Previous 8,240 sf)

Guest House
-Building footprint rotated counterclockwise 12 deg.
-Southeast building corner from property line 55’-1” (Previous 51’-3”)

Civil
-Total grading 28,389 cy (Previous 28,725 cy)
-Total Structure 18583 sf (Previous 18,872 sf)
-Total disturbed area 87,770 sf (Previous 87,920 sf)
-Total flatwork 18,385 sf (Previous 18,715 sf)
-Primary driveway 13,480 sf (Previous 16,100 sf)
-Paved walks, patio areas 2,445 sf (Previous 4,010 sf)

Site
-Mound height 1330’ (Previous 1335’)

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pfernandez@scng.com

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2 Portuguese Bend Road
Rolling Hills, California 90274

Account Number:	5007827
Ad Order Number:	0011684273
Customer's Reference/PO Number:	
Publication:	Daily Breeze
Publication Dates:	08/01/2024
Total Amount:	$644.37
Payment Amount:	$0.00
Amount Due:	$644.37
Notice ID:	tuuJtQ4GSEgJwUciiWwR
Invoice Text:	NOTICE OF PUBLIC HEARING CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA NOTICE IS HEREBY GIVEN, that the City Council of the City of Rolling Hills will conduct a public hearing field trip visit starting at 7:30 AM on Monday, August 12, 2024, at the following property for the purpose of receiving public input regarding the following: 23 CREST ROAD EAST, ROLLING HILLS, CA 90274 (LOT 132A-MS) ZONING CASE NO. 23-070: SITE PLAN REVIEW FOR NON-EXEMPT GRADING AND THE CONSTRUCTION OF A NEW 14,680-SQUARE-FOOT RESIDENCE WITH A BASEMENT, RETAINING WALLS EXCEEDING A HEIGHT OF 3 FEET (UP TO A MAXIMUM HEIGHT OF 5 FEET), DRIVEWAY WITH PORTIONS THAT EXCEED A WIDTH OF 20 FEET, AND OTHER IMPROVEMENTS; CONDITIONAL USE PERMITS FOR CONSTRUCTION OF A STABLE, CORRAL, AND A GUEST HOUSE; AND VARIANCES TO ALLOW THE STABLE, CORRAL, SWIMMING POOL, AND RETAINING WALLS IN THE FRONT YARD, ALLOW A PORTION OF THE CORRAL TO ENCROACH INTO THE FRONT YARD SETBACK, CONSTRUCT RETAINING WALLS EXCEEDING THE MAXIMUM AVERAGE HEIGHT OF TWO-AND-ONE-HALF FEET, CONSTRUCT DECKS/PATIOS MORE THAN ONE FOOT ABOVE GRADE, AND ALLOW GRADING EXPORT (OGASAWARA) The project has been determined to be categorically exempt (Class 3) pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303. The purpose of this field trip is to hold a public hearing on the site of the project to familiarize members of the City Council and interested parties with the location, topography, size, and scope of the project. Following the field trip, the City Council will reconvene to discuss the

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2 Portuguese Bend Road
Rolling Hills, California 90274

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of Los Angeles

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not party to or interested in the above-entitled matter. I am the principal clerk of the printer of Daily Breeze, a newspaper of general circulation, printed and published in the City of Torrance*, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of June 15, 1945, Decree No. Pomo C-606. The notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

08/01/2024

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Torrance, California

On this 1st day of August, 2024.

Signature

*Daily Breeze circulation includes the following cities: Carson, Compton, Culver City, El Segundo, Gardena, Harbor City, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Los Angeles, Long Beach, Manhattan Beach, Palos Verdes Peninsula, Palos Verdes, Rancho Palos Verdes, Rancho Palos Verdes Estates, Redondo Beach, San Pedro, Santa Monica, Torrance and Wilmington

NOTICE OF PUBLIC HEARING
CITY COUNCIL OF THE
CITY OF ROLLING HILLS, CALIFORNIA

NOTICE IS HEREBY GIVEN, that the City Council of the City of Rolling Hills will conduct a public hearing field trip visit starting at **7:30 AM on Monday, August 12, 2024**, at the following property for the purpose of receiving public input regarding the following:

23 CREST ROAD EAST, ROLLING HILLS, CA 90274 (LOT 132A-MS)
ZONING CASE NO. 23-070: SITE PLAN REVIEW FOR NON-EXEMPT GRADING AND THE CONSTRUCTION OF A NEW 14,680-SQUARE-FOOT RESIDENCE WITH A BASEMENT, RETAINING WALLS EXCEEDING A HEIGHT OF 3 FEET (UP TO A MAXIMUM HEIGHT OF 5 FEET), DRIVEWAY WITH PORTIONS THAT EXCEED A WIDTH OF 20 FEET, AND OTHER IMPROVEMENTS; CONDITIONAL USE PERMITS FOR CONSTRUCTION OF A STABLE, CORRAL, AND A GUEST HOUSE; AND VARIANCES TO ALLOW THE STABLE, CORRAL, SWIMMING POOL, AND RETAINING WALLS IN THE FRONT YARD, ALLOW A PORTION OF THE CORRAL TO ENCROACH INTO THE FRONT YARD SETBACK, CONSTRUCT RETAINING WALLS EXCEEDING THE MAXIMUM AVERAGE HEIGHT OF TWO-AND-ONE-HALF FEET, CONSTRUCT DECKS/PATIOS MORE THAN ONE FOOT ABOVE GRADE, AND ALLOW GRADING EXPORT (OGASAWARA)

The project has been determined to be categorically exempt (Class 3) pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303.

The purpose of this field trip is to hold a public hearing on the site of the project to familiarize members of the City Council and interested parties with the location, topography, size, and scope of the project.

Following the field trip, the City Council will reconvene to discuss the project at a public hearing to be held on **Monday, August 12, 2024, beginning at 7:00 PM in the Council Chambers of City Hall, located at 2 Portuguese Bend Road, Rolling Hills CA 90274.**

Members of the public are invited to provide comments in-person during the morning field trip and/or the evening public hearing. Remote comments will not be accepted during the field trip or the evening hearing. Members of the public may also submit written public comments by sending an email to cityclerk@cityofrh.net no later than 3:00 PM the day of the meeting. Indicate which project you are commenting on. Your comments will become part of the official meeting record. You may provide your full name, but please do not provide any other personal information (i.e. phone numbers, addresses, etc.) that you do not want to be published.

A live audio of the City Council's evening meeting will be available on the City's website (http://www.rolling-hills.org. The meeting agenda is on the City's website (https://www.rolling-hills.org/government/agenda/index.php.

If you challenge the approval or denial of the above project in court, you may be limited to raising only those issues you or someone else raised at the public hearings, or to issues addressed in written correspondence delivered to the City at or prior to the public hearings described in this notice.

For additional information, contact the Planning Department at (310) 377-1521.

Daily Breeze
Published: 8/1/24

RESOLUTION NO. 1376

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF ZONING CASE NO. 23-070 FOR A SITE PLAN REVIEW TO DEVELOP A VACANT LOT INCLUDING NON-EXEMPT GRADING AND THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE WITH BASEMENT, RETAINING WALLS EXCEEDING A HEIGHT OF 3 FEET (UP TO A MAXIMUM HEIGHT OF 5 FEET), DRIVEWAY WITH PORTIONS THAT EXCEED A WIDTH OF 20 FEET, AND OTHER IMPROVEMENTS; CONDITIONAL USE PERMITS FOR CONSTRUCTION OF A STABLE, CORRAL, DETACHED TRELLIS, AND GUEST HOUSE; AND VARIANCES TO ALLOW THE STABLE, CORRAL, SWIMMING POOL, AND RETAINING WALLS TO ENCROACH INTO THE FRONT YARD, ALLOW A PORTION OF THE CORRAL TO ENCROACH INTO THE FRONT YARD SETBACK, CONSTRUCT RETAINING WALLS EXCEEDING THE MAXIMUM AVERAGE HEIGHT OF TWO-AND-ONE-HALF FEET, CONSTRUCT A BASEMENT WITH A PORTION EXTENDING BEYOND THE BUILDING WALLS OF THE RESIDENCE, CONSTRUCT DECKS/PATIOS MORE THAN ONE FOOT ABOVE GRADE, AND ALLOW GRADING EXPORT FOR A PROPERTY LOCATED AT 23 CREST ROAD EAST, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LOT 132A-MS) (OGASAWARA)

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. On June 2, 2023, an application was filed by the applicant, Frank Escher of Escher, Gune, Wardena Architecture on behalf of the property owner Yuki Ogasawara, to request approval to construct on the vacant lot at 23 Crest Road East. The proposed project under Zoning Case (ZC) No. 23-070 includes a new 14,680-square-foot (SF) single-family residence with a 7,849 SF basement, 1,000 SF attached garage, 1,225 SF stable, 5,190 SF corral, 652 SF accessory dwelling unit (ADU), 600 SF guest house, 280 SF swimming pool, 155 pool equipment, 480 square feet of attached covered porches, service yard, lightwells, maximum five- foot-high retaining walls, walkways, native landscaping, and other improvements. There is a proposed 13,480-square-foot oval driveway with access to the residence, ADU, and stable.

Section 2. The property is zoned RAS-2 and the gross lot area is 7.05 acres or 307,098 SF. The net lot area for development purposes is 6.02 acres or 262,368 SF. The lot is currently undeveloped and vacant. The lot is irregularly shaped and has a depth of approximately 820 feet and a width of approximately 480 feet. The property slopes downward from Crest Road East to the rear of the property. The grade elevation between the proposed main building pad and the street is approximately 42 feet. The lot is located in the southern portion of the City, and has views of the Pacific Ocean. A natural drainage course is located along the western portion of the lot and a blue line stream, which is a part of the Klondike Canyon System, is located approximately 200 feet south of the southern property line of the lot. The lot is also located in proximity to the Geotechnical Hazardous area of the City, known as the Flying Triangle.

Section 3. The Planning Commission conducted duly noticed public hearings to consider the application at its morning field trip meeting and regular meeting for the first time on January 16, 2024. Neighbors within a 1,000-foot radius were notified of the public hearings and a notice was published in the Daily Breeze on January 5, 2024. The applicant and owner were notified of the public hearings and were in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal. The Planning Commission opened the meeting, took public testimony, and continued the public hearing to a later date. The Planning Commission directed staff to work with the applicant on revising the plans to address the issues.

The Planning Commission conducted duly noticed public hearings to consider the application at its morning field trip meeting and regular meeting for a second time on April 16, 2024. Neighbors within a 1,000-foot radius were notified of the public hearings and a notice was published in the Daily Breeze on April 5, 2024. The applicant and owner were notified of the public hearings and were in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal. The Planning Commission opened the meeting, took public testimony, and continued the public hearing to a later date. The Planning Commission directed staff to work with the applicant on revising the plans to address the issues.

Subsequently, the applicant revised the Project, and it was brought back to the Planning Commission. The Planning Commission conducted duly noticed public hearings to consider the application at its field trip meeting and regular meeting for a third time on June 18, 2024. Neighbors within a 1,000-foot radius were notified of the public hearings and a notice was published in the Daily Breeze on June 8, 2024. The applicant was notified of the public hearings and was in attendance at the hearings. Evidence was heard and presented at the public hearings from all persons interested in affecting said proposal. On June 18, 2024 the project was approved by the Planning Commission by 3-0 Vote (2 Commissioner were absent) to adopt Resolution No. 2024-06 approving Zoning Case No. 23-070. The action included amending the conditions of approval to address future area drainage, the height of the mound and what can be planted atop, and the orientation of a passageway to the basement.

On July 22, 2024, the City Council considered the Planning Commission's action to approve the proposed project and the Traffic Commission's action to approve the driveway apron. The City Council voted 5-0 to take the matter under its own jurisdiction.

The City Council conducted a duly noticed public hearings to consider the application at a morning field trip and regularly scheduled evening meeting on August 12, 2024. Neighbors within a 1,000-foot radius were notified of the public hearings and a notice was published in the Daily Breeze on August 1, 2024. The applicants and owner were notified of the public hearings and were in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal. The City Council opened the public hearing, took public testimony, and discussed the project.

Section 4. On February 13, 2017, the City Council adopted Resolution No. 1202 approving Zoning Case (ZC) No. 902 for construction of an 11,500 SF new single-family residence with an 11,500 SF basement and appurtenances. On December 12, 2018, the Planning Commission granted a two-year time extension for ZC No. 902 to January 23, 2021.

Due to COVID-19 entitlements were placed on hold and Assembly Bill 1561 created an automatic time extension. As such, the expiration date for ZC No. 902 was extended to July 22, 2022, but the permit was not used and expired.

On November 9, 2021, an application was received for development of a new 8,460-square-foot residence, basement, accessory dwelling unit (ADU), guest house, stable, swimming pool, spa, and other improvements (ZC No. 21-11). On March 15, 2022, the Planning Commission conducted a field trip and evening meeting and continued the item to April 19, 2022. However, before the April 19, 2022 meeting could take place, the applicant requested the item be pulled because the property had been sold and there was no interest in moving forward with the project as proposed. As such, the item did not return to the Planning Commission and ZC No. 21-11 was closed. Thus, the project was never approved.

On December 11, 2023, the Traffic Commission reviewed the proposed driveway and apron located on Crest Road East under the current application (ZC No. 23-070). The Traffic Commission approved the new driveway and apron.

Section 5. The Project is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures), which exempts the construction and location of a limited number of new, small facilities or structures, including accessory structures, including but not limited to garages, carports, patios, swimming pools and fences. Here, the proposed Project includes development on a vacant lot for a new single-family residence, basement, attached garage, driveway, stable, swimming pool, ADU, guesthouse, trellis, walls, hardscape, landscape, and other residential improvements. Accordingly, the Project qualifies for the exemption pursuant to Section 15303. Further, no exceptions to the exemption apply; there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The lot is vacant, and it is one of the last undeveloped lots in the neighborhood.

Section 6. Site Plan Review. Site Plan Review is required for construction of any new building or structure pursuant to Rolling Hills Municipal Code (RHMC) Section 17.46.020(A). The Project is for Site Plan Review (SPR) to develop a vacant lot including non-exempt grading and the construction of a new single-family residence, basement, attached garage, retaining walls to exceed a height of 3 feet (up to a maximum of 5 feet), oval driveway with portions that exceed a width of 20 feet, and other improvements. With respect to the Site Plan Review for the development, the City Council hereby makes the following findings:

A. The Project complies with and is consistent with the goals and policies of the General Plan and all requirements of the zoning ordinance.

The proposed development is compatible with the General Plan and Zoning ordinance. The proposed structures comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures. The Project maintains the maximum possible distances from adjacent neighbors. The main residence has been integrated into the existing slope to minimize grading and land disturbance by constructing a long and narrow V-shaped floor plan that closely follows the existing topography, which will reduce the visual impact from neighboring properties. The Project complies with all of the City

of Rolling Hills Development standards with the exception of requiring Variances for the structures to encroach into the front yard.

The Project conforms to Zoning Code lot coverage requirements. The net lot area of the lot is 262,368 square feet (6.02 acres) per RHMC Section 17.16.060(A). The structural net lot coverage is proposed at 18,970 square feet or 7.23% (20% max. permitted) excluding exempt structures; and the total lot coverage proposed, including flatwork, would be 37,770 square feet or 14.40% (35% max. permitted). The disturbed area is 87,770 square feet or 33.45% (40% max permitted).

B. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. Lot coverage requirements are regarded as maximums, and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot.

The topography and the configuration of the lot have been considered, and the project will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures; the project will be built on new building pads which enables project elements to be the least intrusive to surrounding properties. Further, the project will be a sufficient distance from nearby residences so views and privacy of surrounding neighbors will not be impacted. The main house is sited to minimize grading and minimize impact on the site below the 1293-foot contour line that defines both the Finished Floor level and the precise orientation of the wings of the house. The landscape below this line will not experience any site disturbance and will be utilized to seed and reestablish a pallet of native species back into the landscape above the house. The Project includes three new building pads: Pad #1 is for the main residence for a total of 32,610 SF; Pad #2 is for the ADU for a total of 1,610 SF; and Pad #3 is for the stable for a total of 2,900 SF.

C. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences.

The proposed development, as conditioned, is harmonious in scale and mass with the site, and is consistent with the scale of the neighborhood when compared to new residences in the vicinity of said lot. The proposed site plan is harmonious with the site conditions of the existing lot and neighboring lots. The integration of the into the slope following the topography enables the residence to be largely hidden from view from the street and neighboring residences, maximizing the distance between the main house and the street. The slopes being created have been rounded and it was attempted to mimic the existing natural slopes in the area.

D. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls).

There will be no significant changes to the overall drainage features on the lot. There will be minimal impact to site design, vegetation, and mature trees. The property will be landscaped in accordance with the approved landscape plan.

E. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area.

The total proposed grading for the Project is 28,389 cubic yards (19,052 CY of cut and 9,337 CY of fill). The excavation for the basement 3,026 CY and pool 105 CY are exempt, the Site Plan Review is for the non-exempt grading total 25,247 CY. The Grading will be balanced on site with exception to 6,584 CY of non-exempt export. The project has been designed to follow natural contours of the site and minimize grading.

F. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course.

Grading will be balanced on site with exception to 9,715 CY of export (3,131 CY exempt and 6,584 CY non-exempt). Grading has been minimized by integrating the main residence into the natural slope. The width of the main residence is limited to 25 feet, and the result is a long and narrow ranch house rambling along the 1293-foot contour line. The main residence is centered on its site so that runoff is not increased within existing drainage courses on either side of the lot. Control of water collected by impervious surfaces will utilize large cisterns to collect and redistribute storm-water in a controlled manner that does not alter drainage courses or runoff loads from the undeveloped state of the lot.

G. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas.

Surrounding native vegetation and mature trees will not be affected or will be replaced. New vegetation will be installed in accordance with the approved landscape plan. The development will be considerate of the environment and will enhance the rural character of the community. As such, the rural character of the community is maintained and privacy is maintained with neighbors. The new landscape will utilize this plant community as the framework for all new plantings in the landscape that will enhance the existing habitat and ecological community already present on site. These native plants are well suited to the existing site without the need for irrigation beyond their establishment period of 1 to 2 years. The trees will provide visual buffers and habitat creation between neighboring properties while preserving and protecting natural drainage patterns on the site. The new landscape adjacent to Crest Road focuses largely on the reestablishment of the coastal sage scrub planting community and providing habit for the local fauna while seamlessly blending the house into the surrounding native hillside without obstructing views

H. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles.

The proposed site plan is not detrimental to convenience and safety of pedestrians and vehicles. The proposed continuous driveway allows for the simplest path between all structures, with an attached garage in the main residence accommodating four vehicles, suitable per Rolling Hills guidelines for the main house, guest house and ADU parking requirements. The open

agricultural room in the stable will also facilitate storage of maintenance vehicles and equipment, as well as animal transportation equipment.

I. The project conforms to the requirements of the California Environmental Quality Act (CEQA).

The Project is exempt from the CEQA Guidelines pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures), which exempts the construction and location of a limited number of new, small facilities or structures, including single family residence and accessory structures, including but not limited to garages, carports, patios, swimming pools and fences. Here, the Project includes development on a vacant lot for a new single-family residence, basement, attached garage, driveway, stable, swimming pool, ADU, guesthouse, trellis, walls, and other residential improvements. Accordingly, the Project qualifies for the exemption pursuant to Section 15303. Further, no exceptions to the exemption apply; there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The lot is vacant, and it is one of the last undeveloped lots in the neighborhood.

Section 7. Conditional Use Permit Findings. RHMC Section 17.16.040 and 17.16.200 require a Conditional Use Permit per RHMC Section 17.16.040(A)(3) for a guest house, per RHMC Section 17.16.040(A)(6) for a stable over 200 square feet, per RHMC Section 17.16.040(A)(7) for corral over 550 square feet, and per 17.16.200(H) for a 400 SF detached trellis, respectively. The Applicant is proposing a 540 SF guesthouse located at the eastern portion of the main building pad. The Applicant is also proposing a 1,225 SF stable with two stalls and a tack room, and a 5,190 SF corral. Given the foregoing, in accordance with RHMC Section 17.42.050, the City Council makes the following findings:

A. That the proposed conditional use is consistent with the General Plan.

The granting of a Conditional Use Permit for a guesthouse, stable, corral, and trellis is consistent with the purposes and objectives of the Zoning Ordinance and General Plan because the use is consistent with similar uses in the community, and meets all the applicable code development standards for such use. The Project is compatible with existing land uses as other properties in the same zone have a guest house and stable.

B. That the nature, condition and development of adjacent uses, buildings and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, building or structures.

The nature, condition, and development of adjacent structures have been considered, and the Project will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures because the proposed guest house, stable, corral, and trellis will be located on the property with sufficient proximity to neighboring buildings and structures.

C. That the site for the proposed conditional use is of adequate size and shape to accommodate the uses and buildings proposed.

The proposed conditional uses comply with all applicable development standards in the RAS-2 Zone. The net lot area is 262,368 SF (6.02 acres) and is adequate to support the proposed uses. The area of the site considered the "front yard", between the proposed main residence and the street, is the widest and most level part of the site. The exception to this is the location of the stable in the front yard, and the corral in the front yard setback, both are subject to variances. The property will be developed and adequate in size and shape to accommodate the proposed uses and buildings.

D. That the proposed conditional use complies with all applicable development standards of the zone district.

The proposed conditional uses comply with all applicable development standards of the RAS-2 Zone, with exception to the variances requested herein.

E. That the proposed use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities.

Granting the proposed conditional use for the project will be consistent with the applicable portions of the Los Angeles County Hazardous Waste Management Plan related to siting criteria for hazardous waste facilities. The project site is not listed on the current State of California Hazardous Waste and Substances Sites List. The proposed project would not constitute a hazardous waste facility.

F. That the proposed conditional use observes the spirit and intent of this title.

The proposed project allows the Applicant the ability to enjoy rights enjoyed by other residents in the City. The proposed uses are consistent with the residential character of the City.

Section 8. Variance Findings. Section 17.38.050 sets forth the required findings for granting Variances to allow the stable, corral, swimming pool, and retaining walls to encroach into the front yard, allow a portion of the corral to encroach into the front yard setback, construct retaining walls exceeding the maximum average height of two-and one-half-feet, construct a basement with a portion extending beyond the building walls of the residence, construct decks/patios more than one foot above grade, and allow grading export. With respect to this request for Variances, the City Council finds as follows:

A. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone.

There are extraordinary circumstances applicable to this property. The location of stable and corral between the main house and the street is a design adopted by many neighbors on Crest Road East, requiring a variance to allow stables and corrals in the front yard and front yard setback. The area of the site considered the "front yard", between the proposed main residence and the street, is the widest and most level part of the site. Allowing the proposed pool and retaining walls to encroach into the front yard will be consistent with the natural slope

of the existing property. The construction of retaining walls to exceed the maximum average height of two-and one-half-feet, a basement with a portion extending beyond the building walls of the residence, and construction decks/patios more than one foot above grade will minimize grading and support the development. As a result of the shape of the lot, the grading of the project requires a variance to export non-exempt grading of 3,160 CY of soil to keep the peak of the knoll below the height of the street and out of the view of neighbors.

B. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question.

Developments similar to the proposed project, with stables and corrals in the front yard, are enjoyed by many neighbors on Crest Road East who similarly position main residences away from the street to create privacy and maximize views from their residences, all while making the equestrian uses of the neighborhood visible along the street. The variance requests are necessary for preservation and enjoyment of property rights consistent with other properties in the same vicinity and zone.

C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity.

Granting a variance for the Project will not be detrimental to the public welfare and will not be injurious to properties in the vicinity because it is consistent with the encroachments by the existing residences and structures.

D. That in granting the variance, the spirit and intent of this title will be observed.

The granting of the variance will allow for a development that is harmonious in scale and mass with the site, the proposed project is visually harmonious with adjacent properties and in scale with adjacent residential development.

E. That the variance does not grant special privilege to the applicant.

The variance does not grant special privileges for the Applicant; the proposed project is similar to other properties on Crest Road East that have stables and corrals in the front yard and setbacks. The project, together with the variance, will be compatible with the objectives, policies, and general land uses specified in the General Plan.

F. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities.

Granting a variance for the project will be consistent with the applicable portions of the Los Angeles County Hazardous Waste Management Plan related to siting criteria for hazardous waste facilities. The project site is not listed on the current State of California

Hazardous Waste and Substances Sites List. The proposed project would not constitute a hazardous waste facility.

G. That the variance request is consistent with the General Plan of the City of Rolling Hills.

Approvals granting the variance to allow encroachments into the front yard setback will be consistent with the General Plan of the City of Rolling Hills, which encourages residential and equestrian uses.

Section 9. Based upon the foregoing findings, and the evidence in the record, the City Council hereby approves Zoning Case No. 23-070 subject to the following conditions:

A. Approval for the Site Plan Review, Conditional Use Permits, and Variances shall expire within two years from the effective date of approval as defined in RHMC Section 17.38.070 of the Zoning Ordinance unless otherwise extended pursuant to the requirements of this section.

B. If any condition of this resolution is violated, the entitlement granted by this resolution shall be suspended and the privileges granted hereunder shall lapse and upon receipt of written notice from the City, all construction work being performed on the subject property shall immediately cease, other than work determined by the City Manager or his/her designee required to cure the violation. The suspension and stop work order will be lifted once the Applicant cures the violation to the satisfaction of the City Manager or his/her designee. In the event that the Applicant disputes the City Manager or his/her designee's determination that a violation exists or disputes how the violation must be cured, the Applicant may request a hearing before the City Council. The hearing shall be scheduled at the next regular meeting of the City Council for which the agenda has not yet been posted; the Applicant shall be provided written notice of the hearing. The stop work order shall remain in effect during the pendency of the hearing. The City Council shall make a determination as to whether a violation of this Resolution has occurred. If the Council determines that a violation has not occurred or has been cured by the time of the hearing, the Council will lift the suspension and the stop work order. If the Council determines that a violation has occurred and has not yet been cured, the Council shall provide the Applicant with a deadline to cure the violation; no construction work shall be performed on the property until and unless the violation is cured by the deadline, other than work designated by the Council to accomplish the cure. If the violation is not cured by the deadline, the Council may either extend the deadline at the Applicant's request or schedule a hearing for the revocation of the entitlements granted by this Resolution pursuant to Chapter 17.58 of the Rolling Hills Municipal Code (RHMC).

C. All requirements of the Building and Construction Ordinance, the Zoning ordinance, and of the zone in which the subject property is located must be complied with unless otherwise a variance to such requirement has been approved.

D. The lot shall be developed and maintained in substantial conformance with the site plan on file at City Hall and approved by the City Council on August 12, 2024, except as otherwise provided in these conditions. The working drawings submitted to the Department of

Building and Safety for plan check review shall conform to the approved development plan. All conditions of the Site Plan Review, Conditional Use Permits, and Variance approvals shall be incorporated into the building permit working drawings, and where applicable complied with prior to issuance of a grading or building permit from the building department.

The conditions of approval of this Resolution shall be printed onto a separate sheet and included in the building plans submitted to the Building Department for review and shall be kept on site at all times.

Any proposed modifications and/or changes to the approved project, including resulting from field conditions, shall be discussed with staff so that staff can determine whether the modification is minor or major in nature. Minor modifications are subject to approval by the City Manager or his or her designee. Major modifications are subject to approval by the City Council after a public hearing. Applicant shall not implement modifications or changes to the approved project without the appropriate approval from the City Manager or designee or the City Council, as required.

E. Prior to submittal of final working drawings to Building and Safety Department for issuance of building and grading permits, the plans for the project shall be submitted to City staff for verification that the final plans are in compliance with the plans approved by the City Council.

F. A licensed professional preparing construction plans for this project for Building Department review shall execute a Certificate affirming that the plans conform in all respects to this Resolution approving this project and all of the conditions set forth herein and the City's Building Code and Zoning Ordinance.

Further, the person obtaining a building and/or grading permit for this project shall execute a Certificate of Construction stating that the project will be constructed according to this Resolution and any plans approved therewith.

G. Structural lot coverage of the lot shall not exceed 18,970 square feet or 7.23% of the net lot area (20% maximum). The flatwork coverage is 118,385 square feet or 7.01%. The total lot coverage proposed, including structures and flatwork, shall not exceed 35,590 square feet or 13.95% (35% maximum).

H. The total disturbed area will be 87,770 square feet or 33.45% (maximum 40%). Grading for this project shall not exceed 19,052 cubic yards of cut and 9,337 cubic yards of fill for a total of 28,389 cubic yards. Total export of 9,715 cubic yards, Variance granted for non-exempt 6,584 cubic yards, and export of exempt 3,131 cubic yards for the basement and swimming pool.

I. The total proposed building pad coverage for the residential main pad 1 (32,610 square foot area) is 17,905 square feet or 54.91% which is above the 30% maximum guideline. The total proposed building pad coverage for the ADU pad 2 (1,610 square foot area) will be 700 square feet or 43.48%, which exceeds the maximum 30% guideline. The total proposed for stable pad 3 (2,900 square foot area) is 1,340 square feet or 46.21% which exceeds the maximum 30% guideline.

J. A driveway access shall be provided per the Fire Department requirements and the driveway shall be roughened and the first 20 feet of the driveway shall not exceed 7% in slope.

K. Access to the stable and to the corral shall be decomposed granite or 100% pervious roughened material; it shall not be wider than 12 feet.

L. A minimum of five-foot level path and/or walkway, which does not have to be paved, shall be provided around the entire perimeter of all of the proposed structures, including the detached garage and stable, or as otherwise required by the Fire Department.

M. The applicant shall comply with all requirements of the Low Impact Development requirements for storm water management on site (RHMC Chapter 8.32).

N. Hydrology, soils, geology and other reports, as required by the Building and Public Works Departments, and as may be required by the Building Official, shall be prepared.

O. Prior to issuance of a final construction approval of the project, all graded slopes shall be landscaped. Prior to issuance of building permit, the landscaping plan shall meet the requirements of the City, shall be submitted to the City in conformance with Fire Department Fuel Modification requirements, and shall be approved by the City's landscape consultant.

P. The project shall be landscaped, and continually maintained in substantial conformance with the landscaping plan on file approved by the City's landscape consultant. A detailed landscaping plan shall provide that any trees and shrubs used in the landscaping scheme for this project shall be planted in a way that screens the project development from adjacent streets and neighbors, such that shrubs and trees as they mature do not grow into a hedge or impede any neighbors' views and the plan shall provide that all landscaping be maintained at a height no higher than the roof line of the nearest project structure. In addition, the landscaping plan shall provide for screening of development with vegetation not to exceed 10 feet in height, and that the vegetation used for screening shall be planted in an off-set manner, so as to prevent it, as it grows from forming a solid hedge. The landscaping plan shall utilize to the maximum extent feasible, plants that are native to the area, are water-wise and are consistent with the rural character of the community. Plants listed as high hazardous plants under RHMC Section 8.30.015 are prohibited.

Q. The applicant shall submit a landscaping performance bond or other financial obligation, to be kept on deposit by the City, in the amount of the planting plus irrigation plus 15%. The bond shall be released no sooner than two years after completion of all plantings, subject to a City staff determination that the plantings required for the project are in substantial conformance with approved plans and are in good condition.

A Certificate of Completion shall be submitted by the project designer or contractor prior to final landscape installation inspection.

R. The landscaping shall be subject to the requirements of the City's Water Efficient Landscape Ordinance, (Chapter 13.18 of the RHMC).

S. Pursuant to Chapter 8.30 of the RHMC, the property shall at all times be maintained free of dead trees and vegetation.

T. The setback lines and roadway easement lines in the vicinity of the construction for this project shall remain staked throughout the construction. A construction fence may be required.

U. Perimeter easements, including roadway easements and trails, if any, shall remain free and clear of any improvements to advance equestrian use and emergency preparedness for evacuation within the City. Where RHCA has demonstrated authority over the easement, the City's Planning Director may grant relief from this condition upon satisfactory proof of permission from RHCA and a legitimate showing that there is no need for the condition to advance equestrian uses and emergency preparedness.

V. Minimum of 65% of any construction materials must be recycled or diverted from landfills. The hauler of the materials shall obtain City's Construction and Demolition permits for waste hauling prior to start of work and provide proper documentation to the City.

W. *During construction*, conformance with the air quality management district requirements, storm water pollution prevention practices, county and local ordinances and engineering practices so that people or property are not exposed to undue vehicle trips, noise, dust, objectionable odors, landslides, mudflows, erosion, or land subsidence shall be required.

X. *During construction*, to the extent feasible, all parking shall take place on the project site, on the new driveway and, if necessary, any overflow parking may take place within the unimproved roadway easements along adjacent streets, and shall not obstruct neighboring driveways, visibility at intersections or pedestrian and equestrian passage. During construction, to the maximum extent feasible, employees of the contractor shall car-pool into the City. To the extent feasible, a minimum of 4' wide path, from the edge of the roadway pavement, for pedestrian and equestrian passage shall be available and be clear of vehicles, construction materials and equipment at all times.

Y. *During construction*, the property owners shall be required to schedule and regulate construction and relate traffic noise throughout the day between the hours of 7 AM and 6 PM, Monday through Saturday only, when construction and mechanical equipment noise is permitted, so as not to interfere with the quiet residential environment of the City of Rolling Hills.

Z. Prior to demolition of the existing structures, an investigation shall be conducted for the presence of hazardous chemicals, lead-based paints or products, mercury and asbestos-containing materials (ACMs). If hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, remediation shall be undertaken in compliance with California environmental regulations and policies.

AA. The property owner and/or his/her contractor/applicant shall be responsible for compliance with the no-smoking provisions in the Municipal Code. The contractor shall not use tools that could produce a spark, including for clearing and grubbing, during red flag warning conditions. Weather conditions can be found at: **http://www.wrh.noaa.gov/lox/main.php?suite=safety&page=hazard_definitions#FIRE.** It is the sole responsibility of the property owner and/or his/her contractor to monitor the red flag warning conditions.

AB. Development shall drain in accordance with the approved grading and drainage plan. Drainage dissipaters shall be constructed outside of any easements. The drainage system shall be approved by the Department of Building and Safety. If an above ground swale and/or dissipater is required, it shall be designed in such a manner as not to cross over any equestrian trails or discharge water onto a trail, shall be stained in an earth tone color, and shall be screened from any trail, road and neighbors' view to the maximum extent practicable, without impairing the function of the drainage system. In the event a storm drain pipe is installed to divert water flows through Klondike Canyon, the property owner shall use reasonable efforts to investigate the viability of creating a connection between the water overflow from the two cisterns on the property and the installed storm drain pipe.

AC. *During construction*, dust control measures shall be used to stabilize the soil from wind erosion and reduce dust and objectionable odors generated by construction activities in accordance with South Coast Air Quality Management District, Los Angeles County and local ordinances and engineering practices.

AD. *During construction*, an Erosion Control Plan containing the elements set forth in Section 7010 of the 2022 County of Los Angeles Uniform Building Code shall be followed to minimize erosion and to protect slopes and channels to control storm water pollution.

AE. The property owners shall be required to conform to the Regional Water Quality Control Board and County Health Department requirements for the installation and maintenance of storm water drainage facilities and septic tank.

AF. The applicant shall pay all of the applicable Building and Safety and Public Works Department fees and Palos Verdes Peninsula Unified School District fees, if any.

AG. Prior to final inspection of the project, "as graded" and "as constructed" plans and certifications shall be provided to the Planning Department and the Building Department to ascertain that the completed project is in compliance with the City Council approved plans. In addition, any modifications made to the project during construction, shall be depicted on the "as built/as graded" plan.

AH. The applicants shall execute an Affidavit of Acceptance of all conditions of the Variance approval, or the approval shall not be effective.

AI. All conditions of this Resolution, when applicable, must be complied with prior to the issuance of a grading or building permit from the Building and Safety Department.

AJ. 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 Code of Civil Procedure Section 1094.6.

AK. To the extent permitted by law, Permittee shall defend, indemnify and hold harmless the City of Rolling Hills, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void any permit or approval for this project authorized by the City, including (without limitation) reimbursing the City its actual attorney's fees and costs in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice. The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this permit. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.

AL. The stable and corral shall comply with all requirements in Sections 17.18.060 and 17.18.090, unless otherwise approved herein.

AM. Future expansion of the driveway or motor court is prohibited unless previously approved by the City. Connection to the stable and corral shall be decomposed granite or 100% pervious roughened material; it shall not be less than 6 feet wide and no wider than 12 feet.

AN. New landscaping in the Rolling Hills Community Association (RHCA) easement is prohibited unless previously approved by RHCA. Landscaping not approved by RHCA in the easement shall be removed from the final landscape plan.

AO. The ADU will require Evergreen landscape screening that must be planted and maintained between the ADU and adjacent parcels. The plant specimens for screening must not exceed the maximum roofline height of the ADU. All landscaping must be drought-tolerant. All landscaping must be from the City's approved plant list.

AP. The mound shall have a maximum elevation of 1330 feet. Landscaping on the mound shall be limited to a maximum of five Catalina Ironwood trees with a minimum clearance of six feet from ground to canopy. Three-foot-high shrubs shall be allowed atop the mound. Landscaping shall be reviewed and approved by the City's landscape consultant prior to issuance of a grading permit.

AQ. The passageway on the western side of the basement shall be angled or zigzagged. The passageway shall be redesigned on the plans and reviewed and approved by the Planning Department prior to submittal to building plan check.

PASSED, APPROVED AND ADOPTED THIS 12th DAY OF AUGUST 2024.

LEAH MIRSCH, MAYOR

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. 1376 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF ZONING CASE NO. 23-070 FOR A SITE PLAN REVIEW TO DEVELOP A VACANT LOT INCLUDING NON-EXEMPT GRADING AND THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE WITH BASEMENT, RETAINING WALLS EXCEEDING A HEIGHT OF 3 FEET (UP TO A MAXIMUM HEIGHT OF 5 FEET), DRIVEWAY WITH PORTIONS THAT EXCEED A WIDTH OF 20 FEET, AND OTHER IMPROVEMENTS; CONDITIONAL USE PERMITS FOR CONSTRUCTION OF A STABLE, CORRAL, DETACHED TRELLIS, AND GUEST HOUSE; AND VARIANCES TO ALLOW THE STABLE, CORRAL, SWIMMING POOL, AND RETAINING WALLS TO ENCROACH INTO THE FRONT YARD, ALLOW A PORTION OF THE CORRAL TO ENCROACH INTO THE FRONT YARD SETBACK, CONSTRUCT RETAINING WALLS EXCEEDING THE MAXIMUM AVERAGE HEIGHT OF TWO-AND-ONE-HALF FEET, CONSTRUCT A BASEMENT WITH A PORTION EXTENDING BEYOND THE BUILDING WALLS OF THE RESIDENCE, CONSTRUCT DECKS/PATIOS MORE THAN ONE FOOT ABOVE GRADE, AND ALLOW GRADING EXPORT FOR A PROPERTY LOCATED AT 23 CREST ROAD EAST, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LOT 132A-MS) (OGASAWARA)

was approved and adopted at a regular meeting of the City Council on August 12, 2024, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

and in compliance with the laws of California was posted at the following:

Administrative Offices.

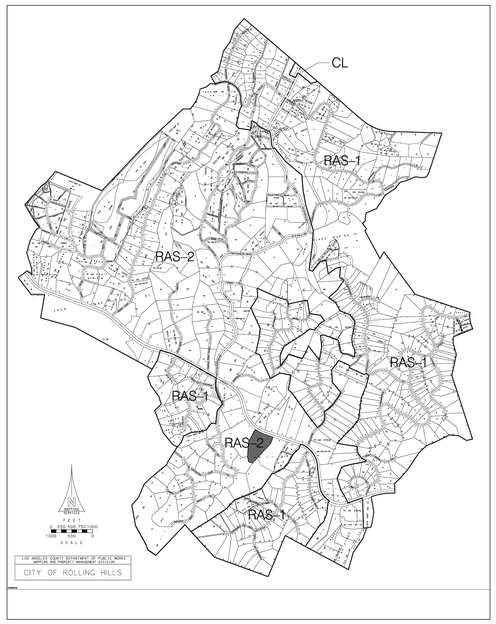
_____
CHRISTIAN HORVATH, CITY CLERK

OGASAWARA RESIDENCE
23 CREST ROAD EAST
ROLLING HILLS, CA 90274

Project Description

Construction of a new 5 bedroom 6 bathroom + 3 powder room ranch style house with basement and pool, guest house, mixed-use stable (with corral, tack, and office/admin space), ADU, covered pavilion downslope from the house, gate and driveway, in addition to areas of new and restored landscape with new paths and restored/reestablished existing trails that connect the various buildings and landscape elements across the site. Landscape will consist of combination of preservation strategies, reestablishing of native species on site, and addition of appropriately sized plant species to screen views of buildings from the street while preserving view corridors of neighbors. The approach to the land was driven by a study of the existing contours of the site so that the massing and orientation of the proposed buildings carefully follow the topography, while minimizing site disturbance. The project was also informed by a study of the previously approved design for this site (2017) and the City of Rolling Hills review criteria, so that pre-existing approved strategies for water management (sensitive to downhill properties in the runoff zone of 23 Crest Rd. E), minimal grading, and view preservation were central to the design process and are reflected in this design proposal for 23 Crest Road East.

