City of Rolling Hills INCORPORATED JANUARY 24, 1957

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

AGENDA
Regular Planning Commission Meeting

PLANNING COMMISSION
Tuesday, June 21, 2022

CITY OF ROLLING HILLS
6:30 PM

Executive Order N-29-20

This meeting is held pursuant to Executive Order N-29-20 issued by Governor Newsom on March 17, 2020. All Planning Commissioners will participate by teleconference. Public Participation: City Hall will be closed to the public until further notice.

A live audio of the Planning Commission meeting will be available on the City's website (https://www.rolling-hills.org/PC%20Meeting%20Zoom%20Link.pdf).

The meeting agenda is also available on the City's website (https://www.rolling-hills.org/government/agenda/index.php).

Join Zoom Meeting via:
https://us02web.zoom.us/j/99343882035?pwd=MWZXaG9ISWdud3NpajYwY3dF bllFZz09
Meeting ID: 993 4388 2035 Passcode: 647943

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

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVE ORDER OF THE AGENDA

This is the appropriate time for the Chair or Commissioners to approve the agenda as is or reorder.

5. BLUE FOLDER ITEMS (SUPPLEMENTAL)

Blue folder items are additional back up material to administrative reports and/or public comments received after the printing and distribution of the agenda packet for receive and file.

6. PUBLIC COMMENTS ON NON-AGENDA ITEMS

This section is intended to provide members of the public with the opportunity to comment on any subject thatdoes not appear on this agenda for action. Each speaker will be permitted to speak only once. Writtenrequests, if any, will be considered first under this section.

7. CONSENT CALENDAR

Business items, except those formally noticed for public hearing, or those pulled for discussion are assigned to the Consent Calendar. The Chair or any Commissioner 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 Chair will call on anyone wishing to address the Commission on any Consent Calendar item on the agenda, which has not been pulled by Commission for discussion.

7.A. CONTINUATION OF REMOTE CITY COUNCIL AND COMMISSION MEETINGS DURING THE MONTH OF JUNE, 2022 PURSUANT TO THE REQUIREMENTS OF AB 361.
RECOMMENDATION: Approve as presented.

7.B. APPROVE THE FOLLOWING MINUTES: MAY 17, 2021, PLANNING COMMISSION SPECIAL FIELD TRIP MEETING; MAY 17, 2021, PLANNING COMMISSION REGULAR MEETING
RECOMMENDATION: Approve as presented.
CL_MIN_220517_PC_FieldTrip_F.pdf
CL_MIN_220517_PC_F.pdf

8. EXCLUDED CONSENT CALENDAR ITEMS

9. PUBLIC HEARINGS ON ITEMS CONTINUED FROM PREVIOUS MEETING

9.A. ZONING CASE NO. 21-02: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW TO DEMOLISH AN EXISTING RESIDENCE AND CONSTRUCT A NEW 5,215-SQUARE-FOOT SINGLE-FAMILY RESIDENCE AND RELATED IMPROVEMENTS; AND A VARIANCE TO CONSTRUCT A FIVE-FOOT-HIGH RETAINING WALL IN THE SETBACK AREA AND CONDUCT NON-EXEMPT GRADING ON A PROPERTY LOCATED AT 11 FLYING MANE ROAD (LOT 53-SF), ROLLING HILLS, CA (NEVENKA LCC)
RECOMMENDATION:

Adopt Resolution No. 2022-07 approving Zoning Case No. 21-02 for a Site Plan Review to demolish a residence and construct a new 5,215-square-foot single-family residence and related improvements; and a Variance to construct a five-foot-high retaining wall in the setback area and conduct non-exempt grading.

Vicinity Map - 11 Flying Mane Rd.pdf
Development Table (ZC 21-02)_V3.pdf
2022-07_PC_Resolution_11FlyingManeRoad_ZC 21-02.pdf
Traffic Engineer's Memo - M01 11 Flying Mane.pdf
C-City Grading Plan_C(6.6.22).pdf
11 Flying Mane - RHCA - 22 0527-reduced.pdf

10. NEW PUBLIC HEARINGS

10.A. ZONING CASE NO. 22-44: REQUEST FOR APPROVAL OF A SECOND MAJOR MODIFICATION TO A SITE PLAN REVIEW TO RELOCATE THE DRIVEWAY APRON, CONSTRUCT MAXIMUM FIVE-FOOT-HIGH RETAINING WALLS, AND

FOR NON-EXEMPT GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A 750-SQUARE-FOOT STABLE AND CORRAL; AND VARIANCE REQUESTS TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE, CONSTRUCT A STABLE AND CORRAL IN THE FRONT YARD, CONSTRUCT IN THE FRONT SETBACK AREA, AND FOR RETAINING WALLS THAT EXCEED A HEIGHT OF 3 FEET UP TO A MAXIMUM OF 5 FEET IN THE FRONT YARD SETBACK FOR A PROPERTY Â LOCATED AT 8 MIDDLERIDGE LANE SOUTH (LOT 254-UR), ROLLING HILLS, CA 90274 (CIMMARUSTI)

RECOMMENDATION: Open the public hearing, receive public testimony, discuss the project, and adopt Resolution No. 2022-08 approving the project as presented.

Vicinity Map.pdf
220616_8MiddleridgeLnS_ZC22-44_Development Table.pdf
EARTH-INFO-6-15-22.pdf
Memo from Traffic Engineer 052022.pdf
220512_8MiddleridgeLnS_ZC22-44_Driveway Location Pictures.pdf
Resolution No. 2022-08 - 8MiddleridgeLn_S_ZC 22-44-PROPOSED.pdf
Resolution No. 2022-04 - 8 Middleridge Lane South ZC 21-10-CORRECT.pdf
Resolution No. 2021-11 for Time Ext (ZC 956) 8 Middleridge Ln S.pdf
Resolution No. 2019-13 8 Middleridge Lane South.pdf
ARCH-SITE PLAN-6-16-22 11X17.pdf
220615_8MiddleridgeLnS_ZC22-44_11x17 Site Plan.pdf
220615_8MiddleridgeLnS_ZC22-44_11x17 Barn Plans.pdf
220615_8MiddleridgeLnS_ZC22-44_CutFill Plans.pdf
220615_8MiddleridgeLnS_ZC22-44_Slope Plans.pdf

10.B. RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING CHAPTER 17.28 OF THE MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

RECOMMENDATION:

1. **Open the public hearing, receive public testimony, close the public hearing; and**
2. **Adopt the Resolution (Attachment 1), which:**
    a. **Recommends that the City Council adopt the proposed Ordinance (Attachment 2) amending RHMC Chapter 17.28 regarding ADUs and JADUs; and**
    b. **Finds that the adoption of the proposed Ordinance is statutorily exempt from review under CEQA pursuant to Public Resources section 21080.17.**

Attachment 1 - 2022-09_PC_Resolution__ADU_Ordinance.pdf
Attachment 2 - 2022-09_PC_Resolution_Exhibit_A_ADU_Ordinance.pdf
Attachment 3 - REDLINE-c1.pdf

10.C. RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

RECOMMENDATION:

1. **Open the public hearing, receive public testimony, close the public**

hearing; and

2. **Adopt the Resolution (Attachment 1), which:**
    a. **Recommends that the City Council adopt the proposed Ordinance (Attachment 2) amending various sections of the RHMC to ensure consistency with State law regarding employee, supportive, and transitional housing; and**
    b. **Finds that the adoption of the Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3).**

Attachment 1 - Resolution No. 2022-10_Employee_Supportive_Transitional_Housing.pdf
Attachment 2 - Ordinance No. 377-Employee_Supportive_Transitional_Housing.pdf

10.D. RECOMMENDATION TO ADOPT A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTION 17.19.030 OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO FAMILY DAY CARE HOMES

RECOMMENDATION: Review and approve as presented.

Attachment 1 - Resolution No. 2022-11_Family_Day_Care_Homes.pdf
Attached 2 - Ordinance No. 378_Family_Day_Care__Homes.A.pdf

10.E. RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE ADDING CHAPTER 17.62 TO THE ROLLING HILLS MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

RECOMMENDATION:

1. **Open the public hearing, receive public testimony, close the public hearing; and**
2. **Adopt the Resolution (Attachment 1), which:**
    a. **Recommends that the City Council adopt the proposed Ordinance (Attachment 2) adding Chapter 17.62 to the Rolling Hills Municipal Code regarding density bonuses and other affordable housing incentives required by State law; and**
    b. **Finds that the adoption of the Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15358, 15305, and 15061(b)(3) of the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3).**

Attachment 1 - Resolution No. 2022-12_Density_Bonuses_and_Affordable_Housing_Incentives.pdf
Attachment 2 - Ordinance No. 379-Density_Bonus_and_Affordable_Housing_Incentives.pdf

11. OLD BUSINESS

12. NEW BUSINESS

13. SCHEDULE FIELD TRIPS

14. ITEMS FROM STAFF

15. ITEMS FROM THE PLANNING COMMISSION

16. ADJOURNMENT

Next meeting: Tuesday, July 19, 2022 at 6:30 p.m.via teleconference.

Notice:

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.

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.

All of the above resolutions and zoning case items have been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines unless otherwise stated.

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.A
Mtg. Date: 06/21/2022

TO: **HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION**

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

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

SUBJECT: **CONTINUATION OF REMOTE CITY COUNCIL AND COMMISSION MEETINGS DURING THE MONTH OF JUNE, 2022 PURSUANT TO THE REQUIREMENTS OF AB 361.**

DATE: **June 21, 2022**

BACKGROUND:

With the Governor's approval of AB 361, public agencies have been granted the continuing ability to conduct virtual meetings during declared public health emergencies under specified circumstances until January 1, 2024. Based on the requirements of AB 361, in order for the City to hold virtual meetings, the Planning Commission needs to determine monthly that the following conditions exist:

1) There continues to be a health and safety risk due to COVID-19 as a proclaimed state of emergency with recommended measures to promote social distancing; and

2) Meeting in person during the proclaimed state of emergency would present imminent risks to the health and safety of attendees.

The other requirements associated with continued virtual meetings are outlined in the text of AB 361. The recommended action is for the Planning Commission to find that the following conditions exist and that they necessitate remote Committee meetings for the coming month:

1) There continues to be a health and safety risk due to COVID-19 as a proclaimed state of emergency with recommended measures to promote social distancing; and

2) Meeting in person during the proclaimed state of emergency would present imminent risks to the health and safety of attendees. These findings will need to be made by the City Council each month that the City opts to continue with remote meetings.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
None.

ATTACHMENTS:

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.B
Mtg. Date: 06/21/2022

TO: **HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION**

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

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

SUBJECT: **APPROVE THE FOLLOWING MINUTES:**
MAY 17, 2021, PLANNING COMMISSION SPECIAL FIELD TRIP MEETING;
MAY 17, 2021, PLANNING COMMISSION REGULAR MEETING

DATE: **June 21, 2022**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve as presented.

ATTACHMENTS:
CL_MIN_220517_PC_FieldTrip_F.pdf
CL_MIN_220517_PC_F.pdf

Minutes
Rolling Hills Planning Commission
Tuesday, May 17, 2022
Field Trip Meeting 7:30 a.m.
18 Eastfield Drive

1. CALL MEETING TO ORDER

The Planning Commission of the City of Rolling Hills met at 18 Eastfield Drive on the above date at 7:31 a.m. Commissioner Sean Cardenas presiding.

2. ROLL CALL

Commissioners Present:	Cardenas, Cooley, Douglass
Commissioners Absent:	Vice Chair Kirkpatrick, Chair Chelf
Staff Present:	John Signo, Planning & Community Services Director
	Melissa Flores, Administrative Clerk
Public Present:	Joe & Christine Rich, Gregory W. George, Leah Mirsch

3. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA– NONE

4. FIELD TRIPS

4.A. ZONING CASE NO. 21-16: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW FOR GRADING AND CONSTRUCTION OF A NEW RETAINING WALL; CONDITIONAL USE PERMIT FOR RECREATIONAL GAME COURT; AND VARIANCE TO EXCEED THE MAXIMUM PERMITTED LOT DISTURBANCE FOR A PROPERTY LOCATED AT 18 EASTFIELD DRIVE (LOT 69-A-EF), ROLLING HILLS, CA (RICH)

Presentation by John Signo, Planning & Community Services Director.

Public Comment: Leah Mirsch

The Commission moved their field trip to 11 Flying Mane Road.

4.B. ZONING CASE NO. 21-02: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW TO DEMOLISH AN EXISTING RESIDENCE AND CONSTRUCT A NEW 5,215-SQUARE-FOOT SINGLE-FAMILY RESIDENCE AND RELATED IMPROVEMENTS; AND A VARIANCE TO CONSTRUCT A FIVE-FOOT-HIGH RETAINING WALL IN THE SETBACK AREA AND CONDUCT NON-EXEMPT GRADING ON A PROPERTY LOCATED AT 11 FLYING MANE ROAD (LOT 53-SF), ROLLING HILLS, CA (NEVENKA LCC)

Commissioners Present:	Cardenas, Cooley, Douglass
Commissioners Absent:	Vice Chair Kirkpatrick, Chair Chelf
Staff Present:	John Signo, Planning & Community Services Director
	Melissa Flores, Administrative Clerk
Public Present:	Giancarlo & Lola Fantappie, Michelle Mollura, James Aichele, John Mackenbach, John Ruzicka, Tomas Smalley, Charlie & Clarisse Shumaker, Leah Mirsch

Presentation by John Signo, Planning & Community Services Director.

Commissioner Douglass disclosed that she has a residential financial interest because she lives within 500 feet of the subject property. However, out of necessity for a quorum she participated as a commissioner.

Public Comment: Michelle Mollura, John Ruzicka, Tomas Smalley, Charlie Shumaker

The Commission moved their field trip to 16 Southfield Drive.

4.C. ZONING CASE NO. 22-20: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW FOR CONSTRUCTION OF A 1,583-SQUARE-FOOT ADDITION AND REMODEL TO AN EXISTING RESIDENCE, MAXIMUM FIVE-FOOT-HIGH RETAINING WALLS, GRADING, AND OTHER IMPROVEMENTS; AND VARIANCES TO CONSTRUCT IN THE FRONT YARD SETBACK AND FOR A FIVE-FOOT-HIGH RETAINING WALL TO BE CONSTRUCTED IN THE SETBACK AREA FOR A PROPERTY LOCATED AT 16 SOUTHFIELD DRIVE (LOT 33-SF), ROLLING HILLS, CA (BURGOYNE)

Commissioners Present:	Cardenas, Cooley, Douglass
Commissioners Absent:	Vice Chair Kirkpatrick, Chair Chelf
Staff Present:	John Signo, Planning & Community Services Director Melissa Flores, Administrative Clerk
Public Present:	Joy Burgoyne, Anthony Inferrera, David Palacios, Marita Geraghty, Leah Mirsch

Presentation by John Signo, Planning & Community Services Director.

Public Comment: David Palacios, Marita Geraghty

5. ADJOURNMENT: 8:51 A.M.

The meeting was adjourned at 8:51 a.m. to the regular meeting of the Planning Commission scheduled to be held on Tuesday, May 17, 2022 beginning at 6:30 p.m. via tele-conference.

Respectfully submitted,

_____
Christian Horvath, City Clerk

Approved,

_____
Brad Chelf, Chair

Minutes
Rolling Hills Planning Commission
Tuesday, May 17, 2022
Regular Meeting 6:30 p.m.
Via tele-conference

1. CALL MEETING TO ORDER

The Planning Commission of the City of Rolling Hills met via teleconference on the above date at 6:30 p.m. Chair Brad Chelf presiding.

2. ROLL CALL

Commissioners Present:	Cardenas, Cooley, Douglass, Chair Chelf
Commissioners Absent:	Vice Chair Kirkpatrick
Staff Present:	John Signo, Planning & Community Services Director
	Melissa Flores, Administrative Clerk
	Jane Abzug, City Attorney

3. PLEDGE OF ALLEGIANCE

Planning & Community Services Director John Signo led the Pledge.

4. APPROVE ORDER OF THE AGENDA

Motion by Commissioner Cooley, seconded by Commissioner Cardenas, to approve. Motion carried unanimously with the following roll call vote:

AYES:	Cardenas, Cooley, Douglass, Chair Chelf
NOES:	None
ABSENT:	Kirkpatrick

5. BLUE FOLDER ITEMS (SUPPLEMENTAL)

Resolutions for Items 10.B and 10.D received.

6. PUBLIC COMMENTS ON NON-AGENDA ITEMS – NONE

7. CONSENT CALENDAR

7.A. CONTINUATION OF REMOTE CITY COUNCIL AND COMMISSION MEETINGS DURING THE MONTH OF MAY 2022 PURSUANT TO THE REQUIREMENTS OF AB 361

7.B. APPROVE THE FOLLOWING MINUTES: APRIL 19, 2022, PLANNING COMMISSION SPECIAL FIELD TRIP MEETING; APRIL 19, 2022, PLANNING COMMISSION REGULAR MEETING

Planning Director John Signo clarified that staff did not pull Item 9.A, as indicated on the April 19, 2022 minutes; the applicant requested the item be pulled because the property had been sold.

Motion by Commissioner Cardenas, seconded by Commissioner Douglass, to approve, with correction to Item 9.A. Motion carried unanimously with the following roll call vote:

AYES:	Cardenas, Cooley, Douglass, Chair Chelf
NOES:	None
ABSENT:	Kirkpatrick

8. EXCLUDED CONSENT CALENDAR ITEMS – NONE

9. PUBLIC HEARINGS ON ITEMS CONTINUED FROM PREVIOUS MEETINGS – NONE

10. NEW PUBLIC HEARINGS

10.A. 2021-2029 DRAFT ROLLING HILLS HOUSING ELEMENT AND RESPONSES TO HCD'S COMMENTS

Presentation by Barry Miller, Housing Element Consultant

Motion by Commissioner Cardenas, seconded by Commissioner Cooley, to submit the draft revision to City Council for consideration. Motion carried unanimously with the following roll call vote:

AYES: Cardenas, Cooley, Douglass, Chair Chelf
NOES: None
ABSENT: Kirkpatrick

10.B. ZONING CASE NO. 21-16: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW FOR GRADING AND CONSTRUCTION OF A NEW RETAINING WALL; CONDITIONAL USE PERMIT FOR RECREATIONAL GAME COURT; AND VARIANCE TO EXCEED THE MAXIMUM PERMITTED LOT DISTURBANCE FOR A PROPERTY LOCATED AT 18 EASTFIELD DRIVE (LOT 69-A-EF), ROLLING HILLS, CA (RICH)

Presentation by John Signo, Planning & Community Services Director

Motion by Commissioner Cardenas, seconded by Commissioner Douglass, to adopt Resolution No. 2022-05 approving the project as presented. Motion carried unanimously with the following roll call vote:

AYES: Cardenas, Cooley, Douglass, Chair Chelf
NOES: None
ABSENT: Kirkpatrick

10.C. ZONING CASE NO. 21-02: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW TO DEMOLISH AN EXISTING RESIDENCE AND CONSTRUCT A NEW 5,215-SQUARE-FOOT SINGLE-FAMILY RESIDENCE AND RELATED IMPROVEMENTS; AND A VARIANCE TO CONSTRUCT A FIVE-FOOT-HIGH RETAINING WALL IN THE SETBACK AREA AND CONDUCT NON-EXEMPT GRADING ON A PROPERTY LOCATED AT 11 FLYING MANE ROAD (LOT 53-SF), ROLLING HILLS, CA (NEVENKA LCC)

Chair Chelf recused himself due to proximity to property and turned the case over to Commissioner Cardenas to preside.

Presentation by John Signo, Planning & Community Services Director

Public Comment: Brad Chelf, Leah Mirsch, John Ruzicka

Motion by Commissioner Cardenas, seconded by Commissioner Douglass, directing staff to draft a resolution of approval for the project as presented and continue the item to the June 21, 2022 meeting. Motion carried unanimously with the following roll call vote:

AYES: Cardenas, Cooley, Douglass
NOES: None

ABSENT: Kirkpatrick

10.D. ZONING CASE NO. 22-20: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW FOR CONSTRUCTION OF A 1,583-SQUARE-FOOT ADDITION AND REMODEL TO AN EXISTING RESIDENCE, MAXIMUM FIVE-FOOT-HIGH RETAINING WALLS, GRADING, AND OTHER IMPROVEMENTS; AND VARIANCES TO CONSTRUCT IN THE FRONT YARD SETBACK AND FOR A FIVE-FOOT-HIGH RETAINING WALL TO BE CONSTRUCTED IN THE SETBACK AREA FOR A PROPERTY LOCATED AT 16 SOUTHFIELD DRIVE (LOT 33-SF), ROLLING HILLS, CA (BURGOYNE)

Chair Chelf resumed presiding.

Presentation by John Signo, Planning & Community Services Director

Public Comment: David Palacios, Leah Mirsch

Motion by Commissioner Cardenas, seconded by Commissioner Douglass, to adopt Resolution No. 2022-06 with the following change to Condition S: strike the final two sentences, starting with, "Landscaping shall…" through the end of the paragraph. Motion carried unanimously with the following roll call vote:

AYES: Cardenas, Cooley, Douglass, Chair Chelf
NOES: None
ABSENT: Kirkpatrick

11. OLD BUSINESS – NONE

12. NEW BUSINESS – NONE

13. SCHEDULED FIELD TRIPS – NONE

14. ITEMS FROM STAFF – NONE

15. ITEMS FROM THE PLANNING COMMISSION – NONE

16. ADJOURNMENT: 7:40 P.M.

The meeting was adjourned at 7:40 p.m. to a regular meeting of the Planning Commission scheduled to be held on Tuesday, June 21, 2022 beginning at 6:30 p.m. via tele-conference.

Respectfully submitted,

_____
Christian Horvath, City Clerk

Approved,

_____
Brad Chelf, Chair

Agenda Item No.: 9.A
Mtg. Date: 06/21/2022

TO: **HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION**

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

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

SUBJECT: **ZONING CASE NO. 21-02: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW TO DEMOLISH AN EXISTING RESIDENCE AND CONSTRUCT A NEW 5,215-SQUARE-FOOT SINGLE-FAMILY RESIDENCE AND RELATED IMPROVEMENTS; AND A VARIANCE TO CONSTRUCT A FIVE-FOOT-HIGH RETAINING WALL IN THE SETBACK AREA AND CONDUCT NON-EXEMPT GRADING ON A PROPERTY LOCATED AT 11 FLYING MANE ROAD (LOT 53-SF), ROLLING HILLS, CA (NEVENKA LCC)**

DATE: **June 21, 2022**

BACKGROUND:
On May 17, 2022, the Planning Commission conducted a field trip and held an evening meeting on this item. At the conclusion of the evening meeting, the Planning Commission directed staff to prepare a resolution of approval and continued the public hearing to June 21, 2022.
On May 26, 2022, the Traffic Commission held a meeting to discuss the location of the driveway and apron and recommended to the City Council approval with a condition that the front hedge be removed or trimmed to no more than 24 inches to protect line of sight.
Since the May 17th meeting, the applicant has since revised the retaining wall in the side yard setback to be a double wall that is five feet high and three feet high. According to the applicant, this was at the direction of Rolling Hills Community Association (RHCA) because of grading concerns in the easement. The double wall will not be visible from the adjacent easement and will provide pedestrian access to the side of the building. However, the five-foot-high portion still requires a variance for being in the setback area and 10 feet away from the property line.