City Map



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Applicable Codes

2017 RHCA Building Regulations
RH California Code of Ordinances
2019 California Historic Building Code
2019 California Residential Code (Volume 1 and 2)
2019 California Electrical Code
2019 California Mechanical Code
2019 California Plumbing Code
2019 California Energy Code
2019 California Green Building Standards Code
2020 Los Angeles Building Code

Abbreviations

AFF	Above Finish Floor
@	At
BO	Bottom of (X)
BW	Bottom of Wall
CL	Center Line
CONC	Concrete
EQ	Equal
EQ	Existing
FF	Finish Floor
FS	Finish Surface
HT	Height
INT	Interior
NR	Non-Rated
SF	Square Feet
TBD	To Be Determined
TO	Top of (X)
TW	Top of Wall
TYP	Typical
UNO	Unless Noted Otherwise
W/	With
VIF	Verify In Field

Symbols

Drawing Title Tag



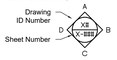
Section Tag



Callout Tag



Interior Elevation Tag



Building Elevation Tag



Elevation Level Tag



Gridline Tag



Room Tag



Window Tag



Door Tag



NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

STAMPS

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Fax: 323.665.9103

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TBD
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Los Angeles, CA #####

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5050 Eagle Rock Blvd
Los Angeles, CA 90041

CIVIL ENGINEER
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25834 Narbonne Ave, Ste 210
Lomita, CA 90717

MEP ENGINEER
PAE
6060 Center Dr, 10th Flr
Los Angeles, CA 90045

LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

Cover Sheet

Date: 2024/01/01
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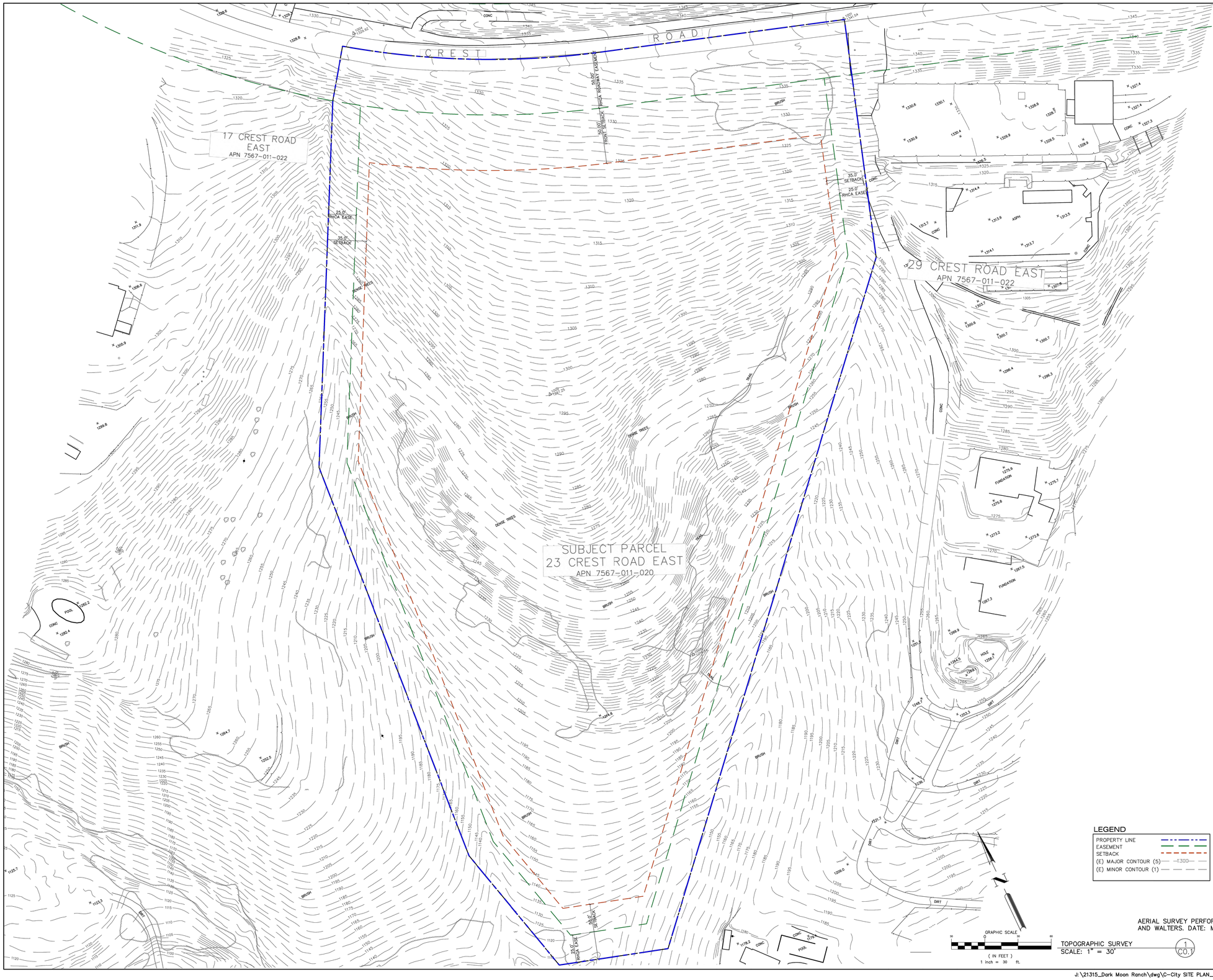

LEGEND

PROPERTY LINE	
EASEMENT	
SETBACK	
(E) MAJOR CONTOUR (5)	1300
(E) MINOR CONTOUR (1)	

AERIAL SURVEY PERFORMED BY BART AND WALTERS. DATE: MARCH 25, 2013

TOPOGRAPHIC SURVEY
SCALE: 1" = 30'

1 / C0.1

Revisions	By

Bolton Engineering Corp.
Civil Engineering and Surveying
25834 Narbonne Avenue Suite 210
Lomita, Ca 90717
Ph: 310-325-5580 Fax: 310-325-5581

REGISTERED PROFESSIONAL ENGINEER
TAYLISHA M. ATES
No. 83446
Exp. 3-31-13
CIVIL
STATE OF CALIFORNIA

CLIENT: DARK MOON RANCH, LLC
470 EAST PACES FERRY, NE #370
ATLANTA, GA 30305

PRELIMINARY: FOR PLANNING PURPOSES

TITLE: TOPOGRAPHIC SURVEY
EXISTING SITE CONDITIONS
23 CREST ROAD EAST
ROLLING HILLS, CA 90274

Date:	January 13, 2022
Scale:	AS SHOWN
Drawn:	TMA
Checked:	TMA
Job No.	21315
Sheet	C0.1
Of	13 Sheets

J:\21315_Dark Moon Ranch\dwg\C-City SITE PLAN_Feb 2022.dwg 3/10/2022 1:32:00 PM

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

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LANDSCAPE ARCHITECT
Terremoto
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Los Angeles, CA 90039

Survey

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1 View from Street



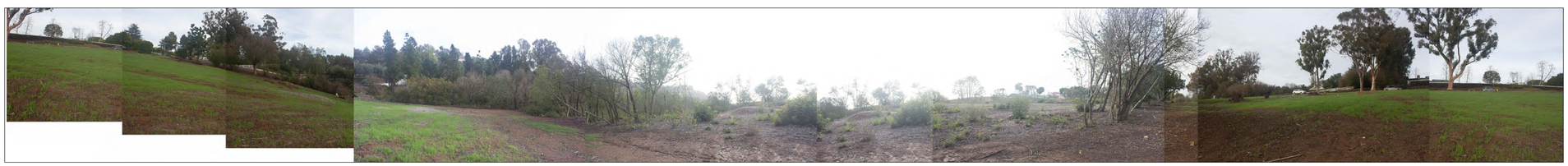
2 View Main House Apex



3 Garage / Driveway Landing



4 Pool and Guest Wing



5 View from Entry Deck



6 View from Stable



7 View from Trellis



1 Site Plan

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

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DATE: 5/30/2024 ZONING CASE NO.: 0 ADDRESS: 23 Crest Road East

ALL STRUCTURES MUST BE SHOWN ON THE PLAN

CALCULATION OF LOT COVERAGE

AREA AND STRUCTURES	EXISTING	PROPOSED	TOTAL
NET LOT AREA	262,368 sq.ft	0 sq.ft	262,368 sq.ft
RESIDENCE	0 sq.ft	14,680 sq.ft	14,680 sq.ft
GARAGE	0 sq.ft	1,000 sq.ft	1,000 sq.ft
SWIMMING POOL/SPA	0 sq.ft	280 sq.ft	280 sq.ft
POOL EQUIPMENT	0 sq.ft	155 sq.ft	155 sq.ft
GUEST HOUSE	0 sq.ft	600 sq.ft	600 sq.ft
CABANA	0 sq.ft	0 sq.ft.	0 sq.ft
STABLE (dirt volume to be included in grading quantities	0 sq.ft	1,225 sq.ft	1,225 sq.ft
RAISED DECK	0 sq.ft	0 sq.ft	0 sq.ft
ATTACHED COVERED PORCHES	0 sq.ft	480 sq.ft	480 sq.ft
ENTRYWAY/PORTE COCHERE, BREEZEWAYS	0 sq.ft	0 sq.ft	0 sq.ft
ATTACHED TRELLISES	0 sq.ft	0 sq.ft	0 sq.ft
*DETACHED STRUCTURES: (circle all that applies)			
Guest House	0 sq.ft	600 sq.ft	600 sq.ft
Water Feature	0 sq.ft	115 sq.ft	115 sq.ft
Trellis	0 sq.ft	415 sq.ft	415 sq.ft
over 15 ft. high and over 120 sq.ft. in area	0 sq.ft	0 sq.ft	0 sq.ft
SERVICE YARD	0 sq.ft	95 sq.ft	95 sq.ft
OTHER:	0 sq.ft	0 sq.ft	0 sq.ft
BASEMENT AREA: (Volume to be included in grading quantities)	0 sq.ft	7,849 sq.ft	7,849 sq.ft
DEPTH OF BASEMENT	0 sq.ft	10 ft	10 ft
TOTAL STRUCTURE	0 sq.ft	19,385 sq.ft	19,385 sq.ft
%STRUCTURAL COVERAGE	0.00% sq.ft	7.39% sq.ft	7.39% sq.ft
TOTAL STRUCTURES			
EXCLUDING UP TO 5 AND UP TO 800 sq.ft. detached structures that are not higher than 12 ft.	0 sq.ft	18,970 sq.ft	18,970 sq.ft
% STRUCTURAL COVERAGE	0.00% sq.ft	7.23% sq.ft	7.23% sq.ft

DATE: 5/30/2024 ZONING CASE NO.: 0 ADDRESS: 23 Crest Road East

CALCULATION OF BUILDING PAD COVERAGE

PAD NO. 3- Stable

BUILDABLE PAD AREA AND STRUCTURES	EXISTING	PROPOSED	TOTAL
BUILDING PAD	0 sq.ft	2,900 sq.ft	2,900
RESIDENCE	0 sq.ft	0 sq.ft	0 sq.ft
GARAGE	0 sq.ft	0 sq.ft	0 sq.ft
SWIMMING POOL/SPA	0 sq.ft	0 sq.ft	0 sq.ft
POOL EQUIPMENT	0 sq.ft	0 sq.ft	0 sq.ft
GUEST HOUSE	0 sq.ft	0 sq.ft	0 sq.ft
CABANA	0 sq.ft	0 sq.ft.	0 sq.ft
STABLE	0 sq.ft	1,225 sq.ft	1,225 sq.ft
SPORTS COURT	0 sq.ft	0 sq.ft	0 sq.ft
SERVICE YARD	0 sq.ft	0 sq.ft	0 sq.ft
ATTACHED COVERED PORCHES			
Primary Residence	0 sq.ft	0 sq.ft	0 sq.ft
Accessory Structures-Stable	0 sq.ft	0 sq.ft	0 sq.ft
AREA OF ATTACHED COVERED PORCHES THAT EXCEED 10% OF THE SIZE OF RESIDENCE/ACCS. STRUCTURES	0 sq.ft	0 sq.ft	0 sq.ft
ENTRYWAY/PORTE COCHERE, BREEZEWAYS	0 sq.ft	0 sq.ft	0 sq.ft
ATTACHED TRELLISES	0 sq.ft	0 sq.ft	0 sq.ft
*DETACHED STRUCTURES: (From 1st page)	0 sq.ft	115 sq.ft	115 sq.ft
ALL DETACHED STRUCTURES (From 1st page not including allowed deductions)	0 sq.ft	0 sq.ft	0 sq.ft
OTHER:	0 sq.ft	0 sq.ft	0 sq.ft
TOTAL STRUCTURES ON PAD NO. 3	0 sq.ft	1,340 sq.ft	1,340 sq.ft
%BUILDING PAD COVERAGE	0.00% sq.ft	46.21% sq.ft	46.21% sq.ft
TOTAL STRUCTURES ON PAD NO. 2 Not incl. attached trellises, Not incl. allowed deductions, and incl. the area of covered porches that exceed 10% of the size of the residence / accs structures	0 sq.ft	0 sq.ft	0 sq.ft
% BUILDING PAD COVERAGE	0.00% sq.ft	0.00% sq.ft	0.00% sq.ft

DATE: 5/30/2024 ZONING CASE NO.: 0 ADDRESS: 23 Crest Road East

ALL FLATWORK MUST BE SHOWN ON THE PLAN

	EXISTING	PROPOSED	TOTAL
PRIMARY DRIVEWAY	0 sq.ft	13,480 sq.ft	13,480
PAVED WALKS, PATIO AREAS, COURTYARDS	0 sq.ft	2,445 sq.ft	2,445 sq.ft
POOL DECKING	0 sq.ft	1,100 sq.ft	1,100 sq.ft
OTHER PAVED DRIVEWAYS, ROAD EASEMENTS, PARKING PADS	0 sq.ft	1,360 sq.ft	1,360 sq.ft
TOTAL FLATWORK	0 sq.ft	18,385 sq.ft	18,385 sq.ft
%TOTAL FLATWORK COVERAGE	0.00%	7.01%	7.01%
TOTAL STRUCTURAL & FLATWORK COVERAGE	0 sq.ft	37,770 sq.ft	37,770 sq.ft
%TOTAL COVERAGE	0.00%	14.40%	14.40%
TOTAL STRUCTURAL & FLATWORK COVERAGE Excl. the allowance of up to 5- 800 sq.ft. structures from previous page.	0 sq.ft	37,355 sq.ft	36,590 sq.ft
% TOTAL COVERAGE	0.00%	14.24%	13.95%
TOTAL DISTURBED AREA	0 sq.ft	87,770 sq.ft	87,770 sq.ft
% DISTURBED AREA	0.00%	33.45%	33.45%
GRADING QUANTITY (include future stable, corral, and access way; basement and all other areas to be graded)			28,389 C.Y.

All structures (attached and detached) must be listed.

*Free standing accessory structures such as sheds, trellises, covered patios, gazebo, fountains, barbecue, outdoor fireplace, etc. are not counted towards coverage and disturbed area unless their combined area exceeds 800 sq.ft., or if there are more than 5 such structures on the property.

DATE: 5/30/2024 ZONING CASE NO.: 0 ADDRESS: 23 Crest Road East

GRADING AND EXCAVATION INFORMATION

Grading Quantities:	Cubic Yds.	Max Depth	Max Depth Location
CUT/EXCAVATION			
For house/addition	5363	13.6	
For other structures (i.e. walls)			
List Stable	63	3.3	at structure
ADU	61	3.8	
For driveway(s)	2,848	15.0	
For yard areas	3,826	15.1	at toe of slope
For basement excavation	3,026	10.0	
For pool/spa excavation	105	4.5	
Overexcavation	3,760	3.0	
TOTAL CUT	19,052	16.4	
TOTAL EXPORT		Export:	9,715
		Export (less exempt):	6,584
FILL			
For house/addition	12	3.2	
For other structures (i.e. walls)			
List Stable	202	6.8	at structure
ADU	10	1.8	
For driveway(s)	457	6.9	
For yard areas	3,256	11.9	at top of slope
For basement excavation	0	0	
For pool/spa excavation	0	0	
Recompaction	5,400	3	
TOTAL FILL	9,337	11.9	
TOTAL GRADING of total cut and total fill):	(Sum 28,389		

PAD/FLOOR ELEVATIONS

	House	ADU	Stable	Cabana
Existing pad elevations				
Finished Floor	-		-	-
Finished Grade	-		-	-
Proposed pad elevations				
Finished floor	1293.00	1319.00	1316.00	1293.00
Finished grade	1292.50	1318.50	1315.50	1292.50
Basement	1283.50			

DATE: 5/30/2024 ZONING CASE NO.: 0 ADDRESS: 23 Crest Road East

CALCULATION OF BUILDING PAD COVERAGE

PAD NO. 1- Main House Pad

BUILDABLE PAD AREA AND STRUCTURES	EXISTING	PROPOSED	TOTAL
BUILDING PAD	0 sq.ft	32,610 sq.ft	32,610
RESIDENCE	0 sq.ft	14,270 sq.ft	14,270 sq.ft
GARAGE	0 sq.ft	1000 sq.ft	1,000 sq.ft
SWIMMING POOL/SPA	0 sq.ft	280 sq.ft	280 sq.ft
POOL EQUIPMENT	0 sq.ft	155 sq.ft	155 sq.ft
GUEST HOUSE	0 sq.ft	0 sq.ft	0 sq.ft
CABANA	0 sq.ft	0 sq.ft	0 sq.ft
STABLE	- sq.ft	0 sq.ft	0 sq.ft
SPORTS COURT	0 sq.ft	- sq.ft	0 sq.ft
SERVICE YARD	0 sq.ft	95 sq.ft	95 sq.ft
ATTACHED COVERED PORCHES			
Primary Residence	0 sq.ft	560 sq.ft	560 sq.ft
Accessory Structures	0 sq.ft	480 sq.ft	480 sq.ft
AREA OF ATTACHED COVERED PORCHES THAT EXCEED 10% OF THE SIZE OF RESIDENCE/ACCS. STRUCTURES	0 sq.ft	933.5 sq.ft	933.5 sq.ft
ENTRYWAY/PORTE COCHERE, BREEZEWAYS	0 sq.ft	- sq.ft	0 sq.ft
ATTACHED TRELLISES	0 sq.ft	0 sq.ft	0 sq.ft
*DETACHED STRUCTURES: (Guest House+Trellis)	0 sq.ft	1,065 sq.ft	1,065 sq.ft
ALL DETACHED STRUCTURES (From 1st page not including allowed deductions)	0 sq.ft	0 sq.ft	0 sq.ft
OTHER:	0 sq.ft	0 sq.ft	0 sq.ft
TOTAL STRUCTURES ON PAD NO. 1	0 sq.ft	17,905 sq.ft	17,905 sq.ft
%BUILDING PAD COVERAGE	0.00% sq.ft	54.91% sq.ft	54.91% sq.ft
TOTAL STRUCTURES ON PAD NO. 1 Not incl. attached trellises, Not incl. allowed deductions, and incl. the area of covered porches that exceed 10% of the size of the residence / accs structures	0 sq.ft	17,799 sq.ft	17,799 sq.ft
% BUILDING PAD COVERAGE	0.00% sq.ft	54.58% sq.ft	54.58% sq.ft

DATE: 5/30/2024 ZONING CASE NO.: 0 ADDRESS: 23 Crest Road East

CONCEPTUAL LANDSCAPE PLAN REQUIREMENTS

THE FOLLING PROPOSED ELEMENTS MUST BE SHOWN ON THE SITE PLAN SUBMITTED WITH THE PLANNING APPLICATION. A complete landscaping packet, if applicable, subject to Chapter 13.18 of the RHMC shall be submitted prior to obtaining permits.

PLANTING AREA

1. NEW AREA(S) TO BE LANDSCAPED 65,000 sq.ft.
2. EXISTING LANDSCAPING TO BE ALTERED (RE-LANDSCAPED) 0 sq.ft.
3. TOTAL LANDSCAPING: NEW AND ALTERED AREAS 0 sq.ft.

OTHER LANDSCAPE ELEMENTS

4. CHECK OFF ANY OF THE FOLLOWING ELEMENTS THAT MAY BE PROPOSED, AND SHOW LOCATIONS ON THE PROJECT SITE PLAN:

WATER FEATURE	[X]
GARDEN WALL	[ ]
SITTING WALL OR BENCH	[ ]
WALKWAY OR PATIO	[X]
TRELLIS, CANOPY OR SIMILAR STRUCTURE	[X]

DATE: 5/30/2024 ZONING CASE NO.: 0 ADDRESS: 23 Crest Road East

CALCULATION OF BUILDING PAD COVERAGE

PAD NO. 2- ADU

BUILDABLE PAD AREA AND STRUCTURES	EXISTING	PROPOSED	TOTAL
BUILDING PAD	0 sq.ft	1,610 sq.ft	1,610 sq.ft
RESIDENCE	0 sq.ft	0 sq.ft	0 sq.ft
GARAGE	0 sq.ft	0 sq.ft	0 sq.ft
SWIMMING POOL/SPA	0 sq.ft	0 sq.ft	0 sq.ft
POOL EQUIPMENT	0 sq.ft	0 sq.ft	0 sq.ft
ADU	0 sq.ft	700 sq.ft	700 sq.ft
CABANA	0 sq.ft	0 sq.ft.	0 sq.ft
STABLE	0 sq.ft	0 sq.ft	0 sq.ft
SPORTS COURT	0 sq.ft	0 sq.ft	0 sq.ft
SERVICE YARD	0 sq.ft	0 sq.ft	0 sq.ft
ATTACHED COVERED PORCHES			
ADU	0 sq.ft	0 sq.ft	0 sq.ft
Stable	0 sq.ft	0 sq.ft	0 sq.ft
AREA OF ATTACHED COVERED PORCHES THAT EXCEED 10% OF THE SIZE OF RESIDENCE/ACCS. STRUCTURES	0 sq.ft	0 sq.ft	0 sq.ft
ENTRYWAY/PORTE COCHERE, BREEZEWAYS	0 sq.ft	0 sq.ft	0 sq.ft
ATTACHED TRELLISES	0 sq.ft	0 sq.ft	0 sq.ft
*DETACHED STRUCTURES: (From 1st page)	0 sq.ft	**0** sq.ft	**0** sq.ft
ALL DETACHED STRUCTURES (From 1st page not including allowed deductions)	0 sq.ft	0 sq.ft	0 sq.ft
OTHER:	- sq.ft	- sq.ft	0 sq.ft
TOTAL STRUCTURES ON PAD NO. 2	0 sq.ft	700 sq.ft	700 sq.ft
%BUILDING PAD COVERAGE	0.00% sq.ft	43.48% sq.ft	43.48% sq.ft
TOTAL STRUCTURES ON PAD NO. 2 Not incl. attached trellises, Not incl. allowed deductions, and incl. the area of covered porches that exceed 10% of the size of the residence / accs structures	0 sq.ft	700 sq.ft	700 sq.ft
% BUILDING PAD COVERAGE	0.00% sq.ft	43.48% sq.ft	43.48% sq.ft

DATE: 5/30/2024 ZONING CASE NO.: 0 ADDRESS: 23 Crest Road East

CALCULATION OF DRIVEWAY(S) AND MOTOR COURT(S) COVERAGE: IMPERVIOUS/PERVIOUS SURFACES AND INCLUDING FIRE DEPARTMENT TURNAROUND, IF REQUIRED

	EXISTING	TOTAL PROPOSED
TOTAL DRIVEWAYS	- sf	13,480 sf
TOTAL MOTOR COURTS AND PARKING PADS	0 sf	1,360 sf
AREA OF FRONT SETBACK	23,740 sf	23,740 sf
AREA OF SIDE SETBACK	n/a sf	n/a sf
AREA OF DRIVEWAYS IN SIDE SETBACK	0 sf	- sf
% OF SIDE SETBACK COVERED	n/a	n/a
AREA OF MOTORCOURT IN SIDE SETBACK	0 sf	**0** sf
% OF SIDE SETBACK COVERED	0.0%	0.0%
AREA OF DRIVEWAYS IN FRONT SETBACK AREA	0 sf	5,115 sf
% OF FRONT SETBACK COVERED	0.0%	21.5%
AREA OF MOTORCOURT IN FRONT SETBACK	0 sf	0 sf
% OF FRONT SETBACK COVERED	0.0%	0.0%
IMPERVIOUS SURFACE	0 sf	14,840 sf
PERVIOUS SURFACE	0 sf	0 sf

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Land Use Tables

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1 Land Use Tables

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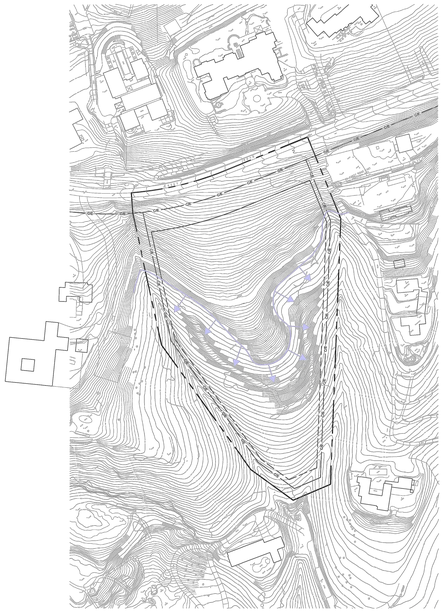

Slope Greater Than 2-1

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Buildable Area (approx. 100,000sf)
40% Buildable Area (approx. 40,000 sf)

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Elevation +1315.0'

Topography Line
Possible South Building Edge

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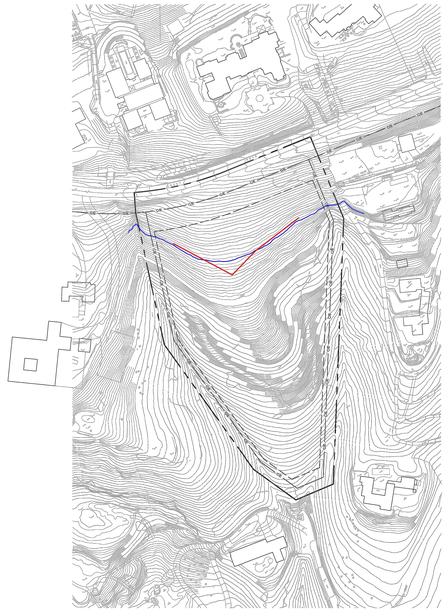

Elevation +1310.0'

Topography Line
Possible South Building Edge

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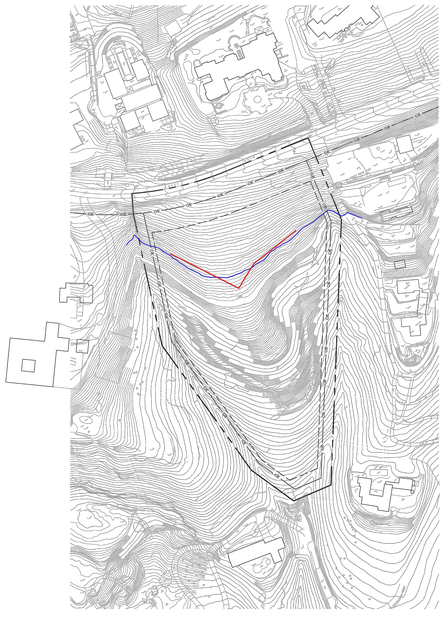

Elevation +1305.0'

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Possible South Building Edge

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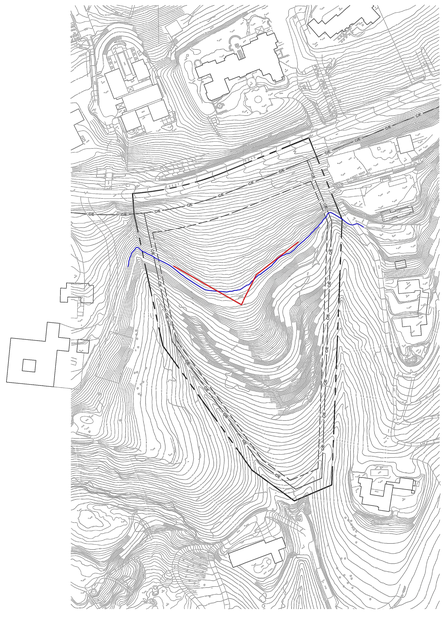

Elevation +1300.0'

Topography Line
Possible South Building Edge

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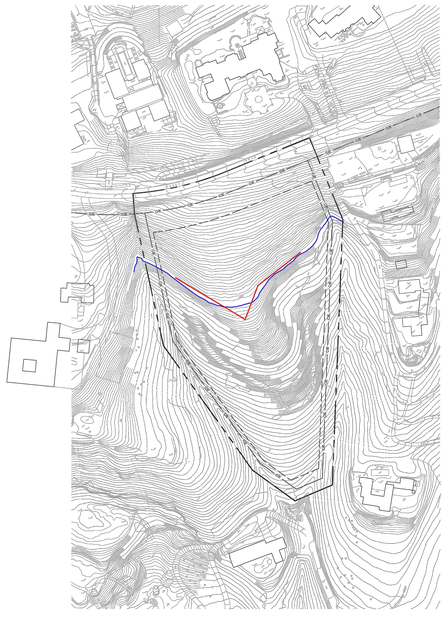

Elevation +1295.0'

Topography Line
Possible South Building Edge

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Elevation +1290.0'

Topography Line
Possible South Building Edge

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NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

STAMPS

ARCHITECT OF RECORD

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Fax: 323.665.9101

OWNER
Yukiko Ogasawara
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Rolling Hills, CA 90274

GENERAL CONTRACTOR
TBD
Streetname St.
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Nous Engineering
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Los Angeles, CA 90041

CIVIL ENGINEER
Bolton Engineering Corp.
25834 Narbonne Ave, Ste 210
Lomita, CA 90717

MEP ENGINEER
PAE
6060 Center Dr, 10th Flr
Los Angeles, CA 90045

LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

Site Planning Diagrams

Date: 2024/01/01
Scale: 3/32"=1'-0"
Drawn: DRW
Checked: CHK

G105

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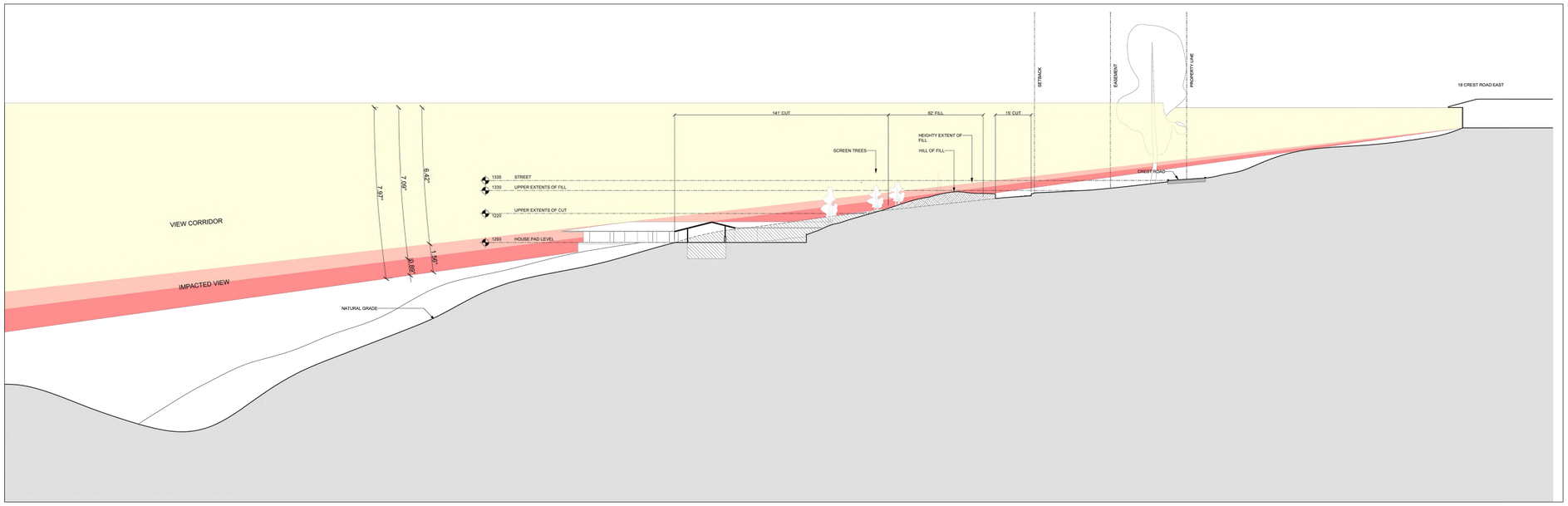
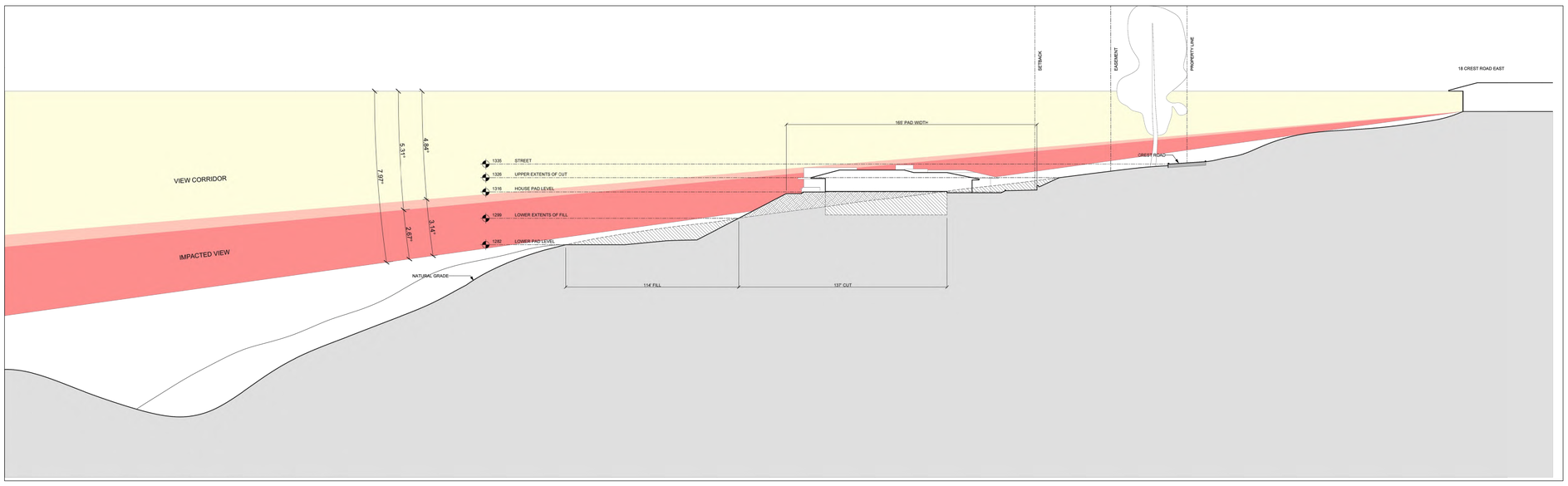
Comparison Table: 2017 Hynes, 2022 Dark Moon Ranch, and 2023 Ogasawara Orig. and Rev-1 Proposals					
	Hynes 2017	**Dark Moon Ranch 2022**	**Ogasawara 1/16/24**	**Ogasawara 4/16/24**	**Ogasawara 6/18/24**
Architecture					
Main Residence and Garage	11,520 sf	9,970 sf	13,000 sf	14,680 sf	14,680 sf
Basement	10,400 sf	8,460 sf	7,610 sf	8,240 sf	7,849 sf
Covered Porches	2,500 sf	2,165 sf	480 sf	480 sf	480 sf
Guest House	800 sf	800 sf	540 sf	600 sf	600 sf
Guest House Porches	369 sf	570 sf	0 sf	0 sf	0 sf
Stable	2,092 sf	2,456 sf	1,940 sf	1,225 sf	1,225 sf
Stable Porches	350 sf	1,225 sf	0 sf	0 sf	0 sf
Misc Accessory Structures	956 sf	882 sf	300 sf	1,070 sf	1,070 sf
Raised Deck	0 sf	520 sf	0 sf	0 sf	0 sf
Pool	864 sf	1,230 sf	270 sf	315 sf	280 sf
Hardscape	8,100 sf	6,390 sf	6,430 sf	5,595 sf	5,595 sf
Primary Driveway	8,860 sf	8,050 sf	16,100 sf	13,480 sf	13,480 sf
Secondary Driveway	600 sf	1,850 sf	0 sf	0 sf	0 sf
Disturbance	95,850 sf	104,850 sf	92,460 sf	87,920 sf	87,770 sf
Mound Height	n/a	n/a	1335'	1335'	1330'
Structure					
Total Structures	29,851 sf	28,178 sf	17,184 sf	18,872 sf	18,970 sf
Total Structures (excluding Basment)	19,451 sf	19,718 sf	9,574 sf	10,632 sf	11,121 sf
Total Flatwork	17,560 sf	16,290 sf	20,520 sf	18,714 sf	18,385 sf
Total Structures and Flatwork	47,411 sf	44,468 sf	37,704 sf	37,587 sf	37,770 sf
Total Structures (excluding Basment) and Flatwork	37,011 sf	36,008 sf	30,094 sf	29,347 sf	29,921 sf
Grading					
Cut	15,185 cy	14,600 cy	16,980 cy	17,320 cy	19,052 cy
Fill	7,300 cy	9,310 cy	11,950 cy	11,405 cy	9,337 cy
Over-excavation	11,750 cy	17.510 cy	3,760 cy	3,760 cy	3,760 cy
Recompaction	13,885 cy	22,800 cy	5,400 cy	5,400 cy	5,400 cy
Total Cut and Fill	22,485 cy	23,910 cy	28,930 cy	28,725 cy	28,389 cy

1 23 Crest Road Project Comparisons Matrix



2 Proposed Site Section
NTS



1 2017 Approved Site Section
NTS

NOTES

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	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

STAMPS

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GENERAL CONTRACTOR
TBD
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CIVIL ENGINEER
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MEP ENGINEER
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Los Angeles, CA 90045

LANDSCAPE ARCHITECT
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3401 Glendale Blvd
Los Angeles, CA 90039

View Corridor Diagrams

Date: 2024/01/01
Scale: 3/32"=1'-0"
Drawn: DRW
Checked: CHK

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Material Key



1 Douglas Fir



2 Natural Stone



3 Slate, Grey



4 Paint, White

Site Renderings



View from Street, West



1 View from Street, East



3 View from Ravine



4 View of Basement Exit

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

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LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

Site Renderings and Material Key

Date: 2024/01/01
Scale: 3/32"=1'-0"
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Checked: CHK

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OGASAWARA RESIDENCE

23 CREST ROAD EAST
ROLLING HILLS, CA 90274



OVERALL SITE PLAN
SCALE: 1" = 40'



VICINITY MAP
SCALE: 1" = 300'

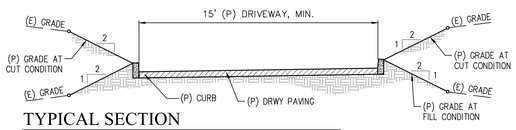
1	2 Crest Rd E	21	29 Crest Rd E
2	2 Georgeff Rd3	22	33 Crest Rd E
3	Georgeff Rd	23	1 Southfield Dr
4	8 Crest Rd E	24	4 Ranchero Rd
5	1 Crest Rd E	25	1 Ranchero Rd
6	12 Crest Rd E	26	2 Ranchero Rd
7	1 Georgeff Rd	27	51 Portugese Bend Rd
8	6 Cinchring Rd	28	54 Protugese Bend Rd
9	5 Crest Rd E	29	56 Protugese Bend Rd
10	52 Portugese Bend Rd	30	58 Portugese Bend Rd
11	7 Crest Rd E	31	35 Crest Rd E
12	16 Crest Rd E	32	3 Southfield Dr
13	18 Crest Rd E	33	53 Protugese Bend Rd
14	22 Crest Rd E	34	Address Not Available
15	26 Crest Rd	35	62 Portugese Bend Rd
16	30 Crest Rd E	36	60 Portugese Bend Rd
17	34 Crest Rd E	37	5 Ringbit Rd W
18	5 Ranchero Rd	38	7 Southfield Dr
19	17 Crest Rd E	39	Address Not Available
20	Address Not Available		

LEGEND

PROPERTY LINE	
EASEMENT	
SETBACK	
(P) LIMIT OF GRADING	
(P) PAD AREA	
(E) CONTOUR	1300
(P) CONTOUR	1100
(P) STRUCTURE	
(P) BASEMENT	
(P) RETAINING WALL	
(P) DRIVEWAY	
(P) POOL DECK	
(P) PAVED WALK	
(P) COVERED PORCH	
(P) CORRAL	

ABBREVIATIONS

(E)	EXISTING
(P)	PROPOSED
BW	BOTTOM OF WALL
FF	FINISHED FLOOR
FG	FINISHED GRADE
FH	FIRE HYDRANT
FS	FINISHED SURFACE
PP	POWER POLE
SF	SQUARE FEET
TW	TOP OF WALL



TYPICAL SECTION
DRIVEWAY/FIRE ACCESS

Revisions	By

Bolton Engineering Corp.
Civil Engineering and Surveying
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Lomita, Ca. 90717
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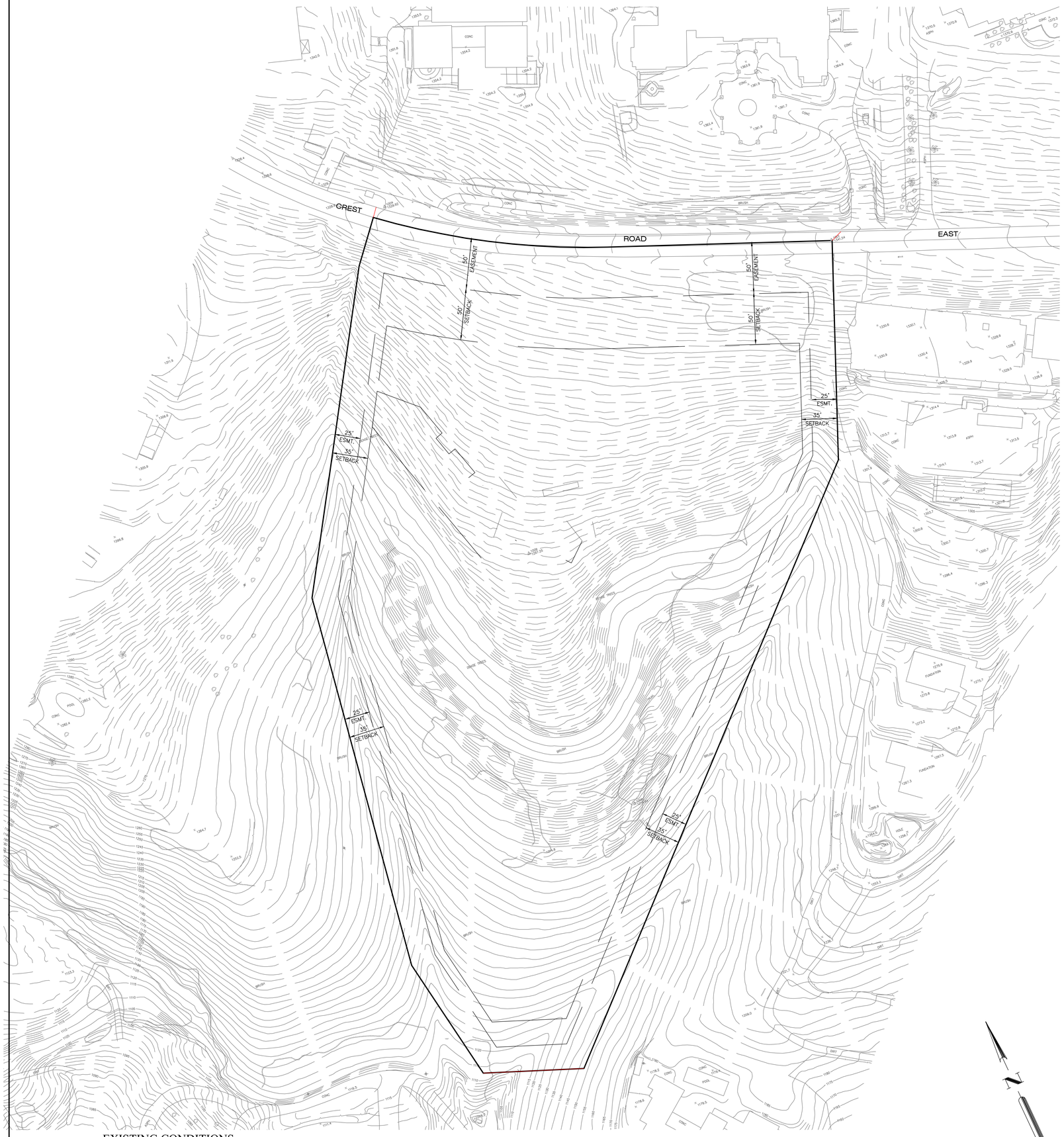
CLIENT: YUKI OGASAWARA
452 S LORING AVENUE
LOS ANGELES CA 90024