Zoning, Location, and Lot Description

The property located at 11 Flying Mane Road is zoned RAS-1 and has a net lot area of 0.9

acre (39,556 square feet). However, for purposes of calculating net lot area, Rolling Hills Municipal Code (RHMC) Section 17.16.060(A) indicates that properties less than an acre are to be considered an acre (43,560 square feet). Only one building pad exists on the property and is located at the highest portion adjacent to the roadway easement.

The lot is developed with a 5,292-square-foot single-family residence built in 1953. In 1962, the Planning Commission approved a variance for an indoor swimming pool and structure to encroach into the required 20-foot side yard setback by eight feet. The pool was constructed in late 1963. In 1968, the Planning Commission re-approved the variance on a technicality that it originally expired before the pool was completed.

The existing residence is located 30 feet from the front roadway easement, 10 feet from the northern side property line, and eight feet from the southern side property line. The rear property line is located downslope of the building pad over 250 feet to the west. Since the house was built prior to the City's incorporation, the front and northern side setback are considered legal nonconforming; as mentioned, the southern side setback was reduced with approval of a variance.

DISCUSSION:

Applicant Request

The applicant is requesting a site plan review to demolish an existing 5,292-square-foot single-family residence and construct a new 5,215-square-foot single-family residence and garage in a similar footprint. The new residence meets the requirements for reduced setbacks on a smaller lot. According to RHMC Section 17.24.045, reduced setbacks may apply to properties in the RAS-1 zoning district that have a lot area of 1.25 acres or less, excluding roadway easements.

The proposed project includes a 485-square-foot swimming pool, 85-square-foot pool equipment, 337 square feet of attached covered porches, 15-square-foot barbecue, and 288-square-foot service yard.

The total structures, excluding exempt structures, is 6,384 square feet or 14.7% of the net lot area.

The flatwork area, which includes the driveway, paved walkways, patios, and courtyards is 3,338 square feet. This covers 7.7% of the net lot area.

Disturbance covers 12,521 square feet and accounts for 28.7% of the net lot area.

The residential building pad is 8,780 square feet and covers 20% of the net lot area.

A future stable and corral are proposed downslope near the rear of the property and will cover 1,000 square feet. The stable and corral are not proposed at this time.

Grading includes 3,372 cubic yards (CY) of cut and 3,315 CY of fill for a total of 6,687 CY. The project requires 57 CY of export.

Landscaping includes 13,350 square feet of new and altered areas. The landscape plan is

being reviewed by the City's landscape consultant.

Site Plan Review

The applicant is requesting a Site Plan Review (SPR) to demolish the existing residence and construct the new residence, attached garage, swimming pool, retaining walls, and other improvements.

Non-exempt grading

The applicant is requesting a total of 6,687 CY of grading, including 57 CY of export. The 110 CY of excavation for the swimming pool is exempt and could be exported from the site without relief from the Code. Grading will be done on the building pad for the new residence, driveway, and yard area. Grading includes 2,000 CY of over-excavation and 2,350 CY of recompaction.

Retaining Walls

Retaining walls are proposed to the rear (west) of the swimming pool and along the southern side property line next to the residence, which requires a variance. Retaining walls are also needed for the stable and corral set-aside area. The maximum height of the retaining walls is five feet and the average height is not to exceed two and one-half feet.

Variances

The applicant is requesting approval of a variance for a new five-foot-high retaining wall within the southern side yard setback. A variance is also requested for grading within the southern side yard setback for the retaining wall to allow for wider access. Export of 57 CY of dirt is required.

Variance request to allow a new five-foot-high retaining wall within the side yard setback

Pursuant to RHMC Section 17.16.150(F-G), retaining walls are permitted in setback areas if they do not exceed three feet in height, do not require grading, and are located along a walkway; or if they do not exceed three feet in height and are necessary to improve drainage or prevent slope erosion and are not in an easement, unless approved by the Association. Such walls must be screened from the public right-of-ways, easements and adjacent properties with appropriate landscaping.

The applicant is requesting the variance to allow for a retaining wall up to five feet in height to allow for a wider access to an existing horse trail which has been filled with imported material. The retaining wall will be located in the side setback approximately 10 feet from the property line. It extends nearly the full length of the residence. A portion of the wall extends into the front yard setback, but tapers from 24 inches to six inches toward the front of the property.

Variance request for non-exempt grading

Pursuant to Section 17.16.230, no export or import of cut or fill material shall be permitted in connection with any grading performed in the City, unless otherwise permitted by the provisions of Title 15 of the Code. The project does not meet the exemptions in Title 15 in that grading consists of 6,687 CY total and covers nearly the entire building pad and set aside area for the future stable and corral. Additionally, 57 CY of export is required.

MUNICIPAL CODE COMPLIANCE

Lot Coverage

The proposed structural coverage on the lot will be 6,384 square feet, or 14.7% of the lot, which is less than the lot coverage limitation of 20% maximum. The proposed total coverage including structures and flatwork will be 9,722 square feet or 22.3% of the lot area, which is less than the lot coverage limitation of 35% maximum.

Area of Disturbance

The project site has been previously disturbed due to development of the existing residence. The proposed project will add 2,124 square feet of disturbance for a total of 12,521 square feet, or 28.7% of the net lot area.

Access to Future Stable

A stable and corral is not proposed to be constructed, however, a set aside area of 1,000 square feet is included in the rear portion of the property downslope from the main pad. Access to the set aside area is via a bridle trail along the southern property line approximately 35 feet away.

Swimming Pool

The proposed swimming pool is 485 square feet and located behind the proposed residence at the edge of the building pad. The pool will be designed to have an infinity edge in which water flows into a surge basin. The edge of the pool and building pad will be supported by retaining walls. The pool equipment will be located in a crawl space underneath the master bedroom. Approval of a swimming pool less than 800 square feet is typically approved administratively if no discretionary application is involved.

Raised Deck

A raised deck is located next to the master bedroom in the southwestern portion of the residence. The deck is raised two and one-half feet above finished grade above the retaining walls. The deck is approximately five feet wide by 35 feet long along the western elevation of the residence and connects to the pool deck.

Landscaping

There is an existing hedge in the front of the property which helps screen the residence for privacy. The hedge is entirely on the property with a portion extending into the roadway easement. It is a policy that hedges not be allowed for new projects. The Planning Commission should consider if the hedge should be removed.

The Preliminary Landscape Plan shows an olive grove and vineyard in the rear portion of the property. Two new trees are shown in the front yard next to the street. The Plan is being reviewed by the City's landscape consultant for compliance with water efficiency requirements. The Planning Commission should consider if conditions are necessary to limit the height of trees to protect neighboring views.

Environmental Review

The proposed project has been determined to not have a significant effect on the environment and is categorically exempt from the provisions of CEQA pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, which exempts a single-family residence, swimming pool, and accessory structures.

Public Participation

None received.

CRITERIA FOR SITE PLAN REVIEW

17.46.050 - Required Site Plan Review findings.

1. The Commission shall be required to make findings in acting to approve, conditionally approve, or deny a Site Plan Review application.
2. 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:
3. The project complies with and is consistent with the goals and policies of the general plan and all requirements of the zoning ordinance;
4. 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;
5. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences;
6. 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);
7. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area;
8. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course;
9. 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;
10. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles; and
11. The project conforms to the requirements of the California Environmental Quality Act.
12. If all of the above findings cannot be made with regard to the proposed project, or cannot be made even with changes to the project through project conditions imposed by City staff and/or the Planning Commission, the site plan review application shall be denied.

CRITERIA FOR VARIANCES

17.38.050 Required Variance findings.

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

findings:

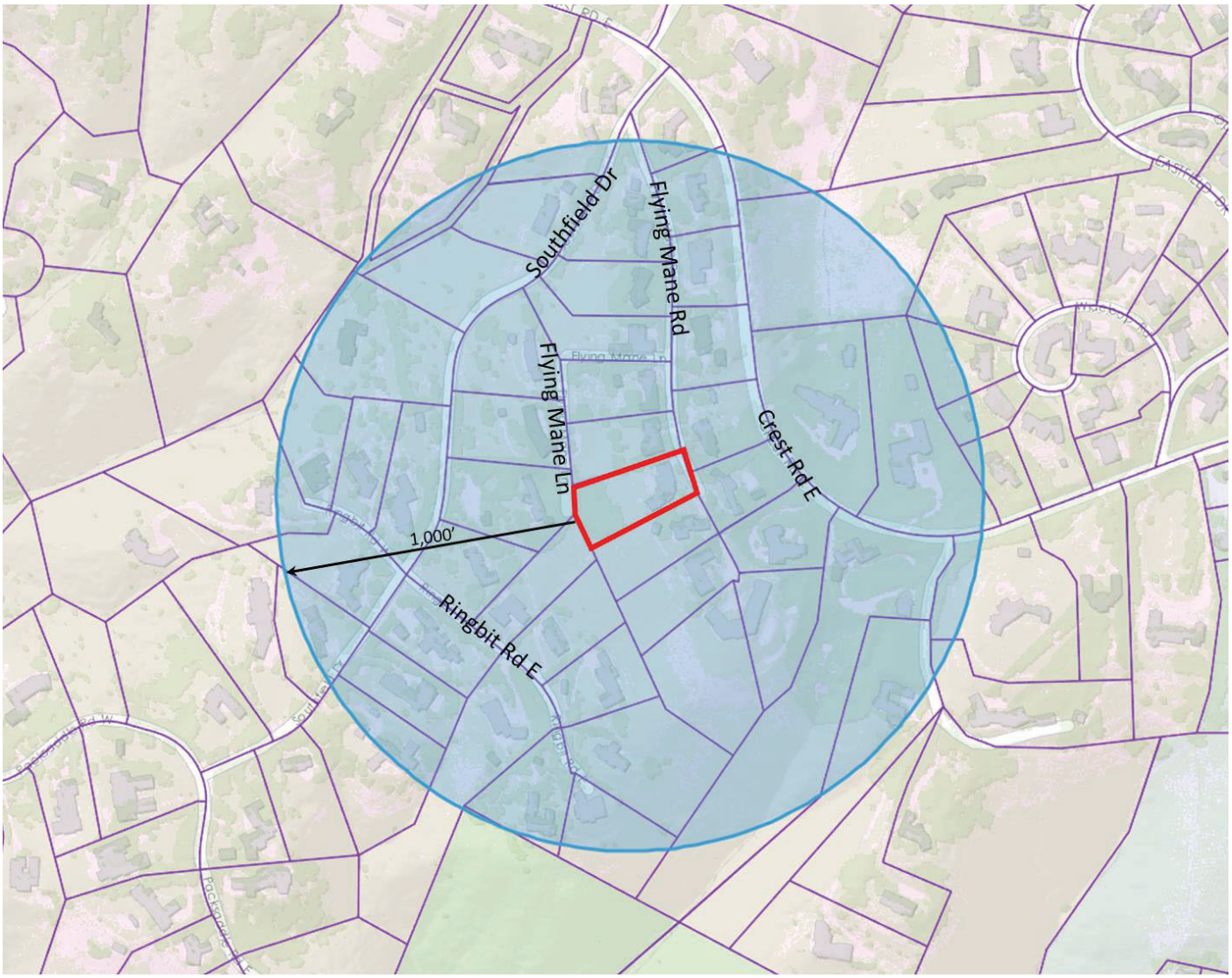
1. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone;
2. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other 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:

Adopt Resolution No. 2022-07 approving Zoning Case No. 21-02 for a Site Plan Review to demolish a residence and construct a new 5,215-square-foot single-family residence and related improvements; and a Variance to construct a five-foot-high retaining wall in the setback area and conduct non-exempt grading.

ATTACHMENTS:
Vicinity Map - 11 Flying Mane Rd.pdf
Development Table (ZC 21-02)_V3.pdf
2022-07_PC_Resolution_11FlyingManeRoad_ZC 21-02.pdf
Traffic Engineer's Memo - M01 11 Flying Mane.pdf
C-City Grading Plan_C(6.6.22).pdf
11 Flying Mane - RHCA - 22 0527-reduced.pdf



City of Rolling Hills **2 PORTUGUESE BEND ROAD ROLLING HILLS, CA 90274**

TITLE VICINITY MAP **CASE NO.** Zoning Case No. 22-02
Site Plan Review, Variance

OWNER Nevenka LLC

ADDRESS 11 Flying Mane Road, Rolling Hills 90274 **SITE**

Development Table Zoning Case No. 21-02 (11 FLYING MANE ROAD)			
Site Plan Review and Variance	**PAD 1**	**PAD 2**	**TOTAL**
RAS-1 Zone Setbacks Front: 50 ft. from front easement line Side: 20 ft. from side property line Rear: 50 ft. from rear easement line	Single family residence, garage, pool, equipment, entryways (SF)	Future Stable (SF)	
Pad/Net Lot Area	8,780	1,000	43,560^
Residence	4,795		
Garage	420		
Swimming Pool/Spa	485		
*Pool Equipment	85		
Stable (min. 450 SF)		450**	
Attached Covered Porches	396		
*Outdoor Barbecue	15		
Service Yard	288		
Total Structure Area	6,384	450**	6,384
Total Structural Coverage (20% max)			14.7%
Total Flatwork			3,338
Total Structural and Flatwork			9,722
Total Lot Coverage (35% maximum)			22.3%
Building Pad Coverage (Policy: 30% maximum)	72.7%	45%**	
Disturbed Area (40% maximum; up to 60% with slopes less than 3:1)			12,521 28.7%
Grading	3,372 CY cut 3,315 CY fill		6,687 CY 57 CY export

*Allowable deductions; excluded from Total Structure Area/Total Structural Coverage
**Future stable not part of project
^Actual net lot area is 39,556 SF but per Code it is rounded to 1 acre (43,560 SF)

RESOLUTION NO. 2022-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF ZONING CASE NO. 21-02 FOR A SITE PLAN REVIEW TO DEMOLISH AN EXISTING RESIDENCE AND CONSTRUCT A NEW 5,215-SQUARE-FOOT SINGLE-FAMILY RESIDENCE AND RELATED IMPROVEMENTS; AND VARIANCES TO CONSTRUCT A FIVE-FOOT-HIGH RETAINING WALL IN THE SETBACK AREA AND CONDUCT NON-EXEMPT GRADING ON A PROPERTY LOCATED AT 11 FLYING MANE ROAD (LOT 53-SF), ROLLING HILLS, CA (NEVENKA LLC)

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

Section 1. An application was duly filed by Nevenka LLC with respect to real property located at 11 Flying Mane Road, Rolling Hills (Lot 53-SF) requesting a site plan review to demolish an existing 5,292-square-foot single-family residence and construct a new 5,215-square-foot single-family residence and attached garage in a similar footprint, and construct five-foot-high retaining walls in the rear portion of the building pad and in the side yard setback. The project also includes a 485-square-foot swimming pool, 85-square-foot pool equipment, 337 square feet of attached covered porches, 15-square-foot barbecue, and 288-square-foot service yard, which are not subject to discretionary review. A variance is requested for a new five-foot-high retaining wall within the southern side yard setback and for non-exempt grading including 57 cubic yards (CY) of exported dirt.

Section 2. The existing single-family residence was built in 1953. In 1962, the Planning Commission approved a variance for an indoor swimming pool and structure to encroach into the required 20-foot side yard setback by eight feet. The pool was constructed in late 1963. In 1968, the Planning Commission re-approved the variance on a technicality that the original permit expired before the pool was completed.

Section 3. The Planning Commission conducted duly noticed public hearings to consider the application at its special field trip meeting and regular meeting on May 17, 2022. Neighbors within a 1,000-foot radius were notified of the public hearings and a notice was published in the Daily Breeze on May 6, 2022. The applicant and agent were notified of the public hearings in writing by first class mail and the agent was in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal.

Section 4. On May 26, 2022, the Traffic Commission held a meeting to review the shifting of the driveway apron and driveway several feet from the existing location and recommended to the City Council approval of the proposal with the condition that the hedge in the front of the property be trimmed to no higher than 24 inches to protect line of sight.

Section 5. The property is zoned RAS-1 and the net lot area excluding the roadway easement is 0.9 acre (39,556 square feet). For purposes of calculating net lot area, Rolling

Hills Municipal Code (RHMC) Section 17.16.060(A) indicates that properties less than an acre are to be considered an acre (43,560 square feet). The project includes an existing 8,780-square-foot building pad near the front of the property closest to the street. The property has a lot depth of over 320 feet and slopes downward toward the rear property line. The grade elevation between the main building pad and the rear property line is over 100 feet. A second building pad is proposed as a set aside for a future stable and corral near the rear of the property.

Section 6. 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 single family residence and accessory structures, including but not limited to garages, carports, patios, swimming pools and fences. Here, the Project includes the demolition of a residence and construction of a new single-family residence and related 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 site has already been graded and existing structures are on site.

Section 6. Site Plan Review. Site Plan Review is required for demolition of an existing residence and construction of a new residence pursuant to RHMC Section 17.46.020(A), for a retaining wall above three feet in height pursuant to RHMC Section 17.16.190(F), and for non-exempt grading totaling 6,687 CY including 57 CY of export pursuant to RHMC Section 17.46.020(A). 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, which includes demolition and construction of a residence and grading is compatible with the General Plan and Zoning ordinance, subject to the variance for a new five-foot-high retaining wall within the southern side yard setback and a variance for grading within the southern side yard setback for the retaining wall to allow for wider access and export of dirt. The proposed structures comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures. The new residence will be built on the existing building pad and will have a similar footprint as the existing residence, which will reduce the visual impact and minimize grading.

The new residence meets the requirements for reduced setbacks on a smaller lot. According to RHMC Section 17.24.045, reduced setbacks may apply to properties in the RAS-1 zoning district that have a lot area of 1.25 acres or less, excluding roadway easements. As such, the new residence will maintain the 30-foot front yard setback of the existing residence.

The project conforms to Zoning Code lot coverage requirements. The net lot area of the lot is 43,560 square feet per RHMC Section 17.16.060(A). The structural net lot coverage is proposed at 6,384 square feet or 14.7% (20% max. permitted) excluding exempt structures; and the total lot coverage proposed, including flatwork, would be 9,722 square feet or 22.3%

(35% max. permitted). The disturbed area of the lot is proposed to be 12,521 square feet or 28.7% (40% 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 proposed grading and retaining wall for development will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures; the grading and retaining wall allows the proposed construction to be constructed largely on an existing building pad which enables proposed project elements to be the least intrusive to surrounding properties. The retaining wall preserves the existing topography in the adjacent bridle trail easement and eliminates grading and disturbance in the easement. Further, the grading and retaining wall allows the proposed construction to be a sufficient distance from nearby residences so views and privacy of surrounding neighbors will not be impacted. The pool will be behind the residence and not visible from the street. The pool and patio area are included in the lot coverage. Lastly, the graded areas will incorporate landscaping and the retaining wall will be screened with landscaping. The lot will have a main building pad and a stable set aside area and 28.7% of the lot will be disturbed with the remaining area left landscaped or in a natural state.

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 development plan takes into consideration the visibility of the project from Flying Mane Road as it utilizes the existing building pad and has a similar footprint to the existing residence. The driveway will be moved several feet and repaved to align with the new garage. The proposed pool will be located at the edge of the pad and retaining walls will be located behind the residence at the top of the slope. The pool equipment will be located in a crawl space underneath the residence where it will not be visible. Significant portions of the lot will be left undeveloped or landscaped.

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).

A landscape plan has been prepared to for compliance with water efficient landscape ordinance requirements and low impact development standards. The landscape plan will introduce additional landscaping, which will be compatible with and enhances the rural character of the community, and the landscaping will provide a buffer or transition area between private and public areas. The grading and retaining wall are designed to preserve existing topography where possible and mimic the natural terrain.

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.

Grading consists of 3,372 CY of cut and 3,315 CY of fill. Export of 57 CY is required and covered by the variance contained herein. The grading and retaining wall are designed to preserve slopes where possible and mimic the natural terrain.

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 done to improve the driveway and walkways throughout the site. Drainage will not change and will follow the natural drainage courses 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 and new landscaping will be considerate of the environment and will enhance the rural character of the community. Landscaping will provide a buffer or transition between various pads on the property. As such, the rural character of the community is maintained and privacy is maintained with neighbors.

H. The project is sensitive and not detrimental to the convenience and safety of circulation for pedestrians and vehicles.

The grading and retaining wall for the project occurs in the side of the property and will not be visible from the adjacent easement. There is ample parking in the garage and driveway in the front of the house. An adequate pathway is proposed to safely accommodate pedestrians from the residence to the backyard and stable set aside area in the rear of the property. Adequate walkways will be provided to the pool and deck.

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 the construction of a new single-family residence, swimming pool, retaining walls, and associated grading. 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 building pad has already been graded and existing structures are on site.

Section 7. Variances. Section 17.38.050 sets forth the required findings for granting variances to construct a five-foot-high retaining wall in the side yard setback with non-exempt grading and export of dirt identified in Section 17.16.120, Section 17.16.150(F), and Section 17.16.230. With respect to the 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 residence was developed prior to the City's incorporation and has a legal nonconforming front yard setback of 30 feet which may continue pursuant to Section 17.24.045. However, the small lot size and location of the building pad near the street are exceptional circumstances applicable to the property that do not apply generally to other properties in the same vicinity and zone. A retaining wall in the side yard setback is warranted in order to maintain the existing topography and provide emergency access around the residence. The encroachment is considered minimal given the existing residence already encroaches eight feet into the required side yard setback. The improvement will enhance the usability of the residence and be compatible with existing development in the area. Further, a five-foot-high retaining wall with an average height of two and one-half feet is needed to improve accessibility. The variance is warranted due to the unique sloping topography that does not apply generally to other properties in the vicinity.

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.

Granting the requested variances are necessary for the preservation and enjoyment of property rights on the property. The existing main building pad encroaches into the front and side setback areas making it necessary for the retaining wall and other improvements to also encroach. Other properties in the vicinity enjoy these types of improvements.

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 the variances to encroach into the front and side setbacks will not be detrimental to the public welfare and will not be injurious to properties in the vicinity; a retaining wall and other improvements are allowed in the Rolling Hills community. Further, the project will be consistent with other development in the area. The new residence is substantially in the same location as the existing residence to be demolished; the driveway will be relocated several feet and repaved and the retaining wall will improve access to the side of the residence.

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

Allowing construction in the side setback will improve access to the side of the residence and allow the existing topography to remain. The project is harmonious in scale and mass with the site, the natural terrain, and surrounding residences because the proposed construction complies with the low-profile residential development pattern of the community and will not give the property an over-built look. The lot is sufficient to accommodate the proposed use.

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

The construction in the side setback allows a new single family home similar to others enjoyed by many properties throughout the City. The project, together with the variances, will be compatible with the objectives, policies, general land uses, and programs 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.

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

Granting the variance will be consistent with the General Plan of the City of Rolling Hills, which allows and encourages residential uses and property improvements. It will further the low-profile residential development pattern of the community and will not give the property an over-built look.

Section 8. Approval; Conditions. Based upon the foregoing findings, and the evidence in the record, the Planning Commission hereby approves Zoning Case No. 21-02 subject to the following conditions:

A. The Site Plan and Variance approvals shall expire within two years from the effective date of approval as defined in RHMC Sections 17.46.080 and 17.38.070 unless otherwise extended pursuant to the requirements of these sections.

B. If any condition of this resolution is violated, the entitlements 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 RHMC Chapter 17.58 .

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 21, 2022 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 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 mature. Minor modifications are subject to approval by the City Manager or his or her designee. Major modifications are subject to approval by the Planning Commission after a public hearing. The 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 6,384 square feet or 14.7% of the net lot area, in conformance with lot coverage limitations (20% maximum).

The total lot coverage proposed, including structures and flatwork, shall not exceed 9,722 square feet or 22.3% of the net lot area, in conformance with lot coverage limitations (35% maximum).

H. The disturbed area of the lot, including the future stable and corral area shall not exceed 28.7%, or 12,521 square feet surface area. Grading for this project shall not exceed 3,372 CY of cut and 3,315 CY of fill with 57 CY of export for a total of 6,687 cubic yards balanced on site.

I. The residential building pad is proposed at 8,780 square feet and shall not exceed coverage of 6,384 square feet or 72.7% with allowed deductions. The set aside pad for a future stable and corral is proposed at 1,000 square feet and shall not exceed 450 square feet of coverage or 45% with allowed deductions.

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

K. Access to the set aside area for the future stable and corral shall be decomposed granite or 100% pervious roughened material; the access route 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, or as otherwise required by the Fire Department.

M. Per LA County Building Code, a pool barrier and/or fencing shall be required for the pool.

N. A drainage plan, as required by the Building Department shall be prepared and approved by City Staff prior to issuance of a construction permit. Such plan shall be subject to LA County Code requirements.

O. The applicant shall comply with all requirements of the Lighting Ordinance of the City of Rolling Hills (RHMC 17.16.190.E), pertaining to lighting on said property, roofing and material requirements of properties in the Very High Fire Hazard Severity Zone, and Low Impact Development requirements for storm water management on site (RHMC Chapter 8.32).

P. All utility lines shall be undergrounded pursuant to Section 17.27.030.

Q. 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.

R. 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.

S. 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 the proposed retaining wall with vegetation not to exceed 10 feet in height, and that the vegetation used for screening shall be planted in an offset manner, 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.

T. 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.

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

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

U. The retaining wall shall not exceed five feet in height at any point along the wall and shall have an average height of two and one-half feet.

V. 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.

W. Perimeter easements, including roadway easements and trails, if any, shall remain free and clear of any of 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.

X. 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.

Y. *During construction*, the site shall be maintained in a safe manner so as not to threaten the health, safety, or general welfare of the public.

Z. *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.

AA. *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.

AB. *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.

AC. 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.

AD. 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.

AE. Storm water 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.

AF. *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.

AG. *During construction*, an Erosion Control Plan containing the elements set forth in Section 7010 of the 2016 County of Los Angeles Uniform Building Code shall be followed to minimize erosion and to protect slopes and channels to control storm water pollution.

AH. 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.

AI. 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.

AJ. 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.

AK. This Resolution's approvals shall not be effective until the applicants execute an Affidavit of Acceptance of all conditions set forth herein.

AL. 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.

AM. 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.

PASSED, APPROVED AND ADOPTED THIS 21th DAY OF JUNE, 2022.

_____
BRAD CHELF, CHAIRPERSON

ATTEST:

_____
CHRISTIAN HORVATH, CITY CLERK

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

I certify that the foregoing Resolution No. 2022-07 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF ZONING CASE NO. 21-02 FOR A SITE PLAN REVIEW TO DEMOLISH AN EXISTING RESIDENCE AND CONSTRUCT A NEW 5,215-SQUARE-FOOT SINGLE-FAMILY RESIDENCE AND RELATED IMPROVEMENTS; AND VARIANCES TO CONSTRUCT A FIVE-FOOT-HIGH RETAINING WALL IN THE SETBACK AREA AND CONDUCT NON-EXEMPT GRADING ON A PROPERTY LOCATED AT 11 FLYING MANE ROAD (LOT 53-SF), ROLLING HILLS, CA (NEVENKA LLC)

was approved and adopted at a regular meeting of the Planning Commission on June 21, 2022, 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

Memorandum

TO: Elaine Jeng, PE, City Manager

FROM: Vanessa Munoz, City Traffic Engineer

DATE: May 20, 2022

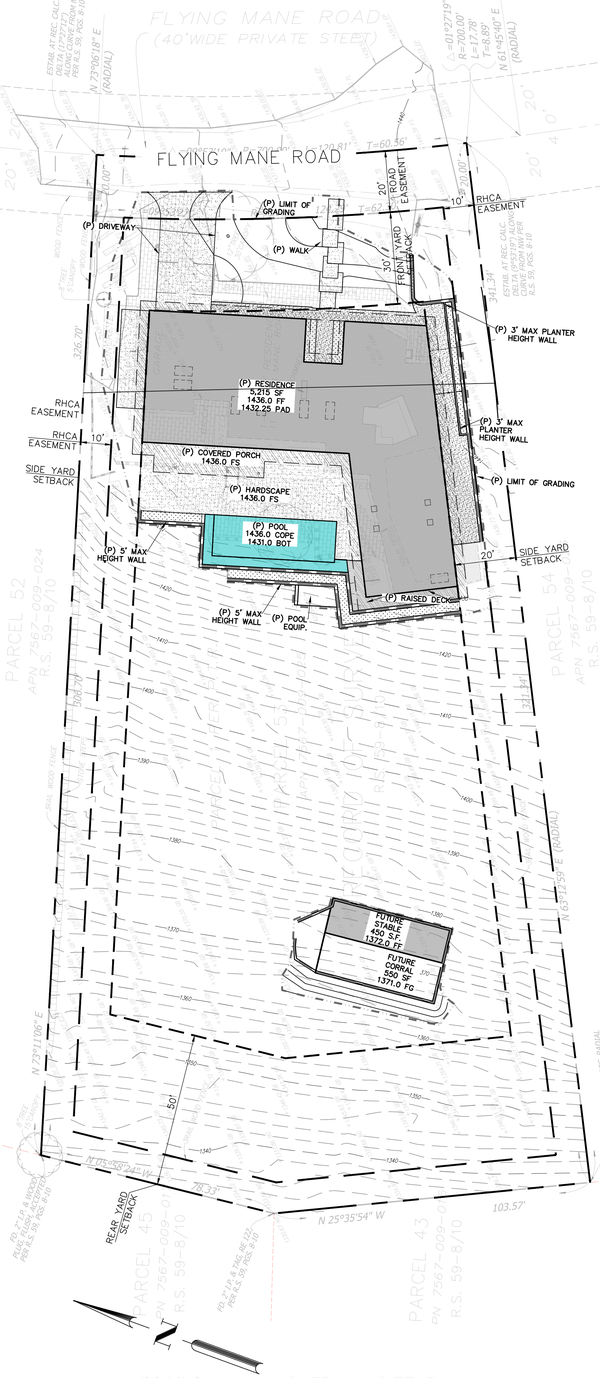
SUBJECT: 11 Flying Mane Road

This memorandum is in response to the request by the city to review and provide input on the proposed driveway being requested by the residents of 11 Flying Mane Road. The proposed driveway will be shifted southerly from the existing location 4-5 feet. The proposed driveway will have an 18-foot driveway aisle with a 28-foot driveway apron.

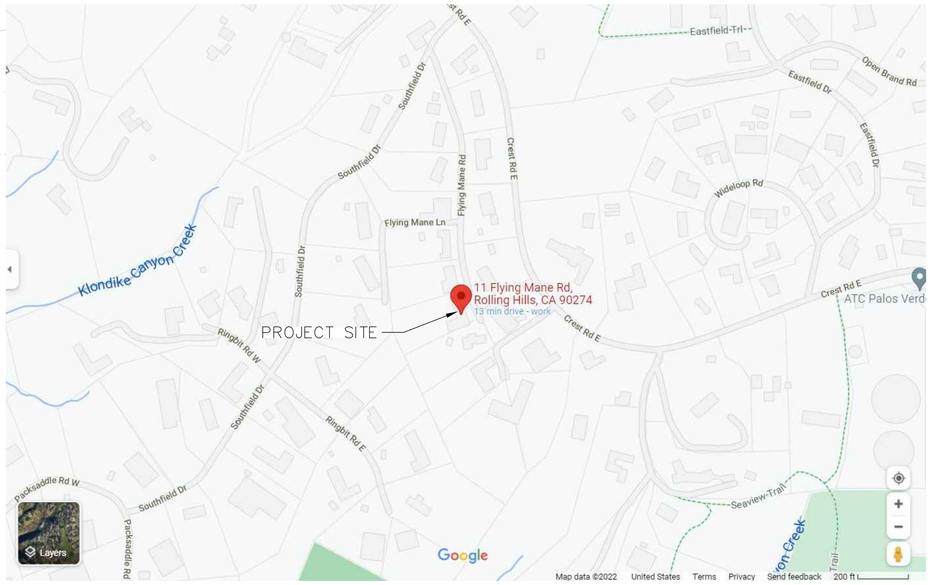
On May 18, 2022, a field review of existing conditions was performed to assess the proposed location and width of the driveway. Based on the field observations and engineering judgement, the driveway proposed location is acceptable.

NEVENKA LLC
GRADING PLAN
NEW RESIDENTIAL ESTATE

11 FLYING MANE ROAD
ROLLING HILLS, CA 90274



OVERALL SITE PLAN
SCALE: 1" = 20'
1 / C0.0



CONCEPT GRADING PLAN

11 FLYING MANE
Rolling Hills, CA 90275

OWNER / CLIENT:

NEVENKA, LLC
c/o JOHN RUZICKA, AIA
#11 FLYING MANE
ROLLING HILLS, CA 90274

CIVIL ENGINEER / PREPARED BY:

BOLTON ENGINEERING CORP.
25834 NARBONNE AVENUE, SUITE 210
LOMITA, CA 90717
PHONE: (310) 325-5580
R.C.E.: TAVISHA ALES, P.E. No.83446
JOB I.D.: 21340

STAMPED FOR PRELIMINARY PLANNING PURPOSES ONLY AND PURSUANT TO CITY OF ROLLING HILLS REQUIREMENT THAT EARTHWORK QUANTITIES USED TO EVALUATE PLANNING APPLICATIONS BE STAMPED BY A REGISTERED CIVIL ENGINEER. EARTHWORK QUANTITIES WERE PREPARED FROM ARCHITECTURAL PLANS PROVIDED AND ARE BASED ON OUR UNDERSTANDING OF CITY OF ROLLING HILLS PLANNING REQUIREMENTS. SIMPLE EXCAVATION REQUIRED TO OBTAIN PAD GRADES IS CONSIDERED; NO SOILS REPORT HAS BEEN REVIEWED AND NO TEMPORARY SLOPES OR OTHER REMEDIAL REQUIREMENTS HAVE BEEN CONSIDERED. AS A RESULT, FINAL EARTHWORK REQUIRED MAY VARY FROM THE QUANTITIES SHOWN. THIS PLAN IS FOR PLANNING ONLY AND NOT FOR CONSTRUCTION PURPOSES.

Grading Quantities	
Pad 1: Main Residence	
Cut (C.Y)	812
Fill (C.Y)	405
Over-Ex (C.Y)	2,000
Re-Compaction (C.Y)	2,350
Total Grading (C.Y)	**5,567**
Pad 2: Stable	
Cut (C.Y)	85
Fill (C.Y)	85
Over-Ex (C.Y)	475
Re-Compaction (C.Y)	475
Total Grading (C.Y)	**1,120**

OVERALL SITE GRADING	
Cut (C.Y)	897
Fill (C.Y)	490
Over-Ex (C.Y)	2,475
Re-Compaction (C.Y)	2,825
Total Grading (C.Y)	**6,687**
Total EXPORT (C.Y)	**57**
Total Allowable EXPORT (C.Y)	**110**

LEGEND

PROPERTY LINE	
EASEMENT	
SETBACK	
(P) LIMIT OF GRADING	
(P) RETAINING WALL	
(E) CONTOUR	1300
(P) CONTOUR	1100
(P) STRUCTURE	
(P) HARDSCAPE	
(P) BASEMENT	
(P) DG CORRAL	
(P) CURB	
(P) ATTACHED TRELLIS	
(P) CORRAL	
(P) PERVIOUS ACCESSWAY	

ABBREVIATIONS

(E)	EXISTING
(F)	FUTURE
(P)	PROPOSED
BW	BOTTOM OF WALL
FF	FINISHED FLOOR
FG	FINISHED GRADE
FS	FINISHED SURFACE
LW	LIGHT WELL
TW	TOP OF WALL

SHEET INDEX

COVER SHEET.....C0.0
TOPOGRAPHIC SURVEY.....C0.1
ENLARGED SITE PLAN: MAIN RESIDENCE.....C1.1
ENLARGED SITE PLAN: STABLE.....C1.2
SITE SECTIONS.....C2.0

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

Revisions	By

CLIENT: NEVENKA, LLC
11 FLYING MANE ROAD
ROLLING HILLS, CA 90274

PRELIMINARY; FOR PLANNING PURPOSES

TITLE: COVER SHEET
NEW RESIDENCE, GUEST HOUSE, STABLE, GARDEN & POOL
11 FLYING MANE ROAD
ROLLING HILLS, CA 90274

Date: June 6, 2022
Scale: AS SHOWN
Drawn: TMA
Checked: TMA
Job No. 21340
Sheet C0.0
Of 5 Sheets

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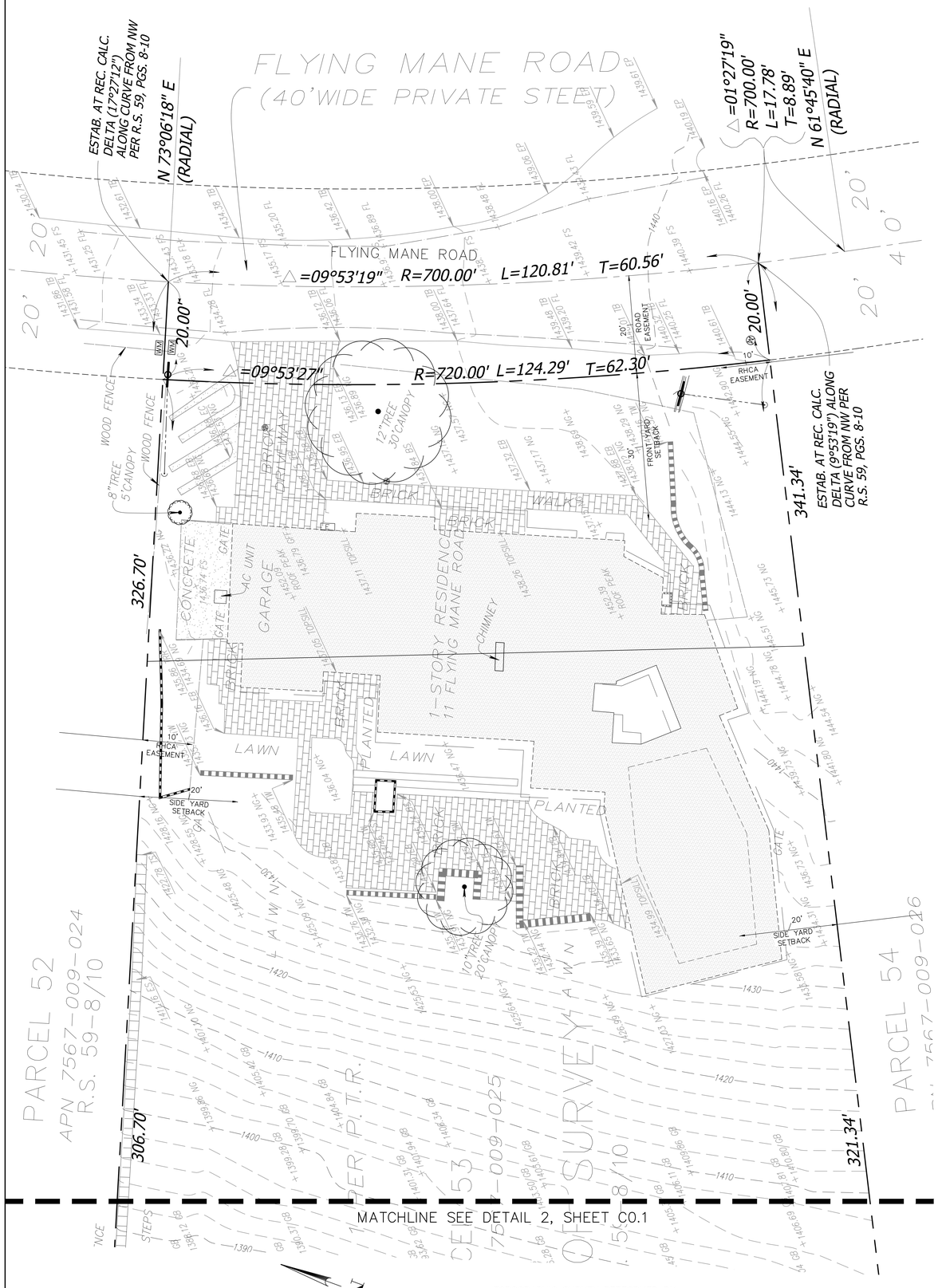
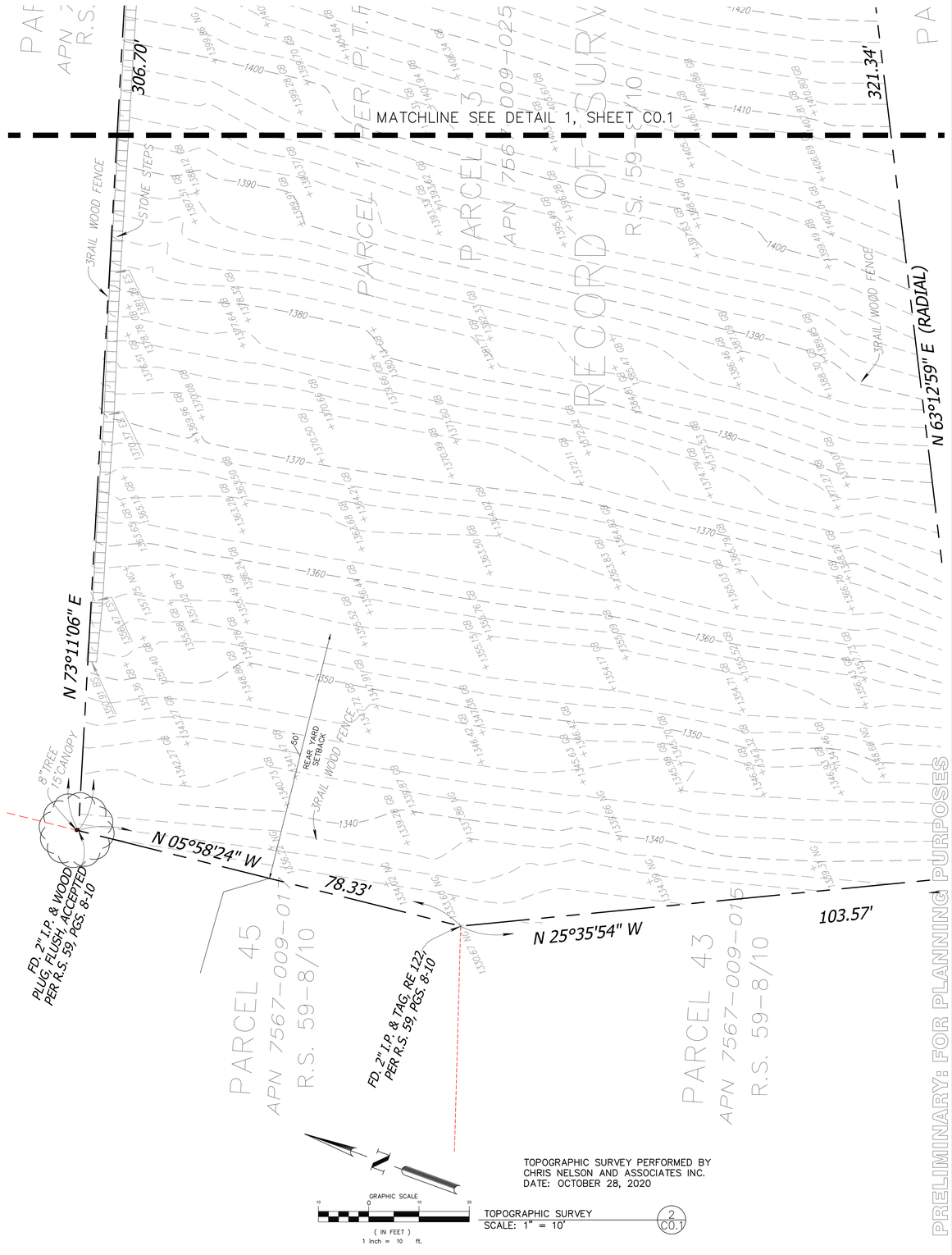


TOPOGRAPHIC SURVEY PERFORMED BY
CHRIS NELSON AND ASSOCIATES INC.
DATE: OCTOBER 28, 2020

GRAPHIC SCALE
10 0 10 20
(IN FEET)
1 inch = 10 ft.

TOPOGRAPHIC SURVEY
SCALE: 1" = 10'
1 C0.1



TOPOGRAPHIC SURVEY PERFORMED BY
CHRIS NELSON AND ASSOCIATES INC.
DATE: OCTOBER 28, 2020

GRAPHIC SCALE
10 0 10 20
(IN FEET)
1 inch = 10 ft.