TITLE: OVERALL SITE PLAN
NEW RESIDENCE
17 CREST ROAD EAST
ROLLING HILLS, CA 90274

Date:	July 9, 2024
Scale:	AS SHOWN
Drawn:	djb
Checked:	DJB
Job No.	22324
Sheet	C1
Of	8 Sheets

OGASAWARA RESIDENCE

23 CREST ROAD EAST
ROLLING HILLS, CA 90274



EXISTING CONDITIONS

SCALE: 1" = 40'

Revisions	By

Bolton Engineering Corp.
Civil Engineering and Surveying
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Ph: 310-325-5580 Fax: 310-325-5581

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TITLE: EXISTING CONDITIONS
NEW RESIDENCE
17 CREST ROAD EAST
ROLLING HILLS, CA 90274

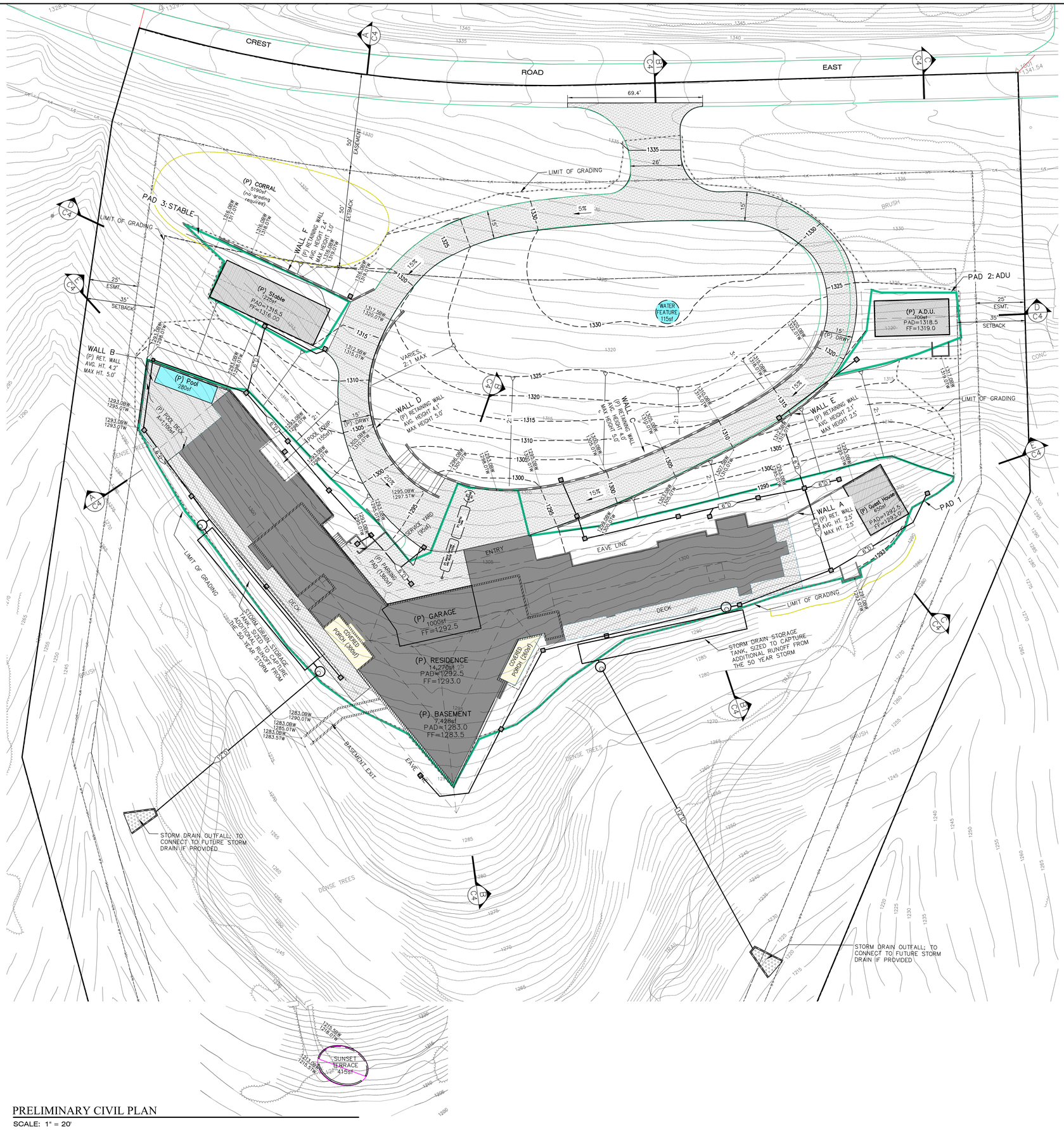
Date:	July 9, 2024
Scale:	AS SHOWN
Drawn:	djb
Checked:	DJB
Job No.	22324

Sheet C2

Of 8 Sheets

OGASAWARA RESIDENCE

23 CREST ROAD EAST
ROLLING HILLS, CA 90274



LEGEND

- PROPERTY LINE
- EASEMENT
- SETBACK
- (P) LIMIT OF GRADING
- (P) PAD AREA
- (E) CONTOUR 1300
- (P) CONTOUR 1100
- (P) STRUCTURE
- (P) BASEMENT
- (P) RETAINING WALL
- (P) DRIVEWAY
- (P) POOL DECK
- (P) PAVED WALK
- (P) COVERED PORCH
- (P) CORRAL

PRELIMINARY CIVIL PLAN

SCALE: 1" = 20'

Revisions	By

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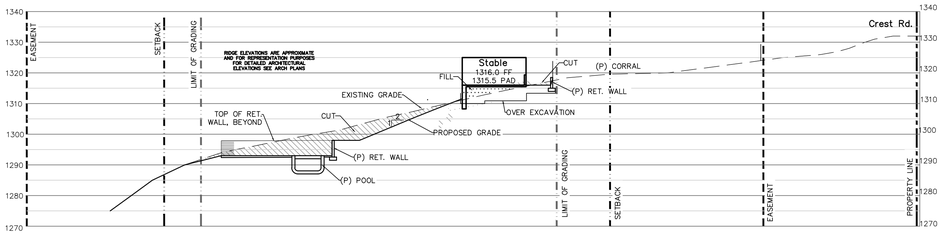
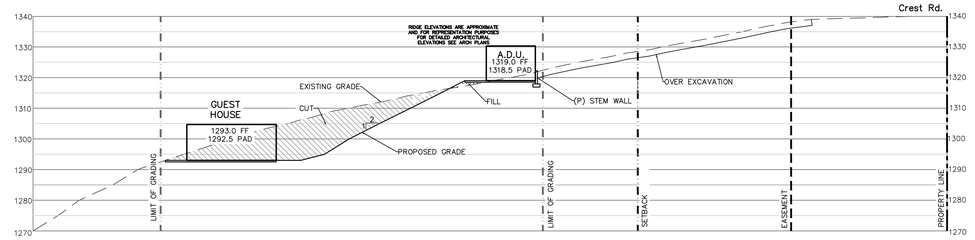
TITLE: PRELIM GRADING PLAN
NEW RESIDENCE
17 CREST ROAD EAST
ROLLING HILLS, CA 90274

Date:	July 9, 2024
Scale:	AS SHOWN
Drawn:	djb
Checked:	DJB
Job No.	22324
Sheet	C3
Of	8 Sheets



SECTION A-A

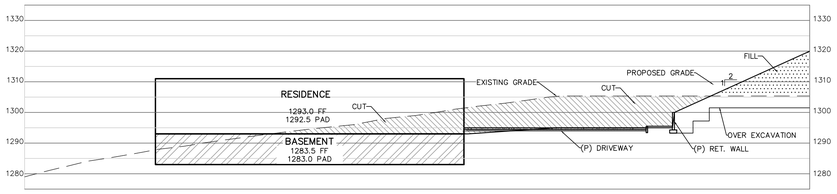
SCALE: 1" = 20'



SECTION C-C

SCALE: 1" = 20'

SECTION A—A



SECTION B-B

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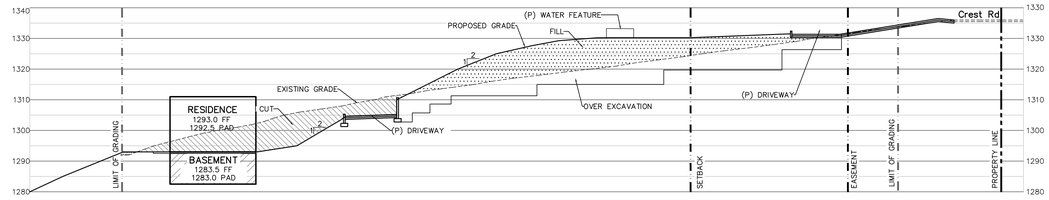

SECTION B1-B1

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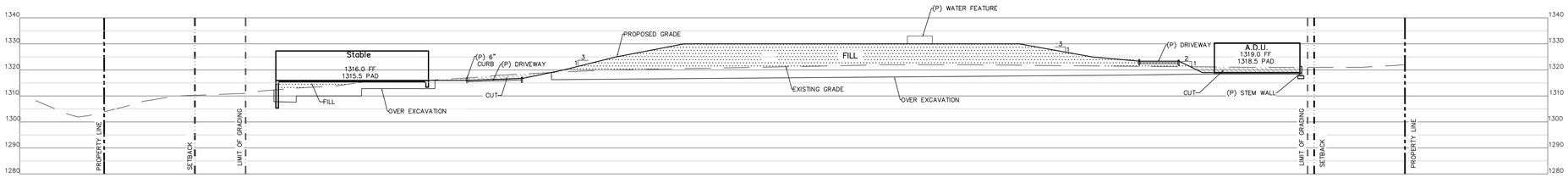

SECTION D-D

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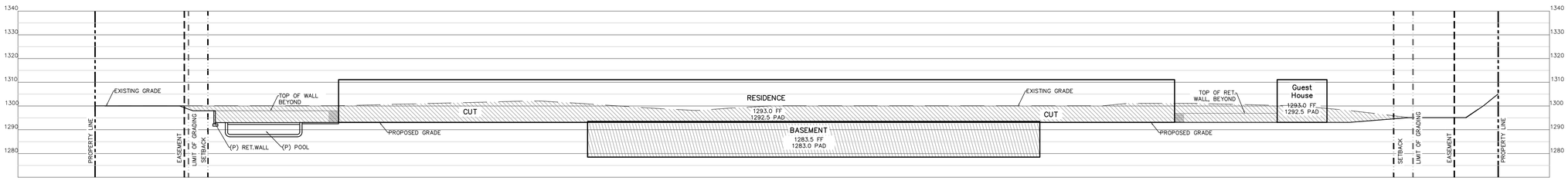

SECTION E-E

SCALE: 1" = 20'

Revisions	By

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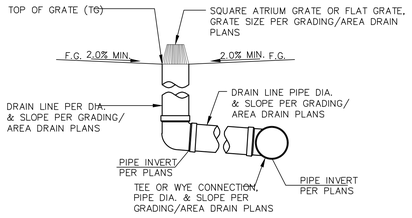
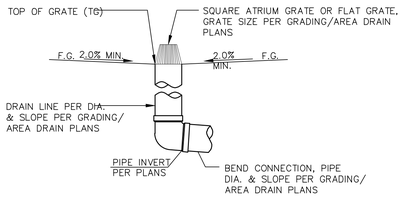
NEW RESIDENCE
23 CREST ROAD EAST
ROLLING HILLS, CA 90274

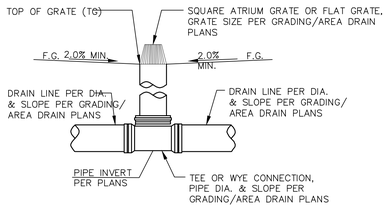
Date:	MAR. 28, 2024
Scale:	AS SHOWN
Drawn:	djb
Checked:	DJB
Job No.	22324
Sheet	C4
Of	8 Sheets



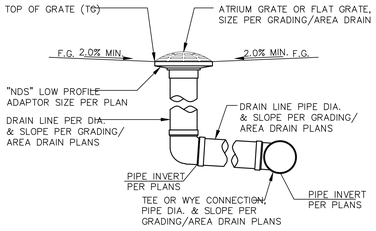
ROUND LANDSCAPE AREA DRAIN (OFF-LINE)



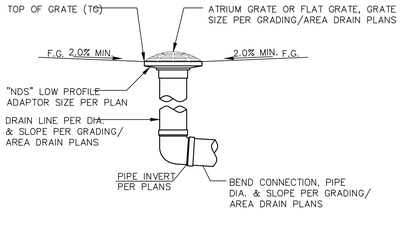
ROUND LANDSCAPE AREA DRAIN (TERMINAL)



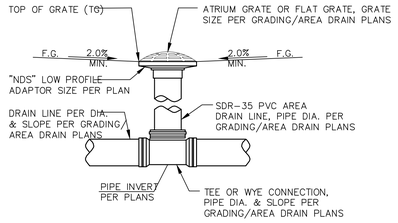
ROUND LANDSCAPE AREA DRAIN (IN-LINE)



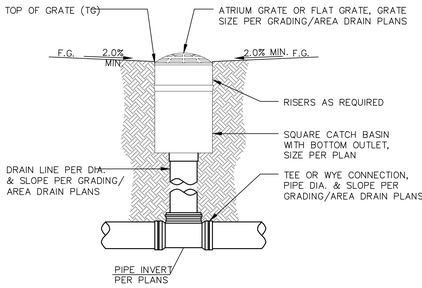
SQUARE LANDSCAPE AREA DRAIN (OFF-LINE)



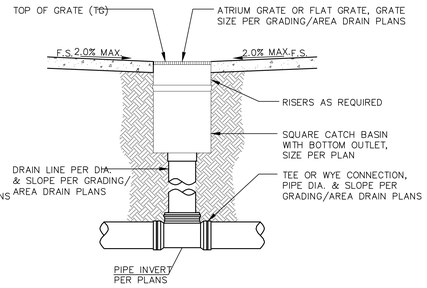
SQUARE LANDSCAPE AREA DRAIN (TERMINAL)



SQUARE LANDSCAPE AREA DRAIN (IN-LINE)



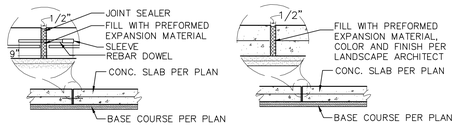
SUMP BOX LANDSCAPE AREA DRAIN



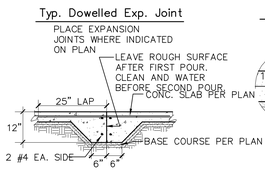
SUMP BOX PEDESTRIAN AREA DRAIN

Area Drain Details 8/C5

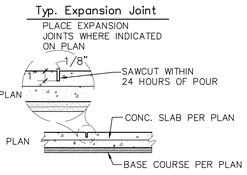
N.T.S.



Typ. Dowelled Exp. Joint



Typ. Expansion Joint



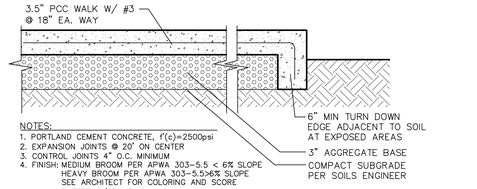
Typ. Construction Joint

Typ. Control Joint

SPACE CONTROL JOINTS 10' MAX. BOTH DIRECTIONS AND AT ALL INSET CORNERS.

Typical PCC Joints 6/C5

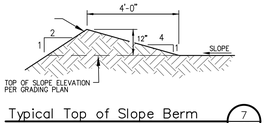
N.T.S.



NOTES:
1. PORTLAND CEMENT CONCRETE, f'(c)=2500psi
2. EXPANSION JOINTS @ 20' ON CENTER
3. CONTROL JOINTS 4" O.C. MINIMUM
4. FINISH: MEDIUM BROOM PER APWA 303-5.5 < 6% SLOPE HEAVY BROOM PER APWA 303-5.5>6% SLOPE SEE ARCHITECT FOR COLORING AND SCORE PATTERNS/STAMPING

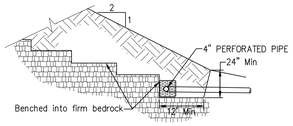
Typical PCC Paving 4/C5

N.T.S.



Typical Top of Slope Berm 7/C5

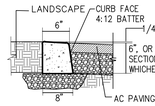
N.T.S.



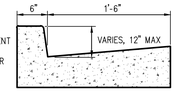
A subdrain system shall be installed behind the proposed fill slope. The subdrain system shall consist of a drain located at the rear of the keyway above the toe of the slope. The subdrain shall consist of 4-inch perforated pipes, with perforations facing downward. It shall be surrounded by a minimum of 3 cubic feet of gravel for each linear foot of pipe. The gravels shall be wrapped by filter fabric. The subdrain shall exit to the face of the fill slope through non-perforated pipes. Subdrain outlets shall be provided every 25 linear feet along the length of the slope.

Typical Key and Benching 3/C5

N.T.S.

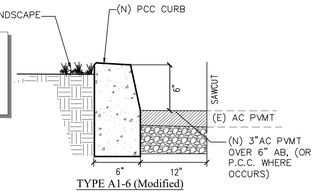


MOW CURB



TYPE A2-8 (Modified)

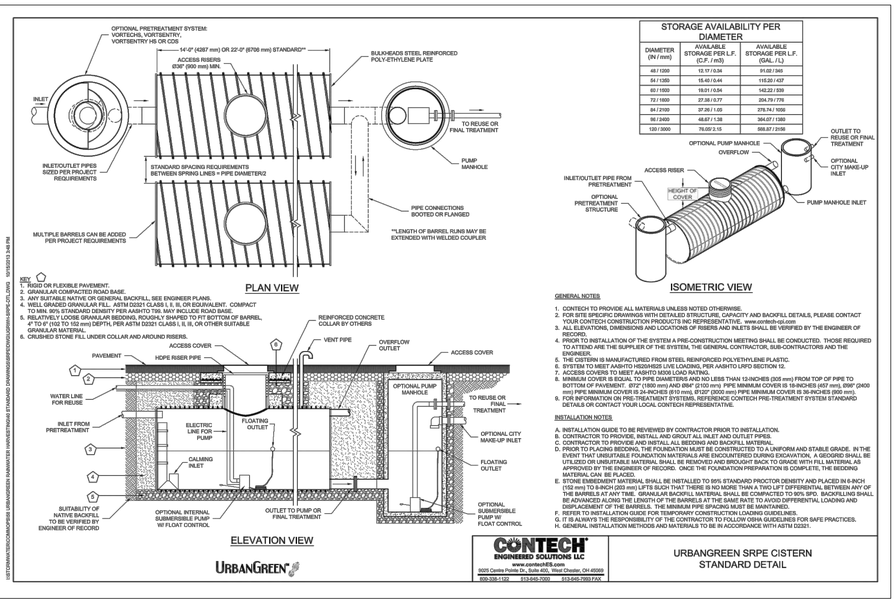
NOTES:
1. FOR ALL OTHER CURBS, PLEASE SEE SPPWC STANDARD DETAILS.
2. LOCATE EXPANSION JOINTS AT 30'-0" (MAXIMUM) ON CENTER. SEE DETAIL 5.



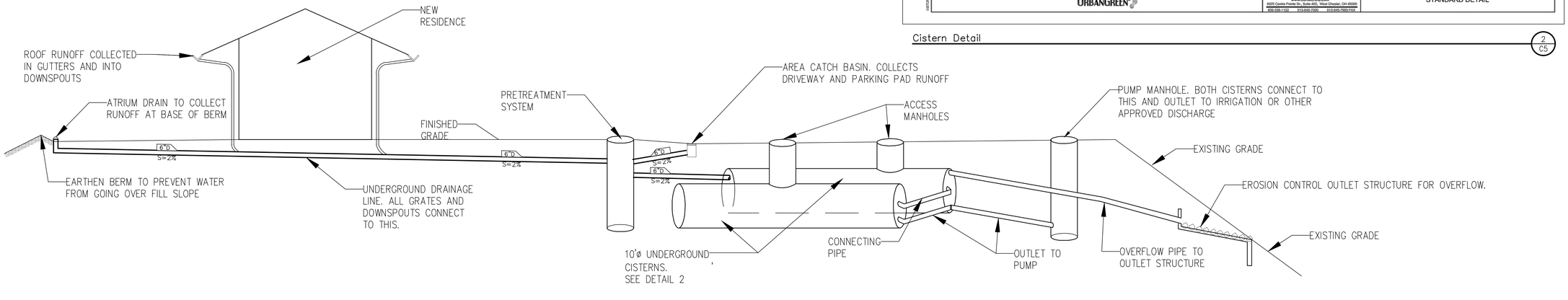
TYPE A1-6 (Modified)

Typical PCC Curbs 5/C5

N.T.S.



Cistern Detail 2/C5



Site Drainage Schematic 1/C5

Revisions	By

Bolton Engineering Corp.
Civil Engineering and Surveying
25834 Narbonne Avenue Suite 210
Lomita, Ca. 90717
Ph: 310-325-5580 Fax: 310-325-5681

CLIENT: YUKI OGASAWARA
452 S LORING AVENUE
LOS ANGELES CA 90024

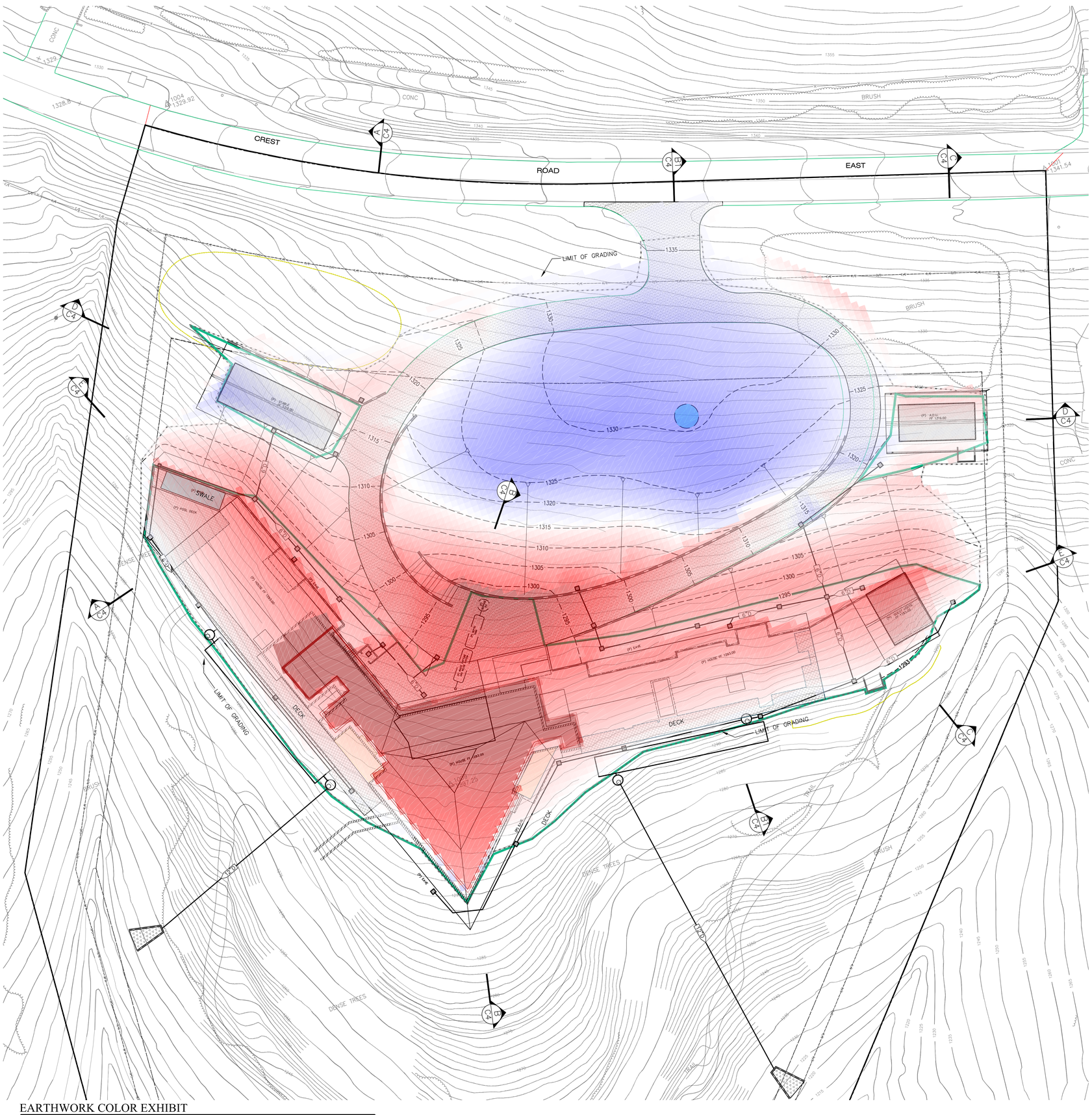
TITLE: CIVIL DETAILS
NEW RESIDENCE
17 CREST ROAD EAST
ROLLING HILLS, CA 90274

Date:	July 9, 2024
Scale:	AS SHOWN
Drawn:	djb
Checked:	DJB
Job No.	22324

Sheet C5
Of 8 Sheets

OGASAWARA RESIDENCE

23 CREST ROAD EAST
ROLLING HILLS, CA 90274



EARTHWORK COLOR EXHIBIT

SCALE: 1" = 20'

Revisions	By

Bolton Engineering Corp.
Civil Engineering and Surveying
25834 Narbonne Avenue Suite 210
Lomita, Ca. 90717
Ph: 310-325-5580 Fax: 310-325-5581

CLIENT: YUKI OGASAWARA
452 S LORING AVENUE
LOS ANGELES CA 90024

TITLE: PRELIM GRADING PLAN
NEW RESIDENCE
17 CREST ROAD EAST
ROLLING HILLS, CA 90274

Date:	July 9, 2024
Scale:	AS SHOWN
Drawn:	djb
Checked:	DJB
Job No.	22324
Sheet:	C3
Of	8 Sheets



EXISTING TREE TO REMAIN

NEW TREE, NATIVE SPECIES
QTY: 15

NEW LANDSCAPE AREA
W/ NATIVE PLANTING
58,050 SQ FT

NATIVE POLLINATOR MEADOW
3,000 SQ FT

NEW PT TIMBER STEPS
W/ GRAVEL TRAIL

WATER FEATURE, SEE 1/L2.01

EXISTING TRAIL TO EDIT AND REBUILD

TERRE MOTO

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LOS ANGELES, CA 90031
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INFO@TERREMOTO.LA

PROJECT

OGASAWARA
23 CREST ROAD E,
ROLLING HILLS, CA 90274

ISSUE SET
CONCEPT

ISSUE DATE
07/03/2024

REV DATE ISSUE BY

DRAWN BY:
CHECKED BY:

SCALE
1" = 40'-0"

SHEET TITLE
CONCEPTUAL LANDSCAPE PLAN

SHEET NUMBER
L1.00



EXISTING TREE

NEW TREE, NATIVE SPECIES
QTY: 15

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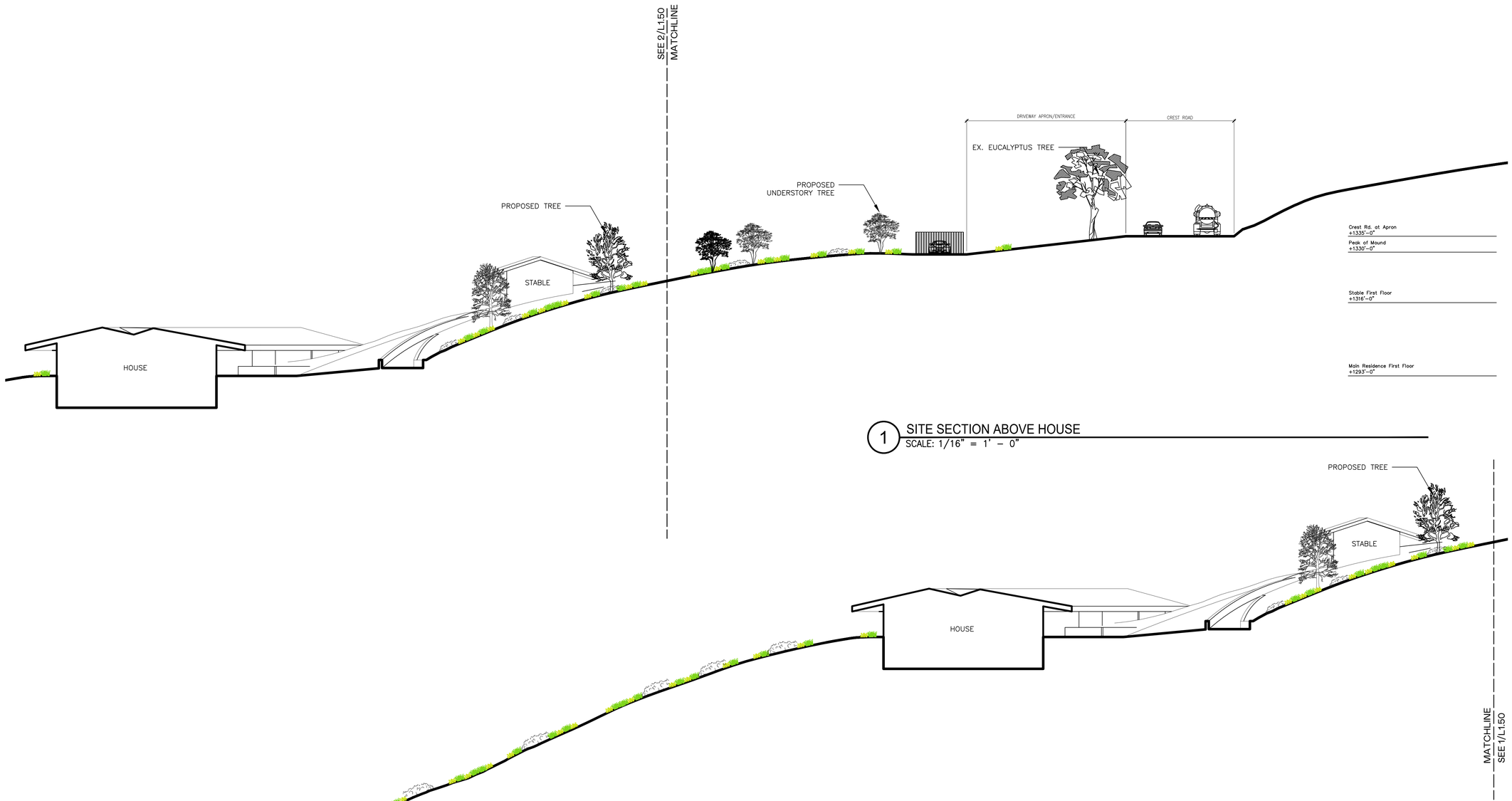
SCALE
1" = 40'-0"

SHEET TITLE
EXISTING AND PROPOSED TREE PLAN

SHEET NUMBER
L1.01



1 SITE SECTION ABOVE HOUSE
SCALE: 1/16" = 1' – 0"

2 SITE SECTION BELOW HOUSE
SCALE: 1/16" = 1' – 0"

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ISSUE SET
CONCEPT

ISSUE DATE
07/03/2024

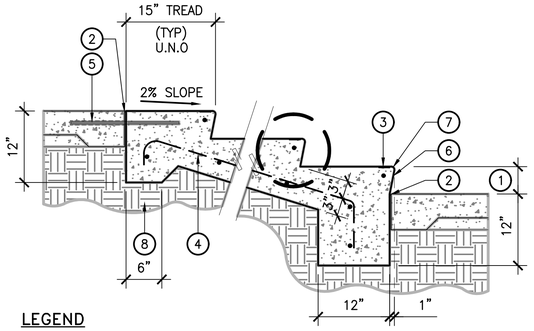
REV DATE ISSUE BY

DRAWN BY:
CHECKED BY:

SCALE
AS SHOWN

SHEET TITLE
SITE SECTION

SHEET NUMBER
L1.50



LEGEND

1. SEE GRADING PLAN FOR STEP RISER HT.
2. E.J.
3. 2" WIDE WARNING STRIP.
4. #4 @ 18" OC, BOTH WAYS.
5. #3 X 18" SLIP DOWEL @ 18" O.C.
6. #3 NOSE REBAR.
7. 1/2" RAD.
8. COMPACTED SUBGRADE.

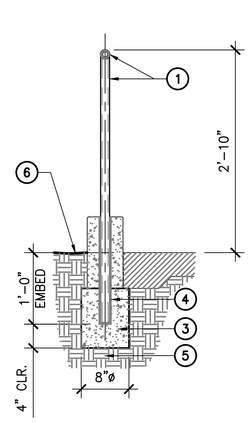
9 CONCRETE STEPS
SCALE: 1" = 1'- 0"

LEGEND

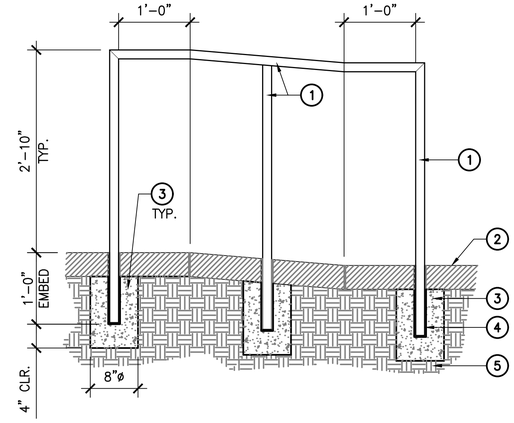
1. HANDRAIL AND POSTS, 1-1/2" (NOM.) GALVANIZED STEEL PIPE.
2. FINISH SURFACE OF PAVEMENT.
3. CONC. FOOTING FOR HANDRAIL POST.
4. SET RAIL W/ POUR-ROC.
5. COMPACTED SUBGRADE.
6. FINISH GRADE AT PLANTING AREA.
7. ADJ. WALL.

NOTE

A. SET RAIL AT LEAST 3" (CLR) FROM EDGE OF PAVEMENT.
B. GRIND ALL WELDS SMOOTH.
C. LEVEL SURFACE OF RAIL EXTENDS 12" MIN. BEYOND TOP AND BOTTOM OF RAMP.
D. WHERE RAMP IS LONGER THAN 6', PROVIDE INTERMEDIATE POSTS AT EQUALLY SPACED INTERVALS NOT TO EXCEED 6'.

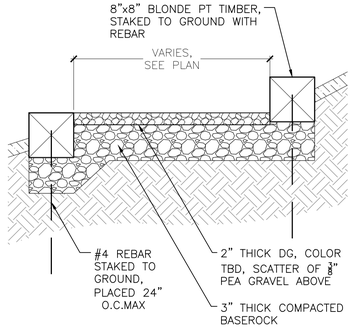


HANDRAIL AT CURB

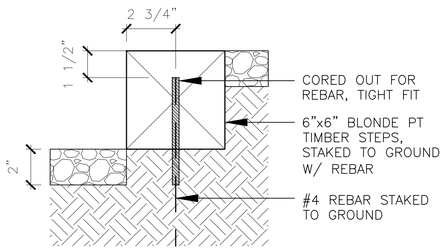


HANDRAIL AT PAVING

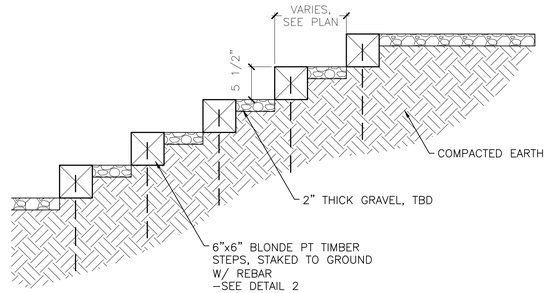
8 HANDRAIL AT RAMPS
SCALE: 1" = 1'- 0"



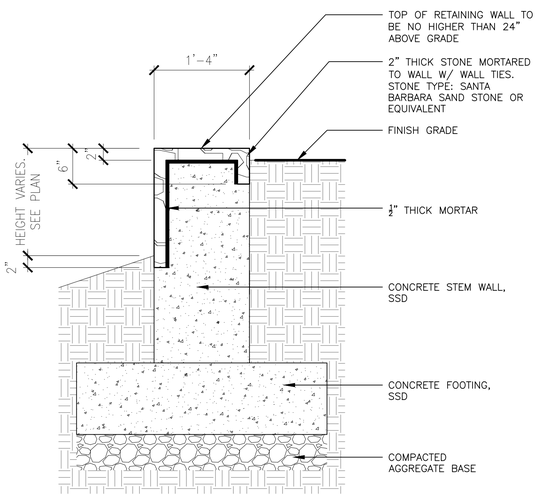
7 PT TIMBER TRAIL SECTION
SCALE: 1" = 1'-0"



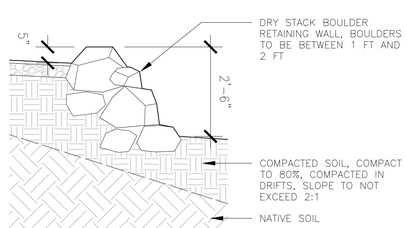
6 PT TIMBER STEPS CLOSE-UP
SCALE: 3" = 1'-0"



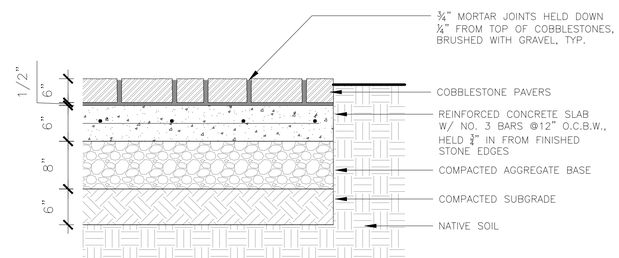
5 PT TIMBER STEPS SECTION
SCALE: 1" = 1'-0"



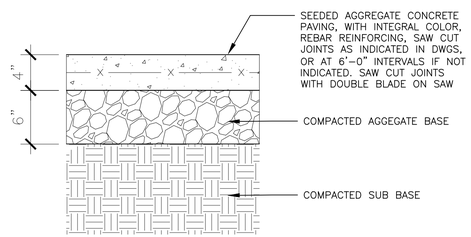
4 STONE VENEERED RETAINING WALL
SCALE: 1" = 1'-0"



3 DRY STACK STONE RETAINING WALL
SCALE: 1/2" = 1'-0"



2 COBBLESTONE DRIVEWAY
SCALE: 1" = 1'-0"



1 CONCRETE DRIVEWAY
SCALE: 1 1/2" = 1' - 0"

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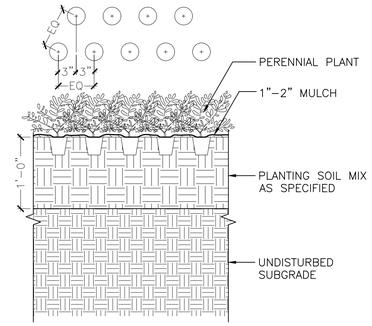
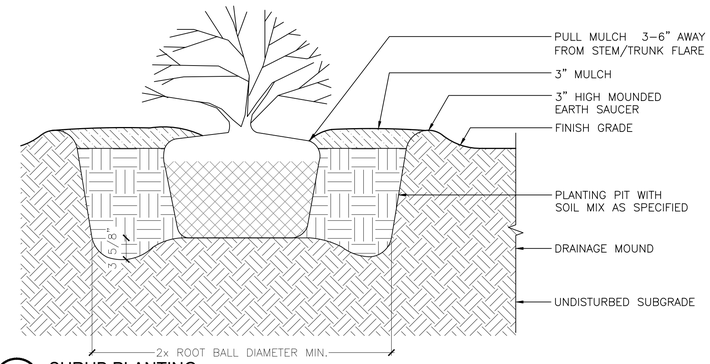
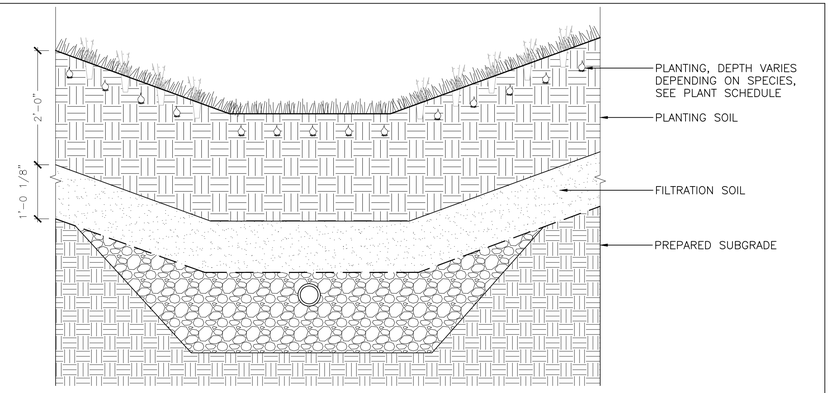


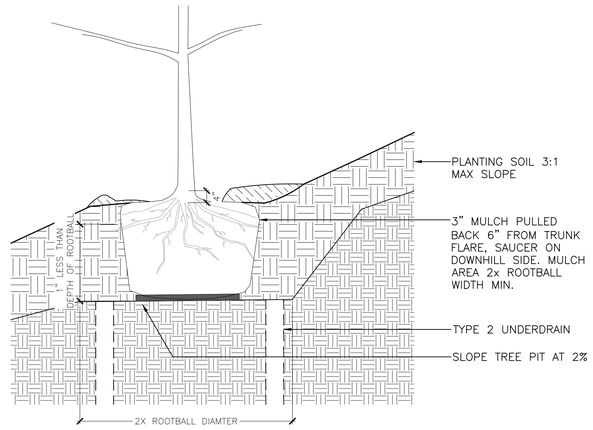
6 PERENNIAL PLANTING
SCALE: 1" = 1' – 0"



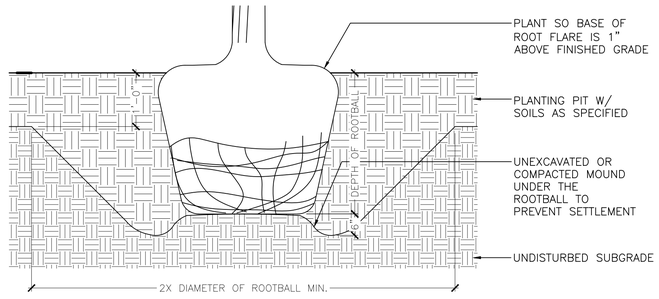
5 SHRUB PLANTING
SCALE: 3/4" = 1' – 0"



4 BIOSWALE DETAIL
SCALE: 3/4" = 1' – 0"



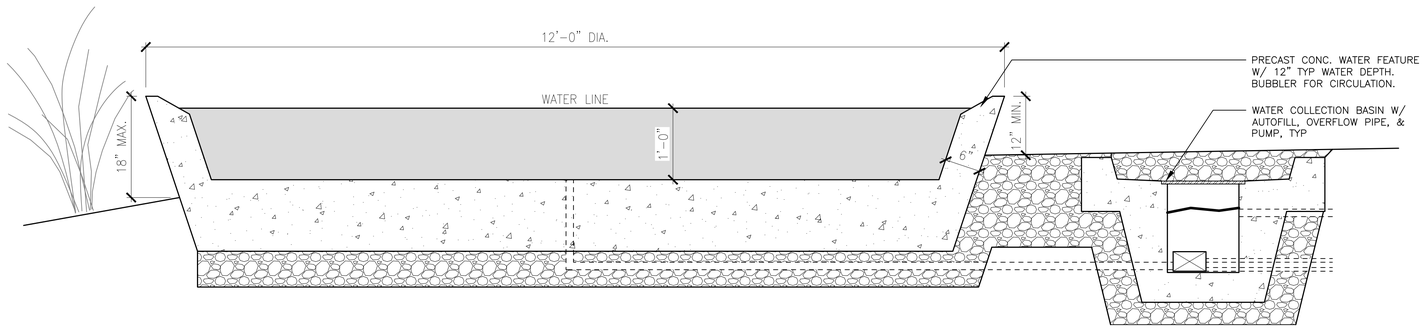
3 HILLSIDE TREE PLANTING
SCALE: 1/2" = 1' – 0"



2 TREE PLANTING
SCALE: 3/4" = 1' – 0"



IMAGE FOR REFERENCE ONLY



1 WATER FEATURE
SCALE: 1" = 1' – 0"

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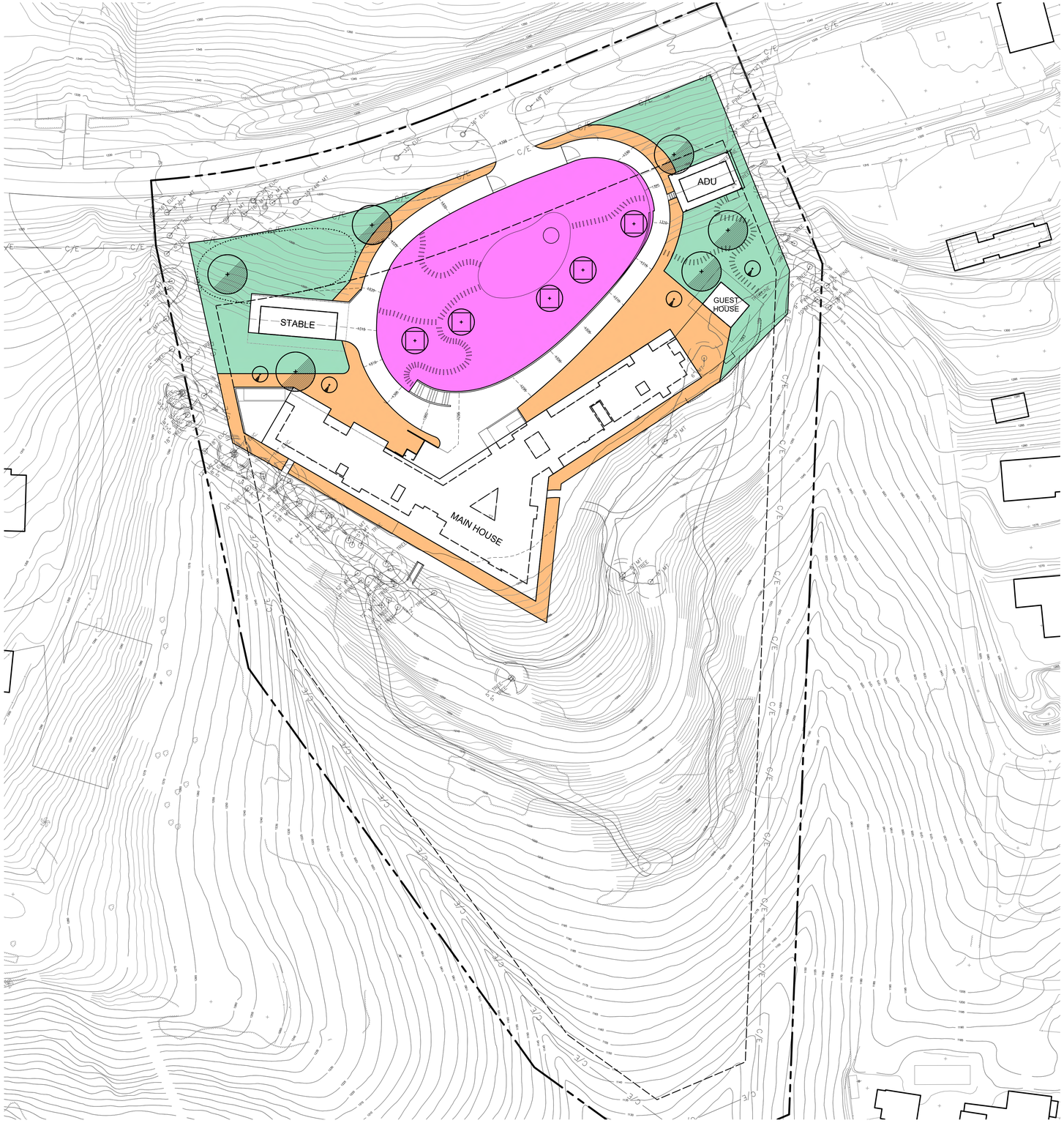

EXISTING TREE

(5) LYONOTHAMNUS FLORIBUNDUS
Max Height - 20'
Max Width - 12'

(6) QUERCUS AGRIFOLIA
Max Height - 30'
Max Width - 30'

MATRIX 1: NATIVE MEADOW
24,000 SQ FT = 2,780 PLANTS

(200) ACHILLEA MILLEFOLIUM (L)
(600) BACCHARIS PILULARIS (L)
(200) BOUTELOUA GRACILIS (L)
(100) CEANOTHUS 'SKYLARK' (M)
(600) CEANOTHUS 'YANKEE POINT' (L)
(400) FESTUCA CALIFORNICA (L)
(30) HETEROMELES ARBUTIFOLIA (L)
(250) LAVANDULA DENTATA (L)
(200) LUPINUS SUCCULENTUS (L)
(200) SALVIA SPATHACEA (L)

MATRIX 2: NATIVE GARDEN
20,000 SQ FT = 2,480 PLANTS

(150) AGAVE VILMORINIANA (VL)
(300) DUDLEYA LANCEOLATA (VL)
(25) OPUNTIA FICUS-INDICA (VL)
(150) ACHILLEA MILLEFOLIUM (L)
(250) BACCHARIS PILULARIS (L)
(25) CEANOTHUS 'RAY HARTMAN' (L)
(300) CEANOTHUS 'YANKEE POINT' (L)
(150) DICHELOSTEMMA CAPITATUM (VL)
(150) ESCHSCHOLZIA CALIFORNICA (VL)
(200) FESTUCA CALIFORNICA (L)
(30) HETEROMELES ARBUTIFOLIA (L)
(150) LAVANDULA DENTATA (L)
(150) LUPINUS SUCCULENTUS (L)
(300) OLEA EUROPAEA 'LITTLE OLLIE' (L)
(150) SALVIA SPATHACEA (L)

MATRIX 3: NATIVE CHAPARRAL
21,000 SQ FT = 2,500 PLANTS

(200) ARTEMISIA CALIFORNICA (VL)
(150) ASCLEPIAS FASCICULARIS (VL)
(150) CALOCHORTUS CATALINAE (VL)
(150) ENCELIA CALIFORNICA (VL)
(200) ERIOGONUM FASICULATUM (VL)
(200) ERIOGONUM PARVIFOLIUM (VL)
(30) HETEROMELES ARBUTIFOLIA (L)
(150) ISOMERIS ARBOREA (VL)
(150) LOTUS SCOPARIUS (VL)
(200) MIMULUS AURANTIACUS (VL)
(300) RHUS INTEGRIFOLIA (VL)
(200) SALVIA APIANA (VL)
(200) SALVIA LEUCOPHYLLA (VL)
(200) SALVIA MELLIFERA (VL)
(50) SAMBUCUS MEXICANA (VL)

PLANT MATRIX LEGEND

(QTY) SPECIES (WUCOLS) MAX HEIGHT

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PLANTING ZONE DIAGRAM

SHEET NUMBER
L3.00

TREES



Lyonothamnus floribundus MAX HEIGHT: 20'
Catalina Ironwood MAX WIDTH: 12'
WUCOLS — L



Quercus agrifolia MAX HEIGHT: 30'
Coast Live Oak MAX WIDTH: 30'
WUCOLS — VL



Cercis canadensis 'Forest Pansy' MAX HEIGHT: 12'
Forest Pansy Redbud MAX WIDTH: 12'
WUCOLS — M

GRASSES/GROUNDCOVERS



Baccharis pilularis
Dwarf Coyote Brush
WUCOLS — L



Bouteloua gracilis 'Blonde Ambition'
Blue Grama Grass
WUCOLS — L



Ceanothus 'Yankee Point'
Yankee Point Wild Lilac
WUCOLS — L



Festuca californica
California Fescue
WUCOLS — L

SHRUBS



Artemisia californica
California Sagebrush
WUCOLS — VL



Ceanothus 'Ray Hartman'
Ray Hartman Ceanothus
WUCOLS — L



Ceanothus 'Skylark'
California Lilac
WUCOLS — M



Eriogonum fasiculatum
California Buckwheat
WUCOLS — VL



Eriogonum parvifolium
Seacliff Buckwheat
WUCOLS — VL



Heteromeles arbutifolia
Toyon
WUCOLS — VL



Olea europaea 'Little Ollie'
Little Ollie Dwarf Olive
WUCOLS — L



Rhus integrifolia
Lemonade Berry
WUCOLS — VL



Sambucus mexicana
Blue Elderberry
WUCOLS — L

SUCCULENTS



Agave vilmoriniana
Octopus Agave
WUCOLS — VL



Dudleya lanceolata
Lanceleaf Liveforever
WUCOLS — VL



Opuntia ficus-indica
Prickly Pear
WUCOLS — VL

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SCALE

SHEET TITLE
CONCEPTUAL PLANT IMAGES

SHEET NUMBER
L3.01

POLLINATORS



Achillea millefolium 'Californica'
Yarrow
WUCOLS — L



Asclepias fascicularis
Narrowleaf Milkweed
WUCOLS — VL



Astragalus trichopodus
Santa Barbara Milk Vetch
WUCOLS —



Calochortus catalinae
Catalina Mariposa Lily
WUCOLS — VL



Castilleja affinis
Coast Indian Paintbrush
WUCOLS —



Dichelostemma capitatum
Bluedicks
WUCOLS — VL



Encelia californica
Bush Sunflower
WUCOLS — VL



Epilobium canum MAX HEIGHT: 2'
California Fuchsia
WUCOLS — VL



Eschscholzia californica
California Poppy
WUCOLS — VL



Isomeris arborea
Bladderpod
WUCOLS — M



Lavandula dentata
French Lavender
WUCOLS — L



Lotus scoparius
Deerweed
WUCOLS — L



Lupinus succulentus
Arroyo Lupine
WUCOLS — L



Mimulus aurantiacus
Bush Monkey Flower
WUCOLS — VL



Salvia apiana
White Sage
WUCOLS — VL



Salvia leucophylla
Purple Sage
WUCOLS — VL



Salvia mellifera
Black Sage
WUCOLS — VL



Salvia spathacea
Hummingbird Sage
WUCOLS — L

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SCALE

SHEET TITLE
CONCEPTUAL PLANT IMAGES

SHEET NUMBER
L3.02

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

STAMPS

ARCHITECT OF RECORD

Escher GuneWardena Architecture
815 Silver Lake Boulevard
Los Angeles, CA 90026
Tel: 323.665.8100
Fax: 323.665.8181

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OWNER
Yukiko Ogasawara
3 Flying Mane Ln
Rolling Hills, CA 90274

GENERAL CONTRACTOR
TBD
Streetname St.
Los Angeles, CA #####

STRUCTURAL ENGINEER
Nous Engineering
5050 Eagle Rock Blvd
Los Angeles, CA 90041

CIVIL ENGINEER
Bolton Engineering Corp.
25834 Narbonne Ave, Ste 210
Lomita, CA 90717

MEP ENGINEER
PAE
6060 Center Dr, 10th Flr
Los Angeles, CA 90045

LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

1 Site Plan
1/32"=1'-0"

NORTH

Proposed Site Plan

Date: 2024/01/01
Scale: 3/32"=1'-0"
Drawn: DRW
Checked: CHK

AS101

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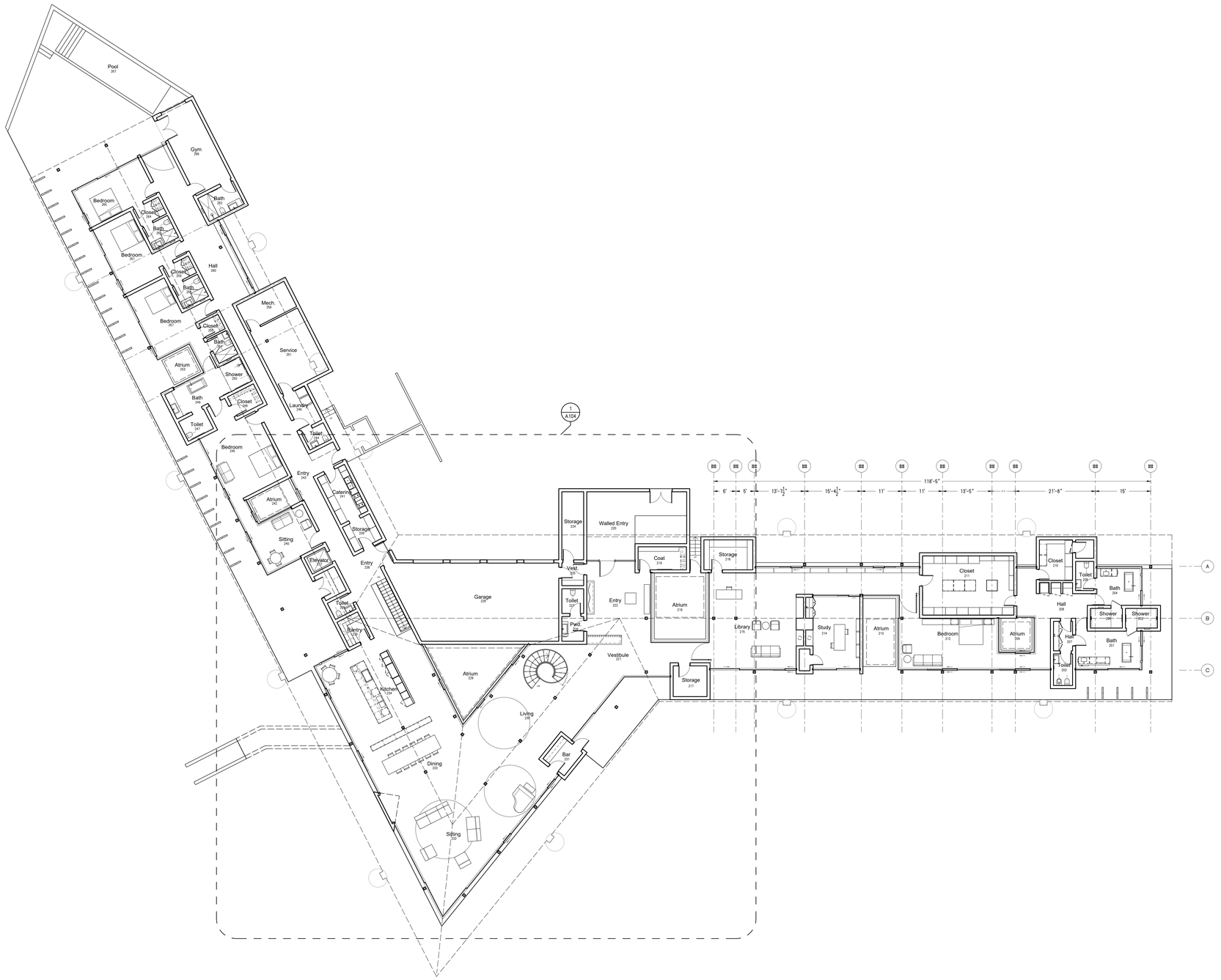

1 Basement Plan Overall
3/32"=1'-0"

NORTH

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

STAMPS

ARCHITECT OF RECORD

Escher GuneWardena Architecture
815 Silver Lake Boulevard
Los Angeles, CA 90026
Tel: 323.665.9100
Fax: 323.665.9101

OWNER
Yukiko Ogasawara
3 Flying Mane Ln
Rolling Hills, CA 90274

GENERAL CONTRACTOR
TBD
Streetname St.
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CIVIL ENGINEER
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Lomita, CA 90717

MEP ENGINEER
PAE
6060 Center Dr, 10th Flr
Los Angeles, CA 90045

LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

Basement Plan

Date: 2024/01/01
Scale: 3/32"=1'-0"
Drawn: DRW
Checked: CHK

A101

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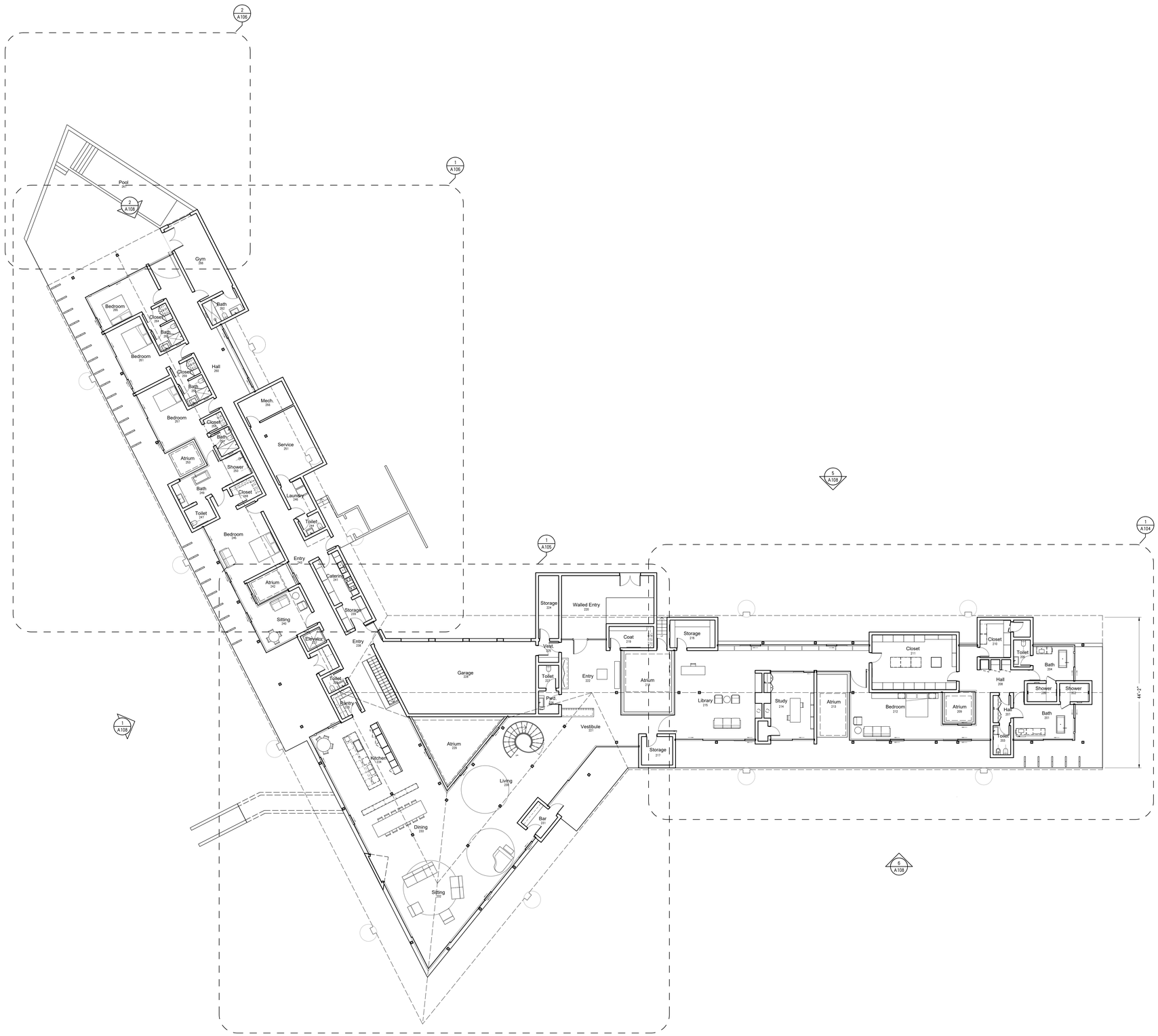

1 Overall First Floor Plan
3/32" = 1'-0"

NORTH

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

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Lomita, CA 90717

MEP ENGINEER
PAE
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Los Angeles, CA 90045

LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

Overall First Floor Plan

Date: 2024/01/01
Scale: 3/32"=1'-0"
Drawn: DRW
Checked: CHK

A102

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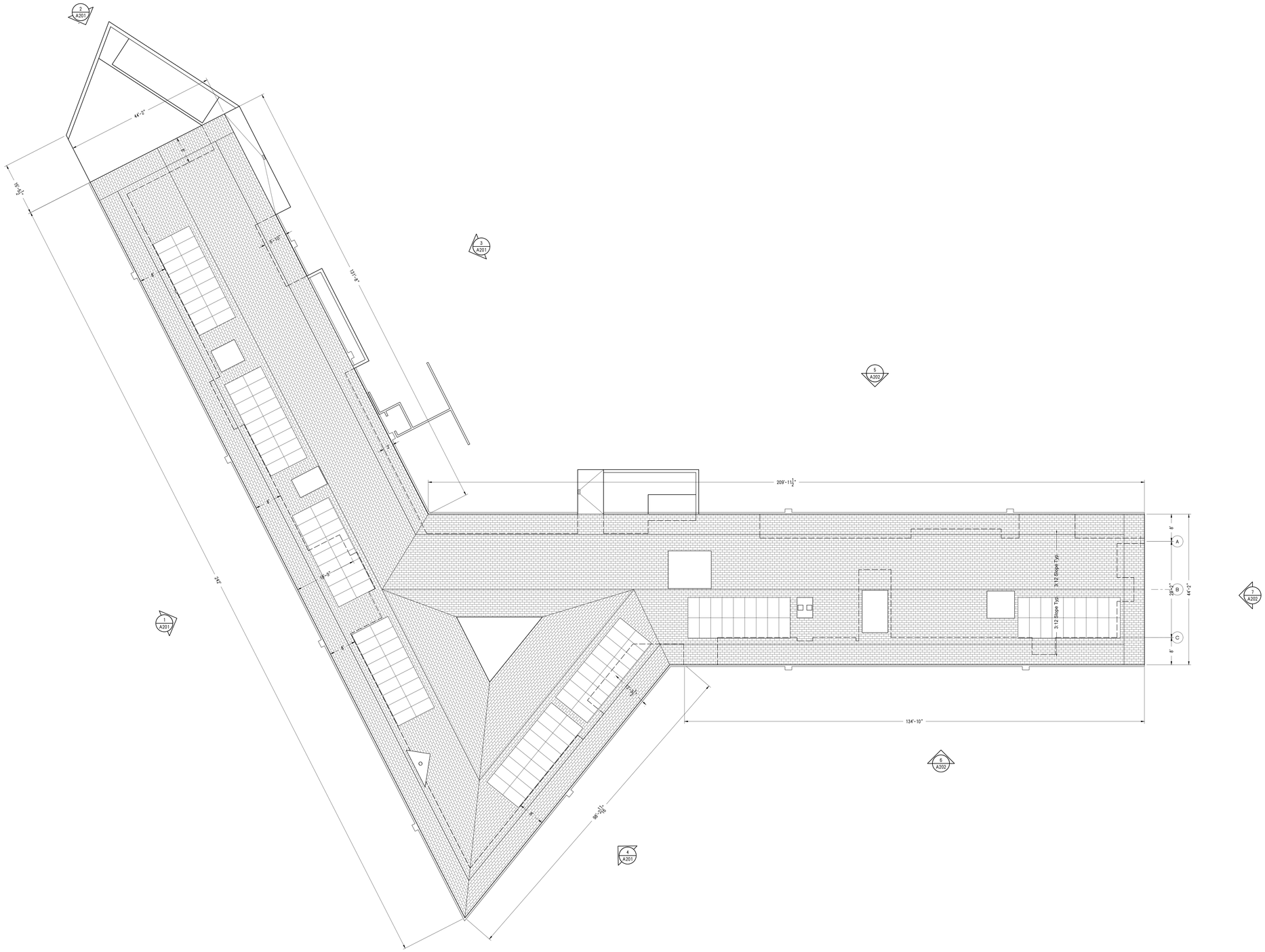
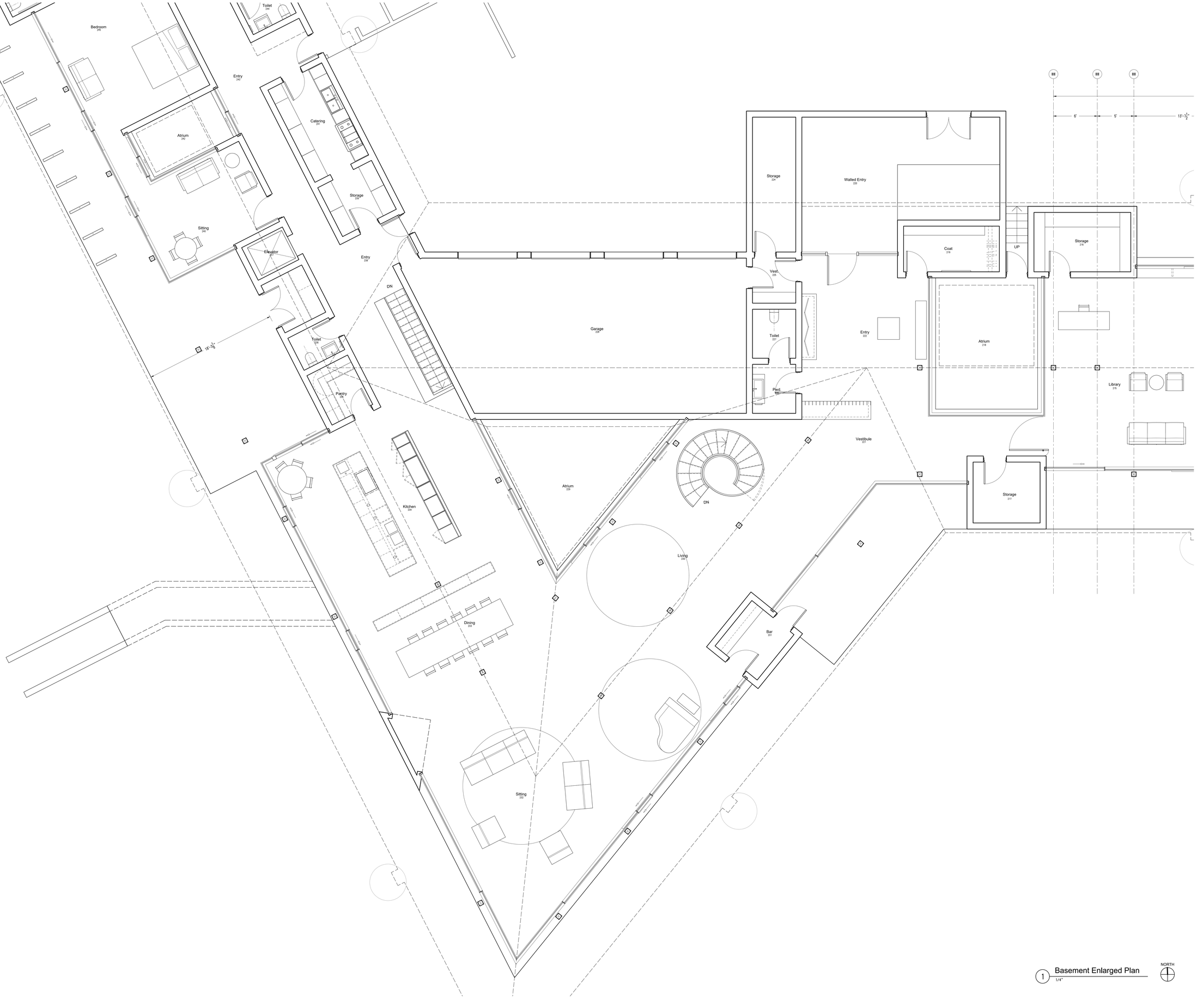

2
A201
3
A201
5
A202
1
A201
4
A201
6
A202
A202
A
B
C
44'-2"
15'-6"
131'-9"
209'-11½"
134'-10"
242'
98'-2½"
3:12 Slope Typ.
3:12 Slope Typ.
8'
8'
8'



1 Basement Enlarged Plan
1/4"

NORTH

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

STAMPS

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LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

Basement Plan Central Area

Date: 2024/01/01
Scale: 1/4"=1'-0"
Drawn: DRW
Checked: CHK

A104

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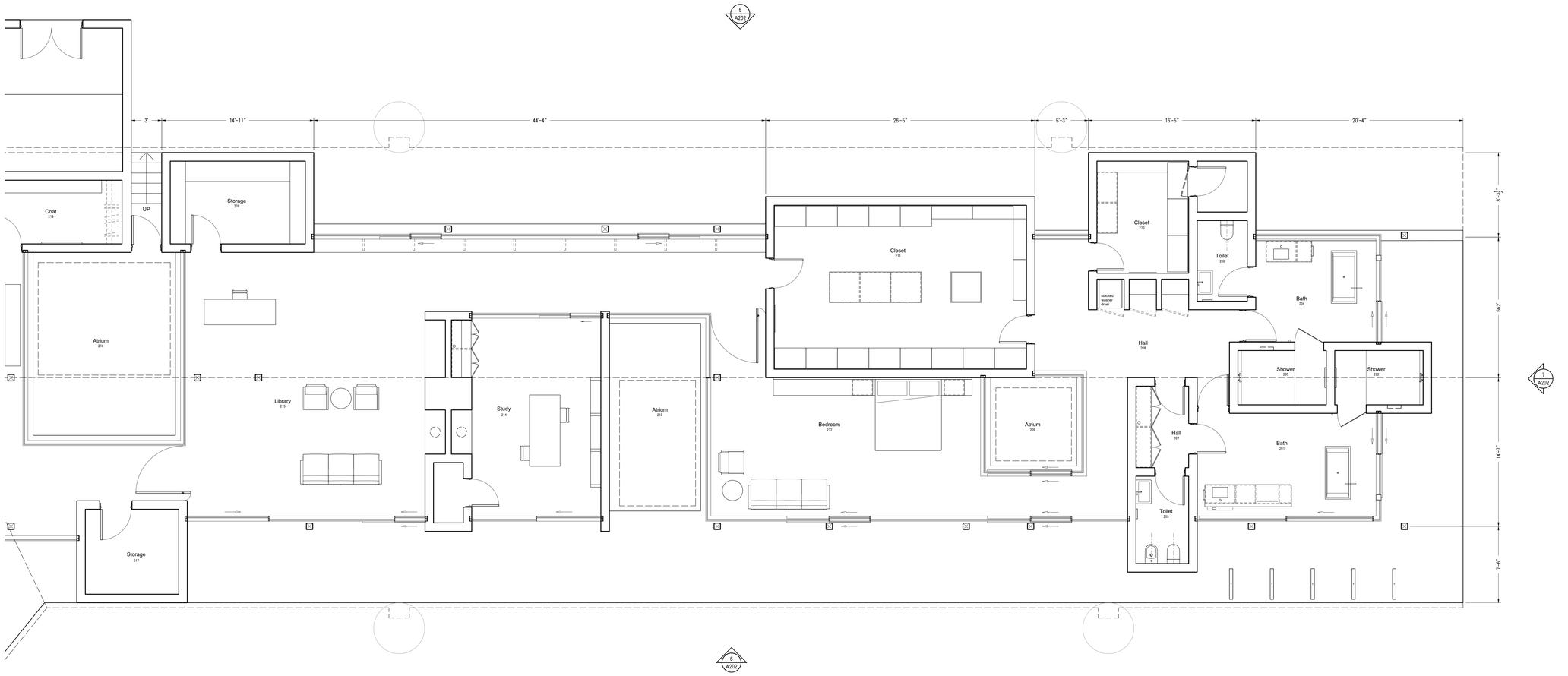

1 First Floor - East Wing
1/4"

NORTH

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

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PAE
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Los Angeles, CA 90045

LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

First Floor Plan
East Wing

Date: 2024/01/01
Scale: 1/4"=1'-0"
Drawn: DRW
Checked: CHK

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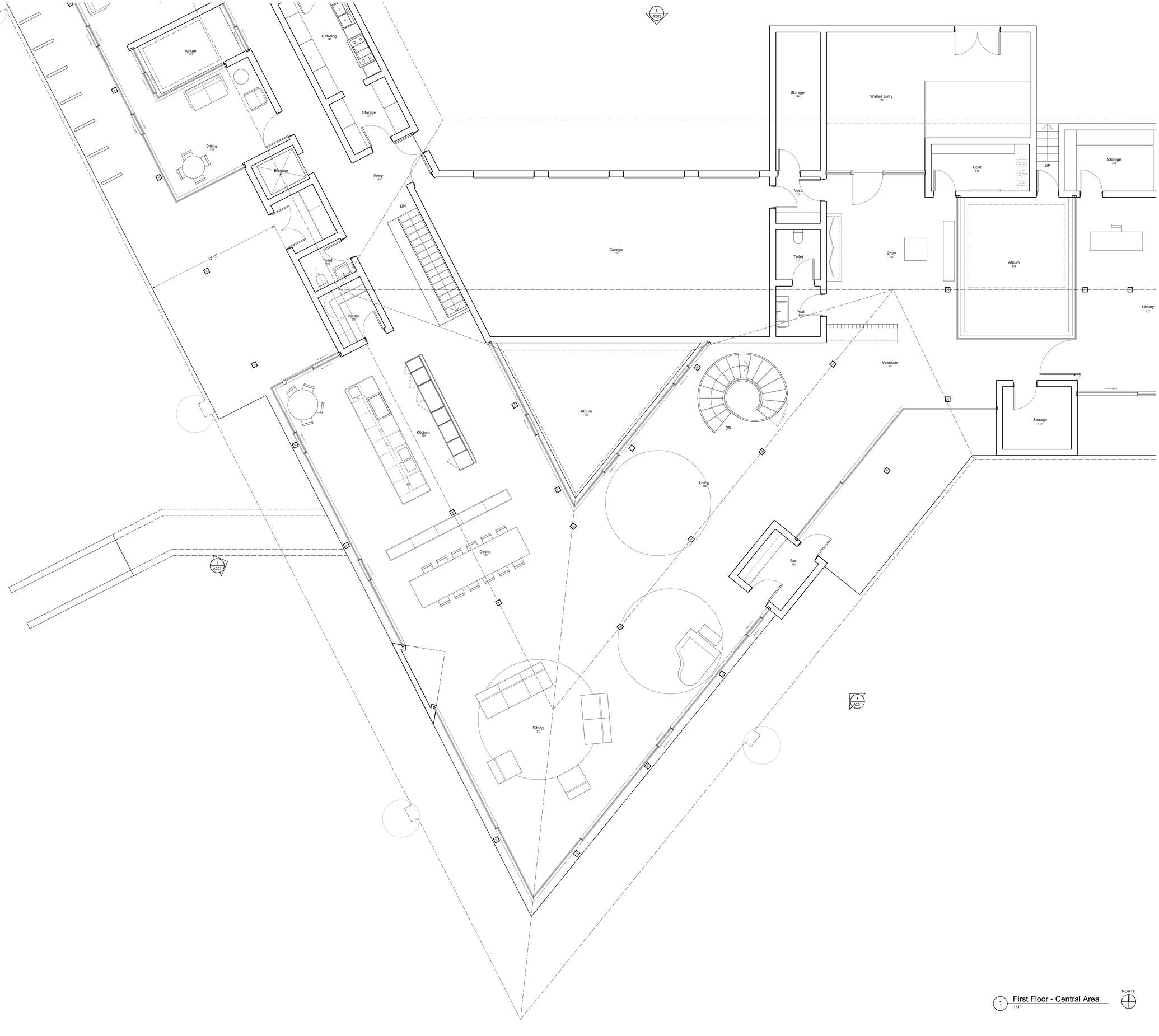

1 First Floor - Central Area
1/4"

NORTH

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

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ARCHITECT OF RECORD

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LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

First Floor Plan Central Area

Date: 2024/01/01
Scale: 1/4"=1'-0"
Drawn: DRW
Checked: CHK

A106

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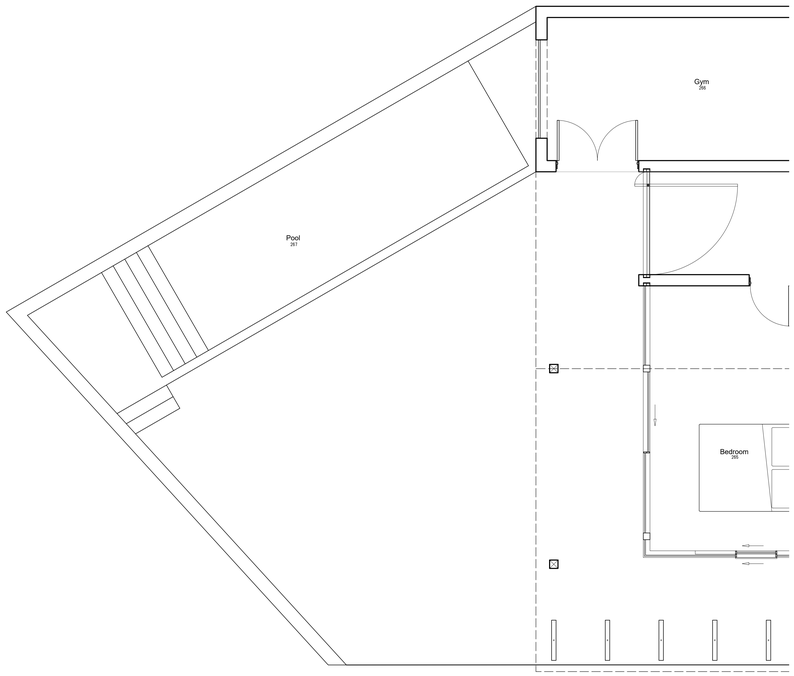

2 First Floor - Pool
1/4"=1'-0"

NORTH

1 First Floor - West Wing
1/4"=1'-0"

NORTH

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

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MEP ENGINEER
PAE
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Los Angeles, CA 90045

LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

First Floor Plan West Wing & Pool

Date: 2024/01/01
Scale: 1/4"=1'-0"
Drawn: DRW
Checked: CHK

A107

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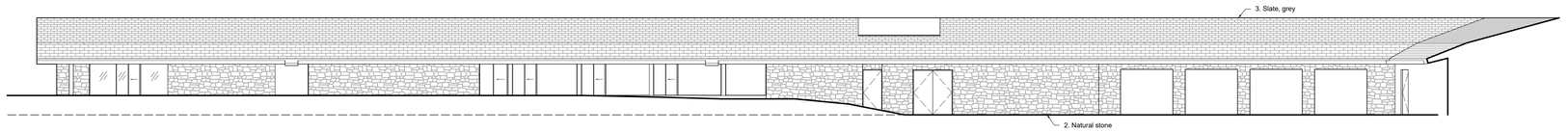
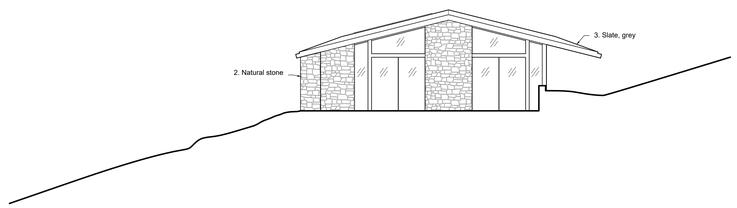
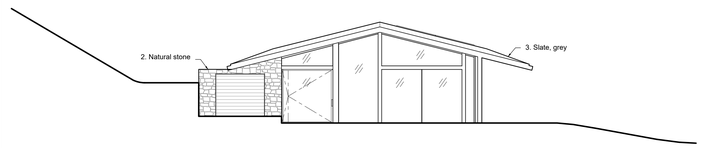


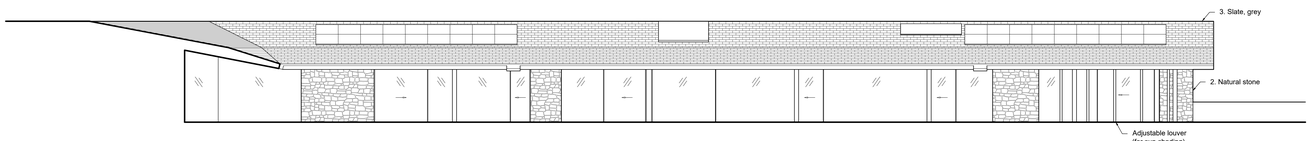
5 North Building Elevation
1/8"=1'-0"



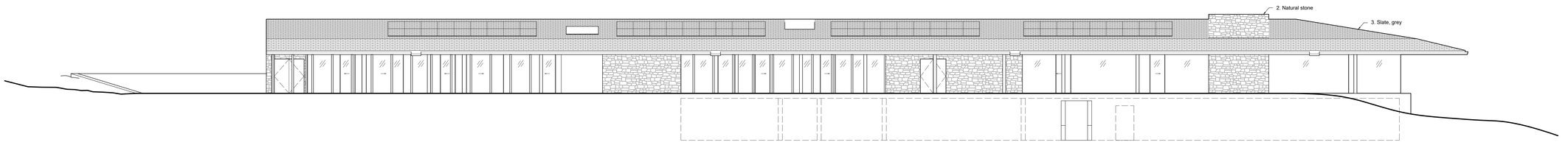
3 East Building Elevation
1/8"=1'-0"