TOPOGRAPHIC SURVEY
SCALE: 1" = 10'
2 C0.1

PRELIMINARY: FOR PLANNING PURPOSES

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: NEVENKA, LLC
11 FLYING MANE ROAD
ROLLING HILLS, CA 90274

TITLE: TOPOGRAPHIC SURVEY
EXISTING SITE CONDITIONS
11 FLYING MANE ROAD
ROLLING HILLS, CA 90274

Date:	June 6, 2022
Scale:	AS SHOWN
Drawn:	TMA
Checked:	TMA
Job No.	21340
Sheet	C0.1
Of	5 Sheets

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ENLARGED SITE PLAN: MAIN RESIDENCE PAD
SCALE: 1" = 10'
1 / C1.1

Grading Quantities	
Pad 1: Main Residence	
Cut (C.Y)	812
Fill (C.Y)	405
Over-Ex (C.Y)	2,000
Re-Compaction (C.Y)	2,350
Total Grading (C.Y)	**5,567**

ABBREVIATIONS

(E)	EXISTING
(F)	FUTURE
(P)	PROPOSED
BW	BOTTOM OF WALL
FF	FINISHED FLOOR
FG	FINISHED GRADE
FS	FINISHED SURFACE
LW	LIGHT WELL
TW	TOP OF WALL

LEGEND

- PROPERTY LINE
- EASEMENT
- SETBACK
- (P) LIMIT OF GRADING
- (P) RETAINING WALL
- (E) CONTOUR 1300
- (P) CONTOUR 1100
- (P) STRUCTURE
- (P) HARDSCAPE
- (P) BASEMENT
- (P) DG CORRAL
- (P) CURB
- (P) ATTACHED TRELLIS
- (P) CORRAL
- (P) PERVIOUS ACCESSWAY

PRELIMINARY; FOR PLANNING PURPOSES

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: NEVENKA, LLC
11 FLYING MANE ROAD
ROLLING HILLS, CA 90274

PROJECT: ENLARGED SITE PLAN: MAIN RESIDENCE
NEW RESIDENTIAL ESTATE
11 FLYING MANE ROAD
ROLLING HILLS, CA 90274

Date: June 6, 2022
Scale: AS SHOWN
Drawn: TMA
Checked: TMA
Job No. 21340
Sheet C1.1
Of 5 Sheets

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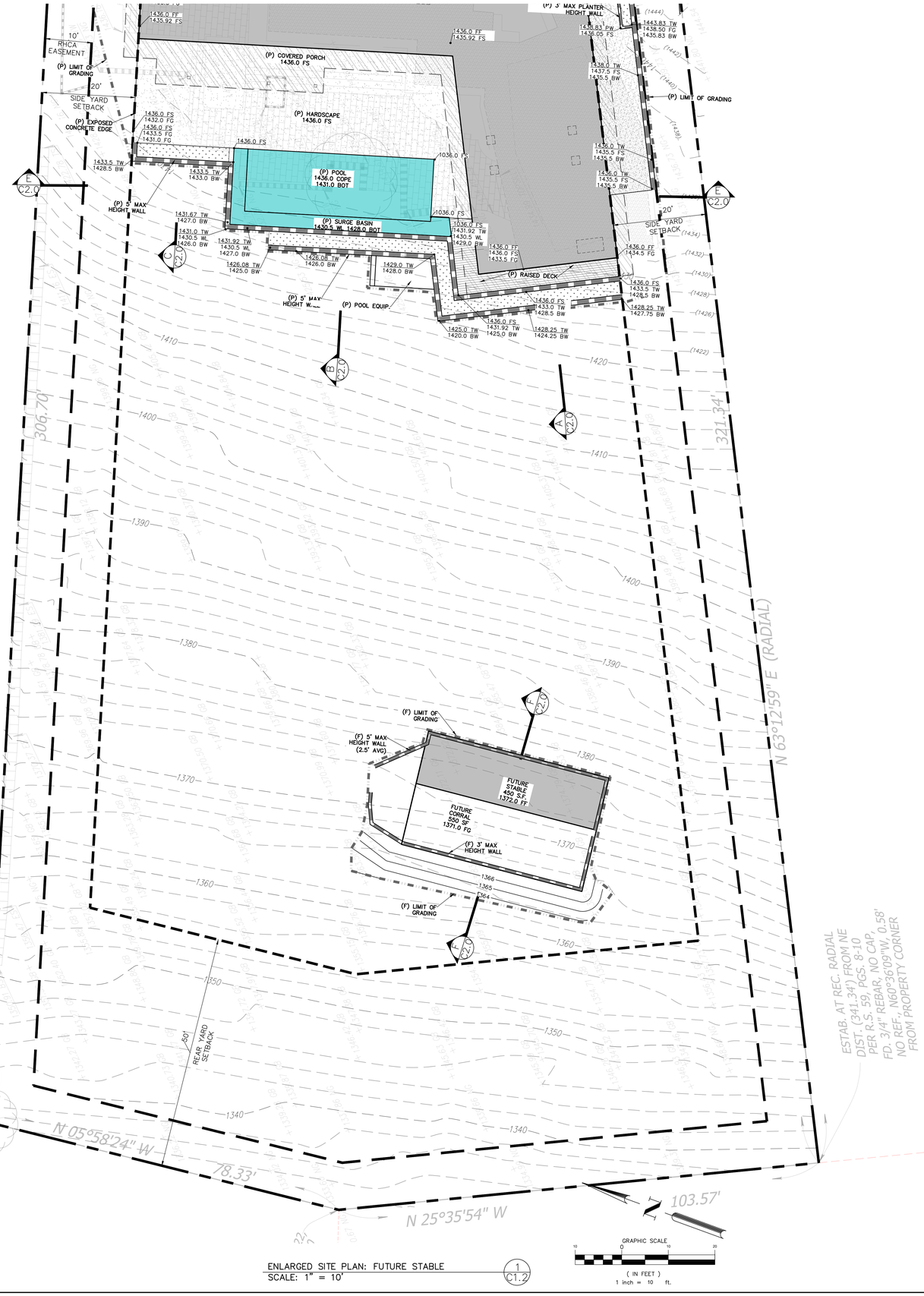

ENLARGED SITE PLAN: FUTURE STABLE
SCALE: 1" = 10'

1 / C1.2

GRAPHIC SCALE
10 0 10 20
(IN FEET)
1 inch = 10 ft.

Pad 2: Stable	
Cut (C.Y)	85
Fill (C.Y)	85
Over-Ex (C.Y)	475
Re-Compaction (C.Y)	475
Total Grading (C.Y)	**1,120**

ABBREVIATIONS

(E)	EXISTING
(F)	FUTURE
(P)	PROPOSED
BW	BOTTOM OF WALL
FF	FINISHED FLOOR
FG	FINISHED GRADE
FS	FINISHED SURFACE
LW	LIGHT WELL
TW	TOP OF WALL

LEGEND

PROPERTY LINE	
EASEMENT	
SETBACK	
(P) LIMIT OF GRADING	
(P) RETAINING WALL	
(E) CONTOUR	1300
(P) CONTOUR	1100
(P) STRUCTURE	
(P) HARDSCAPE	
(P) BASEMENT	
(P) DG CORRAL	
(P) CURB	
(P) ATTACHED TRELLIS	
(P) CORRAL	
(P) PERVIOUS ACCESSWAY	

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: NEVENKA, LLC
11 FLYING MANE ROAD
ROLLING HILLS, CA 90274

PRELIMINARY: FOR PLANNING PURPOSES

ENLARGED SITE PLAN: FUTURE STABLE

NEW RESIDENTIAL ESTATE
11 FLYING MANE ROAD
ROLLING HILLS, CA 90274

Date: June 6, 2022
Scale: AS SHOWN
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Job No. 21340
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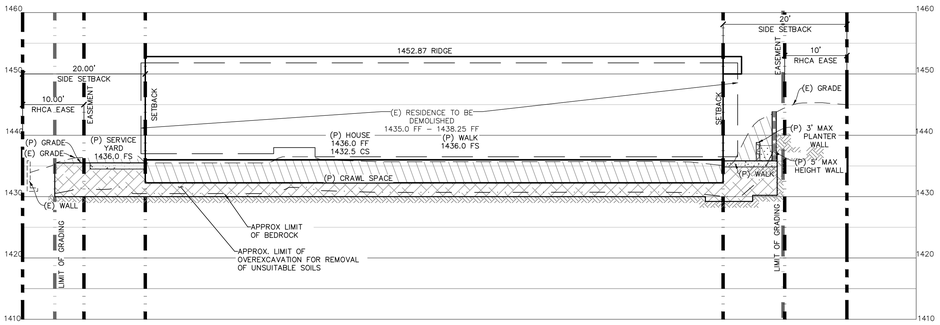
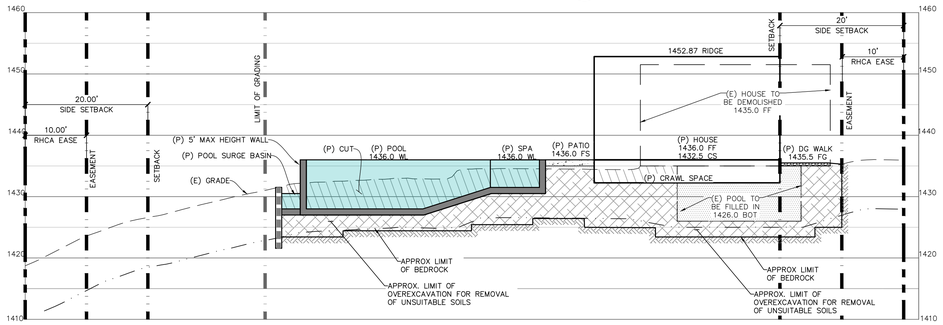
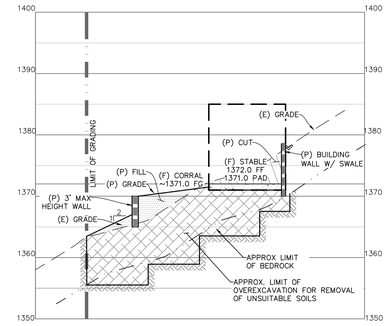
C1.2
Of 5 Sheets



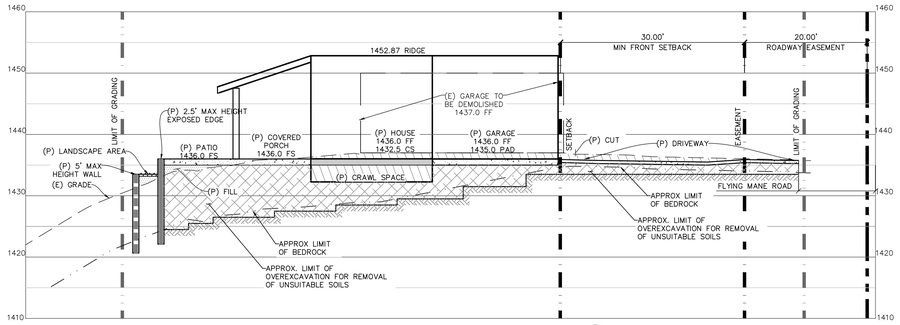
SECTION D–D
SCALE: 1" = 10'



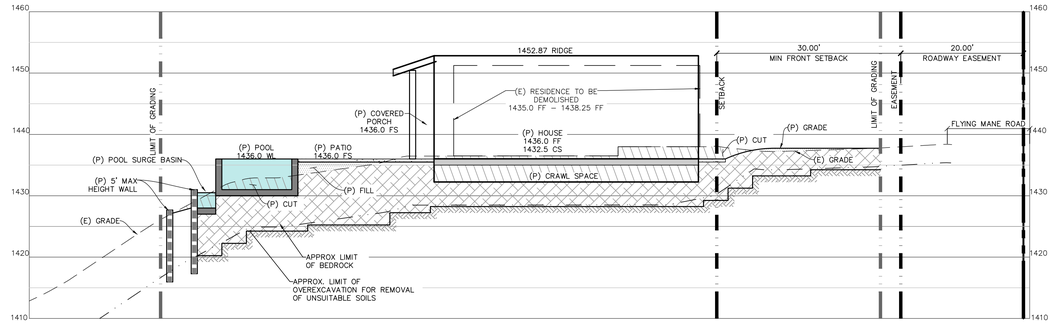
SECTION E–E
SCALE: 1" = 10'



SECTION F–F
SCALE: 1" = 10'



SECTION C–C
SCALE: 1" = 10'



SECTION B–B
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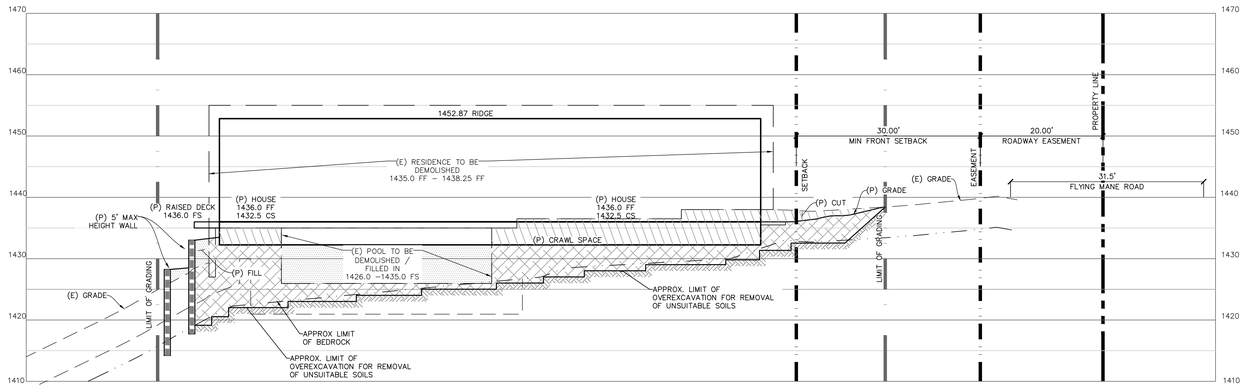

SECTION A–A
SCALE: 1" = 10'

SECTIONS LEGEND

- PROPERTY LINE
- EASEMENT
- SETBACK
- EXISTING GRADE
- PROPOSED GRADE
- (P) LIMIT OF GRADING
- (P) FENCE
- (P) CUT
- (P) FILL
- (P) OVER–EXCAVATION
- LIMITS OF BEDROCK

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: NEVENKA, LLC
11 FLYING MANE ROAD
ROLLING HILLS, CA 90274

PRELIMINARY; FOR PLANNING PURPOSES

TITLE: SITE SECTIONS
NEW STABLE & RIDING RING
11 FLYING MANE ROAD
ROLLING HILLS, CA 90274

Date: June 6, 2022
Scale: AS SHOWN
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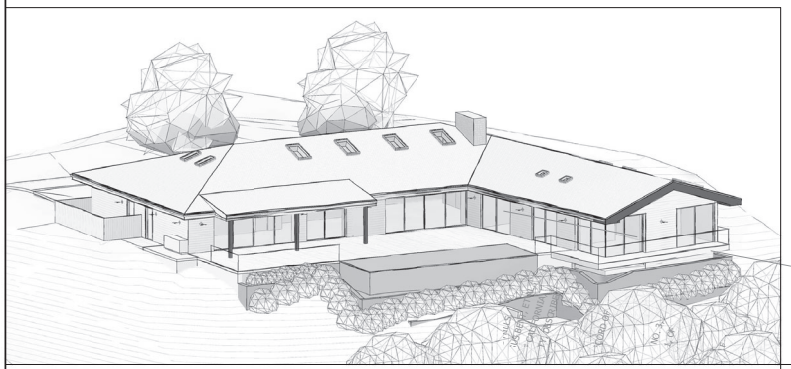
PLOT PLAN
1/16" = 1'-0"



3D VIEW

PROJECT ADDRESS:
11 FLYING MANE RD.
ROLLING HILLS, CA 90274

SCOPE OF WORK:
NEW ONE-STORY SINGLE FAMILY DWELLING

LEGAL DESCRIPTION:	LOT H, RANCHO LOS PALOS VERDES
ASSESSOR'S PARCEL NUMBER:	7567 009 025
LOT SIZE:	1.17 AC / 50,956 SF
ZONE:	RAS-1
CONSTRUCTION TYPE:	V - B (SPRINKLERED)
YEAR BUILT:	1953
NUMBER OF STORIES:	SINGLE STORY
(E) FLOOR AREA:	5,292 SF
PROPOSED FLOOR AREA:	5,215 SF
REQUIRED BUILDING SETBACKS:	
FRONT YARD	30'-0"
SIDE YARD	20'-0"
REAR YARD	50'-0"
MAXIMUM BUILDING HEIGHT ALLOWED:	ONE-STORY
(E) ROOF RIDGE HEIGHT:	18' - 3-1/2"
EXISTING BUILDING PAD AREA :	7,568 SF
PROPOSED BUILDING PAD AREA :	8,780 SF
GRADING QUANTITIES :	
TOTAL CUT	3,415 CY
TOTAL FILL	3,315 CY
EXPORT	100 CY
ALLOWABLE EXPORT (POOL)	110 CY

PROJECT DESCRIPTION

OWNER:
NEVENKA LLC
11 FLYING MANE RD.
ROLLING HILLS, CA 90274

ARCHITECT/ APPLICANT:
JOHN RUZICKA, AIA, LEED AP
2422 GATEWOOD ST
LOS ANGELES, CA 90031
(310) 597-9668
john@ruz-arch.com

CIVIL ENGINEER:
BOLTON ENGINEERING CORP.
25834 NARBONNE AVE. SUITE 210
LOMITA, CA 90717
(916) 790-9500
tales@boltonengineering.com

LANDSCAPE ARCHITECT:
NATURAL ART LANDSCAPE
2715 CASIANO RD
LOS ANGELES, CA 90077
tomas@naturalartlandscapes.com

GEOTECHNICAL ENGINEER:
COAST GEOTECHNICAL, INC.
1200 WEST COMMONWEALTH
FULLERTON, CA 92833
(714) 870-1211
coastgeotec@sbcglobal.net

SURVEYOR:
CHRIS NELSON & ASSOCIATES, INC.
31238 VIA COLINAS SUITE H
WESTLAKE VILLAGE, CA 91362
(818) 991-1040

STRUCTURAL ENGINEER:
TBD

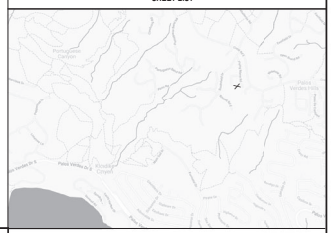
MEP ENGINEER:
TBD

PROJECT DIRECTORY

ARCHITECTURAL

A 0.01	COVERSHEET
A 1.01	SITE LIGHTING DIAGRAM
A 2.02	FIRST FLOOR PLAN
A 2.03	ROOF PLAN
A 2.04	FIRST FLOOR REFLECTED CEILING PLAN
A 3.01	EXTERIOR ELEVATIONS
A 3.02	EXTERIOR ELEVATIONS
A 4.01	BUILDING SECTIONS
A 4.02	BUILDING SECTIONS
A 7.02	PROPOSED EXTERIOR FINISHES