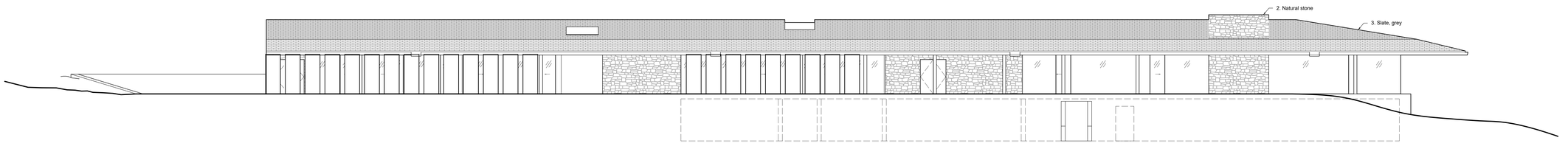
4 Northwest Building Elevation
1/8"=1'-0"



2 South Building Elevation
1/8"=1'-0"



1a Southwest Building Elevation
Open Louvers
1/8"=1'-0"



1b Southwest Building Elevation
Closed Louvers
1/8"=1'-0"

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

STAMPS

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Los Angeles, CA #####

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25834 Narbonne Ave, Ste 210
Lomita, CA 90717

MEP ENGINEER
PAE
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Los Angeles, CA 90045

LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

Main Residence Building Elevations

Date: 2024/01/01
Scale: 1/8"=1'-0"
Drawn: DRW
Checked: CHK

A108

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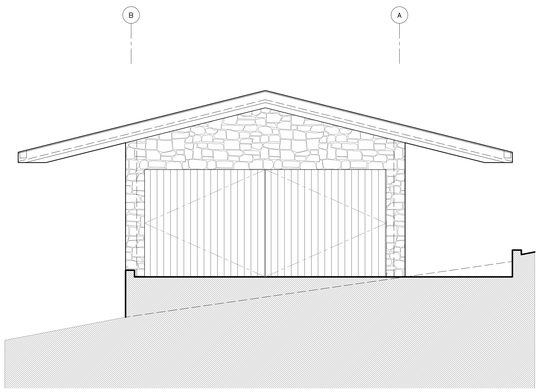
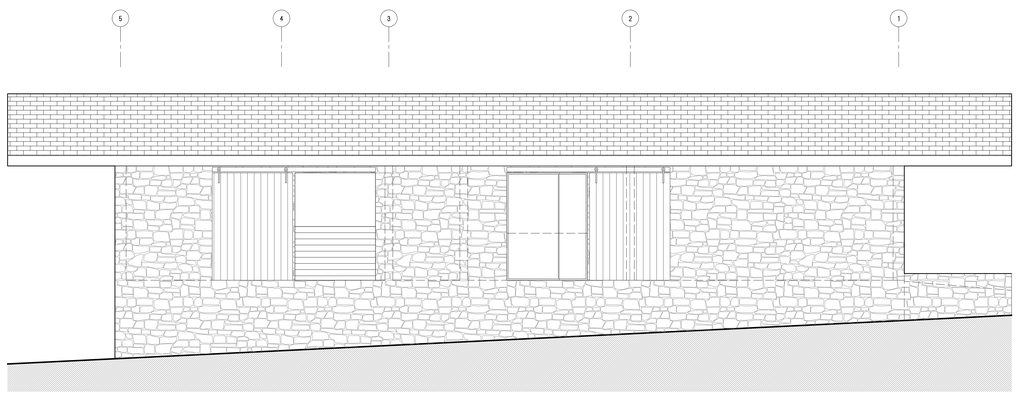
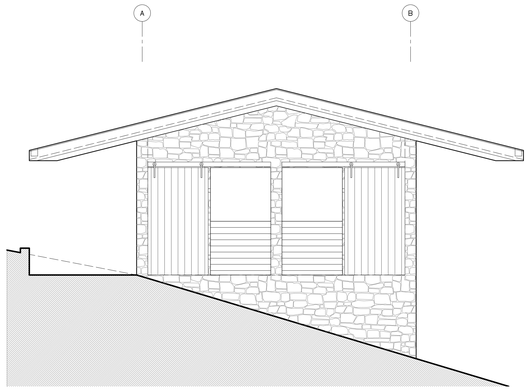


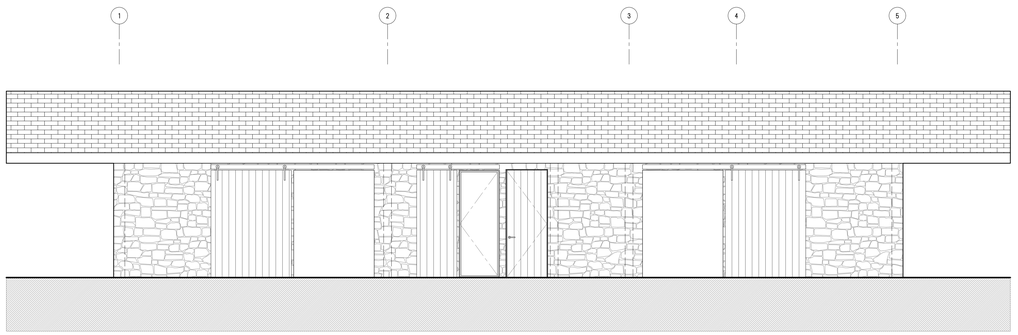
6 East Building Elevation
1/4"=1'-0"



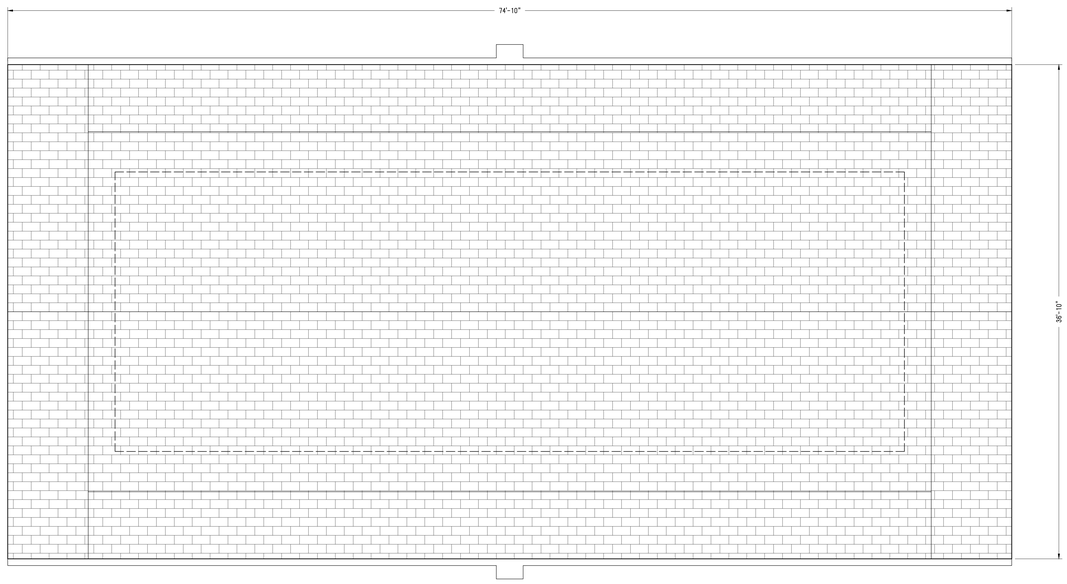
5 South Building Elevation
1/4"=1'-0"



4 West Building Elevation
1/4"=1'-0"

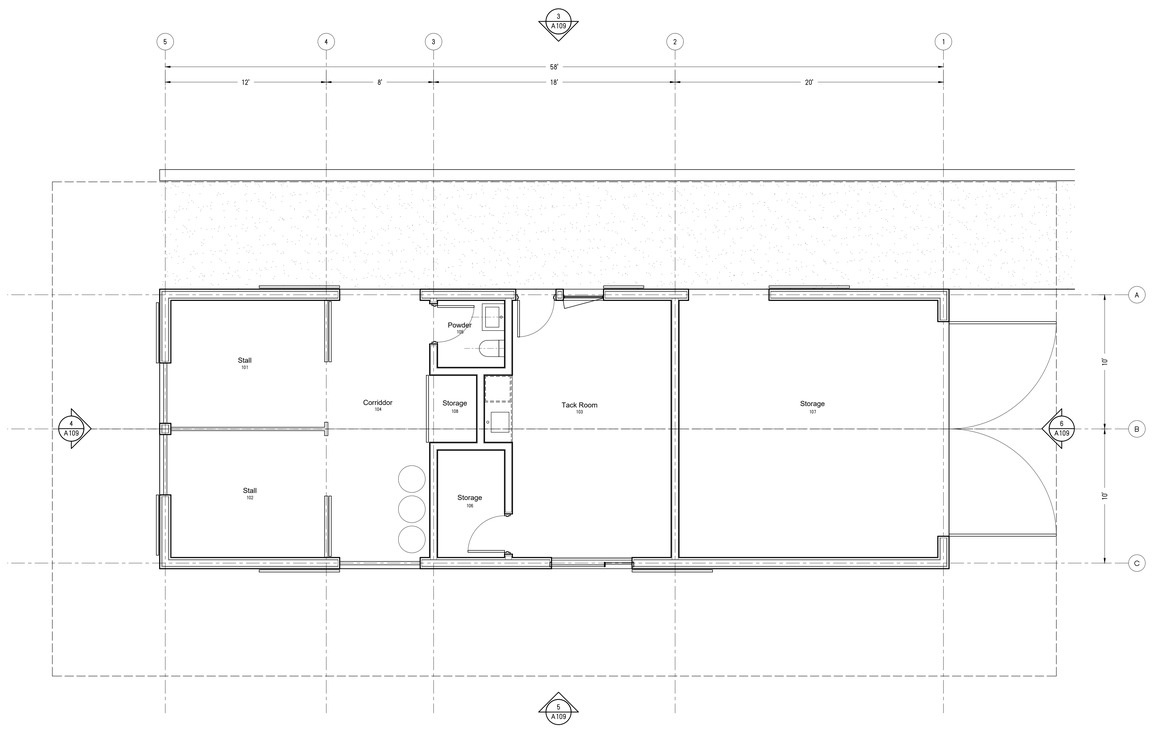


3 North Building Elevation
1/4"=1'-0"



2 Roof Plan
1/4"=1'-0"

NORTH



1 First Floor Plan
1/4"=1'-0"

NORTH

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

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LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

Stable Plans and Elevations

Date: 2024/01/01
Scale: 3/32"=1'-0"
Drawn: DRW
Checked: CHK

A109

121
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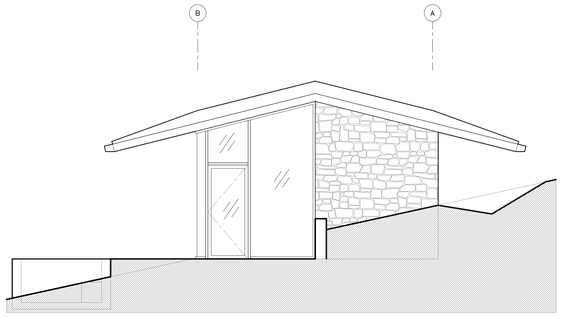
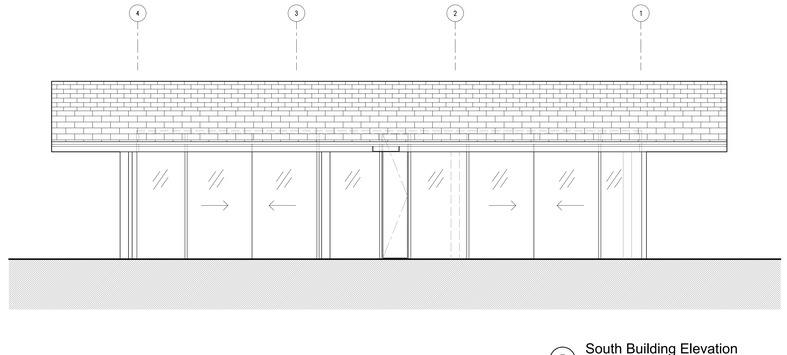
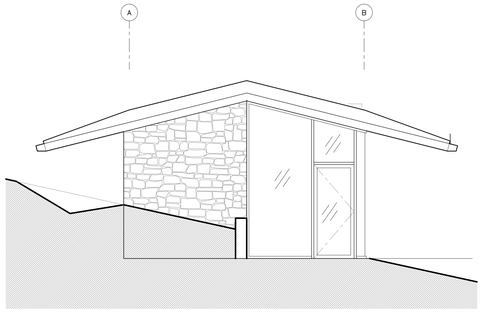


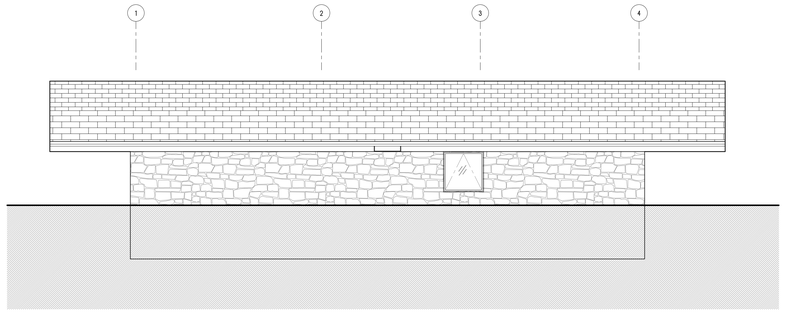
6 East Building Elevation
1/4"=1'-0"



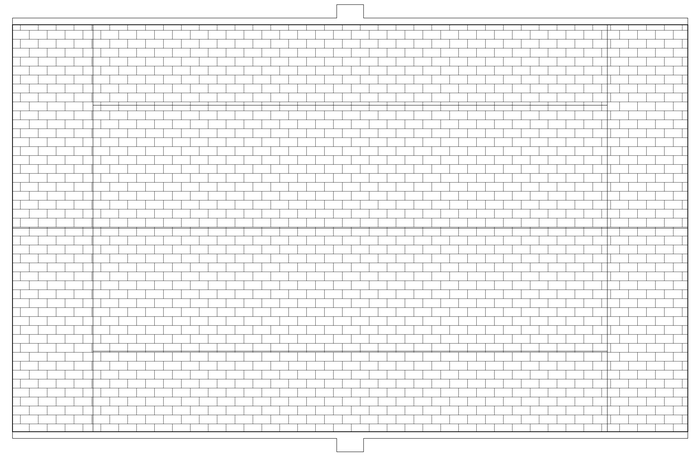
5 South Building Elevation
1/4"=1'-0"



4 West Building Elevation
1/4"=1'-0"

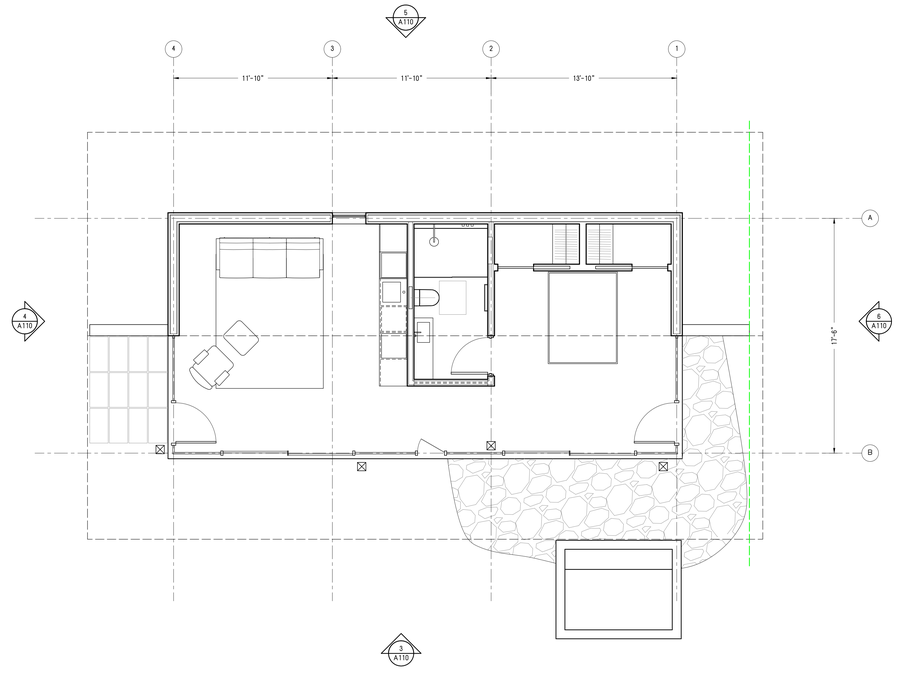


3 North Building Elevation
1/4"=1'-0"



2 Roof Plan
1/4"=1'-0"

NORTH



1 First Floor Plan
1/4"=1'-0"

NORTH

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

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ADU Plans and Elevations

Date: 2024/01/01
Scale: 3/32"=1'-0"
Drawn: DRW
Checked: CHK

A110

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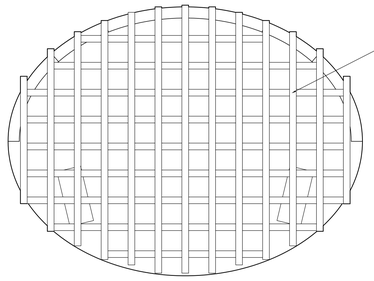
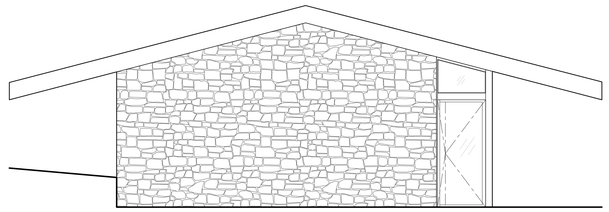
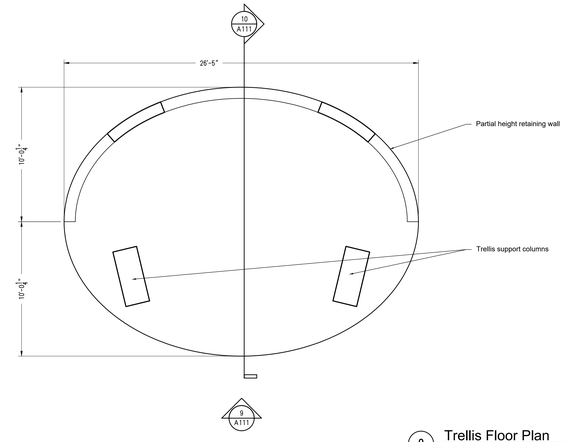


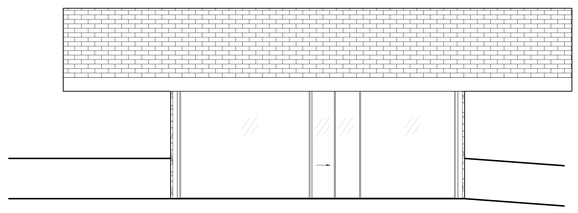
7 Trellis Roof Plan
1/4"=1'-0"



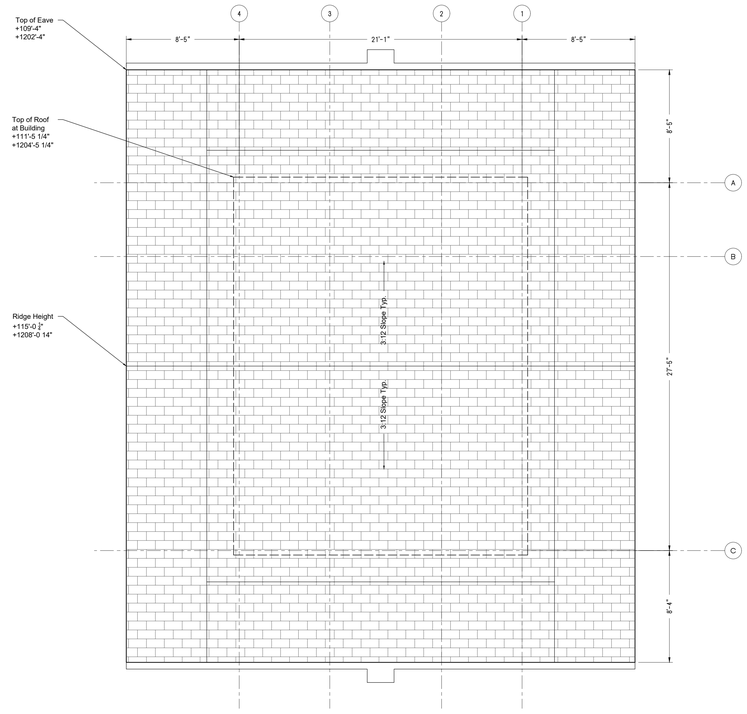
6 East Building Elevation
1/4"=1'-0"



8 Trellis Floor Plan
1/4"=1'-0"

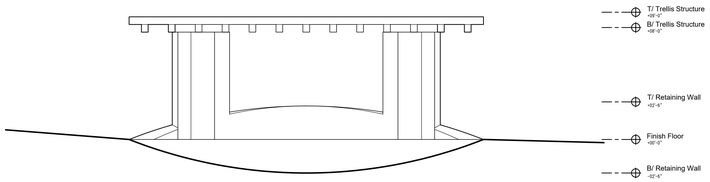


5 South Building Elevation
1/4"=1'-0"

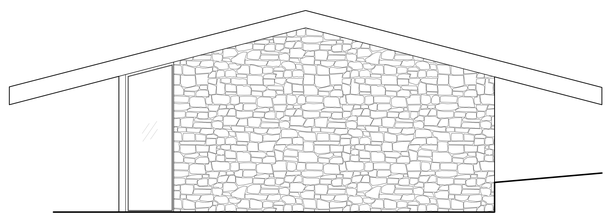


2 Roof Plan
1/4"=1'-0"

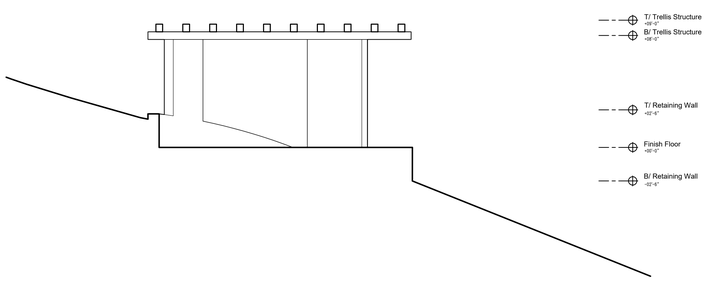
NORTH



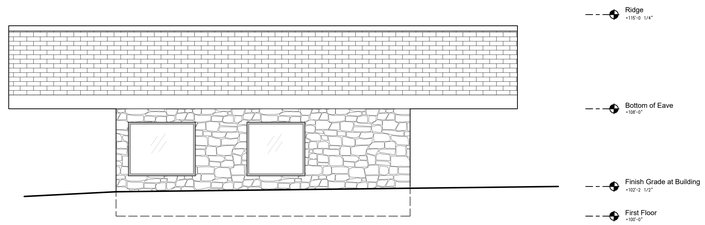
9 Trellis South Elevation
1/4"=1'-0"



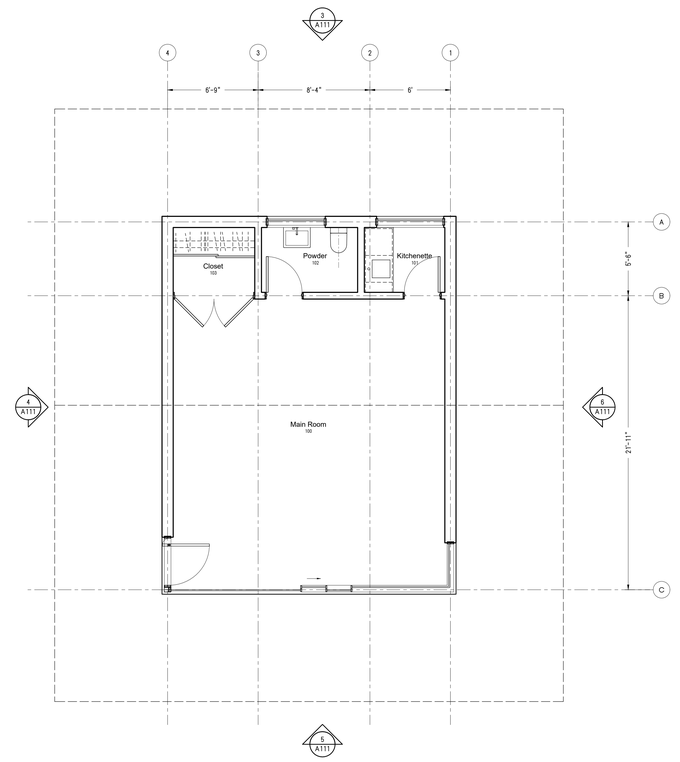
4 West Building Elevation
1/4"=1'-0"



10 Trellis Section A-A
1/4"=1'-0"



3 North Building Elevation
1/4"=1'-0"



1 First Floor Plan
1/4"=1'-0"

NORTH

NOTES

No.	Date	Issuance
	04/16/24	Site Planning Hearing

Ogasawara Residence

23 Crest Road
Rolling Hills, CA 90274

STAMPS

ARCHITECT OF RECORD

Escher GuneWardena Architecture
815 Silver Lake Boulevard
Los Angeles, CA 90026
Tel: 323.665.9100
Fax: 323.665.9101

OWNER
Yukiko Ogasawara
3 Flying Mane Ln
Rolling Hills, CA 90274

GENERAL CONTRACTOR
TBD
Streetname St.
Los Angeles, CA #####

STRUCTURAL ENGINEER
Nous Engineering
5050 Eagle Rock Blvd
Los Angeles, CA 90041

CIVIL ENGINEER
Bolton Engineering Corp.
25834 Narbonne Ave, Ste 210
Lomita, CA 90717

MEP ENGINEER
PAE
6060 Center Dr, 10th Flr
Los Angeles, CA 90045

LANDSCAPE ARCHITECT
Terremoto
3401 Glendale Blvd
Los Angeles, CA 90039

Guest House and Trellis Plans and Elevations

Date: 2024/01/01
Scale: 3/32"=1'-0"
Drawn: DRW
Checked: CHK

A111

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Agenda Item No.: 11.B
Mtg. Date: 08/12/2024

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

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

THRU: **KARINA BAÑALES, CITY MANAGER**

SUBJECT: **A HEARING REGARDING A NUISANCE ABATEMENT AT 6 SADDLEBACK ROAD (LOT 18-RH), AND CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DECLARING THE CONDITION OF THE PROPERTY TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT THEREOF**

DATE: **August 12, 2024**

BACKGROUND:
On or about February 29, 2024, City Staff was alerted to the fact that there was rubbish, debris, and construction material being improperly stored outdoors at 6 Saddleback Road (Lot 18-RH). A visit to the site revealed that the rubbish, debris, and construction materials were stored outdoors and visible from a neighboring property and the street. City Staff notified the property owners, Mr. and Mrs. Terry and Margaret Reiter ("Property Owners"), that the rubbish, debris, and construction material on the Subject Property was a violation of Rolling Hills Municipal Code (RHMC) Section 8.24.010 and requested that they abate this nuisance condition. RHMC Section 8.24.010 reads:

- "For the purposes of this chapter, a "nuisance" shall be defined as anything which is injurious to health or safety, or is indecent or offensive to the senses, or an obstruction to the free use of property or injurious to the stability of real property so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any street, and affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal."

The Owners were given until March 14, 2024, to comply. Despite continued attempts to gain the Property Owners' compliance, the rubbish, debris, and construction material remained (Attachment 1).

On March 19, 2024, City Staff sent a second notice to the Owners, indicating that the items must be removed no later than April 2, 2024. This deadline passed, and the Property Owners failed to make a good faith effort to abate the nuisance condition on the Subject Property (Attachment 2).

On May 15, 2024, the City Attorney's office sent a third notice to the Owners and indicated that said items must be removed within 30 calendar days of said notice, or June 14, 2024. This deadline passed and the Property Owners failed to make a good faith effort towards abatement of the nuisance condition on the Subject Property (Attachment 3).

On July 11, 2024, City Staff sent a Notice to Abate to the Property Owners, requiring them to abate the identified nuisance within 15 days from the date of the Notice, or July 26, 2024. If the conditions in the Notice were not abated, or if the Property Owners failed to make a good faith effort toward abatement to the satisfaction of the City Manager by July 26, 2024, then a hearing would be scheduled before the City Council on August 12, 2024 (Attachment 4).

City Council's Review of Nuisance Violations

Nuisance violations reviewed by the City Council are infrequent. In the past twenty years, only three properties have been referred to the City Council for nuisance violations: 1 Poppy Trail, 9 Chuckwagon Road, and 38 Portuguese Bend Road. In 2005 and 2006, the City Council reviewed 1 Poppy Trail because of landslide concerns (Resolution Nos. 996 and 1014). The council ordered the owner to abate the condition to prevent further landslides. Subsequently, the slope was repaired.

In 2008, the City Council deemed 9 Chuckwagon Road a nuisance due to a lack of landscape maintenance and poor property conditions, and the owner was ordered to abate the nuisance (Resolution No. 1042). The property was sold in 2010, and the new owner improved it by constructing a stable and corral around 2014.

In 2017, the City Council ordered the owners of 38 Portuguese Bend Road to abate unpermitted dirt, rocks, and concrete material stored on the property near a canyon (Resolution Nos. 1205 and 1215). Subsequently, the Planning Commission approved an application to retain the material, conduct grading, and abate the violation (Resolution No. 2017-18).

DISCUSSION:

It is the duty of every person who owns or is in possession of any property, place, or area within the boundaries of the City to maintain the property, place, or area free from any nuisance. (RHMC Section 8.24.020.) RHMC Section 8.32.060(B) further states: "***No person shall intentionally*** throw, deposit, place, ***leave, maintain or permit to be*** thrown, ***deposited, placed, left or maintained or kept, any*** refuse, rubbish, garbage, or any other ***discarded or abandoned objects, articles or accumulations, on or upon any*** roadway, driveway, trail, ***canyon***, storm drain, inlet, catch basin conduit or drainage structure, or upon any private plot of land ***in the City, so that the same might be or become a pollutant*** ." (***Emphasis added***). Any condition in violation of Chapter 8.32 is a public nuisance (RHMC Section 8.32.100(A)(1)(a)).

Pursuant to Sections 8.24.040 and 8.24.050 of RHMC, the City Council may conduct a hearing to consider any protest of the Property Owner, possessor, or other interested person regarding the condition of the Subject Property. If the City Council determines that the property at 6 Saddleback Road constitutes a condition that is injurious to the public health, safety, and welfare by violating Section 8.32.060(B) of RHMC such that it is a public nuisance pursuant to

Chapter 8.24 and Section 8.21.100(A)(1)(a) of RHMC, then the City Council may order the Property Owners to remove all of the rubbish, debris, and construction material being improperly stored outdoors within 30 days. In the event the property owners fail to complete the measures specified above by the specific dates, the City can perform the corrective measures at the Property Owners' expense as authorized in Section 8.24.060 of RHMC.

Conclusion

Should the City Council find that the condition of the property continues to constitute a public nuisance within the meaning of the Municipal Code, the attached Resolution contains an order to abate the violation, and states that should the Property Owners fail to perform abatement, the City will either, with the property owner's consent or under the authority of a new abatement warrant, engage services of a contractor to remediate the site at the property owners' expense.

FISCAL IMPACT:

If the nuisance is not abated by the Property Owners voluntarily, the City may abate the nuisance by seeking an Abatement Warrant from the local Superior Court at the expense of the Property Owners. If the total cost of abating the nuisance is not paid to the City within 10 days after notice is given, the City Clerk may record, in the Office of the County Recorder, a statement of the total balance due to the City, which shall constitute a lien upon the property. In the alternative to a warrant, the City may proceed with filing a nuisance lawsuit and request the appointment of a receiver to clean up the property and recover costs through the litigation.

RECOMMENDATION:

Open the public hearing, consider all testimony and, upon consideration of the evidence, adopt Resolution No. 1375 (Attachment 5) declaring the condition to constitute a public nuisance and ordering the abatement thereof within 30 days of the order pursuant to RHMC Section 8.24.060.

ATTACHMENTS:

Attachment 1: CE_ADD_6SaddlebackRd_Letters_240229_NOV_FirstNotice.pdf
Attachment 2: CE_ADD_6SaddlebackRd_Letters_240319_NOV_SecondNotice.pdf
Attachment 3: CE_ADD_6SaddlebackRd_240515_ComplianceDemandLetter_BBK_attorney.pdf
Attachment 4: CE_ADD_6SaddlebackRd_240711_Notice_to_Abate.pdf
Attachment 5: ResolutionNo1375_6SaddlebackRd_NoticeToAbate_F.pdf

City of Rolling Hills INCORPORATED JANUARY 24, 1957
2 PORTUGUESE BEND ROAD ROLLING HILLS, CA 90274
(310) 377-1521 WWW.ROLLING-HILLS.ORG

Notice of Violation

☑ *First Notice* ☐ *Second Notice* ☐ *City Attorney*

2.29.24

REITER,TERRY AND MARGARET E TRS REITER FAMILY TRUST
6 SADDLEBACK RD
ROLLING HILLS, CA 902745141

Re: Case Number 398
Subject Property: 6 SADDLEBACK RD, ROLLING HILLS, CA 90274-5141
Property ID Number: 7569-003-001

Dear Property Owner(s):

The City of Rolling Hills, in a continued effort to reduce City violations, is seeking your cooperation in correcting the following code violation(s). An inspection of the above-listed premises disclosed that the property does not comply with the following section(s) of the Rolling Hills Municipal Code:

> **8.24.010 - Nuisance defined**
> For the purposes of this chapter, a "nuisance" shall be defined as anything which is injurious to health or safety, or is indecent or offensive to the senses, or an obstruction to the free use of property or injurious to the stability of real property so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any street, and affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

Resolution Actions:

Clear the rubbish, debris, and construction material from the front of the property and store them properly. For extension requests or questions please email codeenforcement@cityofrh.net or contact city hall during regular business hours.

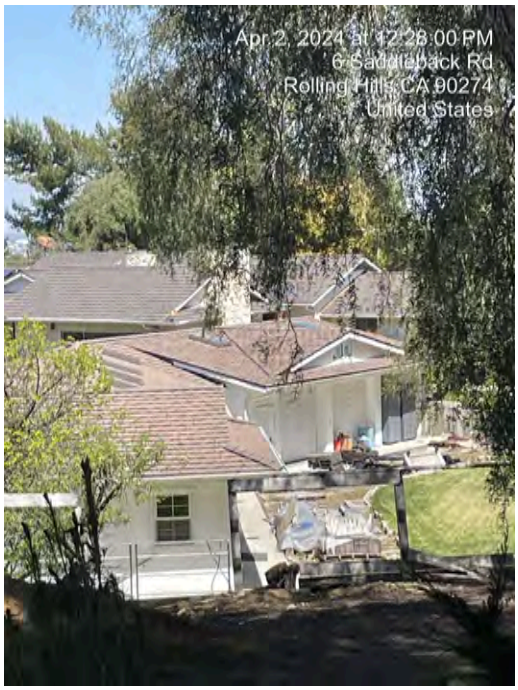
You have until 3.14.24 to comply and make the required corrections to your property. Failure to address the code violation within the time specified may cause your property to be deemed a nuisance and result in abatement procedures to commence.

If you should have any questions or concerns regarding this notice, please contact us at (310) 377-1521.

Sincerely,



Noah Roque
Code Enforcement Officer
Phone:310-377-1521
Email:codeenforcement@cityofrh.net


Apr 2, 2024 at 12:28:00 PM
6 Saddleback Rd
Rolling Hills CA 90274
United States


Mar 19, 2024
Rolling
United


10 Saddleback Rd
Rolling Hills CA 90274
United States


Feb 29, 2024 at 10:09:01 AM
6 Saddleback Rd
Rolling Hills CA 90274
United States

City of Rolling Hills INCORPORATED JANUARY 24, 1957
2 PORTUGUESE BEND ROAD ROLLING HILLS, CA 90274
(310) 377-1521 WWW.ROLLING-HILLS.ORG

Notice of Violation

☐ *First Notice* ☑ *Second Notice* ☐ *City Attorney*

3.19.24

REITER,TERRY AND MARGARET E TRS REITER FAMILY TRUST
6 SADDLEBACK RD
ROLLING HILLS, CA 902745141

Re: Case Number 398
Subject Property: 6 SADDLEBACK RD, ROLLING HILLS, CA 90274-5141
Property ID Number: 7569-003-001

Dear Property Owner(s):

The City of Rolling Hills, in a continued effort to reduce City violations, is seeking your cooperation in correcting the following code violation(s). An inspection of the above-listed premises disclosed that the property does not comply with the following section(s) of the Rolling Hills Municipal Code:

> **8.24.010 - Nuisance defined**
> For the purposes of this chapter, a "nuisance" shall be defined as anything which is injurious to health or safety, or is indecent or offensive to the senses, or an obstruction to the free use of property or injurious to the stability of real property so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any street, and affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

Resolution Actions:

Clear the rubbish, debris, and construction material from the front of the property and store them properly. For extension requests or questions please email codeenforcement@cityofrh.net or contact city hall during regular business hours.

You have until 4.2.24 to comply and make the required corrections to your property. Failure to address the code violation within the time specified may cause your property to be deemed a nuisance and result in abatement procedures to commence.

If you should have any questions or concerns regarding this notice, please contact us at (310) 377-1521.

Sincerely,



Noah Roque
Code Enforcement Officer
Phone:310-377-1521
Email:codeenforcement@cityofrh.net




Feb 29, 2024 at 10:09:01 AM
6 Saddleback Rd
Rolling Hills CA 90274
United States

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

Clarissa Thurston
Prosecution Counsel
(619) 525-1376
Clarissa.Thurston@bbklaw.com

File No. 65277.00002

May 15, 2024

BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Reiter Family Trust
%Terry Ronald Reiter
6 Saddleback Road
Rolling Hills, California 90274

Reiter Family Trust
%Margaret E. Reiter
6 Saddleback Road
Rolling Hills, California 90274

Re: **Municipal Code Violations at 6 Saddleback Road, Rolling Hills**

Dear Terry Reiter and Margaret Reiter:

Our office serves as City Attorney for the City of Rolling Hills ("City"). It is our responsibility to investigate and, if necessary, prosecute violations of City's laws. You have been referred to this office for an enforcement action because the City has determined that you are maintaining municipal code violations at the real property located at 6 Saddleback Road, Rolling Hills, California 90274, Assessor's Parcel Number 7569-003-001 ("Subject Property"), in violation of numerous provisions of the Rolling Hills Municipal Code ("RHMC").

Specifically, on February 29, 2024, the City contacted you regarding the substandard condition of your property with visible scattered debris and construction materials. Despite ample time to remove the nuisance conditions from your property, all the violations still remain. These substandard conditions you are maintaining on the Subject Property are in violation of the RHMC.

As the current owner, you have a legal obligation to ensure that the Subject Property is maintained in compliance with all applicable laws at all times. Maintaining substandard property conditions in violation of the RHMC may constitute a criminal *misdemeanor* offense. *Each day* that the violation persists constitutes a *separate* misdemeanor offense.

Given that the City has had prior contact with you and attempted to help in remedying this issue, our office is compelled to prescribe a compliance deadline. Our office strenuously encourages you to comply with the following compliance deadline to avoid formal enforcement measures.

Please be advised that our office may proceed with legal enforcement proceedings against you, including, but not limited to, the filing of a misdemeanor criminal complaint against you in the Los Angeles County Superior Court, **unless** you comply with the following corrective action:

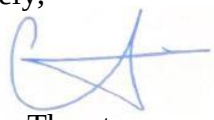
1) **Within <u>30 calendar days</u> from the date of this letter**, remove the debris and construction materials located in the front exterior of the Subject Property.

Thereafter, kindly remember that you have an ongoing responsibility to ensure that these conditions do not recur.

It is the policy of the City to obtain voluntary compliance with its laws whenever possible. It is sincerely hoped that you take this opportunity to correct the unlawful conditions. Please be advised that the City reserves its right to invoke all available civil, criminal, and administrative remedies. Please be advised that unless you comply with this notice, we may proceed with the enforcement action without further warning or notice. Please act before the compliance deadline to avoid court proceedings.

Please give this matter your immediate attention. Contact Director of Planning and Community Services John Signo or Code Enforcement Officer Noah Roque at (310) 377-1521 if you have any questions regarding the contents of this letter.

Sincerely,



Clarissa Thurston
for BEST BEST & KRIEGER LLP

City of Rolling Hills INCORPORATED JANUARY 24, 1957
2 PORTUGUESE BEND ROAD ROLLING HILLS, CA 90274
(310) 377-1521 WWW.ROLLING-HILLS.ORG

7/11/24
TERRY REITER
6 SADDLEBACK RD
ROLLING HILLS, CA 902745072

I hope this letter finds you well. As a valued member of our community, your safety and comfort are important to us. In the spirit of maintaining a healthy and pleasant environment for all residents, we need to address a matter concerning your property.

After following numerous inspections, it has come to our attention that there are nuisance conditions on your property is in violation of Section 8.24.010 of the Rolling Hills Municipal Code ("RHMC"), which defines a "nuisance" as:

"Anything which is injurious to health or safety, or is indecent or offensive to the senses, or an obstruction to the free use of property or injurious to the stability of real property so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any street, and affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal."

Specifically, the issues identified at your property include the accumulation of debris, miscellaneous material, and waste in front of your garage. These conditions need to be addressed promptly to avoid further action.

As per RHMC Section 8.24.040, you are required to abate the identified nuisance within fifteen (15) days from the date of this notice. If you make a good-faith effort towards abatement but cannot fully address the issue within this period, please contact the City Manager to discuss an extension or alternative arrangements.

If the conditions described in this Notice are not abated by 7/26/24, or if you have failed to make a good faith effort toward abatement (to the satisfaction of the City Manager) by 7/26/24, a hearing shall be held before the City Council on 8/12/24, at 7:00 pm in Council Chambers located in City Hall: 2 Portuguese Bend Road, Rolling Hills, CA 90274.

If the nuisance is not abated, the City may proceed to abate the nuisance as described in RHMC Section 8.24.060. The costs incurred by the City for this abatement will be billed to you, as detailed in RHMC Section 8.24.080. If the amount due is not paid within ten (10) days from the date of the notice, a lien may be placed on your property, as specified in RHMC Section 8.24.070 of the Rolling Hills municipal code.