SHEET LIST



VICINITY MAP

RUZ+ARCH
2422 GATEWOOD ST
LA, CA 90031
P. 310 597 9668
E. john@ruz-arch.com

JOHN HODGSON RUZICKA
C-36356
REN 12/31/17

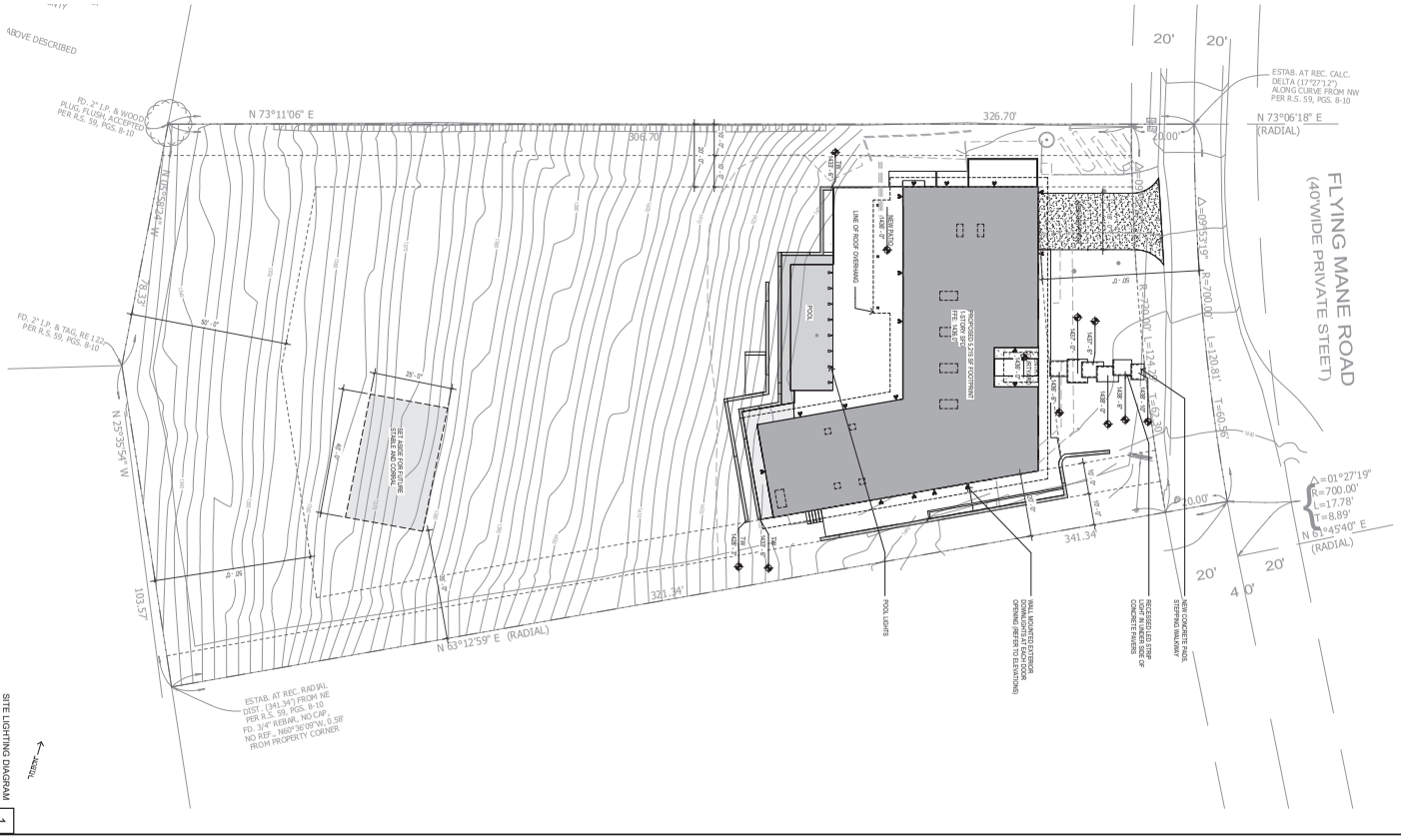
PRIVATE RESIDENCE
#11 FLYING MANE
ROLLING HILLS, CA 90274

COVERSHEET

MAY 27, 2022

1121

A 0.01



A 1.01

1121

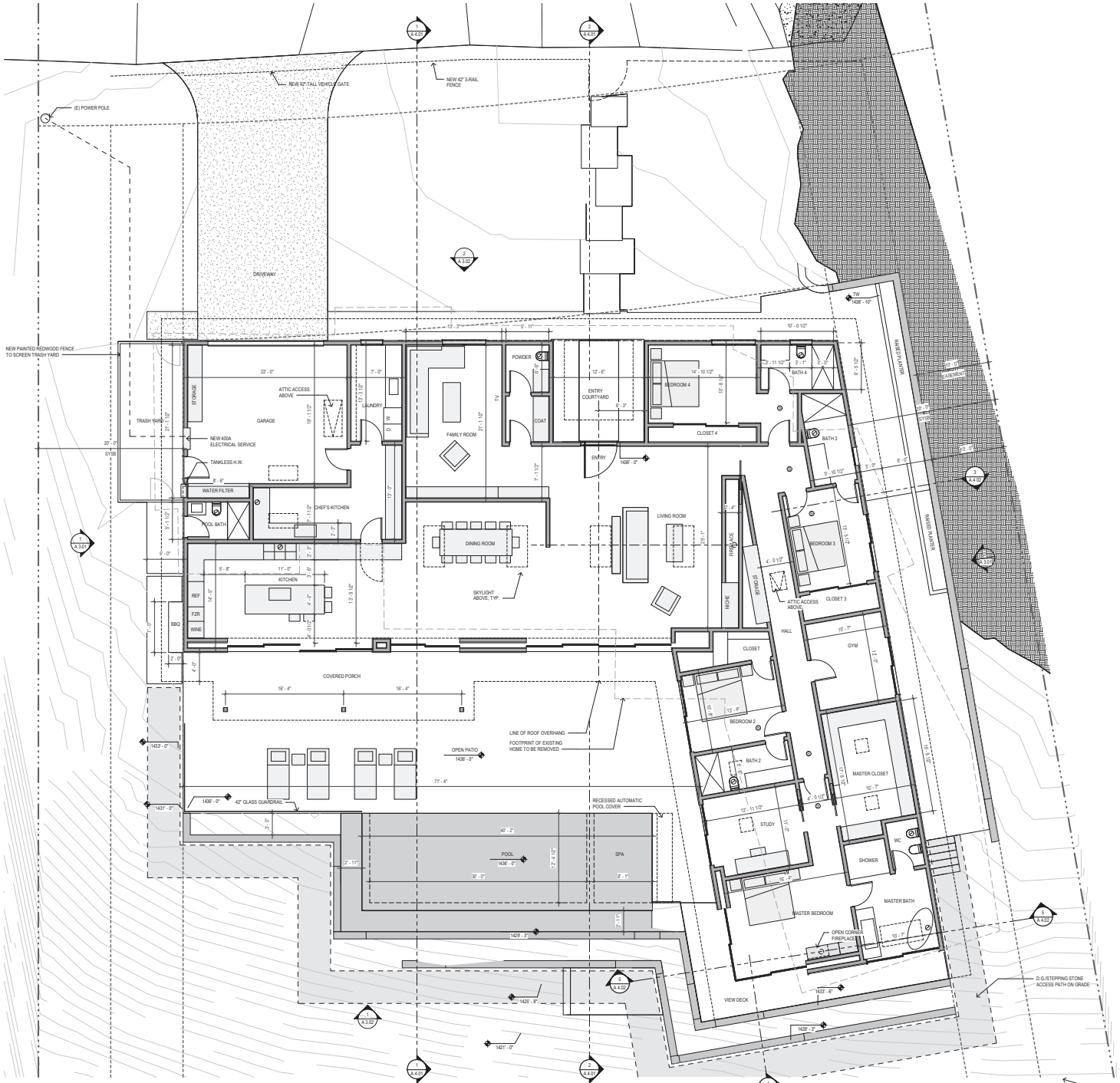
MAY 27 2022

SITE LIGHTING DIAGRAM

PRIVATE RESIDENCE

#11 FLYING MANE
ROLLING HILLS, CA 90274

RUZ+ARCH
ARCHITECTURE
P. O. BOX 1987 Palos Verdes Peninsula, CA 90274
(310) 377-7446
www.ruzarch.com



SYMBOLS LEGEND	
⊘	MECHANICAL VENTILATION CAPABLE OF 50 CFM EXHAUSTED TO EXTERIOR (R303.3)
ⓒ	COMBINATION SMOKE AND CARBON MONOXIDE DETECTOR, HARD-WIRED (R314 & 315)

PROPOSED FIRST FLOOR
3/16" = 1'-0"

1

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JOHN HODGSON RUZICKA
C-33356
09/30/2023

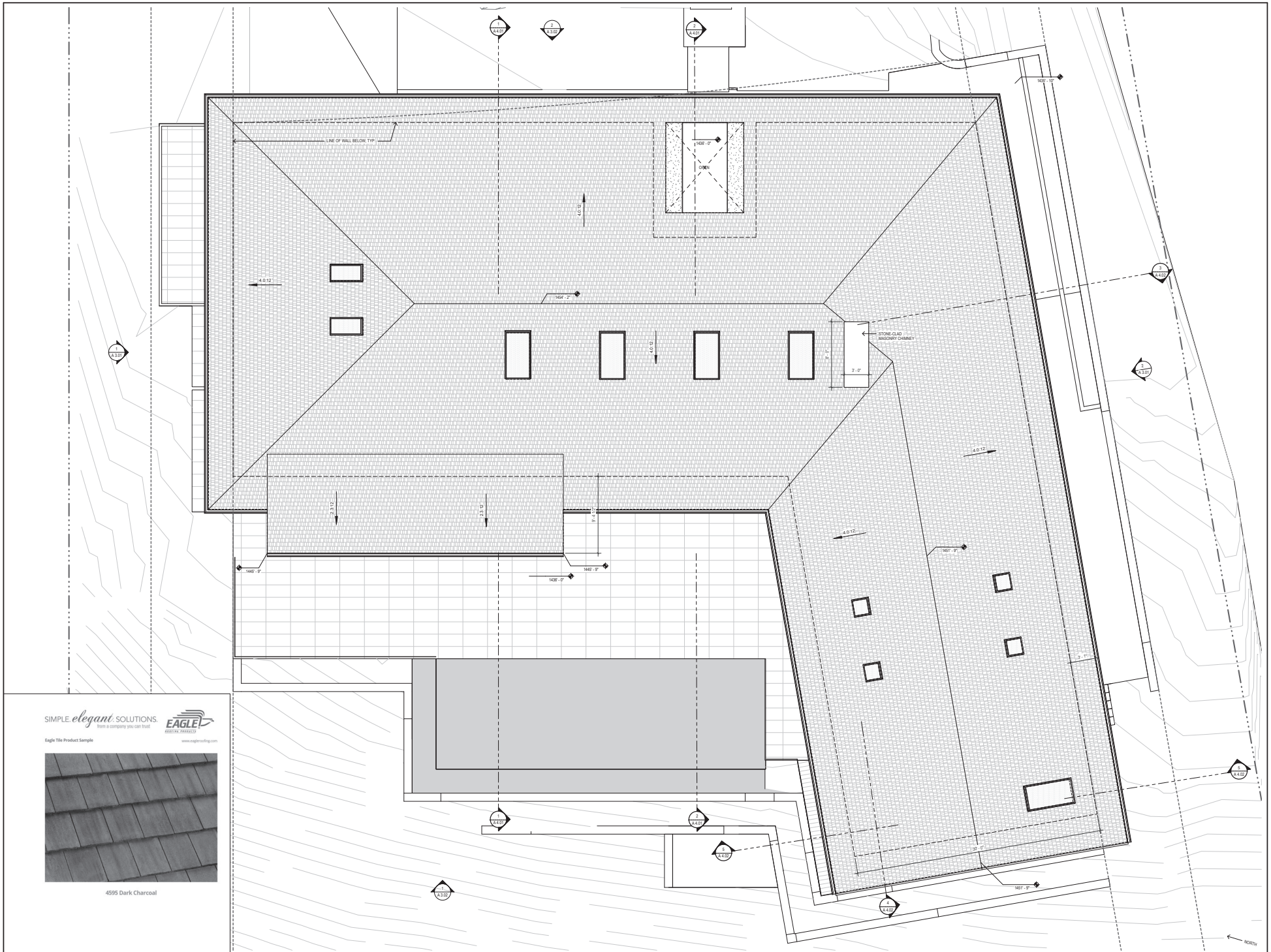
PRIVATE RESIDENCE
#11 FLYING MANE
ROLLING HILLS, CA 90274

FIRST FLOOR PLAN

MAY 27, 2022

1121

A 2.02



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Eagle Tile Product Sample

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4595 Dark Charcoal

PROPOSED ROOF MATERIAL SPECIFICATION

PROPOSED ROOF
1/4" = 1'-0"

1

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PRIVATE RESIDENCE
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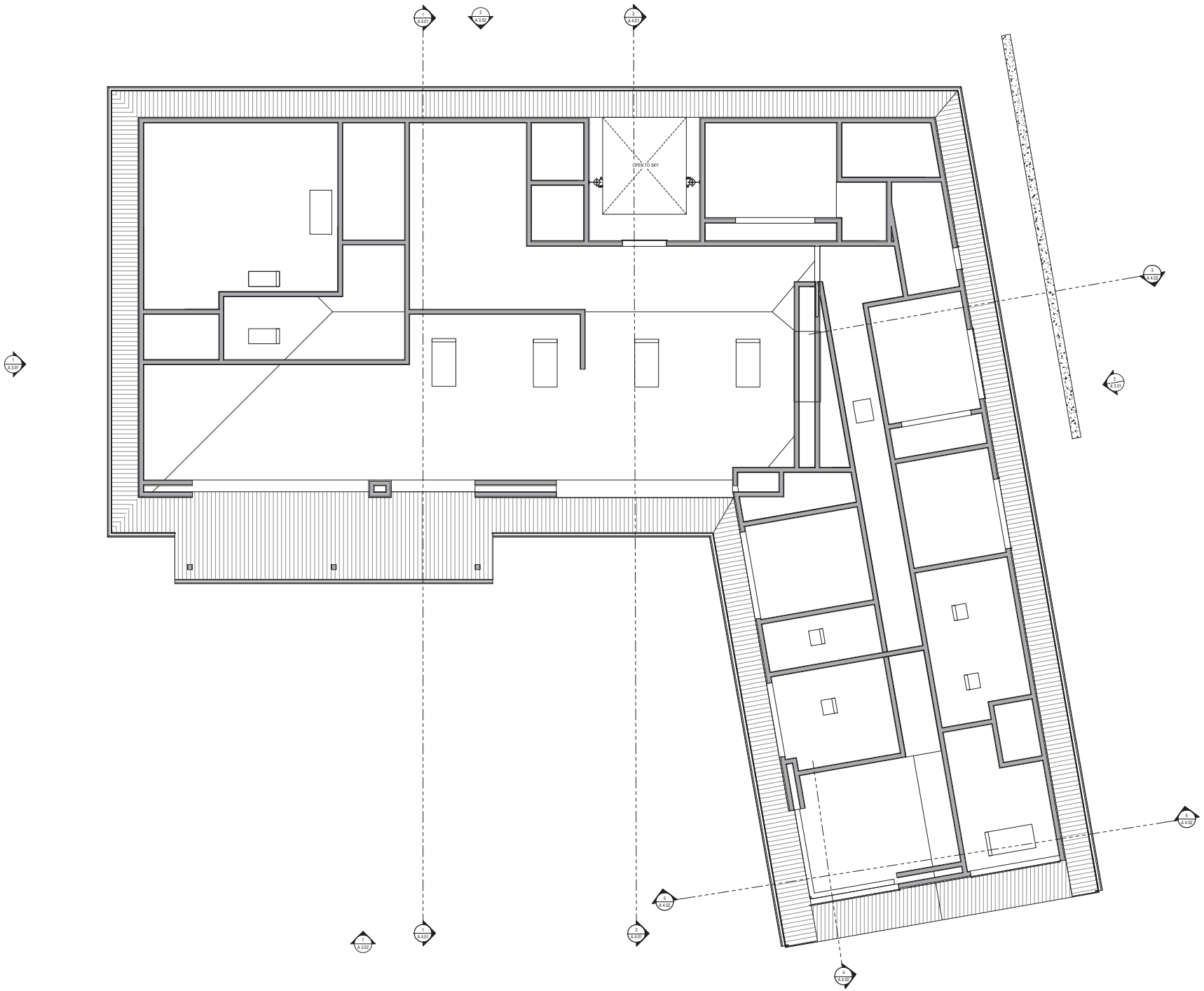
ROLLING HILLS, CA 90274

ROOF PLAN

MAY 27, 2022

1121

A 2.03



REFLECTED CEILING PLAN
1/4" = 1'-0"

1

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JOHN HODGSON RUZICKA
C-0000
RENEWS 0/0/0000

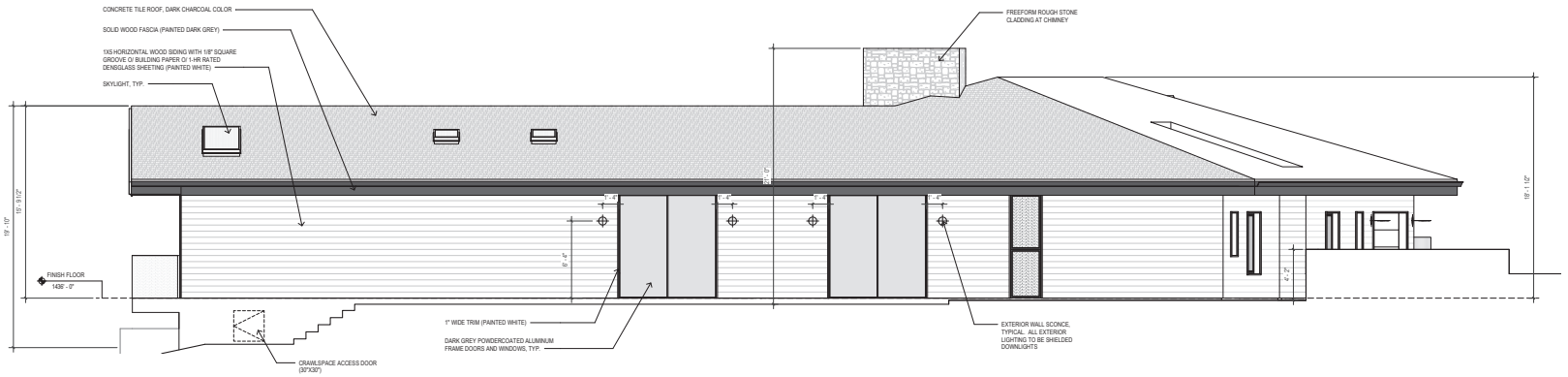
PRIVATE RESIDENCE
#11 FLYING MANE
ROLLING HILLS, CA 90274

FIRST FLOOR REFLECTED CEILING PLAN

MAY 27, 2022

1121

A 2.04



WEST ELEVATION
1/4" = 1'-0"

2



EAST ELEVATION
1/4" = 1'-0"

1

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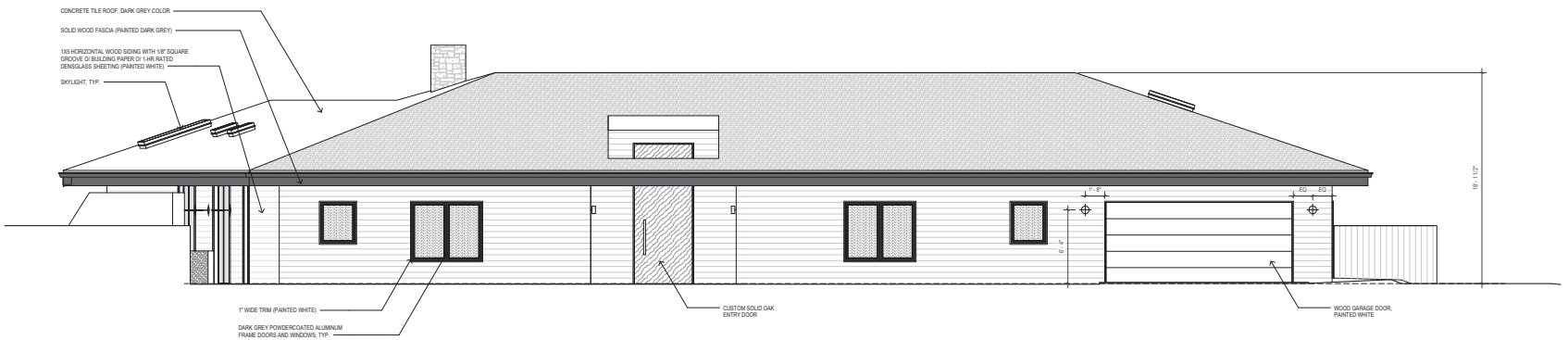
PRIVATE RESIDENCE
#11 FLYING MANE
ROLLING HILLS, CA 90274

EXTERIOR ELEVATIONS

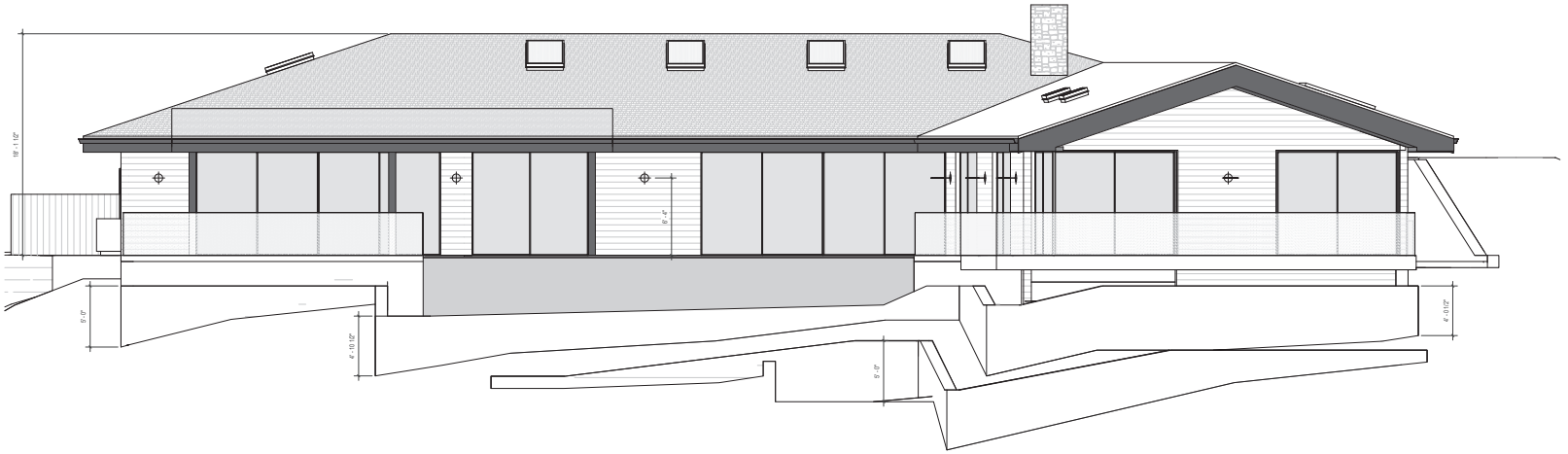
MAY 27, 2022

1121

A 3.01



NORTH ELEVATION
1/4" = 1'-0" 2



SOUTH ELEVATION
1/4" = 1'-0" 1

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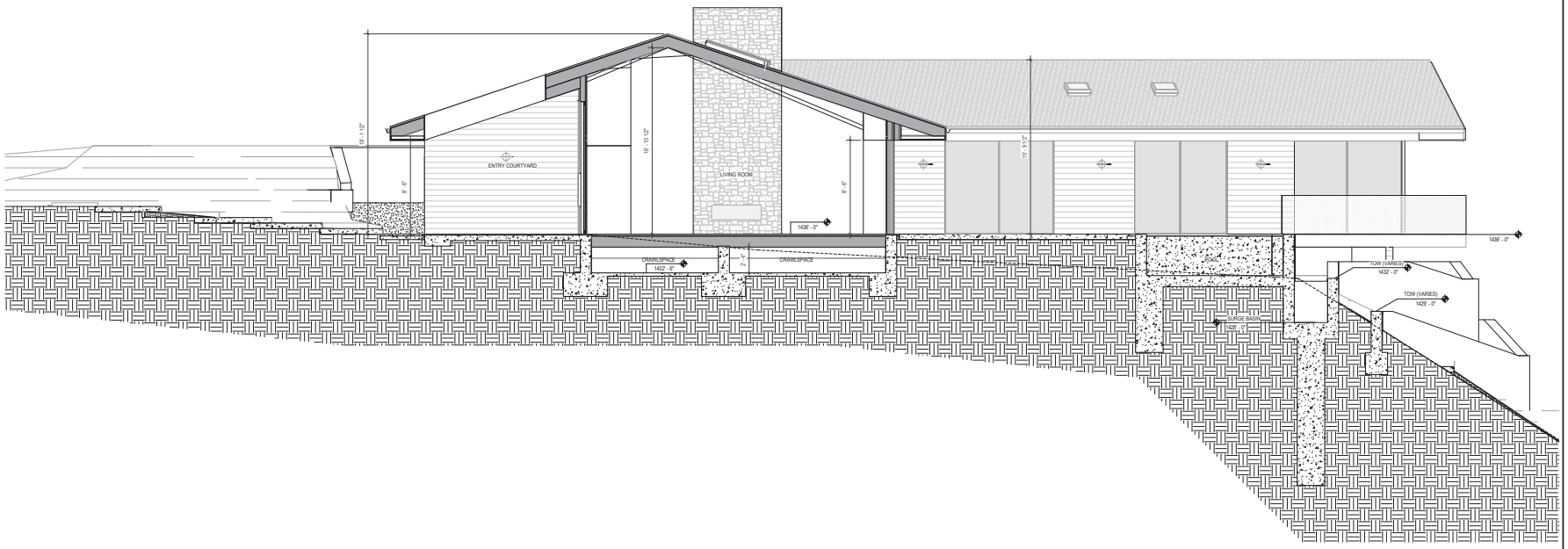
PRIVATE RESIDENCE
#11 FLYING MANE
ROLLING HILLS, CA 90274