We understand that this may be an inconvenience, but your cooperation in maintaining the community's standards is greatly appreciated. Should you have any questions or require assistance, please do not hesitate to contact the Rolling Hills city hall during acting business hours.

Sincerely,



Noah Roque | Code Enforcement Officer | **Phone:**310-377-1521 | **Email:**codeenforcement@cityofrh.net

RESOLUTION NO. 1375

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DECLARING THE CONDITION OF THE PROPERTY LOCATED AT 6 SADDLEBACK ROAD TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT THEREOF (LOT 18-RH) (REITER)

The City Council of the City of Rolling Hills does hereby find, resolve and order as follows:

Section 1. Recitals.

A. It is the duty of every person that owns or is in possession of any property, place or area within the boundaries of the City to maintain the property, place or area free from any nuisance. (Rolling Hills Municipal Code Section 8.24.020.) Section 8.32.060(B) of the Rolling Hills Municipal Code states: "***No person shall intentionally*** throw, deposit, place, ***leave, maintain or permit to be*** thrown, ***deposited, placed, left or maintained or kept, any*** refuse, rubbish, garbage, or any other ***discarded or abandoned objects, articles or accumulations, on or upon any*** roadway, driveway, trail, ***canyon***, storm drain, inlet, catch basin conduit or drainage structure, or upon any private plot of land ***in the City, so that the same might be or become a pollutant***." (Emphasis added.) Any condition in violation of Chapter 8.32 is a public nuisance. (Rolling Hills Municipal Code Section 8.32.100(A)(1)(a).)

B. On or about February 29, 2024, City Staff was alerted to the fact that there is rubbish, debris, and construction material being improperly stored outdoors at certain real property in the City of Rolling Hills commonly known as 6 Saddleback Road (Lot 18-RH) (hereinafter referred to as the "Subject Property"). A visit to the site revealed that the rubbish, debris, and construction material was stored outdoors and visible from a neighboring property and the street.

C. On February 29, 2024, City Staff notified the owners of the Subject Property, Mr. and Mrs. Terry and Margaret Reiter ("Property Owners"), that the rubbish, debris, and construction material on the Subject Property was a violation of Rolling Hills Municipal Code Section 8.24.010 and requested that they abate this nuisance condition. Section 8.24.010 reads, "For the purposes of this chapter, a "nuisance" shall be defined as anything which is injurious to health or safety, or is indecent or offensive to the senses, or an obstruction to the free use of property or injurious to the stability of real property so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any street, and affects at the same time an entire community or neighborhood, or any considerable number of persons,

although the extent of the annoyance or damage inflicted upon individuals may be unequal." The Owners were given until March 14, 2024, to comply. Despite continued attempts to gain the Property Owners' compliance, the rubbish, debris, and construction material remain on the Subject Property.

D. On March 19, 2024, City Staff sent a second notice to the Owners and indicated that said items must be removed no later than April 2, 2024. This deadline passed and the Property Owners failed to make a good faith effort towards abatement of the nuisance condition on the Subject Property.

E. On May 15, 2024, the City Attorney's office sent a third notice to the Owners and indicated that said items must be removed within 30 calendar days of said notice, or June 14, 2024. This deadline passed and the Property Owners failed to make a good faith effort towards abatement of the nuisance condition on the Subject Property.

F. On July 11, 2024, City Staff sent a Notice to Abate to the Property Owners that required the Owners to abate the identified nuisance within 15 days from the date of the Notice, or July 26, 2024. If the conditions in the Notice were not abated, or if the Property Owners failed to make a good faith effort toward abatement to the satisfaction of the City Manager by July 26, 2024, then a hearing would be scheduled before the City Council on August 12, 2024.

Section 2. Pursuant to Sections 8.24.040 and 8.24.050 of the Rolling Hills Municipal Code, the City Council conducted a hearing on August 12, 2024, to consider any protest of the Property Owner, possessor or other interested person regarding the condition of the Subject Property.

Section 3. Upon consideration of the staff report, related documents and the evidence presented at the time of the hearing, the City Council determines that the property at 6 Saddleback Road constitutes a condition that is injurious to the public health, safety and welfare by violating Section 8.32.060(B) of the Rolling Hills Municipal Code such that it is a public nuisance pursuant to Chapter 8.24 and Section 8.21.100(A)(1)(a) of the Rolling Hills Municipal Code.

Section 4. In accordance with the foregoing, and because it is the duty of property owners to maintain their properties free of nuisances, the City Council orders that the Property Owners remove all of the rubbish, debris, and construction material being improperly stored outdoors of the Subject Property within 30 days of the date of this Resolution but no later than September 11, 2024. In the event the property owners fail to complete the measures specified above by the specific dates the City will perform the corrective measures at the Property Owners' expense as authorized in Section 8.24.060 of the Rolling Hills Municipal Code.

Section 5. If the nuisance is not abated as specified herein, then the City Manager is directed to cause the nuisance to be abated by the City by seeking an Abatement Warrant from the local Superior Court, and also is directed to notify the property owner in writing by certified mail and regular mail of the cost of removal of the nuisance and that payment in full for removal of the nuisance is due to the City within 10 days of the date of mailing of the notice. If the total cost of abating the nuisance is not paid to the City within 10 days after the date of the notice, the City Clerk shall record, in the Office of the County Recorder, a statement of the total balance due to the City, which shall constitute a lien upon the property.

Section 6. The City Clerk is hereby directed to send a copy of this resolution by certified and regular mail to the owners of the property located at 6 Saddleback Road.

Section 7. This resolution shall take effect immediately on August 12, 2024.

PASSED, APPROVED AND ADOPTED THIS 12TH DAY OF AUGUST, 2024.

_____
LEAH MIRSCH
MAYOR

ATTEST:

_____
CHRISTIAN HORVATH
CITY CLERK

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

The foregoing Resolution No. 1375 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DECLARING THE CONDITION OF THE PROPERTY LOCATED AT 6 SADDLEBACK ROAD TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT THEREOF (LOT 18-RH) (REITER)

was approved and adopted at a regular meeting of the City Council on the 12th day of August 2024, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
CHRISTIAN HORVATH
CITY CLERK

Agenda Item No.: 13.A
Mtg. Date: 08/12/2024

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

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

THRU: **KARINA BAÑALES, CITY MANAGER**

SUBJECT: **APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH S&K CONSULTING SERVICES TO PROVIDE AN ENGINEERING DESIGN FOR CONSTRUCTION OF A DUAL-FUEL EMERGENCY GENERATOR ON THE CITY HALL CAMPUS AT A NOT-TO-EXCEED FEE OF $54,879**

DATE: **August 12, 2024**

BACKGROUND:
A diesel back-up power generator served the City Hall campus for many years, but the unit became inoperable in 2019. In late 2020, the City Council commissioned professional expertise to offer options for providing reliable back-up power to the City Hall campus, including the Rolling Hills Community Association (RHCA) building and operations.

Between October 2020 and March 2023, the City Council reviewed options provided by a professional architectural and engineering team working on the City Hall ADA project. In 2021, the architectural and engineering team provided a solar panel and battery back-up solution with estimated installation costs, based on the following requirements, to be approximately $250,000:

- Current City Hall campus demand based on electric bills for 2020/2021
- Supply 24 hours of backup power
- 16 kWh battery backup
- 75 kW Solar Photovoltaic (Solar-PV) system

The City Council subsequently assigned further exploration to the RHCA. After some time, the RHCA requested that city staff take back ownership of a project, which City staff brought to the City Council. On March 27, 2023, the City Council directed staff to explore the solar/battery back-up power option. With this direction, city staff could approach the project conventionally by preparing an engineering design and advertising for construction bids or considering other alternatives as presented to the former City Manager.

On April 24, 2023, at the invitation of the former City Manager, SitelogIQ, an energy solutions company, presented an alternate approach to delivering the solar/battery backup power

solution to the City Council. SitelogIQ is a licensed General Contractor delivering energy infrastructure programs for State and local governments. SitelogIQ discussed available funds from the Federal government, including the Inflation Reduction Act (IRA) that could offset local government expenditures on energy projects. Such projects involve the installation or modification of improvements to an energy-efficient or renewable energy system.

Via the IRA, the Federal government allows the city to obtain a federal tax credit in the form of a direct payment (i.e., rebate) for energy storage (battery), electrical infrastructure, solar, and microgrid controllers. The rebate could be as high as 30% of the project cost, provided the project is completed within a specific timeframe.

In the previous four years, City staff had many successes securing grant funds or other fund sources to offset the use of the General Fund for City projects. To move forward and execute a backup power project, the City Council was presented with two options: 1) to set aside a projected budget surplus or 2) use savings from the General Fund Reserves. In the SitelogIQ approach, the City could potentially save on design engineering costs by sole sourcing the project to SitelogIQ, thereby offsetting General Fund expenditures with SitelogIQ assisting the City in utilizing the Federal government's IRA rebate.

In May 2023, SitelogIQ provided City staff with a Letter of Agreement (LOA) for consideration. The LOA outlined SitelogIQ's scope of services to develop an energy project that satisfies the city's requirements for a design/engineering cost of $28,500. If the city had ultimately chosen to enter into a contract with SitelogIQ for project implementation within 60 days after receiving a formal presentation of the proposed project, SitelogIQ's design and engineering fee would have been waived. Beyond the aforementioned 60 days, the fee paid would have been credited toward the project's total implementation cost. The California Government Code 4217.10 provides the ability for public agencies to sole source the project delivery to SitelogIQ as long as the requirements of the code section are met.

On June 12, 2023, given last year's staff vacancies, the lack of technical expertise on energy projects, the then workload to deliver the CalOES/FEMA Hazard Mitigation Program grants, and the possibility to offset ongoing General Fund expenditures for the backup power project, the City Council accepted staff's recommendation and directed staff to engage the services of SitelogIQ.

On June 26, 2023, the City Council approved a Professional Services Agreement with SitelogIQ.

SitelogIQ conducted an initial site walk over the summer and fall of 2023 to determine the program's scope and scale.

SitelogIQ's project team developed a comprehensive scope of work around resiliency that provides a turn-key design-build solution to the City. They compiled a 20-year program cash flow incorporating ongoing maintenance and operations that was reviewed by the former Interim City Manager and current City Manager / staff.

On December 14, 2023, SiteLogiQ presented their findings and proformas to the City Council as two options:

- Option 1 – Cash deal for the entire scope of work
- Option 2 (No EV) – Cash deal for a scope of work without EV Charging

The City Council provided SiteLogiQ with direction to explore solutions that were more cost effective including the use of natural gas/propane backup solutions versus the proposed battery storage option, and to research other potential grants that could offset capital investment.

On March 11, 2024, City staff presented that since December 2023, SiteLogiQ had revisited the program approach, with a focus on the scope and scale of the Solar-PV system and Energy Storage. Per City Council's direction, they performed the following tasks:

- Kept the Solar-PV system at approximately the same size and in the same location;
- Removed the EV charging station;
- Removed the energy storage system;
- Introduced a dual-fuel energy generator to the solution mix for City Hall only due to RHCA decision to install their own back-up generator;
- Reviewed utility cost avoidance projections based on the change of scope;
- Solicited budgetary pricing from vendors and subcontractors for equipment and installation labor;
- Reviewed the IRA application and recalculated the predicted credit value based on 30-40% of the eligible cost;
- Reviewed and qualified Utility and CEC programs (March 5, 2024);
- Developed summary table for presentation to staff.

The City Council requested that SiteLogiQ provide specific schematics and bottom-line costs for both Option B (Photovoltaic Solar System with dual-fuel backup generator) and Option C (dual-fuel backup generator only) at the March 25, 2024 Council meeting.

On March 25, 2024, staff presented a follow-up report per direction and provided answers to outstanding questions or concerns. The City Council deferred a decision until SiteLogiQ could present a cost estimate for a Solar / Dual-fuel backup generator serving both City Hall campus buildings.

On April 9, SitelogIQ conducted another site visit at both City Hall and the RHCA building. The purpose was to address constructability concerns and introduce additional suppliers / vendors to the potential project. Accompanying SitelogIQ were representatives from a roofing contractor, an electrical contractor, and a vendor representative for the proposed generator system. The review of the electrical system yielded no significant changes to the project approach.

The representative for the generator system evaluated alternative locations—near the City Hall building versus near the existing generator shed—and system capacities to meet the load requirements of the entire campus (City Hall and RHCA). The recommendation was to keep the generator at or adjacent to the shed to minimize electrical costs and reduce noise disturbances when in operation. This location will also provide better access for future maintenance. It was also noted that the Gas Company will need to upgrade the meter to handle the increased fuel requirements (Typically, at no additional cost to the project due to an upgraded service change).

On April 22, 2024, based on Council feedback, staff recommended that the City Council consider a whole-campus Solar/Dual-Fuel Backup Generator option with a net-implementation budget and one-time capital cost investment of $358,400 (after the receipt of estimated IRA

funding).

DISCUSSION:
At the April 22, 2024 City Council meeting, a motion passed 4/1 approving pursuit of installing Option C, a dual-fuel emergency generator covering the entire City Hall campus including the Rolling Hills Community Association building and directing staff to advertise for construction bids.

Staff subsequently determined, with guidance from the City Attorney, that a turn-key design/build scenario would not be allowable under government code. Therefore, the city is required to undertake a two-step process and hire an engineering design firm to prepare the construction documents and scope in preparation for a formal bid.

S&K has previously provided outstanding services to the city in preparation for the 2023 HVAC replacement project as well as ongoing support through the construction/installation and final set-up. Staff recommends utilizing their expertise for the dual-fuel emergency generator project.

FISCAL IMPACT:
At the June 12, 2023 City Council meeting, the FY 23-24 budget was approved, including a capital allocation of $250,000 to the City Hall campus back-up power project.

The $54,879 cost for engineering, design, and construction support includes the proposed $49,890 fee and a 10% contingency amount of $4,989.

The City has already expended $28,500 as a fee for services provided by SiteLogiQ in pursuit of a Design/Build Solar/Back Generator solution.

RECOMMENDATION:
Approve as presented.

ATTACHMENTS:
CA_AGR_240812_S&K_DualFuelGenerator_Design_F

CITY OF ROLLING HILLS
PROFESSIONAL SERVICES AGREEMENT FOR DESIGNING AND ENGINEERING SERVICES

THIS AGREEMENT made and entered into this 12th day of August, 2024 between the City of Rolling Hills, a municipal corporation, hereinafter referred to as "CITY" and S&K Consulting Services, a California limited liability company, hereinafter referred to as "CONSULTANT."

1. RECITALS:

A. The CITY does not have the personnel able and available to perform the services required under this Agreement.

B. The CITY desires to contract the CONSULTANT to provide engineering and design services related to the dual fuel generator project to serve both Rolling Hills City Hall and the Community Association Building. This design and engineering specifications will then be used by the City to solicit construction bids from qualified contractors for the dual fuel generator system.

C. CONSULTANT is well qualified by reason of education, skill, and experience to perform such services and warrants to the CITY it has the qualifications, experience, and facilities to perform properly and timely the services under this Agreement

D. CONSULTANT is willing to render such 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 furnish all materials and perform all work necessary to complete in a manner satisfactory to CITY the services set forth in the scope of work attached as Exhibit A an incorporated herein. To the extent this Agreement conflicts with Exhibit A, or any other exhibit, this Agreement shall control.

3. COST

The CITY agrees to pay CONSULTANT for all the work contemplated by this AGREEMENT an amount not to exceed forty-nine thousand, eight hundred and ninety dollars ($49,890.00) for all services rendered. The hourly rate and cost for specific services is more particularly described in Exhibit A. This fee includes all expenses, consisting of all local travel, attendance at meetings, printing and submission of any

documents or reports required by the Scope of Work. 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 thirty (30) days of submitting an invoice to City for the SERVICES. 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. Further, CONSULTANT shall use the standard of care in its profession to keep itself informed of and comply with all applicable local, state and federal laws. CONSULTANT represents and acknowledges that at its sole cost, CONSULTANT shall obtain and maintain all required licenses, insurance and approvals that are legally required for CONSULTANT to perform the SERVICES.

9. ACCOUNTING RECORDS

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

10. OWNERSHIP OF DATA

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

11. TERM OF CONTRACT

The term of this Agreement shall be from the effective date of this Agreement and terminate after one year of such executions unless extended by mutual written agreement of the parties. City may terminate this Agreement at any time, with or without cause. In such event, Consultant shall be compensated for work satisfactorily accomplished up to the time of termination consistent with the not to exceed amount.

12. TERMINATION

This contract may be terminated by the CITY with or without cause upon fourteen (14) days written notice to the CONSULTANT. 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 covering bodily injury and property damage for all activities of the CONSULTANT arising out of or in connect with the SERVICES to be performed under this Agreement in an amount not less than $1,000,000 combined single limit for each accident.

ii. Commercial General Liability 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 $100,000,000 per occurrence.

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 required any deductible in excess of $10,000 per occurrence shall be approved by the City.

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) (ii) and (iv).

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: **City of Rolling Hills**
Attn: City Manager
No. 2 Portuguese Bend Road
Rolling Hills, CA 90274

CONSULTANT: **S&K Consulting Associates, LLC.**
Attn: Sam Simon, PE
385 Van Ness Ave, Suite 270
Torrance, CA 90501

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.

[*Signature Page to Follow*]

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

CITY OF ROLLING HILLS

CITY MANAGER

_____
Karina Bañales

DATE:_____

S&K Consultant

Managing Principal

_____
Sam Simon

DATE:_____

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
PATRICK DONEGAN, CITY ATTORNEY

Exhibit A

S&K CONSULTING SERVICES

385 Van Ness Ave, Ste 270, Torrance, CA 90501
t. 310 494 6910 **e.** info@skcsi.com
www.skcsi.com

23 July 2024 S&K No. 009-2401

City of Rolling Hills
City Manager Office
2 Portuguese Bend Rd
Rolling Hills, CA 90274

Attention: Mr. Christian Horvath
Tel: (310) 377-1521
Email: chorvath@cityofrh.net

Subject: Request for Proposal
Rolling Hills City Hall Emergency Power Upgrade

Dear Mr. Horvath,

S&K Consulting Services, LLC (S&K) is pleased to submit this proposal attached for engineering services relating to the above project.

This proposal is valid for sixty (60) days from the above date.

Thank you for your consideration for this project. If we can provide any further information, please do not hesitate to contact us.

Very truly yours,
S&K Consulting Services, LLC

Sam Simon, PE
Managing Principal

S&K CONSULTING SERVICES

PROPOSAL

01. BACKGROUND

A. The City of Rolling Hills City Hall/Community Association Building is currently equipped with one electrical service. There is one generator building on site with an existing ATS.

B. The City has tasked S&K Consulting Services to provide a dual fuel generator system on site to support the electrical load of both existing buildings.

02. SCOPE OF WORK

A. Provide a dual fuel generator system on site to support the electrical load of both existing buildings.

B. The existing on-site generation building will be slightly modified to accommodate an indoor generator with exhaust pipe penetrations.

C. Adjacent to the generator building, a concrete pad will be placed to support an above ground propane fuel tank.

D. The existing utility natural gas line will be modified and extended to supply the generator. Depending on the generator and existing buildings natural gas fuel consumptions, a new utility metered natural gas line may be required.

E. Civil scope of work includes:

1. Provide limited civil and structural engineering design services in support of the electrical scope of work.
2. Anticipated civil and structural design scope include coordinating site power distribution feeders and control conduits, as well as generator and other equipment anchorage.

F. Architectural scope of work includes:

1. Provide limited architectural design services in support of the electrical scope of work.
2. Anticipated architectural design includes providing basic building analysis for the Department of Building and Safety submittals, as well as assisting with building backgrounds and other limited tasks such as fire-stopping details.
3. Modification to existing generator building structure previously housing the previous generator is not anticipated, except for penetrations for ventilation and piping. Additions or expansions of structure, or designing a new structure, is not part of scope.

G. Mechanical scope of work includes:

1. Provide design for new above ground propane fuel tank and associated gas piping.
2. Anticipated mechanical scope includes coordinating natural gas utility connections to new equipment.

H. Electrical scope of work includes:

1. Provide design for new generator system, including design for above ground propane fuel tank, extend utility natural gas line, and load bank (if required).
2. Design is anticipated for (1) new 208Y/120V, 3-phase, 4-wire standby generator sized based on the (1) existing electrical service switchboard.
3. The new generator will be housed within the existing generator building, open type frame, and adjacent to existing main electrical service switchboard.
4. Re-use existing Automatic Transfer Switches (ATS) per City direction. Design of new ATS is not included at this time.
5. Provide design for modifying the existing main service entrance switchboard to interconnect the generator. It is unclear at this moment if the system can be intercepted near the utility incoming points, or if it is more feasible to intercept after the main distribution board and introduce a secondary distribution system.
6. Reconnect site loads to the modified system. Demolish existing generator concrete pad and modify according to new generator layout.

I. Deliverables for the project include:

1. Provide construction documents, including drawings and specifications for each deliverable milestone.
2. Submit the construction documents to Los Angeles County for plan check review comments and revise the drawings as needed to obtain approvals for permitting.
3. Provide a ROM cost estimate at 100% design.

J. Construction support.

03. CLARIFICATIONS

A. S&K will provide plan check support and revisions as required.

B. Plan check fees to be paid by the City of Rolling Hills. S&K will respond to plan check comments as needed to obtain agency approval. Pulling permit and fees associated with the plan check and permitting process are not included.

C. This proposal assumes existing generator building structure is adequate to house the new generator, including clearances. It's not possible to confirm before sizing of new generator is complete, and exact dimension are field verified with a test fit. S&K remains committed to the success of this project, and will be available to provide a proposal to the City for additional scope should design of a new generator pad or enlarging the existing structure be

necessary.

D. Project schedule assumes that the utility company will not be heavily involved in the design, or that they will be responsive if involvement is needed.

E. Civil and site design is limited. This proposal assumes the site will require minimal grading design and that a relatively flat area will be available for installation of the generator and other equipment.

F. Design of low-voltage systems, including telecommunications, audio/visual systems, device controller wiring, and security systems are not included in this proposal.

G. Generator permitting (AQMD) will be by the Contractor. S&K will provide generator specifications as a part of the project manual that includes detailed requirements to hold the Contractor responsible for permitting.

H. S&K understands that the subject project location is on the Rolling Hills Estates city boundary and additional coordination may be required.

04. ESTIMATED DESIGN SCHEDULE

Project Startup	+1 week after kickoff meeting
Field Investigation	+1 weeks after project startup
50% Schematic Design	+3 weeks after field investigation
90% Design Development	+4 weeks after 50% comments
100% Construction Documents	+3 week after 90% comments
Total	12 weeks

05. FEE & OTHER COSTS

Our lump sum fee is as follows. Please refer to the attached Fee Schedule or further breakdown of each item.

Meetings, Site Investigation, Etc.	$3,810.00
Engineering & Design	$39,280.00
Construction Administration Support	$6,800.00
Total	$49,890.00

Additional scope of work or field time required in excess of that outlined above shall be in addition to the above fee and shall be reimbursed at the rates indicated in the current contract rate.

06. TERMS

This proposal is valid for sixty (60) days. Terms of payment will be thirty (30) days net after submittal of monthly invoices.

FEE SCHEDULE

ITEM A - MEETINGS, SITE INVESTIGATION, ETC.

DESCRIPTION	PROFESSIONAL HOURLY RATE	ESTIMATED MAN-HOURS	AMOUNT	CAD OPER. HOURLY RATE	ESTIMATED MAN-HOURS	AMOUNT
PROJECT MANAGER	$190.00	1	$190.00			
ARCHITECTURAL	$180.00	4	$720.00	$140.00	1	$140.00
STRUCTURAL	$180.00			$140.00		
CIVIL	$180.00	4	$720.00	$140.00	1	$140.00
MECHANICAL	$180.00	3	$540.00	$140.00		
ELECTRICAL	$180.00	6	$1,080.00	$140.00	2	$280.00
	SUBTOTALS	18	$3,250.00		4	$560.00
	TOTAL DESIGN DEVELOPMENTAL PHASE - ITEM A					$3,810.00

ITEM B - ENGINEERING & DESIGN

DESCRIPTION	PROFESSIONAL HOURLY RATE	ESTIMATED MAN-HOURS	AMOUNT	CAD OPER. HOURLY RATE	ESTIMATED MAN-HOURS	AMOUNT
PROJECT MANAGER	$190.00	16	$3,040.00			
ARCHITECTURAL	$180.00	8	$1,440.00	$140.00	16	$2,240.00
STRUCTURAL	$180.00	8	$1,440.00	$140.00	8	$1,120.00
CIVIL	$180.00	8	$1,440.00	$140.00	16	$2,240.00
MECHANICAL	$180.00	16	$2,880.00	$140.00	28	$3,920.00
ELECTRICAL	$180.00	40	$7,200.00	$140.00	32	$4,480.00
SPECS WRITER/COST ESTIMATOR	$180.00	20	$3,600.00	$140.00	16	$2,240.00
PLAN CHECK	$180.00	8	$1,440.00	$140.00	4	$560.00
	SUB TOTALS	124	$22,480.00		120	$16,800.00
	TOTAL CONSTRUCTION DOCUMENT PHASE - ITEM B					$39,280.00

ITEM C - CONSTRUCTION ADMINISTRATION

DESCRIPTION	PROFESSIONAL HOURLY RATE	ESTIMATED MAN-HOURS	AMOUNT	CAD OPER. HOURLY RATE	ESTIMATED MAN-HOURS	AMOUNT
SITE VISIT	$180.00	2	$360.00			
VIRTUAL CONSTRUCTION MEETINGS	$180.00	6	$1,080.00	$140.00		
CHECK SHOP DRAWINGS	$180.00	8	$1,440.00	$140.00	2	$280.00
RFI/FIELD QUESTIONS	$180.00	12	$2,160.00	$140.00	4	$560.00
RECORD DRAWINGS	$180.00	2	$360.00	$140.00	4	$560.00
	SUB TOTALS	30	$5,400.00		10	$1,400.00
	TOTAL CONSTRUCTION SUPPORT PHASE - ITEM C					$6,800.00
	TOTAL A/E FEE (A+B+C)					**$49,890.00**

S&K CONSULTING SERVICES

ATTACHMENT 01

ELECTRICAL SUB-CONSULTANT

JC CHANG & ASSOCIATES COMPANY PROFILE AND TEAM EXPERIENCE

COMPANY PROFILE

J.C. Chang & Associates, Inc. (JCCA) was organized on July 17, 1985 in the State of California. JCCA is a multi-discipline, full-service architectural, engineering and planning company with a professional staff of 35 employees. The firm, located at 385 Van Ness Avenue, Suite 208, Torrance, CA 90501, is a certified Small Business (SB) with the State of California Department of General Services (Certification Identification No. 1752789).

JCCA has design capability in the architectural, mechanical, electrical, plumbing, civil, and structural engineering fields. We have significant experience in a wide variety of projects for governmental and commercial clients. Our services include new construction as well as renovation, repair, and rehabilitation of existing facilities.

The staff of JCCA consists of registered architects, licensed professional engineers, CAD and Revit drafters, and other highly trained personnel. The majority of the staff has been with JCCA for a long time and our employee turnover is very low. Approximately 50% of the total staff and 70% of the senior staff have been with the firm in excess of 10 years. We are proud of this proven track record of employee satisfaction and team stability, which is well beyond the typical industry averages for staff retention and stability in the Architectural and Engineering fields.

The scope of our services consists of all such services as are customarily rendered when providing professional design services and design review services, including field investigations, preparation of engineering studies, design, working drawings, specifications, cost estimates, shop drawing review, construction observation, supervision, and record drawings.

Our clients include governmental agencies (Department of Veterans Affairs – federal, California Department of General Services – state, and Orange County Sheriff-Coroner Department – county), as well as municipal agencies (City of Torrance, City of Los Angeles, City of Anaheim), educational organizations (UCLA, LAUSD, CSUN), medical facilities (Little Company of Mary Hospital, Hollywood Presbyterian Medical Center, various Veteran's Affairs facilities), commercial businesses (Philadelphia Gear Corporation, Xerox), aerospace (Boeing, Northrop Grumman, Raytheon) and correctional institutions (Federal Bureau of Prisons, California Department of Corrections and Rehabilitation). JCCA has completed many successful projects that have required interface with, and approval from, various jurisdictional agencies such as the State Fire Marshal and the Division of the State Architect as well as local City Building Departments.

During the past 37 years, JCCA has received several commendations from its clients for strong technical capabilities and outstanding services in architectural and engineering design. We have many years of experience in the design of HVAC, lighting, building controls, hospitals, labs, office buildings, space planning and office/lab relocations.

General Experience:

With in-house architectural, mechanical, electrical, civil and structural departments, J.C. Chang & Associates, Inc., has performed multi-discipline full design services on many repair and renovation projects for schools, medical facilities, military bases, government agencies, in addition to state and federal prison institutions throughout the United States. The following is a list of expertise in the various disciplines:

COMPANY PROFILE

1. Architectural Projects:
   - Design of New or Extensive Renovation of Existing Buildings
   - Interior and Exterior Finishes
   - Space Planning
   - Historical Preservation
   - Archaeological Surveys
   - Fire and Safety Deficiency Corrections
   - Landscape Architecture
2. Civil Projects:
   - Industrial & Sanitary Wastewater Collection
   - Sewer & Storm Water Systems
   - Site Development
   - Utilities
   - Roads/Parking Lots
   - Topographic Survey
3. Structural Projects:
   - Seismic Upgrade
   - Structural Assessment and Repairs
   - Structures and Foundations
4. Mechanical Projects:
   - Total Renovation of HVAC System
   - Plumbing Systems
   - Thermal Energy Storage Plant
   - Central Chiller Plant
   - Energy Conservation
   - Fire Protection
   - Process Piping Systems
5. Electrical Projects:
   - Exterior/Interior Lighting
   - Underground Distribution
   - Security Systems
   - Power Distribution
   - Fire Alarm and Smoke Detection Systems
   - Emergency Generators
   - UPS Systems
6. Environmental Projects:
   - Geotechnical
   - Asbestos
   - Lead Based Paint
   - PCB

Sevag Avanessian, PE
Electrical Engineer

Mr. Avanessian is experienced in various engineering projects including the design of power systems, lighting systems, low-voltage systems, and fire alarm systems for new construction and tenant improvement projects for clients in education, institutional and commercial sectors.

YEARS WITH JCCA: 14 Years

YEARS OF EXPERIENCE: 17 Years

EDUCATION: Bachelor of Science, Electrical Engineering,
University of California, Irvine

LICENSES: California Electrical PE License No. E22793

PROJECT EXPERIENCE:

- HVAC Repair, DMV Pomona and DMV Pasadena, Department of General Services (DGS)
- Construction Documents, Replacement of J1 & J2 HVAC Units, FCI Dublin, Federal Bureau of Prisons Western Region
- Repair HVAC Systems, Building 13675, Vandenberg Air Force Base
- Low Voltage Infrastructure, Department of Mental Health, Torrance, County of Los Angeles Internal Services Department (LAISD)
- Roof and HVAC Replacement, Malibu Admin Center, LAISD
- HVAC Improvements, Admin & Recreation Buildings, Cottages A-F, Dorothy Kirby Center, LAISD
- Dorm Renovations and Electrical Panelboards Replacement, Glenn Rockey Camp School, LAISD
- Fire Hydrant Flow Test, Olive View Medical Center, County of Los Angeles Department of Public Works (LADPW)
- HVAC and Power Issues, Building M1, Xerox Corporation
- Design Critical Power System, VA Loma Linda Healthcare System, Department of Veterans Affairs (VA)
- CHS Parking "E" Clinical Research Biomarker Seismic Renovation, University of California, Los Angeles (UCLA)
- New Data Room, 6th Floor, Semel Tower, UCLA
- DSH-Atascadero TSD Generator & Chiller Slab, Department of State Hospitals (DSH)
- Fire Alarm Upgrade, Eagle Rock High School, Los Angeles Unified School District (LAUSD)
- Mechanical and Electrical, South Building, Local District 2, LAUSD

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 14.A
Mtg. Date: 08/12/2024

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

FROM: **KARINA BAÑALES, CITY MANAGER**

THRU: **KARINA BAÑALES, CITY MANAGER**

SUBJECT: **CONSIDERATION AND POSSIBLE ACTION AUTHORIZING THE MAYOR TO SIGN A LETTER IN OPPOSITION TO SENATE BILL 610 (WIENER), FIRE PREVENTION AND LOCAL DISCRETIONAL REVIEW.**

DATE: **August 12, 2024**

BACKGROUND:

Senate Bill 610 (SB 610) – Fire Prevention and Local Discretionary Review is a component of California legislation introduced by Senator Scott Wiener. This bill is part of a broader effort to address California's ongoing housing crisis by streamlining the process for approving housing developments, particularly in areas where local governments may be prone to delay or deny projects due to concerns like fire safety (Attachment E).

This staff report will provide information about SB 610 from those supporting and opposing the bill. Furthermore, Staff seeks direction from the City Council to authorize the Mayor to sign a letter opposing SB 610 (Attachment A). Additionally, Staff requests authorization to work with the Mayor to update the letter as needed if significant amendments to SB 610 are made.

DISCUSSION:

SB 610 is currently before the Assembly Appropriations Committee and was scheduled to be heard on August 7. At the time of preparing this staff report, no new information on its status was provided. Staff will share updates on its current status this evening.

For purposes of this evening's discussion, staff is presenting information on SB 610 from those in support and opposition to the bill.

<u>In Opposition:</u>

Concerns about Senate Bill 610 center on the limitation of local government authority to deny housing projects based on fire safety risks. Critics worry that the bill could lead to housing

developments in fire-prone areas, without adequate consideration of local hazards, potentially increasing the danger to residents. Additionally, the shift of control from the local to the state level is seen as potentially undermining local expertise and the ability to address unique community needs (Attachment B).

The Center for Biological Diversity has sought support from agencies to write letters; such as the City of Santa Rosa (Attachment D) opposing SB 610 and has written a letter opposing the legislation themselves (enclosed with Attachment A). The coalition's letter expresses strong opposition to SB 610, arguing it will increase Californians' vulnerability to wildfires by reshaping fire and housing policies. It abolishes the Fire Hazard Severity Zone maps, which are crucial for guiding fire mitigation and land-use planning. Also, it centralizes decision-making related to fire hazard designations in the hands of the State Fire Marshal. This removes local control, and SB 610 aims to increase development in fire-prone areas, which dismisses existing safety regulations, to name a few.

In Support:

SB 610 seeks to ensure a consistent application of wildfire mitigations for new development in areas at risk from wildfires. More specifically, the bill realigns various existing mitigations under the State Fire Marshal (SFM) and requires the SFM to use a science-based and public process to map the area where these mitigations would be required to ensure a resilient California (Attachment B).

Supporters of SB 610 include the California Building Industry, California Municipal Utilities Association, Housing Action Coalition, and Yimby Action.

CONCLUSION:

Based on the information provided and tonight's discussion, Staff is seeking direction from the City Council to authorize the Mayor to sign a letter opposing SB 610 (Attachment A). Additionally, staff requests authorization to work with the Mayor to update the letter as needed if significant amendments to SB 610 are made.

FISCAL IMPACT:
None.

RECOMMENDATION:
Authorize the Mayor to sign a letter opposing Senate Bill 610 (Wiener), Fire Prevention, and Local Discretional Review, and if significant amendments are made to the Bill, authorize staff to work with the mayor to update the letter.

ATTACHMENTS:
Attachment A - DRAFT SB 610 Letter of Opposition.pdf
ATTACHMENT B - SB 610 Coalition Opposition Fact Sheet.pdf
ATTACHMENT C - SB 610 Wiener Fact Sheet 6.14 2024.pdf
ATTACHMENT D - SB 610 Letter of Opposition_City of Santa Rosa.pdf
Attachment E - California Legislature SB 610-Amended.pdf

DRAFT LETTER

August 12, 2024

The Honorable Scott Wiener
1021 O. Street, Suite 8620
Sacramento, CA 95814

Subject: Oppose Senate Bill 610 - Fire Prevention and Local Discretionary Review

Dear Senator Wiener,

Our state is burning. We are at risk. It is unconscionable and unnecessary to rush through major changes in fire policy — as SB 610 does — with a "gut and amend" bill. Why is there such urgency to eliminate the trusted FHSZ maps? There are many unanswered questions about the intentions and consequences of "Wildfire Mitigation Areas."

As the coalition letter from the Center for Biological Diversity urges, the state should "table this bill until next year and instead engage with stakeholders on improving the state's fire and housing policies."

Sincerely,

Leah Mirsch
Mayor

Encl. Coalition letter from the Center for Biological Diversity

cc:

Governor Gavin Newsom
Ben Allen, Senator, 26th State Senate District
Al Muratsuchi, Assembly Member, 66th Assembly District


CENTER for BIOLOGICAL DIVERSITY
Because life is good.
NATIONAL WILDLIFE FEDERATION
NWF
SIERRA CLUB CALIFORNIA
CALIFORNIA WILDLIFE CENTER
SINCE 1998
CLIMATE ACTION CALIFORNIA
CALIFORNIA NATIVE PLANT SOCIETY
EHL
friends of GRIFFITH PARK
NAPA VISION 2050
CALIFORNIA WILDLIFE FOUNDATION
Urban Wildlife Research Project
20TH ANNIVERSARY LOS PADRES FORESTWATCH
Friends of Harbors, Beaches and Parks
SAFRR
State Alliance for Firesafe Road Regulations
THE URBAN WILDLANDS GROUP
WEST LA DEMOCRATIC CLUB
North County Watch
Looking Out Today For Tomorrow
SAVE THE SONOMA COAST
SAVE NAPA VALLEY FOUNDATION
BACH
BRENTWOOD ALLIANCE OF CANYONS & HILLSIDES
U.M.C.A.
MANDEVILLE CANYON
SCCA
Sonoma County Conservation Action
MCC
FRIENDS OF BALLONA WETLANDS
We Advocate Thorough Environmental Review
W.A.T.E.R.
WATERSHED ALLIANCE OF MARIN
UN4LA
SEQUOIA ForestKEEPER
Escondido Creek Conservancy
The Climate Alliance
SUSTAINABLE MILL VALLEY
Sonoma Valley NEXT 100
Shaping tomorrow, today.
SIERRA CLUB SAN DIEGO CHAPTER
Santa Clarita Organization for Planning and the Environment (SCOPE)
www.scope.org
Santa Cruz Climate Action Network
SANTA SUSANA MOUNTAIN PARK ASSOCIATION
Valley of The Moon Alliance
Sonoma Mountain Preservation
SOSroads
Save Our Sonoma Roads
NEIGHBORHOOD COALITION
CERF
COASTAL ENVIRONMENTAL RIGHTS FOUNDATION
CBSC
Coalition for a Better Sonoma County
SAVE OUR CANYONS
UpperNicholsCanyon Neighborhood Association
BEL AIR SKYCREST Property Owners' Association
Beachwood Canyon
NEIGHBORHOOD ASSOCIATION
The Climate Reality Project
SAN FERNANDO VALLEY, CA CHAPTER
BALLONA INSTITUTE
restoration, research, education, artistic expression
COASTAL ACTION GROUP
COALITION FOR A BEAUTIFUL LOS ANGELES
LA Native
a coalition for native plants in the Los Angeles urban forest
LANativePlants on Facebook
The Climate Reality Project
SAN DIEGO CHAPTER
THE ALMONTE DISTRICT IMPROVEMENT CLUB
105 WISTERIA WAY, MILL VALLEY, CALIFORNIA 94941
Altadena WILD
Advocates for Our Precious Foothills
WineWaterWatch.org
The Climate Reality Project
LOS ANGELES CHAPTER
350 HUMBOLDT
Grassroots Climate Action
Las Virgenes Homeowners Federation, Inc.
The voice and conscience of the Santa Monica Mountains since 1968
CANYON BACK ALLIANCE
California Native Plant Society
San Diego Chapter
MOBILIZE SONOMA
CALIFORNIA CITIES
FOR LOCAL CONTROL
HOLLYWOODLAND
HOMEOWNERS ASSOCIATION est.1942
LAFAYETTE CALIFORNIA
BRENTWOOD COMMUNITY COUNCIL
FOGR
Friends of Gualala River
ANGELENOS FOR TREES
HILLS 2000
Preserve, Protect & Enhance Our Town
COMMUNITY CATALYSTS
FOR LOCAL CONTROL
CITIZEN MARIN
Friends of Hedionda Creek
Conservation Through Education
San Pasqual Valley Preservation Alliance
Clean Earth 4 Kids .org
COASTWALK California
COASTAL TRAIL ASSOCIATION
www.coastwalk.org
SAN DIEGO AUDUBON SOCIETY
LOS ANGELES AUDUBON
Argyle Civic Association
HOLLYWOOD, CALIF
Working Together for a Better Comm
Arroyos & Foothills CONSERVANCY
RUSSIAN RIVERKEEPER
PROTECT SAN ANTONIO VALLEY
Friends of North Sonoma
responsible growth
PETALUMA RIVER COUNCIL
CLAW
DEFEND BALLONA WETLANDS
ELDERS CLIMATE ACTION
NorCal Chapter
ELDERS CLIMATE ACTION
SoCal Chapter
Coastal Lands CLAN
Action Network
HILLSIDE FEDERATION
ISABELLE DUVIVIER
ARCHITECTURE+URBAN DESIGN
ECO SAN DIEGO
FALLBROOK LAND CONSERVANCY
Forest Unlimited
Friends of Rose Creek
"Connecting Our Communities"
Hills For Everyone
PRESERVE RURAL SONOMA COUNTY
FRIENDS OF RUNYON

July 25, 2024

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
1021 O Street, Suite 7620
Sacramento, CA 95814-4900

The Honorable Mike McGuire
Senate President pro Tempore
1021 O Street, Suite 8518
Sacramento, CA 95814

The Honorable Robert Rivas
Speaker of the Assembly
P.O. Box 942849-0029
Sacramento, CA 95814

The Honorable Buffy Wicks
Chair, Assembly Appropriations Committee
1021 O Street, Suite 8220
Sacramento, CA 95814

Re: SB-610 Fire prevention: wildfire mitigation area: defensible space: State Fire Marshal – OPPOSE

Dear Governor Newsom, Chair Caballero, President pro Tempore McGuire, Speaker Rivas, and Chair Wicks,

On behalf of thousands of our members and supporters in California, the undersigned organizations are writing to express our deep concern with Senate Bill 610 (Wiener) which will fundamentally reshape California fire and housing policy and make Californians more vulnerable to wildfire. The bill would completely abolish the Fire Hazard Severity Zone maps that guide mitigation strategies and land use planning for development in fire-risk areas. The bill would also centralize all decision making in the hands of just one person: the State Fire Marshal.