EXTERIOR ELEVATIONS

MAY 27, 2022

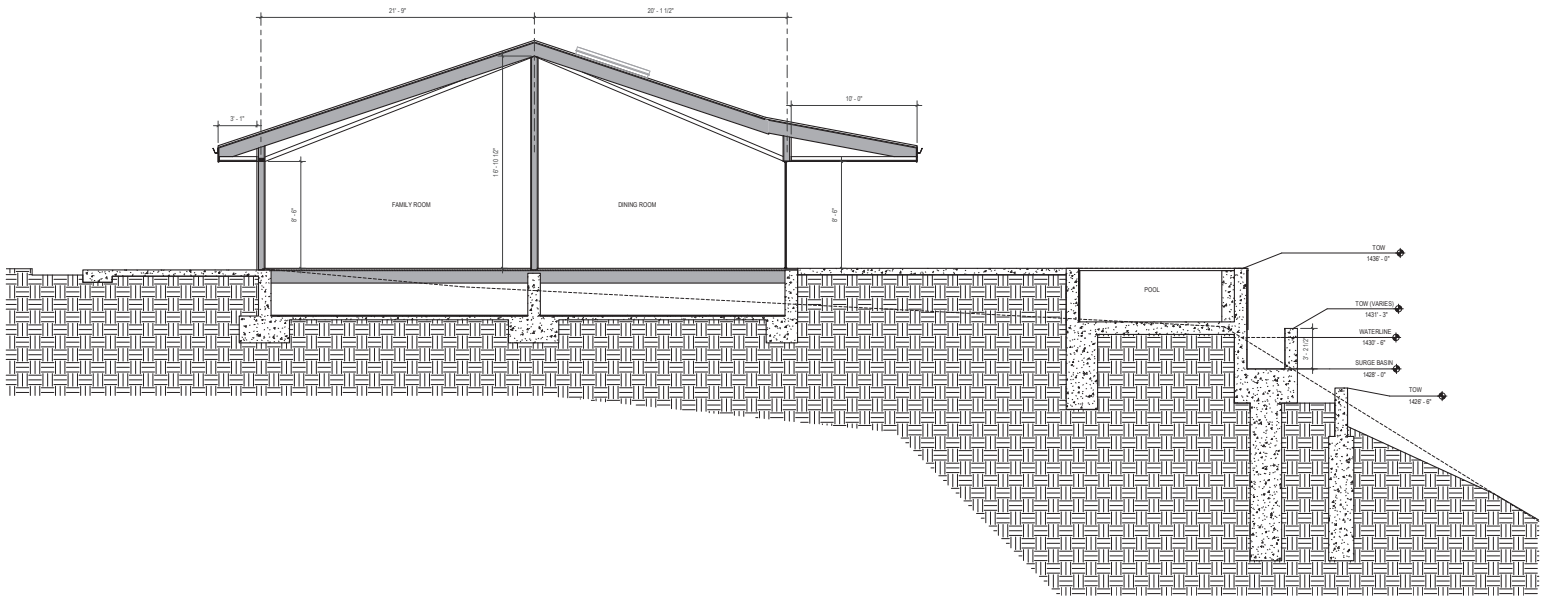
1121

A 3.02



SECTION 2
1/4" = 1'-0"

2



SECTION 1
1/4" = 1'-0"

1

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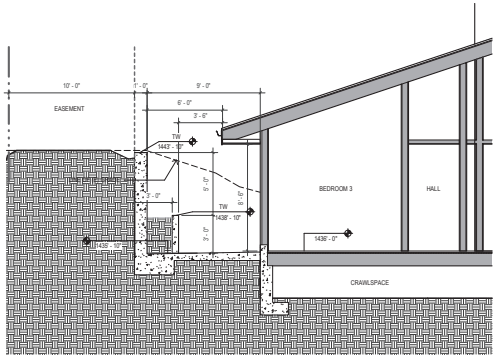
PRIVATE RESIDENCE
#11 FLYING MANE
ROLLING HILLS, CA 90274

BUILDING SECTIONS

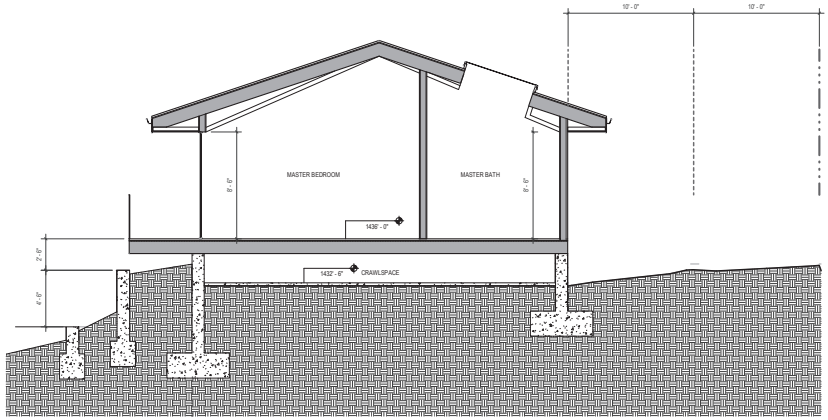
MAY 27, 2022

1121

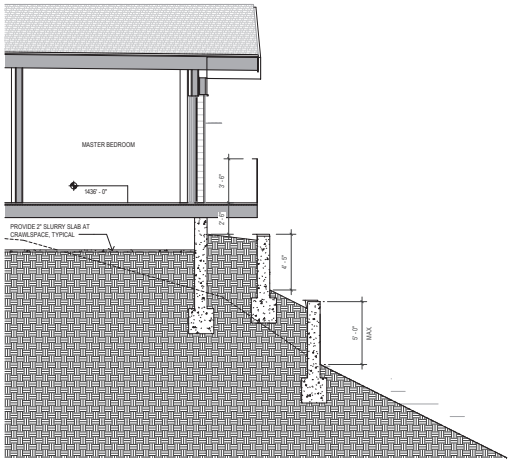
A 4.01



SECTION 3
1/4" = 1'-0"
3



SECTION 5
1/4" = 1'-0"
5



SECTION 4
1/4" = 1'-0"
4

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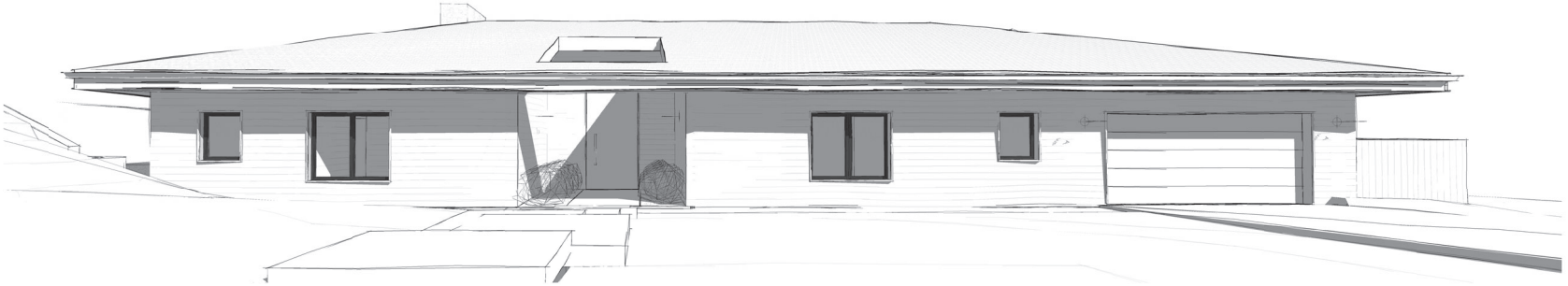
PRIVATE RESIDENCE
#11 FLYING MANE
ROLLING HILLS, CA 90274

BUILDING SECTIONS

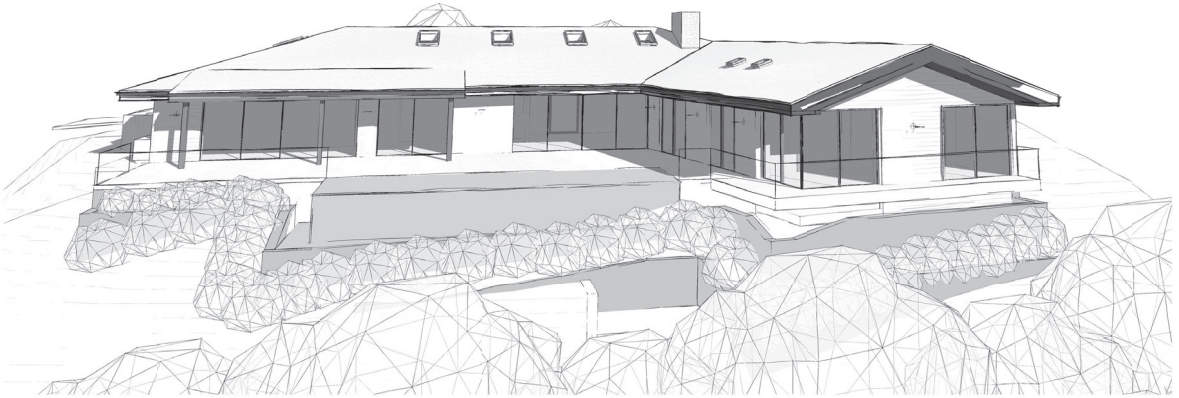
MAY 27, 2022

1121

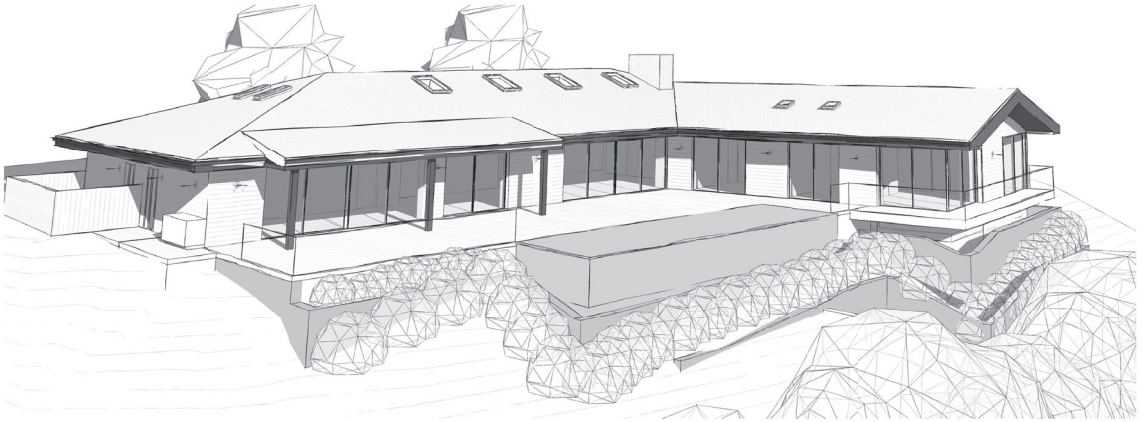
A 4.02



STREET FACADE 1



HILLSIDE PERSPECTIVE 2



HILLSIDE PERSPECTIVE 3

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PRIVATE RESIDENCE
#11 FLYING MANE
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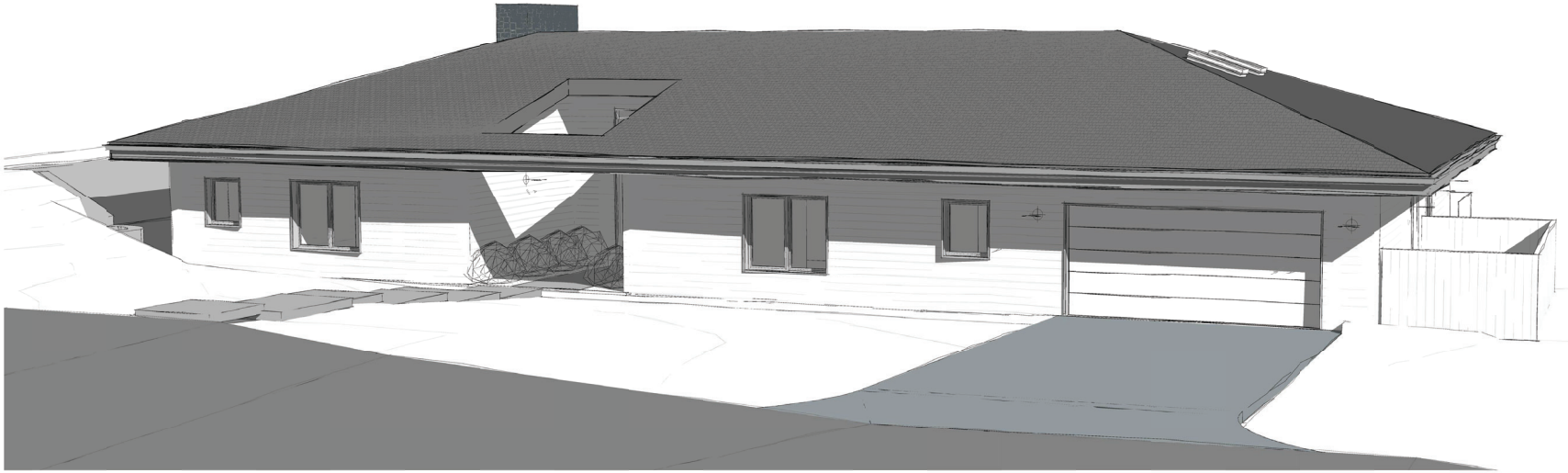
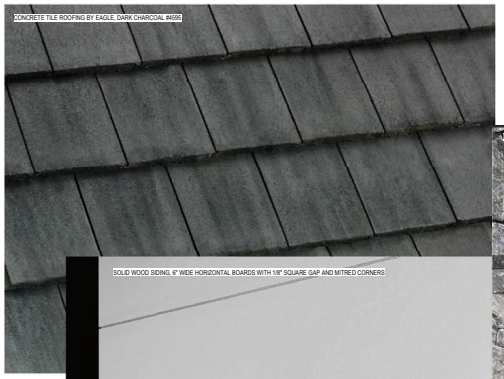
3D VIEWS

MAY 27, 2022

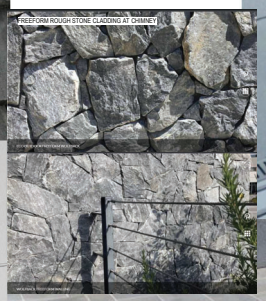
1121

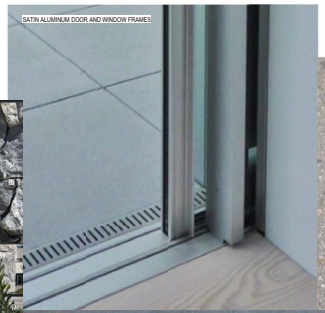
A 7.01



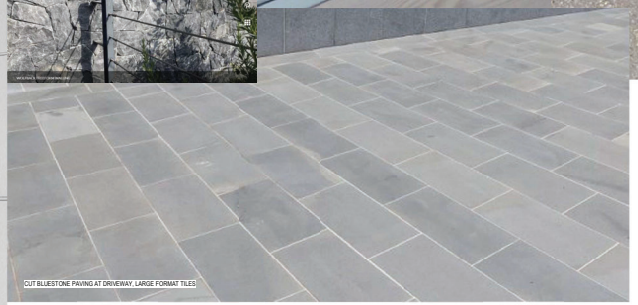














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C-3036
08/31/23 EXP

PRIVATE RESIDENCE
#11 FLYING MANE
ROLLING HILLS, CA 90274

PROPOSED EXTERIOR FINISHES

MAY 27, 2022

1121

A 7.02

Agenda Item No.: 10.A
Mtg. Date: 06/21/2022

TO: **HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION**

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

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

SUBJECT: **ZONING CASE NO. 22-44: REQUEST FOR APPROVAL OF A SECOND MAJOR MODIFICATION TO A SITE PLAN REVIEW TO RELOCATE THE DRIVEWAY APRON, CONSTRUCT MAXIMUM FIVE-FOOT-HIGH RETAINING WALLS, AND FOR NON-EXEMPT GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A 750-SQUARE-FOOT STABLE AND CORRAL; AND VARIANCE REQUESTS TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE, CONSTRUCT A STABLE AND CORRAL IN THE FRONT YARD, CONSTRUCT IN THE FRONT SETBACK AREA, AND FOR RETAINING WALLS THAT EXCEED A HEIGHT OF 3 FEET UP TO A MAXIMUM OF 5 FEET IN THE FRONT YARD SETBACK FOR A PROPERTY LOCATED AT 8 MIDDLERIDGE LANE SOUTH (LOT 254-UR), ROLLING HILLS, CA 90274 (CIMMARUSTI)**

DATE: **June 21, 2022**

BACKGROUND:

Previous Approvals

On July 16, 2019, the Planning Commission adopted Resolution No. 2019-13 approving Zoning Case No. 956 for a Site Plan Review for grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill with 835 cubic yards of dirt to be exported from the excavation of the basement and pool; to construct a 6,201-square-foot residence with a 3,000-square-foot basement and 880-square-foot attached garage; to construct a 1,172 square foot swimming pool; and to construct a not to exceed 5-foot-high retaining wall along the driveway; a Condition Use Permit (CUP) to construct an 800-square-foot guest house; and Variances to exceed the maximum permitted disturbance of the lot by 9.9% to up to 49.9%, where maximum permitted is 40%; and to cover 33.3% of the front yard setback with a driveway, where the maximum permitted is 20%. The driveway apron was approved by the Traffic

Commission. The project also included accompanying administrative approvals to construct the following: 1) 1,222 square feet of covered porches for the residence; 2) 238-square-foot entryway for the residence; 3) 40 square foot pool equipment area; 4) 100-square-foot water feature; 5) 400-square-foot outdoor kitchen; 6) 100-square-foot service yard area; and 7) 337-square-foot attached porch for the guest house.

On August 17, 2021, the Planning Commission adopted Resolution No. 2021-11 granting a two-year time extension for Zoning Case No. 956 to July 16, 2023. The time extension applies to the Site Plan Review, Conditional Use Permit, and Variances.

On April 19, 2022, the Planning Commission adopted Resolution No. 2022-04 approving Zoning Case No. 21-10 for a major modification to a Site Plan Review to relocate the residence and ancillary structures 30 feet to the east. The plan also converted the 800-square-foot guest house to a 1,000-square-foot accessory dwelling unit (ADU) eliminating the need for a CUP. No changes were made to the location of the driveway apron nor to the lot disturbance of 49.9%.

Zoning, Location, and Lot Description

The property is zoned RAS-2 and excluding roadway easement the net lot area is 137,810 square feet (3.16 acres) in size. The lot is vacant. The existing topography of the project site slopes down approximately 40 feet from the upper area of Middleridge Lane South to the lowest portion of the lot.

DISCUSSION:

Applicant's Request

On May 20, 2022, the property owner, Ralph Cimmarusti (Colorado St. Brand Blvd LLC), submitted a major modification request for the Site Plan Review to relocate the driveway apron, construct maximum five-foot-high retaining walls in the front yard setback, construct a new 750-square-foot stable and corral in the front yard, construct in the front and side yard setback areas, and for non-exempt grading.

The proposed project does not affect the major modification for the relocation of the residence and ancillary structures approved by the Planning Commission on April 19, 2022.

Site Plan Review

Site Plan Review is required for a second major modification to relocate the driveway apron, construct maximum five-foot-high retaining walls with an average height of two and one-half feet, and for non-exempt grading of 12,280 cubic yards as identified in Rolling Hills Municipal Code (RHMC) Section 17.46.020.

Driveway Apron

The driveway apron will be relocated from the northwestern corner of the lot approximately 200 feet to the south, which shortens the driveway length by nearly half. The total driveway will be reduced from 10,770 square feet to 6,722 square feet, and the portion of the driveway in the front yard setback will be reduced from 8,500 square feet to 4,452 square feet. This eliminates the variance request approved under Resolution No.2019-13 since the area of the driveway in the front yard setback is reduced from 33.3% to 17.4%, which is less than the 20%

maximum permitted.

A secondary driveway will extend from the main driveway to the proposed stable and corral. The secondary driveway will be 10 feet wide and of a permeable material such as decomposed granite. It will be entirely in the front yard setback.

The City's traffic engineer reviewed the driveway apron and advised that landscaping not be in the sight triangle, which is defined as the sight distance 222 feet to the east and 180 feet to the west. This meets and exceeds the 155-foot distance for a 25-mph roadway and 173-foot distance for downgrades exceeding 9% slope. The traffic engineer's report is attached.

On May 26, 2022, the Traffic Commission reviewed the relocation of the driveway apron and recommended approval, 4-0, with a condition that safety improvements be included as advised by the traffic engineer. This includes a restriction that landscaping in the front easement not exceed 24 inches in height and that the front of the driveway be scored or roughened for horses.

Retaining Walls

The project includes three sets of retaining walls: a retaining wall at the stable and corral to support the building pad; a retaining wall adjacent to the driveway and motor court; and a set of retaining walls at the front of the property to support two existing mature trees. The walls will have a maximum height of five feet with an average height of two and one-half feet. The retaining walls will be located in the front yard with the wall supporting the driveway and motor court and the walls supporting the tree wells located in the front yard setback. A variance has been requested for these encroachments which is described below.

Grading

The total grading for the project is proposed to be 12,280 cubic yards (CY): 6,140 CY of cut and 6,140 CY of fill. Grading will be balanced on site. The western portion of the lot includes 961 CY of cut and 752 CY of fill for the driveway; the depth of the cut will be eight feet and the fill will be six feet. The project includes 1,740 CY of overexcavation and 1,740 CY of recompaction.

The applicant is proposing to use the excavated dirt to flatten surrounding areas. No dirt will be exported. Maximizing the amount of fill on the subject property complies with the goals of the General Plan to balance grading on site. A breakdown of the cubic yards of cut and fill is shown in Table 1.

Table 1. Grading

Area of Grading	CY of Cut	Depth of Cut	CY of Fill	Depth of Fill	Total CY of Grading
Walls	142	7.7’	224	3.8’	366
Driveway	961	8’	752	6’	1,713
Yard	230	2.7’	121	3.2’	351

Area of Grading	CY of Cut	Depth of Cut	CY of Fill	Depth of Fill	Total CY of Grading
Main Residence	128	2’	0	0	128
Basement	2,392	14.3’	0	0	2,392
ADU	191	7.1’	12	2.2’	203
Pool and Spa	306	8.1’	0	0	306
Stable	20	1'	190	4'	210
Pathway to Stable	0	0'	430	10.3'	430
Slope Grading	1,770	10	4,411	11'	6,181
Total (Grading Balanced on-site)	**6,140**	**n/a**	**6,140**	**n/a**	**12,280**

Source: Grading calculations provided by applicant

Lot and Building Pad Coverage

- Net Lot Area: 137,810 square feet (3.16 acres)
- Structural Coverage: 12,147 square feet or 8.8%, excluding exempt structures (20% max. permitted)
- Flatwork (including driveways and walkways): 12,812 square feet or 9.3%
- Total Lot Coverage (structures and flatwork): 24,959 square feet or 18.1%, excluding exempt structures
- Total Disturbed Area: 72,646 square feet or 52.7% of the lot (40% maximum permitted; variance required)

Variance

Zoning Case No. 956 approved under Resolution No. 2019-13 includes variance requests from Section 17.16.070 for lot disturbance and exceeding the 20% maximum permitted coverage in the front setback with a driveway. The project will increase the lot disturbance from 49.9% to 52.7%, thus necessitating a new variance. However, the project will reduce the driveway coverage in the front yard setback from 33.3% to 17.4%, thus eliminating the need for a variance since coverage will be less than the 20% maximum permitted.

The project also includes variance requests to construct a stable and corral in the front yard identified in Sections 17.18.060(A)(2) and 17.18.090(3), construct in the front yard setback area identified in Sections 17.16.110, and to construct a five-foot-high retaining wall in the side and front yard setbacks identified in Section 17.16.150(F). Findings to support the variance requests are included in the resolution.

Conditional Use Permit

Zoning Case No. 956 approved under Resolution No. 2019-13 included a conditional use permit (CUP) for a guest house. However, the guest house has been converted to an ADU eliminating the need for a CUP since ADUs are not subject to discretionary review.

Pursuant to RHMC Section 17.18.060, the proposed 750-square-foot stable with an attached 300-square-foot covered porch does require a CUP. Findings to support approval of the CUP are included in the resolution.

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.

Rolling Hills Community Association Review

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

Traffic Commission Review
On May 26, 2022, the Traffic Commission reviewed the relocation of the driveway apron and recommended approval, 4-0. At the advice of the traffic engineer, the Traffic Commission recommended a restriction that landscaping in the front easement not exceed 24 inches in height and the front of the driveway be scored or roughened for horses.

Public Participation

No written correspondence received.

SITE PLAN REVIEW CRITERIA

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.

17.46.50 Required Findings.

1. The Commission shall be required to make findings in acting to approve, conditionally approve, or deny a site plan review
2. 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:
3. 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;
4. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences;
5. 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);
6. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area;
7. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course;
8. 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;
9. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles; and
10. The project conforms to the requirements of the California Environmental Quality.

CRITERIA FOR APPROVAL OF CONDITIONAL USE PERMIT

17.42.050 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, building 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 VARIANCES

17.38.050 Required Variance findings.

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

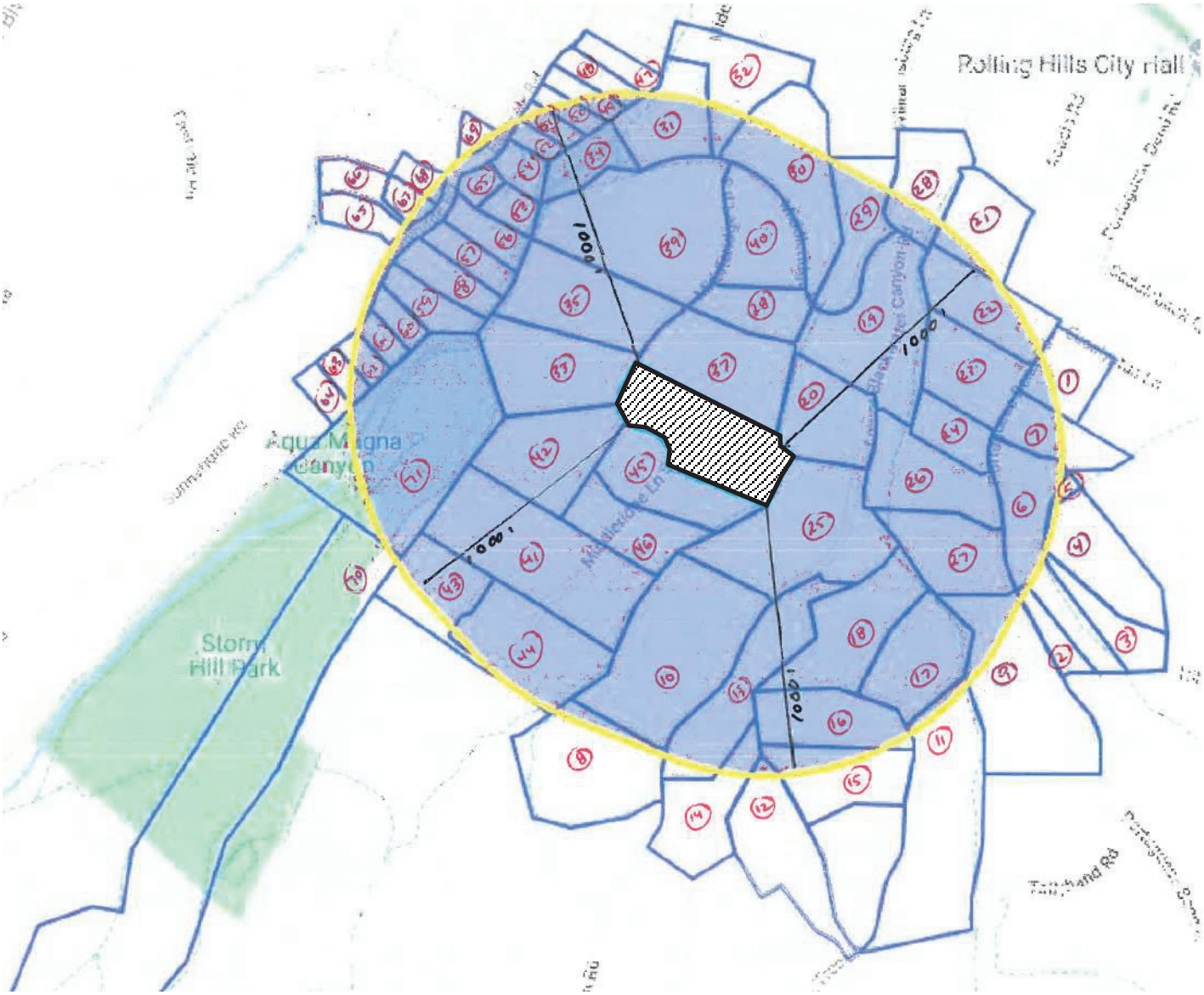
1. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone;
2. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other 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, receive public testimony, discuss the project, and adopt Resolution No. 2022-08 approving the project as presented.

ATTACHMENTS:
Vicinity Map.pdf
220616_8MiddleridgeLnS_ZC22-44_Development Table.pdf
EARTH-INFO-6-15-22.pdf
Memo from Traffic Engineer 052022.pdf
220512_8MiddleridgeLnS_ZC22-44_Driveway Location Pictures.pdf
Resolution No. 2022-08 - 8MiddleridgeLn_S_ZC 22-44-PROPOSED.pdf
Resolution No. 2022-04 - 8 Middleridge Lane South ZC 21-10-CORRECT.pdf
Resolution No. 2021-11 for Time Ext (ZC 956) 8 Middleridge Ln S.pdf
Resolution No. 2019-13 8 Middleridge Lane South.pdf
ARCH-SITE PLAN-6-16-22 11X17.pdf
220615_8MiddleridgeLnS_ZC22-44_11x17 Site Plan.pdf
220615_8MiddleridgeLnS_ZC22-44_11x17 Barn Plans.pdf
220615_8MiddleridgeLnS_ZC22-44_CutFill Plans.pdf
220615_8MiddleridgeLnS_ZC22-44_Slope Plans.pdf



City of Rolling Hills **2 PORTUGUESE BEND ROAD ROLLING HILLS, CA 90274**

TITLE VICINITY MAP **CASE NO.** Zoning Case No. 22-44

Site Plan Review, Conditional Use Permit, Variance

OWNER Cimmarusti

ADDRESS 8 Middleridge Lane South, Rolling Hills, CA 90274 **SITE**

COMPARISON CHART

8 MIDDLERIDGE LANE SOUTH	2019 PRIOR APPROVAL	2022 PROPOSED PROJECT
RA-S- 2 Zone Net Lot Area: 137,810 SF (3.16 AC)	SINGLE FAMILY RESIDENCE, GARAGE, GUEST HOUSE, POOL AND SPA, FUTURE (SET ASIDE) STABLE	SINGLE FAMILY RESIDENCE, GARAGE, ADU, POOL AND SPA, STABLE
Building Pad 1	30,600 SF	30,600 SF
Residence	6,201 SF 18.2' height	6,094 SF 19.5' height
Garage	880 SF	987 SF
Pool and Spa	1,172 SF	1,172 SF
Pool Equipment	40 SF	40 SF
Guest House	800 SF	--
ADU	--	1,000 SF
Stable (450 SF minimum)	450 SF (Future Stable)	750 SF
Attached Covered Porches	1,222 SF	1,522 SF
Entryway, Porte Cochere, Breezeways	238 SF	238 SF
Attached Trellises	--	244 SF
Outdoor Kitchen	400 SF	400 SF
Water features	100 SF	100 SF
Service Yard	100 SF	100 SF
Basement Area	3,000 SF	4,491 SF
Grading	13,580 cubic yards (6,790 CY cut / 6,790 CY fill)	12,280 cubic yards (6,140 CY cut / 6,140 CY fill)
Total Structure Area (20% max)	11,603 SF (8.4%)	12,647 SF (9.2%)
Total Structures (excluding up to 5 legal and up to 800 SF detached structures that are not higher than 12 ft (no more than 120 SF per structure per deduction, except for trellis)	11,103 SF (8.1%)	12,147 SF (8.8%)
Total Flatwork	16,860 SF (12.2%)	12,812 SF (9.3%)
Total Lot Coverage (Structures and Flatwork) (35% max & with deductions)	27,963 SF (20.3%)	24,959 SF (18.1%)
Total Disturbed Area (40% maximum)	68,886 SF (49.9%)	72,646 SF (52.7%)

Date	6/15/2022	**Address**	8 Middle Ridge South
GRADING AND EXCAVATION INFORMATION			
Grading Quantities	Cubic Yds.	Max. Depth	Max. Depth Location
CUT/EXCAVATION			
For House(without basement)	128	2	SW of Bldg.
For other structures:			
Walls	142	7.7	SE of DWY.
ADU	191	7.1	SW of ADU
For Driveway	961	8	SW of SWY.
For yard areas	230	2.7	SW of Pool
For basement excavation	2392	14.3	SW of Basement
Stable	20	1	E of Stable
Pathway to stable	0	0	
Slope grading	1770	10	S of DWY.
For pool/spa excavation	306	8.1	SW of Pool
Overexcavation	1740	3	Bldg.+ADU+DWY.+Hardscape
TOTAL CUT	6140(overexcavation is not included)		
TOTAL EXPORT	0		
FILL			
For House	0	0	
For other structures:			
Walls	224	3.8	NW of DWY.
ADU	12	2.2	NE of ADU
For Driveway	752	6	NE of DWY.
For yard areas	121	3.2	NE of Pool
For basement excavation	0	0	
Stable	190	4	W of Stable
Pathway to stable	430	10.3	S of Pathway
Slope grading	4411	11	W of Bldg.
For pool/spa excavation	0	0	
Recompaction	1740	3	Bldg.+ADU+DWY.+Hardscape
TOTAL FILL	6140(Recompaction is not included)		
TOTAL GRADING (Sum of total cut and total fill)		12,280	
PAD/FLOOR ELEVATIONS			
	Residential pad	Other pad	
Existing pad elevations			
Finished Floor	no ex. Bldg		
Finished grade			
Proposed pad elevations			
Finished floor	1013/1014.25	ADU:1015.5	
Finished grade	1011.5 to 1016.25	ADU:1014.85	
Basement-finished floor	1002/1003.33		
Basement-finished well wall	1001.75/1003.08		

Memorandum

TO: Elaine Jeng, PE, City Manager

FROM: Vanessa Munoz, PE, TE, City Traffic Engineer

DATE: May 20, 2022

SUBJECT: 8 Middleridge Lane South Driveway

This memorandum is in response to the request by the city to review and provide input on the revised layout for a single 20- foot driveway being proposed by the residents at 8 Middleridge Lane South. This is a revision to the previously approved layout.

A sight tringle exhibit was submitted for the same driveway location back on October 10, 2018, to verify sight obstructions and sight distance available from the driveway in both directions. The sight distance shown is 222-feet to the east and 180-feet to the west which meets and exceeds the 155-feet for a 25-mph roadway and 173-feet for downgrades exceeding 9% slope.

The revised proposed driveway layout is acceptable, however due to the curvature of road and parcel terrain, I recommend no foliage and/or landscape higher than 24” be permitted within the line-of-sight triangle. The limitations are proposed to always maintain the acceptable line of sight and avoid overgrowth of landscape in the future in both directions. The line-of-sight triangle shall be laid out on the site plan to delineate the landscape height limitations.

8 MIDDLERIDGE LANE SOUTH – DRIVEWAY LOCATION

Main Driveway



Looking northwest along Middleridge Lane South
(yellow arrows depict edge of driveway apron)



Looking southeast along Middleridge Lane South

8 MIDDLERIDGE LANE SOUTH – DRIVEWAY LOCATION



Looking northeast toward driveway apron
(yellow arrows depict edge of driveway apron)

RESOLUTION NO. 2022-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF ZONING CASE NO. 22-44 FOR A SECOND MAJOR MODIFICATION TO A SITE PLAN REVIEW TO RELOCATE THE DRIVEWAY APRON, CONSTRUCT MAXIMUM FIVE-FOOT-HIGH RETAINING WALLS, AND FOR NON-EXEMPT GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A STABLE AND CORRAL; AND VARIANCE REQUESTS TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE, CONSTRUCT A STABLE AND CORRAL IN THE FRONT YARD AND FRONT YARD SETBACK, AND FOR RETAINING WALLS THAT EXCEED A HEIGHT OF 3 FEET UP TO A MAXIMUM OF 5 FEET IN THE FRONT YARD SETBACK FOR A PROPERTY LOCATED AT 8 MIDDLERIDGE LANE SOUTH (LOT 254-UR), ROLLING HILLS, CA 90274 (CIMMARUSTI)

THE PLANNING COMMISSION DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. On July 16, 2019, the Planning Commission adopted Resolution No. 2019-13 approving Zoning Case No. 956 for a Site Plan Review for grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill with 835 cubic yards of dirt to be exported from the excavation of the basement and pool; to construct a 6,201-square-foot residence with a 3,000-square-foot basement and 880-square-foot attached garage; to construct a 1,172 square foot swimming pool; and to construct a not to exceed 5-foot-high retaining wall along the driveway; a Condition Use Permit to construct an 800-square-foot guest house; and Variances to exceed the maximum permitted disturbance of the lot by 9.9% to up to 49.9%, where maximum permitted is 40%; and to cover 33.3% of the front yard setback with a driveway, where the maximum permitted is 20%. The project also included accompanying administrative approvals to construct the following: 1) 1,222 square feet of covered porches for the residence; 2) 238-square-foot entryway for the residence; 3) 40 square foot pool equipment area; 4) 100-square-foot water feature; 5) 400-square-foot outdoor kitchen; 6) 100-square-foot service yard area; and 7) 337-square-foot attached porch for the guest house.

Section 2. On August 17, 2021, the Planning Commission adopted Resolution No. 2021-11 granting a two-year time extension for Zoning Case No. 956 to July 16, 2023. The time extension applies to the Site Plan Review, Conditional Use Permit, and Variances.

Section 3. On April 19, 2022, the Planning Commission adopted Resolution No. 2022-04 approving Zoning Case No. 21-10 for a major modification to a Site Plan Review to relocate the residence and ancillary structures 30 feet to the east and subject to the time extension to July 16, 2023.

Section 4. On May 20, 2022, the property owner, Ralph Cimmarusti (Colorado St. Brand Blvd LLC), submitted a request for the Site Plan Review to relocate the driveway apron, construct maximum five-foot-high retaining walls in the front yard setback,

construct a new 750-square-foot stable and corral in the front yard, and conduct non-exempt grading. The request includes a Conditional Use Permit to construct a stable and corral, and Variance requests to exceed the maximum permitted disturbance, construct a stable and corral in the front yard, construct in the front yard setback, and for retaining walls for the driveway and two tree planters that exceed a height of 3 feet up to a maximum of 5 feet in the front yard setback.

Section 5. The Planning Commission conducted a duly noticed public hearing field trip on June 21, 2022, followed by a virtual public hearing meeting that same evening. Neighbors within a 1,000-foot radius were notified of the public hearing and a notice was published in the Daily Breeze on June 9, 2022. The Applicant and his agent were notified of the public hearings in writing by first class mail and email and both were in attendance at the hearing. Evidence was heard and presented from all persons interested in affecting said proposal and from members of City staff. The Planning Commission reviewed, analyzed, and studied said proposal.

Section 6. The property is zoned RAS-2, and the lot is 3.45 acres in size excluding roadway easement. For development purposes, the net lot area is 3.16 acres, (137,810 sq. ft.). The lot is vacant. The lot is long and narrow, having a very long frontage along Middleridge Lane South. The rear of the lot slopes to a bridle trail that crosses the lot.

Section 7. The Planning Commission finds that the development project is exempt from the California Environmental Quality Act, (CEQA) pursuant to Section 15303 (new construction of single family residence and accessory structures) of the CEQA guidelines. The Class 3 exemption consists of construction and location of limited numbers of new, small facilities or structures, including one single-family residence and accessory structures, including garages, carports, patios, swimming pools, and fences. Here, the development project includes construction of a stable and corral, relocation of the driveway apron, and retaining walls and associated grading for purposes of locating and constructing such facilities. Therefore, the project meets the Class 3 categorical exemption under Section 15303. Further, none of the exceptions to the exemption apply. More specifically, there is no reasonable probablity that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances associated with the property and no reasonable probability that the development will have a significant effect on the environment.

Section 8. The Planning Commission finds that the second Major Modification to the Site Plan Review that was granted by Resolution No. 2019-13, extended by Resolution No. 2021-11, and modified by Resolution No. 2022-04 for 12,280 cubic yards of grading balanced onsite pursuant to RHMC Section 17.46.020 and for 5-foot retaining wall along a portion of the driveway pursuant to RHMC Section 17.16.190 and 17.16.210 do not affect the findings for Site Plan Review. With respect to the second Major Modification to the Site Plan Review for the increased grading in the additional amount of 40 cubic yards of cut and 40 cubic yards of fill pursuant to RHMC Section 17.46.020 and 5-foot-high retaining walls along a portion of the driveway pursuant to RHMC Section 17.16.190, the Planning Commission makes the following findings of fact pursuant to

RHMC Section 17.46.050, which supplement the Site Plan Review findings in Resolution No. 2019-13 and 2022-04:

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 relocation of the driveway apron, retaining walls, and grading comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures and maintain sufficient setbacks to provide buffers between residential uses.

The property is unimproved, and therefore a new driveway and building pads must be created. The balanced grading complies with the General Plan and all requirements of the zoning ordinance subject to the variances. The grading is necessary to create the building pads, and a driveway of 20 feet in width with a turnaround area is required by the Fire Department. The net lot area of the lot is over 3 acres but is constrained by the shape of the lot, which is long and narrow, having a very long frontage along Middleridge Lane South. The lot is adjacent to other large lots along Middleridge Lane South.

The not-to-exceed 5-foot-high retaining walls along the driveway and for the planter areas comply with the general plan and all requirements of the zoning ordinance. The topography of the lot and the requirement for a 20-foot-wide driveway dictates the location of a wall, and other retaining walls for planter areas will preserve existing mature trees which will benefit the neighborhood character. The walls will be minimally visible from the street or by any neighbors. The retaining wall supports the General Plan as it will provide safety to the property owners, reduce the need for additional grading and meet the building code and Fire Department requirements.

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 proposed project will be constructed on the least steep area of the lot, so that the lot experiences the least disruption. The lot coverage is 24,959 square feet or 18.1%, which is below the maximum lot coverage limitation of 35%. The grading for the building pad leaves the steeper and more densely vegetated areas in their existing state. The project in general will retain the existing slopes and vegetation. The not to exceed 5-foot-high retaining walls support the slope along the driveway and the existing mature trees to reduce the need for additional grading.

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

The proposed development, as conditioned, is consistent with the scale of the neighborhood when compared to new residences in the City. The proposed project is screened from the road so as to reduce the visual impact of the development. The

development plan takes into consideration the views from Middleridge Lane South. The development will be set back from the road so that views from the road will not be blocked. Significant portions of the lot will be left undeveloped. The development location will be the least intrusive to surrounding properties, is of sufficient distance from nearby residences so that it will not impact the view or privacy of surrounding neighbors, and will allow the owners to enjoy their property without significantly impacting surrounding property owners. The grading for the building pad leaves the steeper and more densely vegetated areas in their existing state. The proposed 5-foot-high retaining walls are necessary to support the slope along the driveway and maintain the existing mature trees along the street. The walls are harmonious in scale as they will be minimally visible from the roadway and neighboring properties.

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).

The area of the proposed construction does not contain any native vegetation; part of the area is flat and through the years has been cleared for fire prevention. There are several mature trees and shrubs that will be preserved with construction of the retaining walls and other native vegetation will be planted. A good portion of the lot will remain in its natural condition as it slopes into the canyon and a bridle trail. This area of the lot will not be affected by the construction of the project. The building pad for the stable and corral is created with a cut and fill that will be balanced on site. The resulting slopes near the residence pad and stable pad will mostly be 3:1 or less with no slopes greater than 2:1 gradient.

The not-to-exceed 5-foot-high and 50-foot-long retaining wall along the driveway limits preserves and integrates existing topographic features of the site because it follows the countours of the lot and is required to support the width of the driveway. The retaining walls along the street will preserve the existing mature trees. It will aid in the design of the drainage on the property as the run off will travel along the driveway curb and the wall into a dissipator located near the driveway apron and into the street. This will protect the building pad and the structure from flooding during heavy rains. The rear of the building pad will continue draining in sheet flow fashion to the natural drainage course below the property.

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 building pads are created with grading that parallels the existing topography and the road. The dirt will be placed in natural appealing curved shape to fill an existing depression. The resulting slopes near the residence pad and stable pad will mostly be 3:1 or less with no slopes greater than 2:1 gradient. Fill slopes follow Middleridge in a natural form. There is no grading in the canyon and all drainage courses remain the same. Runoff will be collected in a managed fashion so as not to flood the property.

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

The topography and hydrology of the lot dictate the location of the development so that an acceptable drainage design for the property may be accomplished. The project will not affect any drainage course as the drainage will mimic the existing drainage course; however due to the introduction of impervious surfaces to the lot the lot runoff will be collected in a managed fashion, so as not to flood the property.

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.

The project will retain many of the existing vegetation, and add new vegetation comatible with the rural character of the City. A large portion of the lot will remain undisturbed and the existing vegetation will remain. A large portion of the area proposed for construction does not contain any native or mature vegetation as it was cleared for fire prevention through the years. The development will be screened and landscaped with additional trees and shrubs. The landscaping will provide a buffer or transition area between the property and surrounding properties. The retaining walls will not disturb surrounding native vegetation or mature trees. The retaining walls are minimally visible from adjacent properties.

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

This is an unimproved lot and a new driveway must be constructed. The relocated driveway apron shortens the driveway length by approximately half which eliminates impervious area. The Traffic Engeer has reviewed the driveway and recommends approval with the condition that landscaping along the roadway be minimized to no higher than 24 inches. A path for pedestrians is preserved at the street and there is ample off-street parking due to the Fire Prevention access requirement.

The new 20’ wide driveway, as required by the Fire Department, will be safe for two cars to drive past each other. There is ample parking in the garages and in the motor court in front of the house so visitor parking will be contained on site.