SB 610's stated intent is to *increase* development in high-risk areas, and—quite shockingly—do so *without* existing regulations designed to protect communities. The bill's fact sheet inappropriately dismisses such regulations as "costly building standards,

increased disaster planning and mitigation requirements."[1] This proposal is directly at odds with the recommendations of the Governor's Strike Force, which urged the state to "begin to deprioritize new development in areas of the most extreme fire risk. In turn, more urban and lower-risk regions in the state must prioritize increasing infill development and overall housing production."[2] We were therefore shocked and surprised to see this bill—which was introduced near the end of the legislative process via a "gut-and-amend" tactic—backed by the Governor's Office.

SB 610 perpetuates the false narrative that new large-scale development in fire risk areas is safe. While mitigation such as home hardening and defensible space can make homes in fire zones *less risky*, such measures only *reduce* the risk of burning. For instance, an analysis conducted in the aftermath of the Camp Fire showed that only 44 percent of homes built to current Chapter 7A building codes survived, meaning 56 percent were destroyed (and only 11.5 percent of older homes built before 1997 survived).[3] Evacuation routes are also already stressed past the breaking point.[4] The "build first, ask questions later" approach of the past is causing extreme personal and economic hardship on Californians, and this bill would make these existing problems far worse.

New development in high-risk areas supported by SB 610 will *increase* ignition risk, as we already know that 95 to 97 percent of contemporary wildfires in California are caused by human sources.[5] The legislative analysis for SB 610 in the Assembly Natural Resources Committee similarly notes: "Residential developments in the WUI and other wildfire prone areas can significantly increase the risks of wildfires and the risk to public safety."

New development supported by SB 610 will not help solve the affordable housing crisis, but it will make Californians less safe. Since 2016 more than 200 people in California have been killed in wildfires, more than 50,000 structures have been burned down, hundreds of thousands have had to evacuate their homes and endure power outages, and millions have been exposed to unhealthy levels of smoke and air pollution.[6] New development in high-risk areas will obstruct existing communities' evacuation routes and lead to more disruption of natural fire regimes, degradation of

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[1] Senator Scott Wiener, Senate Bill 610 Fact Sheet (June 14, 2024). Available at https://drive.google.com/file/d/1oLjNCnDjiOLZPu5qAMtshfc-LwLGi_jF/view.
[2] A Report of Governor Newsom's Strike Force, *Wildfires and Climate Change: California's Energy Future* (April 12, 2019). Available at https://www.gov.ca.gov/wp-content/uploads/2019/04/Wildfires-and-Climate-Change-California%E2%80%99s-Energy-Future.pdf
[3] Knapp, Eric E., et al. "Housing arrangement and vegetation factors associated with single-family home survival in the 2018 Camp Fire, California." *Fire Ecology* 17 (2021). Available at https://doi.org/10.1186/s42408-021-00117-0
[4] Megan Diskin and Evan Wylodge, "Here's why so many California wildfire evacuations turn into deadly traffic jams," *Desert Sun* (April 25, 2019). Available at https://www.desertsun.com/in-depth/news/local/2019/04/25/california-wildfire-evacuation-routes-traffic-jams/3238313002/
[5] Balch, Jennifer K., et al. "Human-started wildfires expand the fire niche across the United States." *Proceedings of the National Academy of Sciences* 114.11 (2017). Available at https://www.pnas.org/doi/abs/10.1073/pnas.1617394114
[6] Reid-Wainscoat et al. *The True Cost of Sprawl: Bad Planning Harms People, Wildlife, and the Climate* (March 2024). Available at https://www.biologicaldiversity.org/programs/urban/pdfs/The-True-Cost-of-Sprawl-report.pdf

California's ecosystems and wildlife as well as increased medical emergencies and premature death of vulnerable community members.[7]

SB 610 will do nothing to address the availability or affordability of insurance. As The California Department of Insurance's Climate Insurance Working Group observes: "**Land use decisions in the past are one of the causes of insurability problems today . . .housing that burns down [] is not an affordable or equitable option** . . . ."[8] Nonetheless, the fact sheet for SB 610 incorrectly suggests that changing the names of very high fire hazard severity zones to the more benign sounding "wildfire mitigation areas" will somehow help reduce insurance rates. The best way to decrease insurance rates is to actually *reduce risk* by supporting home hardening programs for existing communities and *limiting* new development in high-risk areas.

Cities and counties play a critical role in reducing wildfire risk, and existing law allows them to designate areas as fire zones (so long as the hazard designation equals or exceeds the state hazard rating) and implement wildfire mitigation regulations based on scientific information and on-the-ground conditions. SB 610 would remove this long-standing authority and fully centralize such designations and decision making in the hands of the State Fire Marshal, an unelected official. SB 610 would undermine local accountability and government transparency, and increase the likelihood of political interference in state and local wildfire policy.

Cities and counties can and should continue to plan for new development in safer areas. As Los Angeles County has shown, regional housing needs allocation goals can all be met by directing new development outside of fire zones. California does not need to keep building in high-risk areas to provide safe housing for all.

SB 610 was introduced last month via a "gut-and-amend" tactic such that there is insufficient time for stakeholders and elected officials to fully review this bill or propose amendments. We urge you to table this bill until next year and instead engage with stakeholders on improving the state's fire and housing policies.

Sincerely,

J.P. Rose
Policy Director, Urban Wildlands
Center for Biological Diversity

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[7] Delfino, Ralph J., et al. "The relationship of respiratory and cardiovascular hospital admissions to the southern California wildfires of 2003." *Occupational and environmental medicine* 66.3 (2009). Available at https://oem.bmj.com/content/66/3/189.
Connolly, Rachel, et al. "Mortality attributable to $PM_{2.5}$ from wildland fires in California from 2008 to 2018." *Science Advances* 10.23 (2024). Available at: https://www.science.org/doi/10.1126/sciadv.adl1252

[8] California Department of Insurance, Climate Working Group, "Protecting Communities, Preserving Nature, and Building Resiliency," available at https://www.insurance.ca.gov/cci/docs/climate-insurance-report.pdf

Daniel Chandler
Steering Committee Member
350 Humboldt

Linda Rames
President
Almonte District Improvement Club

Dr. Michael D. Bicay
President
AltadenaWILD, Inc.

Jeanne McConnell
Co-Founder
Angelenos for Trees

David Gadd
President
Argyle Civic Assocition

John Howell
Chief Executive Officer
Arroyos & Foothills Conservancy

Laura Velkei
President
Arts District Community Council LA

George Naugles
Head Consultant
Balance2thrive

Robert Jan van de Hoek
Environmental Scientist
Ballona Institute

Missy Kelly
President
Beachwood Canyon Neighborhood Association

Bahareh Rezvani
Treasurer
Bel Air Skycrest Property Owners Association

Wendy-Sue Rosen
Co-founder
Brentwood Alliance of Canyons & Hillsides

Sheila Simmons
Board Member
Brentwood Community Council

Mike Griffiths
Founder
California Cities for Local Control

Nick Jensen
Conservation Program Director
California Native Plant Society

Justin Daniel
Chapter President
California Native Plant Society - San Diego Chapter

Jennifer Brent
Executive Director
California Wildlife Center

Janet Cobb
Executive Officer
California Wildlife Foundation

Tom Freeman
President
Canyon Back Alliance

Susan Kirsch
President
Catalysts for Local Control

Amy Kalish
Director
Citizen Marin

Tony Tucci
Founder/Co-Director
Citizens for Los Angeles Wildlife

Susan Candell
City Councilmember
City of Lafayette

Suzanne Hume
Educational Director & Founder
CleanEarth4Kids.org

Janet Cox
CEO
Climate Action California

Cherry Robinson
Coalitions Chair
Climate Reality Project of San Diego

Kathy Schaeffer
Legislative Coordinator
Climate Reality Project, San Fernando Valley

Barbara Broide
Co-president
Coalition for a Beautiful Los Angeles

Rue Furch
Co-Chair
Coalition for a Better Sonoma County

Alan Levine
Director
Coast Action Group

Kristen Northrop
Policy Advocate
Coastal Environmental Rights Foundation

Dee Fromm
Managing Director
Coastal Lands Action Network

Cea Higgins
Board Member
Coastwalk

Marcia Hanscom
Community Organizer
Defend Ballona Wetlands

Isabelle Duvivier
Principal
Duviviver Architects

Todd Weber
Volunteer, Chapter Co-Leader
Elders Climate Action, Northern California Chapter

Richard Burke
Founder, Chapter Leader
Elders Climate Action (ECA) Southern California (SoCal) Chapter

Dan Silver
Executive Director
Endangered Habitats League

Pamela Heatherington
Board of Directors
Environmental Center of San Diego

Karla Ibarra
Executive Director
Fallbrook Land Conservancy

Larry Hanson
Board President
Forest Unlimited

Scott Culbertson
Executive Director
Friends of Ballona Wetlands

Gerry Hans
President
Friends of Griffith Park

Jeanne Jackson
Secretary/Treasurer
Friends of Gualala River

Michael Wellborn
President
Friends of Harbors, Beaches and Parks

Sandra Farrell
President
Friends of Hedionda Creek

Ricci Wheatley
Secretary
Friends of North Sonoma

Karin Zirk
Executive Director
Friends of Rose Creek

Don Andres
President
Friends of Runyon Canyon Foundation

Dorothy Duffy Price
Secretary
Hills 2000 - Friends of the Hills

Claire Schlotterbeck
Executive Director
Hills For Everyone

Charley Mims
President
Hillside Federation

Sabine Jaccaud
Director
Hollywoodland Homeowners Association

Charles Miller
Founder
LA Native

Kim Lamorie
President
Las Virgenes Homeowners Federation Inc., of the Santa Monica Mountains

Travis Longcore
President
Los Angeles Audubon Society

Charles Miller
Chair
Los Angeles Climate Reality Project

Carla Mena
Director of Policy & Legislative Affairs
Los Padres ForestWatch

Gregg Dieguez
Vice Chair
Midcoast Community Council

Norman Gilroy
Managing Director
Mobilize Sonoma

Eve Kahn
Co-President
Napa Vision 2050

Beth Pratt
California Regional Executive Director
National Wildlife Federation

Nancy Richardson
Communication Director
Neighborhood Coalition of Sonoma County

Susan Harvey
President
North County Watch

William Krawetz
Director
NOW (Neighbors of West County)

David Keller
Founder
Petaluma River Council

Padi Selwyn
Co-chair
Preserve Rural Sonoma County

Deirdre Hockett
Member
Protect San Antonio Valley

Don McEnhill
Executive Director
Russian Riverkeeper

James Peugh
Conservation Chair
San Diego Audubon Society

NeySa Ely
Chief Executive Officer
San Pasqual Valley Preservation Alliance

Lynne Plambeck
President
Santa Clarita Organization for Planning and the Environment

Pauline Seales
Organizer
Santa Cruz Climate Action Network

Wendi Gladstone
President of the Board
Santa Susana Mountain Park Association

Laurie Claudon
Secretary
Save Napa Valley Foundation

Mark Levin
Board President
Save Our Canyons

Craig Harrison
President
Save Our Sonoma Roads

Dr.Laura Morgan
Founder
Save the Sonoma Coast

Ara Marderosian
Board Secretary
Sequoia ForestKeeper

Grace Marvin
Conservation Chair
Sierra Club - Blue Oak Group

Peter Andersen
Former Chair
Sierra Club - San Diego

Erin Woolley
Acting Deputy Director
Sierra Club California

Matthew Callaway
Political Director
Sonoma County Conservation Action

Tracy Salcedo
Acting Chair
Sonoma Mountain Preservation

Shelley Arrowsmith
Board of Directors
Sonoma Valley Next 100

Marylee Guinon
President
State Alliance for Firesafe Road Regulations

Marilyn Price
Co-Chair
Sustainable Mill Valley

Magi Amma
Chair
The Climate Alliance of Santa Cruz County

Ann Van Leer
Executive Director
The Escondido Creek Conservancy

Catherine Rich
Executive Officer
The Urban Wildlands Group

Casey Maddren
President
United Neighborhoods for Los Angeles

John Binder
President
Upper Mandeville Canyon Association

Joan Cashel
Member of Leadership Team
Upper Nichols Canyon Neighborhood Association

William Leikam
President & Co-founder
Urban Wildlife Research Project

Kathy Pons
President
Valley of the Moon Alliance

Laura Chariton
President
Watershed Alliance of Marin

Frank Toriello
President
We Advocate Thorough Environmental Review

Cara Robin
President
West LA Democratic Club

Janus Matthes
Board of Directors
Wine Water Watch

SB 610 is at odds with the Governor's Strike Force recommendations, which caution against further development in high-risk areas

SB 610 is designed to promote more development in areas currently designated as fire risk areas without "costly building standards, increased disaster planning and mitigation requirements." This conflicts with the Governor's Strike Force's recommendations, which urge the state to "begin to deprioritize new development in areas of the most extreme fire risk. In turn, more urban and lower-risk regions in the state must prioritize increasing infill development and overall housing production." Many wildfire zones are also natural lands or wildlife habitat, and this bill would pave the way for more development in those areas, undermining the state's goal to conserve at least 30 percent of California's land and coastal waters by 2030 to combat the climate and biodiversity crises.

SB 610 would intensify the state's insurance crisis

SB 610's official fact sheet laments "the public perception that FHSZ classifications influence insurance availability and pricing . . ." and cites "increasing home insurance premiums" as a reason for the bill. While the fact sheet is correct that insurance availability is decreasing while premiums increase, SB 610 would make these existing challenges far worse. The insurance industry uses their own risk assessments to decide whether to insure a given area and at what rates. Insurers are not leaving the state or increasing rates because of the *labels* state or local officials placed on high-risk areas, but because these are *in fact* high-risk areas threatened or burned by wildfires. Building in high-risk areas is a driver of the problem, and building more in these areas will only make the problem worse, regardless of whether these areas are called "fire hazard zones" or "wildfire mitigation areas."

As a report from the California Department of Insurance's Climate Insurance Working Group states: "**Land use decisions in the past are one of the causes of insurability problems today**. Where and how Californians build and rebuild has consequences for the severity of losses, the degree of economic and physical resilience, and the insurability of properties, both now and in the long term. Housing in risky areas can sometimes be less expensive; but housing that burns down or repeatedly floods is not an affordable or equitablel option because it leaves vulnerable people exposed to danger and the destruction of their homes and possessions." The report warns that when state and local governments fail to consider the full costs of development, "additional costs may be borne by state or federal taxpayers when disaster strikes, thus potentially creating a perverse incentive to approve development that is ill-advised."

SB 610 misleads the public with the false premise that development in high fire hazard zones can be rendered safe

Mitigation can make development in fire zones *less risky*, but *not safe*. Home hardening and defensible space are essential for already existing structures, but such measures only *reduce* the chance of burning. In the Thomas Fire of 2017 in Ventura, the great majority of structures damaged or destroyed had fire-resistant roof construction and fire-resistant exterior siding. In addition, an analysis conducted in the aftermath of the Camp Fire showed that only 44 percent of homes built to current Chapter 7A building codes survived, meaning 56 percent were destroyed (and only 11.5 percent of older homes built before 1997 survived). And evacuation routes are *already* stressed past the breaking point. As Los Angeles County has shown, regional housing needs allocation goals can all be met by directing new development outside of fire zones.

Largescale development in areas currently designated as very high fire hazard severity zones could result in a host of unintended yet foreseeable consequences such as increasing ignition risk, obstructing existing communities' evacuation routes, disrupting natural fire regimes, harming California's ecosystems and wildlife, impairing air quality, increasing medical emergencies and premature death of vulnerable community members, harming firefighters, and increasing firefighting costs. As outlined in a Center for Biological

Diversity report, 95 to 97 percent of contemporary wildfires in California are caused by human sources, and since 2016 more than 200 people in California have been killed in wildfires, more than 50,000 structures have been burned down, hundreds of thousands have had to evacuate their homes and endure power outages, and millions have been exposed to unhealthy levels of smoke and air pollution. Wildfires in 2018 cost Californians an estimated $148.5 billion in capital losses, health costs related to air pollution exposure, and indirect losses due to broader economic disruption.

The legislative analysis in Assembly Natural Resources Committee similarly notes: "Residential developments in the WUI and other wildfire prone areas can significantly increase the risks of wildfires and the risk to public safety." SB 610 will make these existing problems worse by making it easier to build in high-risk areas. As climate change intensifies, wildfire will become an increasing hazard. It is no wonder that the Attorney General's office intervened in multiple cases challenging local decisions that allowed development in fire-prone areas.

SB 610 mischaracterizes the current role of fire risk in the siting of development

SB 610's fact sheet asserts that fire zones are "weaponized locally as an anti-housing/development tool" and that current fire maps "impact housing development" even though "the maps were never intended to be used as a deterrent or a moratorium on fire safe housing." This is inaccurate. There are existing state laws allowing for "streamlining" of development in some instances if a project is *not* in a fire zone, and that prohibit streamlining if the project *is* in a fire zone. Last year's AB 1633 (Ting) gave developers more leverage to challenge a city's denial of a project, but the law did *not* apply to projects that were in high or very high fire hazard severity zones. Similarly, the CEQA streamlining provisions in SB 423 (Wiener) do not apply in very high fire hazard severity zones or state responsibility areas unless the project complies with various fire mitigation standards and regulations. State policy includes heightened requirements and approval processes for development in fire zones *because* it is inherently risky.

SB 610 strips city and county authority to designate fire zones within their own jurisdictions despite their critical role in wildfire risk reduction

Existing law allows both cities and counties to designate areas as fire zones (known as "local responsibility areas") as well as the state (through moderate, high, and very high "fire hazard severity zones"). SB 610 would prevent cities and counties from designating fire zones based on scientific information and instead fully centralize such designations and decision-making in the hands of the State Fire Marshal, a single unelected official. In their letter citing concerns with SB 610, the California League of Cities writes, "Local agencies – cities, counties, and special districts – will continue to manage fire suppress[ion] and conduct vegetation management efforts in the LRAs, therefore, **they should also retain the ability to provide their local expertise in designating these areas**." California League of Cities urged that the bill be revised so that "local agencies [] retain the ability [to] expand beyond the state's wildfire mitigation areas based on substantial evidence within their jurisdictions, should it be necessary."

Currently, the nine-member Board of Forestry and Fire Protection has primary authority over developing wildfire regulations in fire zones. By doing away with the entire fire hazard classification system, SB 610 shifts primary authority to the State Fire Marshal, which decreases public transparency and increases the possibility of undue political influence.

SB 610 would reshape California fire policy via a gut-and-amend process without adequate hearings or stakeholder engagement

SB 610 would make sweeping changes to the state's fire policies. While reform may be needed, it should not be done at the eleventh hour of the legislative process and instead should be considered through the normal policy committee process. Given this bill was introduced on June 11th with less than a month before the legislative recess, there is insufficient time for stakeholders and elected officials to fully review this bill, propose amendments, and have those amendments be meaningfully considered. The bill should be tabled until stakeholders and local jurisdictions have adequate time to engage in the legislative process.

Senator Scott Wiener, 11th Senate District

Senate Bill 610 – Fire prevention and local discretion

SUMMARY

SB 610 seeks to ensure a consistent application of wildfire mitigations for new development in areas at risk from wildfires. More specifically, the bill realigns various existing mitigations under the State Fire Marshal (SFM) and requires the SFM to use a science-based, and public process to map the area where these mitigations would be required to ensure a resilient California.

BACKGROUND/EXISTING LAW

The State Fire Marshal (SFM) is currently required to classify and map the severity of fire hazard within both the State and Local Responsibility Areas as Moderate, High, or Very High. These maps evaluate hazard, not risk; hazard is based on the physical conditions that create a likelihood and expected fire behavior without considering mitigation measures, whereas risk is the potential damage a fire can do to the area under existing conditions. A new map of Fire Hazard Severity Zones (FHSZs) in the State Responsibility Area (SRA) was adopted earlier this year, but has not been mapped in local jurisdictions since 2008.

Currently, buildings constructed in any FHSZs within the SRA, or in any Local Responsibility Area (LRA) designated Very High FHSZ, are subject to the Chapter 7A standards. SB 63 (Stern, 2021) expanded Chapter 7A standards to LRA
High FHSZ, and requires the SFM and the Department of Housing and Community Development to consider expanding the standards even further to LRA Moderate FHSZ.

Other wildfire mitigations are adopted by the Board of Forestry and Fire Protection (Board). These include vegetation clearance requirements around homes known as Defensible Space. AB 3074 (Freidman 2020) required the Board to develop an ember resistant zone limiting flammable items and vegetation within the first five feet around a home. While this new zone was required to be in effect January 1, 2023, these regulations remain in development. The Board is also currently responsible for updating development standards in wildfire-prone areas known as the "State Fire Safe Minimum Regulations." These regulations set standards for roadway widths, water supply, and building addresses.

PROBLEM

The current FHSZ process has numerous problems. Namely, there is currently no Statewide adopted map for LRA FHSZs. The current LRA process lacks a public comment process and results in inconsistent wildfire mitigations that are not science-based due to the current tiering system of FHSZs.

Previous legislation and trailer bill language in this code section amended the CalFIRE FHSZ LRA map process, including attaching new provisions to LRAs, such that this process may be weaponized locally as an anti-housing/development tool. In practice, LRA maps can functionally result in restrictions on growth through imposing costly building standards, increased disaster planning and mitigation requirements, or increasing home insurance premiums.

Once the recommended LRA's maps are sent to local agencies, jurisdictions can make the LRA maps more restrictive but cannot correct maps to make the zones less restrictive. Unlike SRAs, there is no map appeal process for the LRA maps—any altered LRA maps by local agencies are final and non-rebuttable by the SFM. Local jurisdictions then have the ability to misuse this process and make the majority of their community a High/Very High FHSZ through an LRA map that would impact housing development for 10-20 years until the maps are updated. Additionally, the current LRA process lacks Statewide oversight and enforcement for local ordinance adoptions of FHSZs.

Consequently, the Fire Hazard Severity Zone (FHSZ) maps are often misinterpreted as identifying risk, but the maps were never intended to be used as a deterrent or a moratorium on fire safe housing or as a method to determine insurance rates. The maps are simply intended to identify areas where mitigations are necessary.

These inconsistencies have resulted in a lack of consistent adoption of mitigations in the LRA and the public perception that FHSZ classifications influence insurance availability and pricing, as well as housing prices.

SOLUTION

SB 610 would remedy the issues with the existing FHSZ process by empowering CAL FIRE – Office of the State Fire Marshal to use its science-based hazard model to develop the Wildfire Mitigation Area (WMA). Under SB 610, the SFM would collaboratively develop appropriate and consistent Statewide minimum mitigation requirements for the WMA through a public process.

SB 610 provides for a robust public meeting process and would allow the SFM to review feedback and adjust the WMA Map where warranted. This approach would restrict the ability of expanding or reducing the WMA boundaries to the SFM.

The SFM would also adopt science-based minimum mitigation requirements for the WMA that would be developed collaboratively with appropriate stakeholders and would be consistent throughout the WMA.

Consistent wildfire mitigation requirements for the building industry, as instituted by SB 610, would resolve current concerns over what mitigations are required, which could expedite fire-adapted development.

SUPPORT

SB 610 is a partnership between Senator Wiener and the Office of Governor Gavin Newsom (Source)

FOR MORE INFORMATION

Radhika Gawde, *Senate Fellow*
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Phone: (916) 651-4011

City of Santa Rosa

August 1, 2024

The Honorable Scott Wiener
1021 O Street, Suite 8620
Sacramento, CA 95814

Re: Oppose -- SB 610 re: Wildfire Zones (As Amended on July 8, 2024)

Dear Senator Wiener:

On behalf of the City of Santa Rosa, I write in opposition to your bill SB 610 related to wildfire designated zones and fire prevention. The City is extremely concerned with any state efforts to rollback local authority to protect our residents from wildfire danger.

NATALIE ROGERS
Mayor
MARK STAPP
Vice Mayor
EDDIE ALVAREZ
VICTORIA FLEMING
DIANNA MACDONALD
JEFF OKREPKIE
CHRIS ROGERS

As you know, during the 2017 Tubbs and Nuns Fires, nine residents died, 3,043 residential units were destroyed displacing thousands of people from their homes, and thirty-six commercial buildings were destroyed putting hundreds of people out of work in the City of Santa Rosa alone. In 2019, tens of thousands of residents were forced to evacuate yet again when the Kincade Fire threatened our community. In 2020, dozens of homes were destroyed in the City as a result of the Glass Fire. The immense devastation Santa Rosa faced since 2017 fires was profound. We need to support legislative efforts to prevent wildfires and promote resiliency initiatives to protect our homes and wildfire.

The City's designated wildfire urban interface (WUI) Fire Areas were adopted by the City Council in 2009 and include Very High Fire Hazard Severity Zones (VHFHSZ) and WUI zones in one WUI Fire Area. Unfortunately, SB 610 would repeal Government Code Section 51179, which is existing law that provides local agencies the ability to designate areas as moderate, high, and very high fire hazard severity zones within their jurisdiction.

Further, SB 610 as proposed would require the State Fire Marshal to develop consistent statewide regulations for wildfire mitigation areas, replacing the existing fire hazard severity zone mapping. We would ask that the bill be amended to allow local responsibility areas to remain and any state law build off those existing maps. Additionally, we support current law which mandates that the State Fire Marshal is required to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria.

The City of Santa Rosa is concerned with your legislation and remains opposed. However, if amendments are made to this bill we would consider supporting your legislation.

Sincerely,

Natalie Rogers, Mayor

Office of the Mayor
100 Santa Rosa Avenue - Room 10 • Santa Rosa, CA 95404
Phone: (707) 543-3010 • Fax: (707) 543-3030
www.srcity.org

AMENDED IN ASSEMBLY JULY 08, 2024
AMENDED IN ASSEMBLY JUNE 11, 2024
AMENDED IN ASSEMBLY JUNE 19, 2023

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

SENATE BILL **NO. 610**

Introduced by Senator Wiener

February 15, 2023

An act to amend ~~Sections 1102.6f, 1102.19, and 1103 of the Civil Code, to amend Section 51177 of, to amend and repeal Sections 51178 and 51179 of, to amend, repeal, and add Section 51182 of, to add Section 51182.1 to, and to repeal Section 51181 of, the Government Code, to amend Section 13108.5 of, and to add Section 13108.4 to, the Health and Safety Code, and to amend Sections 4201, 4202, 4203, 4204, and 4291 of, to amend, repeal, and add Section 4290 of, and to add Section 4290.05 to, the Public Resources Code,~~ *Section 51182 of, and to amend and repeal Section 51179 of, the Government Code, and to amend Sections 4201 and 4202 of the Public Resources Code,* relating to fire prevention.

LEGISLATIVE COUNSEL'S DIGEST

SB 610, as amended, Wiener. Fire prevention: wildfire mitigation area: defensible space: State Fire ~~Marshal: real property disclosures: fire protection building standards.~~ *Marshal.*

Existing law requires the State Fire Marshal to classify lands within state responsibility areas into fire hazard severity zones and, by regulation, designate fire hazard severity zones and assign to each zone a rating reflecting the degree of severity of fire hazard that is expected to prevail in the zone, as provided. Existing law describes state responsibility areas for these purposes as areas of the state in which the financial responsibility of preventing and suppressing fires has been determined by the State Board of Forestry and Fire Protection to be primarily the responsibility of the state. ~~Existing law also requires the State Fire Marshal to identify areas of the state that are not state responsibility areas as moderate, high, and very high fire hazard severity zones based on specified criteria.~~

This bill would revise and recast these provisions by, among other things, replacing the *requirement that the State Fire Marshal classify lands within state responsibility areas into* fire hazard severity ~~zone requirements~~ *zones* with a requirement that the State Fire ~~Marshal~~ *Marshal, on or before an unspecified date,* designate, by regulation, a wildfire mitigation area in the state, excluding federal lands. The bill would require the wildfire mitigation area to be based on fuel loading, slope, fire weather, *overall fire hazard severity,* and other relevant factors identified by the Director of Forestry and Fire Protection as a major cause of wildfire spread. *The bill would require the State Fire Marshal to consider and incorporate, as relevant, any local ordinances that designate fire hazard severity on local lands into the wildfire mitigation area designation and provide maps on its internet website that show the new wildfire mitigation area overlaid with the preexisting state and local fire hazard severity zones.*

Existing ~~law,~~ *law requires the State Fire Marshal to identify areas of the state that are not state responsibility areas as moderate, high, and very high fire hazard severity zones based on specified criteria. Existing law,* applicable to lands that are not state responsibility areas, requires a local agency to designate, by ordinance

transmitted to the State Board of Forestry and Fire Protection, moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the State Fire Marshal. *Existing law also requires a local agency to post a notice at the office of the county recorder, county assessor, and county planning agency identifying the location of the map provided by the State Fire Marshal.*

This bill would, upon the adoption by the State Fire Marshal of the wildfire mitigation ~~area,~~ *area regulations,* repeal the ~~requirement~~ *requirements* that a local agency designate fire hazard severity ~~zones.~~ *zones and post a notice of the map provided by the State Fire Marshal.*

~~Existing law, applicable to lands within state responsibility areas, prohibits the State Fire Marshal from adopting the designation of a zone and assignment of a rating until the proposed regulation has been transmitted to the board of supervisors of the county in which the zone is located and a public hearing has been held in that county, as provided. Existing law requires the State Fire Marshal to periodically review designated zones and, as necessary, revise zones or their ratings or repeal the designation of zones.~~

~~This bill would revise and recast these provisions by, among other things, instead requiring the State Fire Marshal, when publishing the notice of proposed action applicable to the designation of the wildfire mitigation area, to also transmit a copy to the board of supervisors of the county and the city council of each city in which the wildfire mitigation area is located, and to conduct at least 3 public hearings during the rulemaking process. The bill would also require the State Fire Marshal to periodically review, and, if necessary, update the wildfire mitigation area, and notwithstanding this requirement, require the State Fire Marshal to annually account for modifications to the state responsibility area as adopted by the State Board of Forestry and Fire Protection, and make any necessary adjustments to the wildfire mitigation area. The bill would exempt these revisions from specified adoption requirements and the Administrative Procedure Act, as provided.~~

Existing law, applicable to lands that are not state responsibility areas, requires a person who owns, leases, controls, operates, or maintains an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high fire hazard severity zone designated by the local agency, to comply with specified defensible space requirements, including maintaining a defensible space of 100 feet from each side and from the front and rear of the structure, as specified. ~~A violation of these requirements is a crime.~~

This bill would ~~revise and recast these provisions by, among other things, requiring the State Fire Marshal to adopt, by regulation, defensible space requirements, as provided, and, upon the adoption of those regulations, repealing the above-described defensible space requirements applicable to land with a very high fire hazard severity zone designated by the local agency and replacing those requirements with similar~~ *instead impose the above-described* defensible space requirements ~~applicable to~~ *on* a person who owns, leases, controls, operates, or maintains an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within ~~the wildfire mitigation area. By expanding the scope of a crime, the bill would impose a state-mandated local program.~~ *a very high fire hazard area as identified by the State Fire Marshal and is not a state responsibility area.*

~~Existing law also requires a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material to maintain a defensible space of 100 feet from each side and from the front and rear of the structure, as specified. A violation of these requirements is a crime.~~

~~Existing law requires the persons described above to use more intense fuel reductions between 5 and 30 feet around the structure, and to create an ember-resistant zone within 5 feet of the structure, based on regulations promulgated by the State Board of Forestry and Fire Protection, as provided. Existing law requires the board, in consultation with the State Fire Marshal, to develop, periodically update, and post on its internet website a guidance document on fuels management, as provided. Existing law requires the State Fire Marshal to provide notice to affected residents describing specified components of the specified defensible space requirements before imposing penalties for a violation of these requirements, as provided.~~

~~This bill would revise and recast these provisions by, among other things, replacing the requirement for an ember-resistant zone within 5 feet of the structure with a requirement for more intense fuel reductions to be utilized between 0 and 5 feet of the structure, as provided. By expanding the scope of a crime, the bill would impose a state-mandated local program. The bill would instead require the State Fire Marshal to develop, periodically update, and post on its internet website a guidance document on fuels management, as provided. The bill would also eliminate the State Fire Marshal's above-described duty to make reasonable efforts to provide notice to affected residents, as provided.~~

~~Existing law requires the State Board of Forestry and Fire Protection to adopt regulations implementing minimum fire safety standards related to defensible space, as provided. Under existing law, these regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991, and within lands classified and designated as very high fire hazard severity zones, that are not within state responsibility areas, after July 1, 2021, as provided.~~

~~This bill would instead require the State Fire Marshal to adopt regulations implementing minimum fire safety standards related to lands within the wildfire mitigation area, as provided, and apply these regulations to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991, and within the wildfire mitigation area, as provided. The bill would, upon the adoption of these regulations, repeal the above-described minimum fire safety standards within lands classified and designated as very high fire hazard severity zones, as provided.~~

~~Existing law requires specified sellers of real property that is located in a high or very high fire hazard severity zone, as identified by the Director of Forestry and Fire Protection, to provide specified disclosures and documentation, as provided.~~

~~This bill would instead require the above-described sellers of real property that is located in the wildfire mitigation area, as identified by the State Fire Marshal, to comply with those disclosure and documentation requirements, as provided.~~

~~Under existing law, any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification.~~

~~Existing law requires the State Fire Marshal, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development and pursuant to the above-described process for adopting or proposing building standards, to propose fire protection building standards applicable to fire hazard severity zones, including very high fire hazard severity zones, designated by the State Fire Marshal, and other areas designated by a local agency, as provided. Upon identification of high fire hazard severity zones, existing law requires the Office of the State Fire Marshal and the Department of Housing and Community Development to propose, and the California Building Standards Commission to adopt, expanded application of the building standards adopted pursuant to this process to high fire hazard severity zones during the next triennially occurring California Building Standards Code adoption cycle.~~

~~This bill would revise and recast these provisions by, among other things, instead requiring the State Fire Marshal, in consultation with the Director of Housing and Community Development and pursuant to the above-described process for adopting or proposing building standards, to propose fire protection building standards applicable to buildings in the wildfire mitigation area designated by the State Fire Marshal, as provided. The bill would require the Office of the State Fire Marshal and the Department of Housing and Community Development to propose, and the California Building Standards Commission to adopt, the building standards adopted pursuant to this process to the wildfire mitigation area during the next triennially occurring California Building Standards Code adoption cycle.~~

~~This bill would also require the State Fire Marshal to establish wildfire mitigation measures in the wildfire mitigation area, including Wildland Urban Interface building standards, statewide minimum fire safety regulations, state defensible space requirements, real estate hazard disclosure requirements, defensible space real estate compliance requirements, subdivision review requirements, and safety element review requirements, as~~

~~provided. To the extent these wildfire mitigation measures would impose new duties on local agencies, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.~~

~~With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: ~~yes~~*no*

Bill Text

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 51179 of the Government Code is amended to read:*

51179. (a) A local agency shall designate, by ordinance, moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the State Fire Marshal pursuant to Section 51178.

(b) (1) A local agency may, at its discretion, include areas within the jurisdiction of the local agency, not identified as very high fire hazard severity zones by the State Fire Marshal, as very high fire hazard severity zones following a finding supported by substantial evidence in the record that the requirements of Section 51182 are necessary for effective fire protection within the area.

(2) A local agency may, at its discretion, include areas within the jurisdiction of the local agency, not identified as moderate and high fire hazard severity zones by the State Fire Marshal, as moderate and high fire hazard severity zones, respectively.

(3) A local agency shall not decrease the level of fire hazard severity zone as identified by the State Fire Marshal for any area within the jurisdiction of the local agency, and, in exercising its discretion pursuant to paragraph (2), may only increase the level of fire hazard severity zone as identified by the State Fire Marshal for any area within the jurisdiction of the local agency.

(c) The local agency shall transmit a copy of an ordinance adopted pursuant to subdivision (a) to the State Board of Forestry and Fire Protection within 30 days of adoption.

(d) Changes made by a local agency to the recommendations made by the State Fire Marshal shall be final and shall not be rebuttable by the State Fire Marshal.

(e) The State Fire Marshal shall prepare and adopt a model ordinance that provides for the establishment of very high fire hazard severity zones.

(f) Any ordinance adopted by a local agency pursuant to this section that substantially conforms to the model ordinance of the State Fire Marshal shall be presumed to be in compliance with the requirements of this section.

(g) A local agency shall post a notice at the office of the county recorder, county assessor, and county planning agency identifying the location of the map provided by the State Fire Marshal pursuant to Section 51178. If the agency amends the map, pursuant to subdivision (b) or (c) of this section, the notice shall instead identify the location of the amended map.

(h) This section is repealed upon the adoption of the wildfire mitigation area regulations pursuant to Section 4202 of the Public Resources Code.

SEC. 2. *Section 51182 of the Government Code is amended to read:*

51182. (a) A person who owns, leases, controls, operates, or maintains an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is *(1)* within a very high fire hazard severity zone designated by the local agency pursuant to Section 51179, *or, (2) within a very high fire hazard area as identified pursuant to Section 51178,* shall at all times do all of the following:

(1) (A) Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line except as provided in subparagraph (B). The amount of fuel modification necessary shall consider the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained and spaced in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This subparagraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation or to interrupt the advance of embers toward a structure. The intensity of fuels management may vary within the 100-foot perimeter of the structure, with more intense fuel reductions being used between 5 and 30 feet around the structure, and an ember-resistant zone being required within 5 feet of the structure, based on regulations promulgated by the State Board of Forestry and Fire Protection, in consultation with the Office of the State Fire Marshal, to consider the elimination of materials in the ember-resistant zone that would likely be ignited by embers. Consistent with fuels management objectives, steps should be taken to minimize erosion, soil disturbance, and the spread of flammable nonnative grasses and weeds.

(B) A greater distance than that required under subparagraph (A) may be required by state law, local ordinance, rule, or regulation. Fuel modification beyond the property line may only be required by state law, local ordinance, rule, or regulation in order to maintain 100 feet of defensible space from a structure. Fuel modification on adjacent property shall only be conducted following written consent by the adjacent landowner. Any local ordinance related to fuel modification shall be in compliance with all applicable state laws, regulations, and policies. Any local ordinance may include provisions to allocate costs for any fuel modification beyond the property line.

(C) An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under subparagraph (A) if a fire expert, designated by the fire chief or fire official from the authority having jurisdiction, provides findings that the fuel modification is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.

(2) Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.

(3) Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.

(4) Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

(5) Before constructing a new dwelling or structure that will be occupied or rebuilding an occupied dwelling or occupied structure damaged by a fire in that zone, the construction or rebuilding of which requires a building permit, the owner shall obtain a certification from the local building official that the dwelling or structure, as proposed to be built, complies with all applicable state and local building standards, including those described in subdivision (b) of Section 51189, and shall provide a copy of the certification, upon request, to the insurer providing course of construction insurance coverage for the building or structure. Upon completion of the construction or rebuilding, the owner shall obtain from the local building ~~official,~~ *official* a copy of the final inspection report that demonstrates that the dwelling or structure was constructed in compliance with all applicable state and local building standards, including those described in subdivision (b) of Section 51189, and shall provide a copy of the report, upon request, to the property insurance carrier that insures the dwelling or structure.

(b) A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the consent of the owner of the property.

(c) (1) The State Board of Forestry and Fire Protection, in consultation with the Office of the State Fire Marshal, shall develop, periodically update, and post on its internet website a guidance document on fuels management pursuant to this chapter. The guidance document shall include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species that are fire resistant or drought tolerant, or both, minimize erosion, minimize the spread of flammable nonnative grasses and weeds, minimize water consumption, and permit trees and shrubs near homes for shade, aesthetics, and habitat; and suggestions to minimize or eliminate the risk of flammability of nonvegetative sources of combustion such as woodpiles, propane tanks, decks, and outdoor lawn furniture.

(2) On or before January 1, 2023, the State Board of Forestry and Fire Protection, in consultation with the Office of the State Fire Marshal, shall update the guidance document to include suggestions for creating an ember-resistant zone within five feet of a structure based on regulations promulgated by the State Board of Forestry and Fire Protection, in consultation with the Office of the State Fire Marshal, to consider the elimination of materials in the ember-resistant zone that would likely be ignited by embers.

(d) For purposes of this section, a structure for the purpose of an ember-resistant zone shall include any attached deck. This section does not limit the authority of the State Board of Forestry and Fire Protection or the Office of the State Fire Marshal to require the removal of fuel or vegetation on top of or underneath a deck pursuant to this section.

SEC. 3. *Section 4201 of the Public Resources Code is amended to read:*

4201. The purpose of this article is to provide for the classification of lands within ~~state responsibility areas~~ *the state* in accordance with the ~~severity of fire~~ *wildfire* hazard present for the purpose of identifying *mitigation* measures to be taken to ~~retard the rate of spreading and to reduce the potential intensity~~ *prepare communities for the potential intensity* of uncontrolled fires that threaten to destroy resources, life, or property.

SEC. 4. *Section 4202 of the Public Resources Code is amended to read:*

4202. ~~The~~ *(a) On or before ____, the* State Fire Marshal shall ~~classify lands within state responsibility areas into fire hazard severity zones. Each zone shall embrace relatively homogeneous lands and~~ *designate, by regulation, a wildfire mitigation area within the state, excluding federal lands. The wildfire mitigation area* shall be based on fuel loading, slope, fire weather, *overall fire hazard severity,* and other relevant factors present, including areas where winds have been identified by the ~~department~~ *director* as a major cause of wildfire spread. *The State Fire Marshal shall consider and incorporate, as relevant, any local ordinances that designate fire hazard severity on local lands into the wildfire mitigation area designation.*

(b) The State Fire Marshal shall provide maps on its internet website that show the new wildfire mitigation area overlaid with the preexisting state and local fire hazard severity zones to show the geographic change in fire

mitigation areas.