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

The development project is exempt from CEQA pursuant to Section 15303 (new construction of single-family residence and accessory structures) of the CEQA guidelines. The Class 3 exemption consists of construction and location of limited numbers of new, small facilities or structures, including one single-family residence and accessory structures, including garages, carports, patios, swimming pools, and fences. Here, the development project includes construction of a stable and corral, relocation of the driveway apron, and retaining walls and associated grading for purposes of locating and

constructing such facilities. Therefore, the project meets the Class 3 categorical exemption under Section 15303. Further, none of the exceptions to the exemption apply. More specifically, there is no reasonable probability that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances associated with the property and no reasonable probability that the development will have a significant effect on the environment.

Section 9. Section 17.16.040 (A)(6) and Section 17.18.050(A)(1) of the Rolling Hills Municipal Code permits approval of a stable greater than two hundred square with a Conditional Use Permit. The Planning Commission must consider applications for a Conditional Use Permit and may, with such conditions as are deemed necessary, approve a conditional use that complies with the findings in RHMC Section 17.18.060 - Requirements for stables requiring conditional use permit. The proposed 750-square-foot stable with an attached 300-square-foot covered porch complies with all requirements of this section except it exceeds the maximum permitted disturbance, is located in the front yard, and is constructed in the front yard setback. Variances for those conditions are being granted concurrently in this resolution.

With respect to the aforementioned request for a Conditional Use Permit from Zoning Ordinance Section 17.42.050, the Planning Commission finds as follows:

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

The granting of a Conditional Use Permit for a stable 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 a stable, subject to the variances. The propose project is located in an area on the property that is appropriate to accommodate such equestrian use.

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 propoed 750-square-foot stable and 300-square-foot covered porch are distanced from nearby residences, as well as not having any impact on the views of surrounding neighbors. The proposed stable and corral will be 96 feet from the residence on the subject property and over 100 feet from any neighboring residences, thus exceeding the 35-foot required minimum distance from a residential structure.

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

The proposed stable is of similar scale with existing stables in the neighborhood. The lot is 3.45 acres in size for development purposes. The proposed project site if sufficiently large to accommodate the proposed use.

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

The proposed project requires a Conditional Use Permit pursuant to Sections 17.18.050 and 17.18.060 of the Zoning Ordinance. The proposed conditional use complies with all applicable development standards of the zone district subject to the required variances which are approved herein.

E. The proposed conditional use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating 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.

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

The proposed stable observes the spirit and intent of the zoning title because it provides for an equestrian use that is encouraged throughout the City as each property is required to have a stable and corral or a set aside therefor.

Section 10. Variance. Section 17.38.050 sets forth the required findings for granting a variance to exceed the maximum permitted disturbance identified in Section 17.16.070(B), construct a stable and corral in the front yard identified in Sections 17.18.060(A)(2) and 17.18.090(3), construct a stable and corral in the front yard setback identified in Sections 17.16.110, and to construct five-foot-high retaining walls to support the driveway and create two tree wells in the front yard setback identified in Section 17.16.150(F). With respect to the requests 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 in that there are steep slopes in the rear of the property making it more feasible to develop in the front yard. The property also has a curvilinear street frontage of over 500 feet creating a much larger front yard compared to other properties in the vicinity and in the same zone. An increase in disturbance from is needed to prevent development on steep slopes. Further, five-foot-high retaining walls with an average height of two and one-half feet are needed in the front setback to improve accessibility and preserve existing mature trees. The variance requests are warranted due to the unique sloping topography that does not apply generally to other properties in the vicinity.

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.

Granting the requested variances are necessary for the preservation and enjoyment of property rights on the property. The stable pad encroaches into the front yard and the retaining walls encroach into the front yard setback due to the property's unique shape. Other properties in the vicinity enjoy these types of improvements.

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 the variances to encroach into the front yard setback will not be detrimental to the public welfare and will not be injurious to properties in the vicinity; a retaining wall and other improvements are allowed in the Rolling Hills community. Further, the project will be consistent with other development in the area. Improvements in the front yard setback will not be detrimental to the public welfare or injurious to properties or improvements in the vicinity.

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

Allowing the variances meets the spirit and intent of this title in that Rolling Hills is an equestrian community and construction of a stable and retaining walls would be harmonious in scale and mass with the site, the natural terrain, and surrounding residences. The proposed construction complies with the low-profile residential development pattern of the community and will not give the property an over-built look. The lot is sufficient to accommodate the proposed use.

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

The construction in the front setback allows improvement to a single-family property similar to others in the City. The project, together with the variances, will be compatible with the objectives, policies, general land uses, and programs 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 the variances 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.

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

Granting the variances will be consistent with the General Plan of the City of Rolling Hills, which allows and encourages residential uses and property improvements. It will

further the low-profile residential development pattern of the community and will not give the property an over-built look.

Section 11. Based upon the foregoing findings, the Planning Commission hereby approves Zoning Case No. 2022-44, a request for a second Major Modification to a Site Plan Review to relocate the driveway apron, construct not-to-exceed 5-foot-high retaining walls in the front yard setback, and conduct non-exempt grading to be balanced on site; a Conditional Use Permit to construct a stable and corral; and Variance requests to exceed the maximum permitted disturbance, construct a stable and corral in the front yard, construct a stable and corral in the front yard setback, and for retaining walls that support the driveway and create two tree wells that exceed a height of 3 feet up to a maximum of 5 feet in the front yard setback, and hereby amends the conditions of approval in Section 9 of Planning Commission Resolution No. 2019-13, dated July 16, 2019, and amended by Resolution No. 2022-04 dated April 19, 2022, to read as follows:

E. The lot shall be developed and maintained in substantial conformance with the site plan on file with the City and approved by the Planning Commission on April 19, 2022, as amended by the site plan on file with the City and approved by the Planning Commission on June 21, 2022, except as otherwise provided in these conditions. All conditions of the Site Plan Review, Conditional Use Permit, and Variances 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 building plans submitted to the Building Department for review and shall be kept on site at all times.

Any modifications and/or changes to the approved project, including resulting from field conditions, shall be discussed and approved by staff prior to implementing the changes.

G. The structural net lot coverage shall not exceed 12,647 sq.ft. or 9.2% (w/out deductions) and 8.8% w/deductions in conformance with the lot coverage limitations; the proposed total coverage, (structures and flatworks) shall not exceed 24,959 sq.ft. (w/deductions) or 18.1% and 18.5% w/out deduction in conformance with the lot coverage limitations.

The proposed residential building pad will be 30,600 sq.ft. with 36.6% structural coverage-accounting for allowable deductions, and includes the accessory dwelling unit.

The proposed stable and corral pad will be 1,775 sq. ft. with 59.1% structural coveral.

H. The disturbed area of the lot shall not exceed 52.7%. Grading for this project shall not exceed 6,140 cubic yards of cut and 6,140 cubic yards of fill balanced onsite.

AC. The Applicant shall execute an Affidavit of Acceptance of all conditions of this permit pursuant to the Zoning Ordinance, or the approval shall not be effective. The affidavit shall be recorded together with the resolution.

Section 12. Except as amended herein and as amended by Resolution 2021-11 and 2022-04, the provisions and conditions of Resolution No. 2019-13 shall continue to be in full force and effect.

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF JUNE, 2022.

_____
BRAD CHELF, CHAIRMAN

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 Code of Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2022-08 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF ZONING CASE NO. 22-44 FOR A SECOND MAJOR MODIFICATION TO A SITE PLAN REVIEW TO RELOCATE THE DRIVEWAY APRON, CONSTRUCT MAXIMUM FIVE-FOOT-HIGH RETAINING WALLS, AND FOR NON-EXEMPT GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A STABLE AND CORRAL; AND VARIANCE REQUESTS TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE, CONSTRUCT A STABLE AND CORRAL IN THE FRONT YARD AND FRONT YARD SETBACK, AND FOR RETAINING WALLS THAT EXCEED A HEIGHT OF 3 FEET UP TO A MAXIMUM OF 5 FEET IN THE FRONT YARD SETBACK FOR A PROPERTY LOCATED AT 8 MIDDLERIDGE LANE SOUTH (LOT 254-UR), ROLLING HILLS, CA 90274 (CIMMARUSTI)

was approved and adopted at a regular meeting of the Planning Commission on June 21st, 2022 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

RESOLUTION NO. 2022-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A MAJOR MODIFICATION FOR A SITE PLAN REVIEW FOR THE CONSTRUCTION OF A NEW RESIDENCE, INCLUDING ATTACHED GARAGE AND BASEMENT, RETAINING WALL, SWIMMING POOL, AND GRADING IN ZONING CASE NO. 21-10 AT **8 MIDDLERIDGE LANE SOUTH** (CIMMARUSTI)

THE PLANNING COMMISSION DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. On July 16, 2019, the Planning Commission adopted Resolution No. 2019-13 approving Zoning Case No. 956 for a Site Plan Review for grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill with 835 cubic yards of dirt to be exported from the excavation of the basement and pool; to construct a 6,201-square-foot residence with a 3,000-square-foot basement and 880-square-foot attached garage; to construct a 1,172 square foot swimming pool; and to construct a not to exceed 5-foot-high retaining wall along the driveway; a Condition Use Permit to construct an 800-square-foot guest house; and Variances to exceed the maximum permitted disturbance of the lot by 9.9% to up to 49.9%, where maximum permitted is 40%; and to cover 33.3% of the front yard setback with a driveway, where the maximum permitted is 20%. A new driveway apron was approved by the Traffic Commission. The project also included accompanying administrative approvals to construct the following: 1) 1,222 square feet of covered porches for the residence; 2) 238-square-foot entryway for the residence; 3) 40 square foot pool equipment area; 4) 100-square-foot water feature; 5) 400-square-foot outdoor kitchen; 6) 100-square-foot service yard area; and 7) 337-square-foot attached porch for the guest house.

Section 2. On August 17, 2021, the Planning Commission adopted Resolution No. 2021-11 granting a two-year time extension for Zoning Case No. 956 to July 16, 2023. The time extension applies to the Site Plan Review, Conditional Use Permit, and Variances.

Section 3. On September 20, 2021, the new owner, Ralph Cimmarusti (Colorado St. Brand Blvd LLC), submitted a major modification request for the Site Plan Review granted by Resolution 2019-13 and extended by Resolution 2021-11 to relocate the residence 30 feet to the east and two feet higher in elevation. The changes also include: reducing the size of the house to 6,094 square feet and increasing the attached garage to 987 square feet with no change in footprint; enlarging the basement to 4,491 square feet; and balanced grading of 6,100 cubic yards of cut and 6,100 cubic yards of fill with no import or export of dirt. The modification eliminates the need for a Condition Use Permit; the new owner is abandoning the CUP for the guest house granted by Resolution 2019-13 and extended by Resolution 2021-11 and is pursuing a 1,000-square-foot accessory dwelling unit (ADU), which is not subject to discretionary review. The Variances granted by Resolution 2019-13 and extended by Resolution 2021-11 to exceed the maximum permitted disturbance of the lot by 9.9% to up to 49.9%, where maximum

permitted is 40%; and to cover 33.3% of the front yard setback with a driveway, where the maximum permitted is 20% are still in effect and are not proposed to be changed.

Section 4. The Planning Commission conducted a duly noticed public hearing field trip on April 19, 2022, followed by a virtual public hearing meeting that same evening. Neighbors within a 1,000-foot radius were notified of the public hearing and a notice was published in the Daily Breeze on April 8, 2022. The Applicant and his agent were notified of the public hearings in writing by first class mail and email and both were in attendance at the hearing. Evidence was heard and presented from all persons interested in affecting said proposal and from members of City staff. The Planning Commission reviewed, analyzed, and studied said proposal.

Section 5. The property is zoned RAS-2, and the lot is 3.45 acres in size excluding roadway easement. For development purposes the net lot area is 3.16 acres, (137,810 sq. ft.). The lot is vacant. The lot is long and narrow, having a very long frontage along Middleridge Lane South. The rear of the lot slopes to a bridle trail that crosses the lot.

Section 6. The Planning Commission finds that the development project is exempt from the California Environmental Quality Act, (CEQA) pursuant to Section 15303 (new construction of single family residence and accessory structures) of the CEQA guidelines. The Class 3 exemption consists of construction and location of limited numbers of new, small facilities or structures, including one single-family residence and accessory structures, including garages, carports, patios, swimming pools, and fences. Here, the development project includes construction of a single-family residence, including basement and attached garage, a swimming pool, and a retaining wall and associated grading for purposes of locating and constructing such facilities. Therefore, the project meets the Class 3 categorical exemption under Section 15303. Further, none of the exceptions to the exemption apply. More specifically, there is no reasonable probablity that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances associated with the property and no reasonable probability that the development will have a significant effect on the environment.

Section 7. The Planning Commission finds that the Major Modification to the Site Plan Review that was granted by Resolution No. 2019-13 and extended by Resolution No. 2021-11 which includes shifting the construction of the 6,094-square-foot residence, including 4,491-square-foot basement and 987-square-foot attached garage, pursuant to RHMC Section 17.46.020, shifting the 1,172-square-foot swimming pool pursuant to RHMC Section 17.46.020, and shifting the not to exceed 5-foot-high retaining wall along a portion of the driveway pursuant to RHMC Sections 17.16.190 and 17.16.210; and modifying the amount of grading to 6,100 cubic yards of cut and 6,100 cubic yards of fill balanced onsite pursunt to RHMC Section 17.46.020 does not affect the findings for Site Plan Review. With respect to the Major Modification to the Site Plan Review, the Planning Commission makes the following findings of fact which supersede the Site Plan Review findings in Resolution No. 2019-13:

A. The project still complies with and is consistent with the goals and policies of the General Plan and all requirements of the Zoning Ordinance. The residence, including the basement and attached garage, and the swimming pool comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures and maintain sufficient setbacks to provide buffers between residential uses. The construction of these features also does not require variances from any zoning requirement.

The property is unimproved, and therefore a new driveway and a building pad must be created. The balanced grading complies with the General Plan and all requirements of the zoning ordinance subject to the two variances to increase the disturbance above the maximum allowable and to increase the coverage of the front yard setback above the maximum allowable to construct the driveway. The grading is necessary to create the building pad for the residence and a driveway of 20 feet in width with a turn around area is required by the Fire Department. The net lot area of the lot is over 3 acres but is constrained by the shape of the lot which is long and narrow, having a very long frontage along Middleridge Lane South. The lot is adjacent to other large lots along Middleridge Lane South.

The not-to-exceed 5-foot-high retaining wall along the driveway complies with the general plan and all requirements of the zoning ordinance. The topography of the lot and the requirement for a 20-foot-wide driveway dictates the location of a wall. The wall will not be visible from the street or by any neighbors; it will only be visible to the Applicant. The retaining wall supports the General Plan as it will provide safety to the property owners, reduce the need for additional grading and meet the building code and Fire Department requirements.

B. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. The topography and the configuration of the lot have been considered, and the proposed project will be constructed on the least steep area of the lot, so that the lot experiences the least disruption. The lot coverage is 28,407 square feet or 20.9%, which is below the maximum lot coverage limitation of 35%. The grading for the building pad leaves the steeper and more densely vegetated areas in their existing state. The project in general will retain the existing slopes and vegetation. The not to exceed 5-foot-high retaining wall supports the slope along the driveway to reduce the need for additional grading.

C. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences. The proposed development, as conditioned, is consistent with the scale of the neighborhood when compared to new residences in the City. The proposed project is screened from the road so as to reduce the visual impact of the development. The development plan takes into consideration the views from Middleridge Lane South. The development will be set back from the road so that views from the road will not be blocked. Significant portions of the lot will be left undeveloped. The development location will be the least intrusive to surrounding properties, is of sufficient distance from nearby residences so that it will not impact the view or privacy of surrounding neighbors, and will allow the owners to enjoy their property without significantly impacting surrounding property owners. The grading for the building pad

leaves the steeper and more densely vegetated areas in their existing state. The proposed 5-foot-high retaining wall is necessary to support the slope along the driveway. The wall is harmonious in scale as it will be only visible from the yard of the subject residents and not by any other neighbors.

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). The area of the proposed construction does not contain any native vegetation; part of the area is flat and through the years has been cleared for fire prevention. There are several mature trees and shrubs that will be preserved and other native vegetation will be planted. A good potion of the lot will remain in its natural condition as it slopes into the canyon and a bridle trail. This area of the lot will not be affected by the construction of the project. The building pad is created with a cut of earth that parallels the existing topography and the road. The dirt will be placed in a natural appealing curved shape to fill an existing depression. The resulting slopes will range from 3:1 gradient in the front area to 2.5:1 and 2:1 gradient in the rear of the house.

The not-to-exceed 5-foot-high and 50-foot-long retaining wall along the driveway limits preserves and integrates existing topographic features of the site because it follows the countours of the lot and is required to support the width of the driveway. The wall will not affect native vegetation or mature trees. It will aid in the design of the drainage on the property as the run off will travel along the driveway curb and the wall into a dissipator located near the driveway apron and into the street. This will protect the building pad and the structure from flooding during heavy rains. The rear of the building pad will continue draining in sheet flow fashion to the natural drainage course below the property.

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 building pad is created with grading that parallels the existing topography and the road. The dirt will be placed in natural appealing curved shape to fill an existing depression. The resulting slopes will range from 3:1 gradient in the front area to 2.5:1 and 2:1 gradient in the rear of the house. With the pad pitched as the existing site slopes, the fill slopes follow Middleridge in a natural form. There is no grading in the canyon and all drainage courses remain the same. Run off will be collected in a managed fashion, so as not to flood the property and to discharge water through the dissipator into the street.

F. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course. The topography and hydrology of the lot dictate the location of the development so that an acceptable drainage design for the property may be accomplished. The project will not affect any drainage course as the drainage will mimic the existing drainage course; however due to the introduction of impervious surfaces to the lot the lot run off will be collected in a managed fashion, so as not to flood the property and to discharge water through a dissipater into the street. The design incorporates a drainage swale behind the wall to further direct the water along the wall and into a dissipater. This will protect the building pad and the structures from flooding during heavy rains.

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. The project will retain many of the existing vegetation, and add new vegetation comatible with the rural character of the City. A large portion of the lot will remain undisturbed and the existing vegetation will remain. A large poriton of the area proposed for construction does not contain any native or mature vegetation as it was cleared for fire prevention through the years. The development will be screened and landscaped with additional trees and shrubs. The landscaping will provide a buffer or transition area between the property and surroudning properties. The retaining wall will not disturb surrounding native vegetation or mature trees. The retaining wall is only visible to the Applicant and not from adjacent properties.

H. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles. This is an unimproved lot and a new driveway must be constructed. Following several reiterations for a proposed driveway reviewed by the Traffic Commission including at a field visit, the Traffic Commission recommended approval of the driveway in its currently proposed location. The Traffic Engineer agreed on the location of the driveway apron. The neighbors at the field visit also supported the location of the driveway apron. A path for pedestrians is preserved at the street and there is ample off-street parking due to Fire Prevention access requirement.

The new 20' wide driveway, as required by the Fire Department, will be safe for two cars to drive past each other. There is ample parking in the garages and in the turnaround area at the front of the house so visitor parking will be contained on site outside of the setbacks.

I. The project conforms to the requirements of the California Environmental Quality Act. The development project is exempt from CEQA pursuant to Section 15303 (new construction of single-family residence and accessory structures) of the CEQA guidelines.

Section 8. Based upon the foregoing findings, the Planning Commission hereby approves Zoning Case No. 2021-10, a request for a Major Modification to a Site Plan Review for construction of a 6,094-square-foot residence, including a 4,491-square-foot basement and 987-square-foot attached garage; construction of a 1,172-square-foot swimming pool; and construction of a not-to-exceed 5-foot-high high retaining wall along the driveway and grading to be balanced on site and hereby amends the conditions of approval in Section 9 of Planning Commission Resolution No. 2019-13, dated July 16, 2019, to read as follows:

E. The lot shall be developed and maintained in substantial conformance with the site plan on file with the City and approved by the Planning Commission on April 19, 2022, except as otherwise provided in these conditions. All conditions of the Site Plan Review and Variances 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 building plans submitted to the Building Department for review and shall be kept on site at all times.

Any modifications and/or changes to the approved project, including resulting from field conditions, shall be discussed and approved by staff prior to implementing the changes.

G. The structural net lot coverage shall not exceed 12,047 sq.ft. or 8.7% (w/out deductions) and 8.4% w/deductions in conformance with the lot coverage limitations; the proposed total coverage, (structures and flatworks) shall not exceed 28,407 sq.ft. (w/deductions) or 20.9% and 21.0% w/out deduction in conformance with the lot coverage limitations.

The proposed residentil building pad will be 30,600 sq.ft. with 36.6% structural coverage-accounting for allowable deductions, and includes the accessory dwelling unit.

H. The disturbed area of the lot shall not exceed 49.9%. Grading for this project shall not exceed 6,100 cubic yards of cut and 6,100 cubic yards of fill balanced onsite.

K. The highest ridgeline of the residence shall not exceed 19.5 feet from the finished grade to the finished surface of the roof along the north elevation. Three chimneys are permitted, two shall run in a north south direction, which is parallel to views from behind, minimizing impact.

N. (Reserved.)

AC. The Applicant shall execute an Affidavit of Acceptance of all conditions of this permit pursuant to the Zoning Ordinance, or the approval shall not be effective. The affidavit shall be recorded together with the resolution.

Section 9. Except as amended herein and as amended by Resolution 2021-11, the provisions and conditions of Resolution No. 2019-13 shall continue to be in full force and effect.

PASSED, APPROVED AND ADOPTED THIS 19th DAY OF APRIL, 2022.

_____
BRAD CHELF, CHAIRMAN

ATTEST:

_____
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 Code of Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2022-04 entitled:

> A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A MAJOR MODIFICATION FOR A SITE PLAN REVIEW FOR THE CONSTRUCTION OF A NEW RESIDENCE, INCLUDING ATTACHED GARAGE AND BASEMENT, RETAINING WALL, SWIMMING POOL, AND GRADING IN ZONING CASE NO. 21-10 AT **8 MIDDLERIDGE LANE SOUTH** (CIMMARUSTI)

was approved and adopted at a regular meeting of the Planning Commission on April 19th, 2022 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

_____
CITY CLERK

RESOLUTION NO. 2021-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING TIME EXTENSION FOR A PREVIOUSLY APPROVED PROJECT FOR SITE PLAN REVIEW, CONDITIONAL USE PERMIT AND VARIANCE PERMIT, AND DRIVEWAY APRON APPROVAL BY THE CITY COUNCIL IN ZONING CASE NO. 956 LOCATED AT 8 MIDDLERIDGE LANE SOUTH (ZHANG).

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

Section 1. An application was duly filed by Mr. Tim McHugh with respect to real property located at 8 Middleridge Lane South requesting a two-year time extension to comply with the requirements of Resolution No. 2019-13 to commence construction of the approved project.

Section 2. The Commission considered this item at a meeting on August 17, 2021 at which