(c) The State Fire Marshal shall, within two business days of the approval of the regulations by the Office of Administrative Law, provide notice on its internet website that the regulations have been adopted. The State Fire Marshal shall notify the Secretary of State when regulations have been adopted in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

~~SECTION 1.Section 1102.6f of the Civil Code is amended to read:~~

~~1102.6f.(a)On or after January 1, 2021, in addition to any other disclosure required pursuant to this article, the seller of any real property subject to this article that is located in a high or very high fire hazard severity zone, as identified by the Director of Forestry and Fire Protection pursuant to Section 51178 of the Government Code or Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, or in the wildfire mitigation area, as identified by the State Fire Marshal pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, as applicable, shall provide a disclosure notice to the buyer, if the home was constructed before January 1, 2010, that includes the following information:~~

~~(1)(A)If the State Fire Marshal has not adopted the wildfire mitigation area regulations pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, a statement as follows: "This home is located in a high or very high fire hazard severity zone and this home was built before the implementation of the Wildfire Urban Interface building codes which help to fire harden a home. To better protect your home from wildfire, you might need to consider improvements. Information on fire hardening, including current building standards and information on minimum annual vegetation management standards to protect homes from wildfires, can be obtained on the internet website http://www.readyforwildfire.org."~~

~~(B)Upon the adoption of the wildfire mitigation area regulations pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, a statement as follows: "This home is located in the wildfire mitigation area and this home was built before the implementation of the Wildfire Urban Interface building codes that help to fire harden a home. To better protect your home from wildfire, you might need to consider improvements. Information on fire hardening, including current building standards and information on minimum annual vegetation management standards to protect homes from wildfires, can be obtained on the internet website http://www.readyforwildfire.org."~~

~~(2)On or after July 1, 2025, a list of low-cost retrofits developed and listed pursuant to Section 51189 of the Government Code. The notice shall disclose which listed retrofits, if any, have been completed during the time that the seller has owned the property.~~

~~(3)A list of the following features that may make the home vulnerable to wildfire and flying embers. The notice shall disclose which of the listed features, if any, that exist on the home of which the seller is aware:~~

~~(A)Eave, soffit, and roof ventilation where the vents have openings in excess of one-eighth of an inch or are not flame and ember resistant.~~

~~(B)Roof coverings made of untreated wood shingles or shakes.~~

~~(C)Combustible landscaping or other materials within five feet of the home and under the footprint of any attached deck.~~

~~(D)Single pane or nontempered glass windows.~~

~~(E)Loose or missing bird stopping or roof flashing.~~

~~(F)Rain gutters without metal or noncombustible gutter covers.~~

(b)If, pursuant to Section 51182 of the Government Code, a seller has obtained a final inspection report described in that section, the seller shall provide to the buyer a copy of that report or information on where a copy of the report may be obtained.

(c)This section shall not be construed as a requirement, instruction, or consideration for present or future building code formulation, including, but not limited to, the Wildland Urban Interface building standards (Chapter 7A (commencing with Section 701A.1) of Part 2 of Title 24 of the California Code of Regulations).

SEC. 2.Section 1102.19 of the Civil Code is amended to read:

1102.19.(a)On and after July 1, 2021, a seller of a real property subject to this article that is located in a high or very high fire hazard severity zone, as identified by the Director of Forestry and Fire Protection pursuant to Section 51178 of the Government Code or Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, or in the wildfire mitigation area, as identified by the State Fire Marshal pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code, as applicable, shall provide to the buyer documentation stating that the property is in compliance with Section 4291 of the Public Resources Code or local vegetation management ordinances, as follows:

(1)In a local jurisdiction that has enacted an ordinance requiring an owner of real property to obtain documentation that the property is in compliance with Section 4291 of the Public Resources Code or a local vegetation management ordinance, the seller shall provide the buyer with a copy of the documentation that complies with the requirements of that local ordinance and information on the local agency from which a copy of that documentation may be obtained.

(2)In a local jurisdiction that has not enacted an ordinance for an owner of real property to obtain documentation that a property is in compliance with Section 4291 of the Public Resources Code or a local vegetation management ordinance, and if a state or local agency, or other government entity, or other qualified nonprofit entity, provides an inspection with documentation for the jurisdiction in which the property is located, the seller shall provide the buyer with the documentation obtained in the six-month period preceding the date the seller enters into a transaction to sell that real property and provide information on the local agency from which a copy of that documentation may be obtained.

(b)On and after July 1, 2021, if the seller of a real property described in subdivision (a) has not obtained documentation of compliance in accordance with paragraph (1) or (2) of subdivision (a), the seller and the buyer shall enter into a written agreement pursuant to which the buyer agrees to obtain documentation of compliance with Section 4291 of the Public Resources Code or a local vegetation management ordinance as follows:

(1)In a local jurisdiction that has enacted an ordinance requiring an owner or buyer to obtain documentation of compliance with Section 4291 of the Public Resources Code or a local vegetation management ordinance, the buyer shall comply with that ordinance.

(2)In a local jurisdiction that has not enacted an ordinance requiring an owner or buyer to obtain documentation of compliance, and if a state or local agency, or other government entity, or other qualified nonprofit entity, provides an inspection with documentation for the jurisdiction in which the property is located, the buyer shall obtain documentation of compliance within one year of the date of the close of escrow.

(c)Nothing in this section, including the existence of an agreement between a buyer and seller pursuant to subdivision (b), shall limit the ability of a state or local agency to enforce defensible space requirements pursuant to Section 51182 of the Government Code, Section 4291 of the Public Resources Code, or other applicable statutes, regulations, and local ordinances.

SEC. 3.Section 1103 of the Civil Code is amended to read:

1103.(a)For purpose of this article, the definitions in Chapter 1 (commencing with Section 10000) of Part 1 of Division 4 of the Business and Professions Code shall apply.

(b)Except as provided in Section 1103.1, this article applies to a sale, exchange, real property sales contract, as defined in Section 2985, lease with an option to purchase, any other option to purchase, or ground lease coupled with improvements, of any single-family residential real property.

(c)This article shall apply to the transactions described in subdivision (b) only if the seller or the seller's agent is required by one or more of the following to disclose the property's location within a hazard zone:

(1)A seller's agent for a seller of real property that is located within a special flood hazard area (any type Zone "A" or "V") designated by the Federal Emergency Management Agency, or the seller if the seller is acting without a seller's agent, shall disclose to any prospective buyer the fact that the property is located within a special flood hazard area if either:

(A)The seller, or the seller's agent, has actual knowledge that the property is within a special flood hazard area.

(B)The local jurisdiction has compiled a list, by parcel, of properties that are within the special flood hazard area and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the parcel list.

(2)A seller's agent for a seller of real property that is located within an area of potential flooding designated pursuant to Section 6161 of the Water Code, or the seller if the seller is acting without a seller's agent, shall disclose to any prospective buyer the fact that the property is located within an area of potential flooding if either:

(A)The seller, or the seller's agent, has actual knowledge that the property is within an inundation area.

(B)The local jurisdiction has compiled a list, by parcel, of properties that are within the inundation area and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the parcel list.

(3)A seller of real property that is located within a very high fire hazard severity zone, designated pursuant to Section 51178 of the Government Code, or within the wildfire mitigation area designated pursuant to Section 4202 of the Public Resources Code, as applicable, or the seller's agent, shall disclose to any prospective buyer the fact that the property is located within a very high fire hazard severity zone or within the wildfire mitigation area, as applicable, and is subject to the requirements of Section 51182 of the Government Code if either:

(A)The seller or the seller's agent, has actual knowledge that the property is within a very high fire hazard severity zone or within the wildfire mitigation area, as applicable.

(B)A map that includes the property has been provided to the local agency pursuant to Section 51178 of the Government Code or Section 4202 of the Public Resources Code, as applicable, and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the map and any information regarding changes to the map received by the local agency.

(4)A seller's agent for a seller of real property that is located within an earthquake fault zone, designated pursuant to Section 2622 of the Public Resources Code, or the seller, if the seller is acting without an agent, shall disclose to any prospective buyer the fact that the property is located within a delineated earthquake fault zone if either:

(A)The seller, or the seller's agent, has actual knowledge that the property is within a delineated earthquake fault zone.

(B)A map that includes the property has been provided to the city or county pursuant to Section 2622 of the Public Resources Code and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the map and any information regarding changes to the map received by the county.

(5)A seller's agent for a seller of real property that is located within a seismic hazard zone, designated pursuant to Section 2696 of the Public Resources Code, or the seller if the seller is acting without an agent, shall disclose to any prospective buyer the fact that the property is located within a seismic hazard zone if either:

(A)The seller, or the seller's agent, has actual knowledge that the property is within a seismic hazard zone.

(B)A map that includes the property has been provided to the city or county pursuant to Section 2696 of the Public Resources Code and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the map and any information regarding changes to the map received by the county.

(6)A seller of real property that is located within a state responsibility area determined by the board, pursuant to Section 4125 of the Public Resources Code, or the seller's agent, shall disclose to any prospective buyer the fact that the property is located within a wildland area that may contain substantial forest fire risks and hazards and is subject to the requirements of Section 4291 of the Public Resources Code if either:

(A)The seller, or the seller's agent, has actual knowledge that the property is within a wildland fire zone.

(B)A map that includes the property has been provided to the city or county pursuant to Section 4125 of the Public Resources Code and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the map and any information regarding changes to the map received by the county.

(d)Any waiver of the requirements of this article is void as against public policy.

SEC. 4.Section 51177 of the Government Code is amended to read:

51177.As used in this chapter:

(a)"Defensible space" means the area adjacent to a structure or dwelling where wildfire prevention or protection practices are implemented to provide defense from an approaching wildfire or to minimize the spread of a structure fire to wildlands or surrounding areas.

(b)"Director" means the Director of Forestry and Fire Protection.

(c)"Fuel" means any combustible material, including petroleum-based products, cultivated landscape plants, grasses, and weeds, and wildland vegetation.

(d)"Fuel management" means the act or practice of controlling flammability and reducing resistance to control of fuels through mechanical, chemical, biological, or manual means or by fire, in support of land management objectives.

(e)"Local agency" means a city, county, city and county, or district responsible for fire protection within a very high fire hazard severity zone or within the wildfire mitigation area, as applicable.

(f)"Single specimen tree" means any live tree that stands alone in the landscape so as to be clear of buildings, structures, combustible vegetation, or other trees, and that does not form a means of rapidly transmitting fire from the vegetation to an occupied dwelling or structure or from an occupied dwelling or structure to vegetation.

(g)"State responsibility areas" means those areas identified pursuant to Section 4102 of the Public Resources Code.

(h)"Vegetation" means all plants, including trees, shrubs, grass, and perennial or annual plants.

(i)(1)"Very high fire hazard severity zone" means an area designated as a very high fire hazard severity zone by the State Fire Marshal pursuant to Section 51178 that is not a state responsibility area.

(2)Lands designated as very high fire hazard severity zones pursuant to paragraph (1) shall retain that identification until the State Fire Marshal adopts the wildfire mitigation area regulations pursuant to Section 4202 of the Public Resources Code.

(j)"Wildfire" means an unplanned, unwanted wildland fire, including unauthorized human-caused fires, escaped wildland fire use events, escaped prescribed fire projects, and all other wildland fires where the objective is to extinguish the fire.

(k)"Wildfire mitigation area" means an area designated as a wildfire mitigation area by the State Fire Marshal pursuant to Section 4202 of the Public Resources Code.

SEC. 5.Section 51178 of the Government Code is amended to read:

51178.(a)The State Fire Marshal shall identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather, and other relevant factors including areas where winds have been identified by the Office of the State Fire Marshal as a major cause of wildfire spread.

(b)Areas identified in the state as moderate, high, or very high fire hazard severity zones shall retain that identification until the State Fire Marshal adopts the wildfire mitigation area regulations pursuant to Section 4202 of the Public Resources Code.

(c)This section is repealed upon adoption of the wildfire mitigation area regulations pursuant to Section 4202 of the Public Resources Code.

SEC. 6.Section 51179 of the Government Code is amended to read:

51179.(a)A local agency shall designate, by ordinance, moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the State Fire Marshal pursuant to Section 51178.

(b)(1)A local agency may, at its discretion, include areas within the jurisdiction of the local agency, not identified as very high fire hazard severity zones by the State Fire Marshal, as very high fire hazard severity zones following a finding supported by substantial evidence in the record that the requirements of Section 51182 are necessary for effective fire protection within the area.

(2)A local agency may, at its discretion, include areas within the jurisdiction of the local agency, not identified as moderate and high fire hazard severity zones by the State Fire Marshal, as moderate and high fire hazard severity zones, respectively.

(3)A local agency shall not decrease the level of fire hazard severity zone as identified by the State Fire Marshal for any area within the jurisdiction of the local agency, and, in exercising its discretion pursuant to paragraph (2), may only increase the level of fire hazard severity zone as identified by the State Fire Marshal for any area within the jurisdiction of the local agency.

(c)The local agency shall transmit a copy of an ordinance adopted pursuant to subdivision (a) to the State Board of Forestry and Fire Protection within 30 days of adoption.

(d)Changes made by a local agency to the recommendations made by the State Fire Marshal shall be final and shall not be rebuttable by the State Fire Marshal.

(e)The State Fire Marshal shall prepare and adopt a model ordinance that provides for the establishment of very high fire hazard severity zones.

(f)Any ordinance adopted by a local agency pursuant to this section that substantially conforms to the model ordinance of the State Fire Marshal shall be presumed to be in compliance with the requirements of this section.

(g)A local agency shall post a notice at the office of the county recorder, county assessor, and county planning agency identifying the location of the map provided by the State Fire Marshal pursuant to Section 51178. If the agency amends the map, pursuant to subdivision (b) or (c) of this section, the notice shall instead identify the location of the amended map.

(h)This section is repealed upon the adoption of the wildfire mitigation area regulations pursuant to Section 4202 of the Public Resources Code.

SEC. 7.Section 51181 of the Government Code is repealed.

SEC. 8.Section 51182 of the Government Code is amended to read:

51182.(a)A person who owns, leases, controls, operates, or maintains an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high fire hazard severity zone designated by the local agency pursuant to Section 51179, shall at all times do all of the following:

(1)(A)Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line except as provided in subparagraph (B). The amount of fuel modification necessary shall consider the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained and spaced in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This subparagraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation or to interrupt the advance of embers toward a structure. The intensity of fuels management may vary within the 100-foot perimeter of the structure, with more intense fuel reductions being used between 5 and 30 feet around the structure, and an ember-resistant zone being required within 5 feet of the structure, based on regulations promulgated by the State Board of Forestry and Fire Protection, in consultation with the Office of the State Fire Marshal, to consider the elimination of materials in the ember-resistant zone that would likely be ignited by embers. Consistent with fuels management objectives, steps should be taken to minimize erosion, soil disturbance, and the spread of flammable nonnative grasses and weeds.

(B)A greater distance than that required under subparagraph (A) may be required by state law, local ordinance, rule, or regulation. Fuel modification beyond the property line may only be required by state law, local ordinance, rule, or regulation in order to maintain 100 feet of defensible space from a structure. Fuel modification on adjacent property shall only be conducted following written consent by the adjacent landowner. Any local ordinance related to fuel modification shall be in compliance with all applicable state laws, regulations, and policies. Any local ordinance may include provisions to allocate costs for any fuel modification beyond the property line.

(C)An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under subparagraph (A) if a fire expert, designated by the fire chief or fire official from the authority having jurisdiction, provides findings that the fuel modification is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.

(2)Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.

(3)Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.

(4)Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

(5)Before constructing a new dwelling or structure that will be occupied or rebuilding an occupied dwelling or occupied structure damaged by a fire in that zone, the construction or rebuilding of which requires a building permit, the owner shall obtain a certification from the local building official that the dwelling or structure, as

proposed to be built, complies with all applicable state and local building standards, including those described in subdivision (b) of Section 51189, and shall provide a copy of the certification, upon request, to the insurer providing course of construction insurance coverage for the building or structure. Upon completion of the construction or rebuilding, the owner shall obtain from the local building official a copy of the final inspection report that demonstrates that the dwelling or structure was constructed in compliance with all applicable state and local building standards, including those described in subdivision (b) of Section 51189, and shall provide a copy of the report, upon request, to the property insurance carrier that insures the dwelling or structure.

(b)A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the consent of the owner of the property.

(c)(1)The State Board of Forestry and Fire Protection, in consultation with the Office of the State Fire Marshal, shall develop, periodically update, and post on its internet website a guidance document on fuels management pursuant to this chapter. The guidance document shall include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species that are fire resistant or drought tolerant, or both, minimize erosion, minimize the spread of flammable nonnative grasses and weeds, minimize water consumption, and permit trees and shrubs near homes for shade, aesthetics, and habitat; and suggestions to minimize or eliminate the risk of flammability of nonvegetative sources of combustion such as woodpiles, propane tanks, decks, and outdoor lawn furniture.

(2)On or before January 1, 2023, the State Board of Forestry and Fire Protection, in consultation with the Office of the State Fire Marshal, shall update the guidance document to include suggestions for creating an ember-resistant zone within five feet of a structure based on regulations promulgated by the State Board of Forestry and Fire Protection, in consultation with the Office of the State Fire Marshal, to consider the elimination of materials in the ember-resistant zone that would likely be ignited by embers.

(d)For purposes of this section, a structure for the purpose of an ember-resistant zone shall include any attached deck. This section does not limit the authority of the State Board of Forestry and Fire Protection or the Office of the State Fire Marshal to require the removal of fuel or vegetation on top of or underneath a deck pursuant to this section.

(e)This section is repealed upon the adoption of regulations pursuant to Section 51182.1.

SEC. 9.Section 51182 is added to the Government Code, to read:

51182.(a)A person who owns, leases, controls, operates, or maintains an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within the wildfire mitigation area, shall at all times do all of the following:

(1)(A)Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line except as provided in subparagraph (B). The amount of fuel modification necessary shall consider the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained and spaced in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This subparagraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation or to interrupt the advance of embers toward a structure. The intensity of fuels management may vary within the 100-foot perimeter of the structure, with more intense fuel reductions being used between 5 and 30 feet around the structure, and an ember-resistant zone being required within 5 feet of the structure, based on regulations promulgated by the State Fire Marshal, to consider the elimination of materials in the ember-resistant zone that would likely be ignited by embers. Consistent with fuels management objectives, steps should be taken to minimize erosion, soil disturbance, and the spread of flammable nonnative grasses and weeds.

(B)A greater distance than that required under subparagraph (A) may be required by state law, local ordinance, rule, or regulation. Fuel modification beyond the property line may only be required by state law, local ordinance, rule, or regulation in order to maintain 100 feet of defensible space from a structure. Fuel modification on adjacent property shall only be conducted following written consent by the adjacent landowner. Any local ordinance related to fuel modification shall be in compliance with all applicable state laws, regulations, and policies. Any local ordinance may include provisions to allocate costs for any fuel modification beyond the property line.

(C)An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under subparagraph (A) if a fire expert, designated by the fire chief or fire official from the authority having jurisdiction, provides findings that the fuel modification is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.

(2)Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.

(3)Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.

(4)Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

(5)Before constructing a new dwelling or structure that will be occupied or rebuilding an occupied dwelling or occupied structure damaged by a fire in that zone, the construction or rebuilding of which requires a building permit, the owner shall obtain a certification from the local building official that the dwelling or structure, as proposed to be built, complies with all applicable state and local building standards, including those described in subdivision (b) of Section 51189, and shall provide a copy of the certification, upon request, to the insurer providing course of construction insurance coverage for the building or structure. Upon completion of the construction or rebuilding, the owner shall obtain from the local building official a copy of the final inspection report that demonstrates that the dwelling or structure was constructed in compliance with all applicable state and local building standards, including those described in subdivision (b) of Section 51189, and shall provide a copy of the report, upon request, to the property insurance carrier that insures the dwelling or structure.

(b)A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the consent of the owner of the property.

(c)The State Fire Marshal shall develop, periodically update, and post on its internet website a guidance document on fuels management pursuant to this chapter. The guidance document shall include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species that are fire resistant or drought tolerant, or both, minimize erosion, minimize the spread of flammable nonnative grasses and weeds, minimize water consumption, and permit trees and shrubs near homes for shade, aesthetics, and habitat; suggestions to minimize or eliminate the risk of flammability of nonvegetative sources of combustion such as woodpiles, propane tanks, decks, and outdoor lawn furniture; and suggestions for creating an ember-resistant zone within five feet of a structure based on regulations promulgated by the State Fire Marshal to consider the elimination of materials in the ember-resistant zone that would likely be ignited by embers.

(d)For purposes of this section, a structure for the purpose of an ember-resistant zone shall include any attached deck. This section does not limit the authority of the State Fire Marshal to require the removal of fuel or vegetation on top of or underneath a deck pursuant to this section.

(e)This section shall become operative upon the adoption of the regulations pursuant to Section 51182.1.

SEC. 10.Section 51182.1 is added to the Government Code, to read:

51182.1.The State Fire Marshal shall adopt regulations to implement Section 51182, as added by Senate Bill 610 of the 2023–24 Regular Session. The State Fire Marshal shall, within two business days of the adoption of the

~~regulations, provide notice on its internet website that the regulations have been adopted.~~

~~SEC. 11.Section 13108.4 is added to the Health and Safety Code, to read:~~

~~13108.4.The State Fire Marshal shall establish wildfire mitigation measures in the wildfire mitigation area, as designated by the State Fire Marshal pursuant to Section 4202 of the Public Resources Code. Wildfire mitigation measures required under this section shall include, but not be limited to, all of the following:~~

~~(a)Wildland Urban Interface building standards, as part of the process described in Section 13108.5.~~

~~(b)Statewide minimum fire safety regulations, pursuant to Sections 4290 and 4290.1 of the Public Resources Code.~~

~~(c)State defensible space requirements, pursuant to Section 4291 of the Public Resources Code.~~

~~(d)Real estate hazard disclosure requirements.~~

~~(e)Defensible space real estate compliance requirements, pursuant to Section 1102.19 of the Civil Code.~~

~~(f)Subdivision review requirements.~~

~~(g)Safety element review requirements, pursuant to Section 65302.5 of the Government Code.~~

~~SEC. 12.Section 13108.5 of the Health and Safety Code is amended to read:~~

~~13108.5.(a)The State Fire Marshal, before the adoption of the wildfire mitigation area regulations pursuant to Section 4202 of the Public Resources Code, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development, shall, pursuant to Section 18930, propose fire protection building standards for roofs, exterior walls, structure projections, including, but not limited to, porches, decks, balconies, and eaves, and structure openings, including, but not limited to, attic and eave vents and windows of buildings in fire hazard severity zones, including very high fire hazard severity zones designated by the State Fire Marshal pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code.~~

~~(b)(1)Building standards adopted pursuant to this section before the adoption of the building standards described in subdivision (d) shall also apply to buildings located in very high fire hazard severity zones designated pursuant to Chapter 6.8 (commencing with Section 51175) of Part 1 of Division 1 of Title 5 of the Government Code, and other areas designated by a local agency following a finding supported by substantial evidence in the record that the requirements of the building standards adopted pursuant to this section are necessary for effective fire protection within the area.~~

~~(2)Before the adoption of the wildfire mitigation area pursuant to Section 4202 of the Public Resources Code, and upon identification by the Director of Forestry and Fire Protection pursuant to Section 51178 of the Government Code of high fire hazard severity zones and by a local agency pursuant to Section 51179 of the Government Code, the Office of the State Fire Marshal and the Department of Housing and Community Development shall propose, and the California Building Standards Commission shall adopt, expanded application of the building standards adopted pursuant to this section to high fire hazard severity zones during the next triennially occurring code adoption cycle.~~

~~(3)The State Fire Marshal and the Department of Housing and Community Development shall, after consulting with interested stakeholders, including local fire officials, and before the adoption of the wildfire mitigation area pursuant to Section 4202 of the Public Resources Code, consider if it is appropriate to expand application of the building standards adopted pursuant to this section to moderate fire hazard severity zones. If it is found appropriate, the State Fire Marshal and the Department of Housing and Community Development shall, pursuant to Section 18930, recommend expanding the application of the building standards adopted pursuant to this section to moderate fire hazard severity zones.~~

~~(c)(1)Those building standards adopted pursuant to this section before the adoption of the standards described in subdivision (d) shall also apply to buildings located in urban wildland interface communities. A local agency may, at its discretion, include in or exclude from the requirements of these building standards any area in its jurisdiction following a finding supported by substantial evidence in the record at a public hearing that the requirements of these building standards are necessary or not necessary, respectively, for effective fire protection within the area. Changes made by a local agency to an urban wildland interface community area following a finding supported by substantial evidence in the record shall be final and shall not be rebuttable.~~

~~(2)For purposes of this subdivision, "urban wildland interface community" means a community listed in "Communities at Risk from Wild Fires," produced by the California Department of Forestry and Fire Protection, Fire and Resource Assessment Program, pursuant to the National Fire Plan, federal Fiscal Year 2001 Department of the Interior and Related Agencies Appropriations Act (Public Law 106-291).~~

~~(d)(1)The State Fire Marshal, in consultation with the Director of Housing and Community Development, shall, pursuant to Section 18930, propose fire protection building standards for roofs, exterior walls, structure projections, including, but not limited to, porches, decks, balconies, and eaves, and structure openings, including, but not limited to, attic and eave vents and windows of buildings in the wildfire mitigation area designated by the State Fire Marshal pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code.~~

~~(2)The Office of the State Fire Marshal and the Department of Housing and Community Development shall propose, and the California Building Standards Commission shall adopt, the building standards adopted pursuant to this subdivision to the wildfire mitigation area during the next triennially occurring code adoption cycle.~~

~~SEC. 13.Section 4201 of the Public Resources Code is amended to read:~~

~~4201.The purpose of this article is to provide for the classification of lands within the state in accordance with the wildfire hazard present for the purpose of identifying mitigation measures to be taken to prepare communities for the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.~~

~~SEC. 14.Section 4202 of the Public Resources Code is amended to read:~~

~~4202.The State Fire Marshal shall designate, by regulation, a wildfire mitigation area within the state, excluding federal lands. The wildfire mitigation area shall be based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by the director as a major cause of wildfire spread. The State Fire Marshal shall, within two business days of the adoption of the regulations, provide notice on its internet website that the regulations have been adopted.~~

~~SEC. 15.Section 4203 of the Public Resources Code is amended to read:~~

~~4203.(a)When the State Fire Marshal publishes the notice of proposed action concerning the wildfire mitigation area described in Section 4202 in the California Notice Register, the State Fire Marshal shall also transmit a copy to the board of supervisors of the county and the city council of each city in which the wildfire mitigation area is located.~~

~~(b)The State Fire Marshal shall conduct at least three public hearings during the rulemaking process.~~

~~SEC. 16.Section 4204 of the Public Resources Code is amended to read:~~

~~4204.(a)The State Fire Marshal shall periodically review, and, if necessary, update the wildfire mitigation area. Any revision of the wildfire mitigation area shall conform to the requirements of Section 4203. In addition, any update to the wildfire mitigation area may be petitioned pursuant to Sections 11340.6 and 11340.7 of the Government Code.~~

~~(b)Notwithstanding subdivision (a), the State Fire Marshal shall annually account for modifications to the state responsibility area as adopted by the board, pursuant to Section 4125, and make any necessary adjustments to the wildfire mitigation area. Any revisions to the wildfire mitigation area from the annual review are not subject to~~

~~the adoption requirements of this chapter, nor the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).~~

~~SEC. 17.Section 4290 of the Public Resources Code is amended to read:~~

~~4290.(a)The board shall adopt regulations implementing minimum fire safety standards related to defensible space that are applicable to state responsibility area lands under the authority of the department, and to lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code. These regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991, and within lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code after July 1, 2021. The board may not adopt building standards, as defined in Section 18909 of the Health and Safety Code, under the authority of this section. As an integral part of fire safety standards, the State Fire Marshal has the authority to adopt regulations for roof coverings and openings into the attic areas of buildings specified in Section 13108.5 of the Health and Safety Code. The regulations apply to the placement of mobile homes as defined by National Fire Protection Association standards. These regulations do not apply where an application for a building permit was filed prior to January 1, 1991, or to parcel or tentative maps or other developments approved prior to January 1, 1991, if the final map for the tentative map is approved within the time prescribed by the local ordinance. The regulations shall include all of the following:~~

~~(1)Road standards for fire equipment access.~~

~~(2)Standards for signs identifying streets, roads, and buildings.~~

~~(3)Minimum private water supply reserves for emergency fire use.~~

~~(4)Fuel breaks and greenbelts.~~

~~(b)The board shall, on and after July 1, 2021, periodically update regulations for fuel breaks and greenbelts near communities to provide greater fire safety for the perimeters to all residential, commercial, and industrial building construction within state responsibility areas and lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code, after July 1, 2021. These regulations shall include measures to preserve undeveloped ridgelines to reduce fire risk and improve fire protection. The board shall, by regulation, define "ridgeline" for purposes of this subdivision.~~

~~(c)These regulations do not supersede local regulations that equal or exceed minimum regulations adopted by the state.~~

~~(d)The board may enter into contracts with technical experts to meet the requirements of this section.~~

~~(e)This section is repealed upon the adoption of regulations pursuant to Section 4290.05.~~

~~SEC. 18.Section 4290 is added to the Public Resources Code, to read:~~

~~4290.(a)The State Fire Marshal shall adopt regulations implementing minimum fire safety standards related to lands within the wildfire mitigation area, as designated pursuant to Section 4202. These regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991, and within the wildfire mitigation area, as designated pursuant to Section 4202. As an integral part of fire safety standards, the State Fire Marshal has the authority to adopt regulations for roof coverings and openings into the attic areas of buildings specified in Section 13108.5 of the Health and Safety Code. The regulations apply to the placement of mobile homes as defined by National Fire Protection Association standards. These regulations do not apply where an application for a building permit was filed prior to January 1, 1991, or to parcel or tentative maps or other developments approved prior to January 1, 1991, if the final map for the tentative map is approved within the time prescribed by the local ordinance. The regulations shall include all of the following:~~

~~(1)Road standards for fire equipment access.~~

~~(2)Standards for signs identifying streets, roads, and buildings.~~

~~(3)Minimum private water supply reserves for emergency fire use.~~

~~(4)Fuel breaks and greenbelts.~~

~~(b)The State Fire Marshal shall periodically update regulations for fuel breaks and greenbelts near communities to provide greater fire safety for the perimeters to all residential, commercial, and industrial building construction within the wildfire mitigation area, as designated pursuant to Section 4202.~~

~~(c)These regulations do not supersede local regulations that equal or exceed minimum regulations adopted by the state.~~

~~(d)The State Fire Marshal may enter into contracts with technical experts to meet the requirements of this section.~~

~~(e)This section shall become operative upon the adoption of regulations pursuant to Section 4290.05.~~

~~SEC. 19.Section 4290.05 is added to the Public Resources Code, immediately following Section 4290, to read:~~

~~4290.05.The State Fire Marshal shall adopt regulations to implement Section 4290, as added by Senate Bill 610 of the 2023–24 Regular Session. The State Fire Marshal shall, within two business days of the adoption of the regulations, provide notice on its internet website that the regulations have been adopted.~~

~~SEC. 20.Section 4291 of the Public Resources Code is amended to read:~~

~~4291.(a)A person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material, shall at all times do all of the following:~~

~~(1)(A)Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line, except as provided in subparagraph (B). The amount of fuel modification necessary shall consider the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained and spaced in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This subparagraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation or to interrupt the advance of embers toward a structure. The intensity of fuels management may vary within the 100-foot perimeter of the structure, with more intense fuel reductions being utilized between 0 and 5 feet of the structure and between 5 and 30 feet around the structure. Consistent with fuels management objectives, steps should be taken to minimize erosion, soil disturbance, and the spread of flammable nonnative grasses and weeds. For purposes of this subparagraph, "fuel" means any combustible material, including petroleum-based products, cultivated landscape plants, grasses, and weeds, and wildland vegetation.~~

~~(B)A greater distance than that required under subparagraph (A) may be required by state law, local ordinance, rule, or regulation. Fuel modification beyond the property line may only be required by state law, local ordinance, rule, or regulation in order to maintain 100 feet of defensible space from a structure. Fuel modification on adjacent property shall only be conducted following written consent by the adjacent landowner. Any local ordinance related to fuel modification shall be in compliance with all applicable state laws, regulations, and policies. Any local ordinance may include provisions to allocate costs for any fuel modification beyond the property line.~~

~~(C)An insurance company that insures an occupied dwelling or occupied structure may require a greater distance~~

than that required under subparagraph (A) if a fire expert, designated by the director, provides findings that the fuel modification is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.

(2)Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.

(3)Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.

(4)Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

(5)Before constructing a new building or structure or rebuilding a building or structure damaged by a fire in an area subject to this section, the construction or rebuilding of which requires a building permit, the owner shall obtain a certification from the local building official that the dwelling or structure, as proposed to be built, complies with all applicable state and local building standards, including those described in subdivision (b) of Section 51189 of the Government Code, and shall provide a copy of the certification, upon request, to the insurer providing course of construction insurance coverage for the building or structure. Upon completion of the construction or rebuilding, the owner shall obtain from the local building official a copy of the final inspection report that demonstrates that the dwelling or structure was constructed in compliance with all applicable state and local building standards, including those described in subdivision (b) of Section 51189 of the Government Code, and shall provide a copy of the report, upon request, to the property insurance carrier that insures the dwelling or structure.

(b)A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the consent of the owner of the property.

(c)The State Fire Marshal shall, in consultation with the board, adopt regulations implementing defensible space standards related to lands within the wildfire mitigation area, as designated pursuant to Section 4202.

(d)(1)Except as provided in Section 18930 of the Health and Safety Code, the State Fire Marshal may adopt regulations exempting a structure with an exterior constructed entirely of nonflammable materials, or, conditioned upon the contents and composition of the structure, the director may vary the requirements respecting the removing or clearing away of flammable vegetation or other combustible growth with respect to the area surrounding those structures.

(2)An exemption or variance under paragraph (1) shall not apply unless and until the occupant of the structure, or if there is not an occupant, the owner of the structure, files with the State Fire Marshal, in a form as the State Fire Marshal shall prescribe, a written consent to the inspection of the interior and contents of the structure to ascertain whether this section and the regulations adopted under this section are complied with at all times.

(e)The State Fire Marshal may authorize the removal of vegetation that is not consistent with the standards of this section. The State Fire Marshal may prescribe a procedure for the removal of that vegetation and make the expense a lien upon the building, structure, or grounds, in the same manner that is applicable to a legislative body under Section 51186 of the Government Code.

(f)The State Fire Marshal shall develop, periodically update, and post on its internet website a guidance document on fuels management pursuant to this chapter. The guidance document shall include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species that are fire resistant or drought tolerant, or both, minimize erosion, minimize water consumption, and permit trees near homes for shade, aesthetics, and habitat; suggestions to minimize or eliminate the risk of flammability of nonvegetative sources of combustion, such as woodpiles, propane tanks, decks, outdoor furniture, barbecue equipment, and outdoor fire pits.

~~(g)For purposes of this section, a structure for the purpose of an ember-resistant zone shall include any attached deck. This section does not limit the authority of the State Fire Marshal to require the removal of fuel or vegetation on top of or underneath a deck pursuant to this section.~~

~~(h)As used in this section, "person" means a private individual, organization, partnership, limited liability company, or corporation.~~

~~SEC. 21.No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.~~

~~However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

Agenda Item No.: 15.A
Mtg. Date: 08/12/2024

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

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

THRU: **KARINA BAÑALES, CITY MANAGER**

SUBJECT: **RECEIVE AND FILE FIRE FUEL ABATEMENT AND CODE ENFORCEMENT QUARTERLY REPORT FOR THE SECOND QUARTER OF 2024 (APRIL 1 TO JUNE 30)**

DATE: **August 12, 2024**

BACKGROUND:

Quarterly Fire Fuel Abatement Meeting

On July 25, 2024, a quarterly fire fuel meeting was held to discuss fire fuel issues in Rolling Hills. Representatives from various agencies attended, including the Los Angeles County Fire Department (LACFD), Los Angeles County Department of Agricultural Commissioner/Weights and Measures (LACWM), Palos Verdes Peninsula Land Conservancy (PVPLC), and Southern California Edison (SCE). Each agency is responsible for reducing fire fuel hazards in the city. LACFD does annual inspections of each developed property, and LACWM inspects vacant properties to ensure proper fire fuel reduction. PVPLC continues to mow areas in the land conservancy south of the City and reported less invasive growth and better native vegetation growth. SCE monitors vegetation growth around its powerlines and sends crews to trim vegetation when necessary. Rolling Hills Community Association (RHCA) was not present at the meeting but is responsible for clearing dead vegetation in street easements and trails.

Code Enforcement Cases

The Code Enforcement Division provides quarterly updates. Cases include dead vegetation and other code violations for the second quarter of 2024. The attachments demonstrate cases that have been opened and closed during the quarter. Also included is a list of cumulative open cases (See Attachments 1, 2, and 3).

DISCUSSION:

During the second quarter of 2024, a total of 9 cases were closed, including 4 dealing with vegetation or dead trees; 12 cases were opened, including 8 involving overgrown vegetation or dead trees. All but 1 of the 8 cases opened this quarter involving overgrown vegetation or dead trees were closed (5 of which were closed in the current quarter). Currently, code enforcement is working on 11 open cases, of which 4 deal with overgrown vegetation or dead trees. Each case is unique, and some require more time than others to resolve. In certain

cases, in which the owner is nonresponsive and remains out of compliance, cases have been referred to the City Attorney's office.

FISCAL IMPACT:
Code enforcement services is provided contractually, and payment is made from the General Fund.

RECOMMENDATION:
Receive and file.

ATTACHMENTS:
ATTACHMENT 1: CE_QRP_2024_Q2_240812_CC_CE_ClosedCases.pdf
ATTACHMENT 2: CE_QRP_2024_Q2_240812_CC_CE_OpenedCases.pdf
ATTACHMENT 3: CE_QRP_2024_Q2_240812_CC_CE_AllOpenCases.pdf

Case Report – CLOSED CASES
Q2 2024

04/01/2024 - 06/30/2024

Case Date	Address of Violation	Description	Main Status	Case Closed
5/7/2024	2958 Palos Verdes Drive N	Dried collected vegetation	Closed	5/28/2024
4/23/2024	17 Chuckwagon Rd	Garage conversion to bedroom and bathroom - UNSUBSTANTIATED	Closed	5/2/2024
4/18/2024	17 Chuckwagon Rd	Garage conversion to bedroom and bathroom - UNSUBSTANTIATED	Closed	5/2/2024
3/26/2024	68 Saddleback Rd	Dried Vegetation (Fallen Tree)	Closed	4/16/2024
2/14/2024	17 Chuckwagon Rd	Garage conversion to bedroom and bathroom - UNSUBSTANTIATED	Closed	5/2/2024
2/13/2024	18 Poppy Trail	Broken pipe causing erosion on neighboring property.	Closed	5/28/2024
1/23/2024	2 Spur Lane	Tumbleweeds and dead vegetation.	Closed	4/16/2024
10/5/2023	5 Outrider Rd	Dog on the loose	Closed	4/18/2024
6/9/2022	4 Spur Ln.	Dead/Dry vegetation	Closed	4/30/2024

Total Records: 9 **8/6/2024**

Case Report – OPENED CASES
Q2 2024

04/01/2024 - 06/30/2024

Case Date	Address of Violation	Description	Main Status
6/18/2024	2 Chestnut Ln	Dead Vegetation on the back side of property (Visible on Morgan Lane)	Closed
6/11/2024	7 Ranchero Rd	Overgrown Vegetation and Trash/Debris	Closed
6/11/2024	9 Buggy Whip Dr	Overgrown Vegetation (Yellow mustard)	Closed
6/11/2024	4 Buggy Whip Dr	Dead vegetation on fence	Closed
6/4/2024	49 Saddleback Rd	Overgrown weeds and vegetation	Closed
5/28/2024	10 Flying Mane Rd	Illegal grading and retaining walls	Open
5/7/2024	2958 Palos Verdes Drive N	Dried collected vegetation	Closed
5/7/2024	1 Roundup Rd	Overgrown Vegetation, decayed property, and vermin	Closed
4/25/2024	20 Portuguese Bend Rd	Dead Tree	Open
4/23/2024	17 Chuckwagon Rd	Garage conversion to bedroom and bathroom - UNSUBSTANTIATED	Closed
4/18/2024	17 Chuckwagon Rd	Garage conversion to bedroom and bathroom - UNSUBSTANTIATED	Closed
4/9/2024	8 Quail Ridge Rd N	Unpermitted Building	Open

Total Records: 12 **8/6/2024**

Case Report – ALL OPEN CASES

As of 8/6/2024

Case Date	Address of Violation	Description	Follow UP	Follow Up Date	Main Status
5/28/2024	10 Flying Mane Rd	Illegal grading and retaining walls	Message left; follow-up needed	8/13/2024	Open
4/25/2024	20 Portuguese Bend Rd	Dead Tree	Letter of abatement being drafted	8/13/2024	Open
4/9/2024	8 Quail Ridge Rd N	Unpermitted Building	Owner working with staff to obtain proper permits	9/3/2024	Open
2/29/2024	6 Saddleback Rd	Debris and other material improperly stored on site.	CC hearing on 8/12/24	8/12/2024	Open
11/7/2023	16 Buggy Whip Dr	2nd Violation of Trees in Violation of Conditions of Approval	Follow-up needed	8/13/2024	Open
11/2/2023	17 Eastfield Dr	Unpermitted construction.	Property listed for sale; owner still responsible for correction	8/13/2024	Open
7/13/2023	79 Eastfield Dr	Overgrown vegetation/unfinished construction	Referred to City Attorney; vegetation cleared but construction remains	--	Open
6/22/2023	4 Possum Ridge Rd	Unpermitted work/grading	Planning application required	8/13/2024	Open
9/22/2022	29 Middleridge Ln S	Extensive grading and importing of soil. Dead shrubs/trees/vegetation visible from road	Approved by PC; Follow-up on grading permit	--	Open
7/6/2021	1 Chestnut Ln	Unpermitted structure (gazebo)	Approved by PC; Follow-up with building permit	--	Open
11/1/2019	2950 Palos Verdes Dr N	Red-tagged residence	Referred to City Attorney; property recently sold	--	Open

Total Records: 11 **8/6/2024**

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 16.A
Mtg. Date: 08/12/2024

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

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

THRU: **KARINA BAÑALES, CITY MANAGER**

SUBJECT: **CONFERENCE WITH LEGAL COUNSEL: THREATENED LITIGATION GOVERNMENT CODE SECTION 54956.9(D)(2) AND (E)(3)**
THE CITY COUNCIL FINDS, BASED ON ADVICE FROM LEGAL COUNSEL, THAT DISCUSSION IN OPEN SESSION WILL PREJUDICE THE POSITION OF THE CITY IN THE LITIGATION.
NUMBER OF POTENTIAL CASES: (21)
(GOVERNMENT CLAIMS ACT FORM SUBMITTED BY VARIOUS PROPERTY OWNERS IN RANCHO PALOS VERDES AGAINST THE CITY OF ROLLING HILLS ALLEGING DAMAGE TO PROPERTY)

DATE: **August 12, 2024**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
None.

ATTACHMENTS:

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 16.B
Mtg. Date: 08/12/2024

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

FROM: **KARINA BAÑALES, CITY MANAGER**

THRU: **KARINA BAÑALES, CITY MANAGER**

SUBJECT: **CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION A CLOSED SESSION WILL BE HELD, PURSUANT TO GOVERNMENT CODE SECTION 54956.9(C) AND (D)(4) REGARDING THE DECISION OF WHETHER TO INITIATE LITIGATION (1 CASE)**

DATE: **August 12, 2024**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
None.

ATTACHMENTS: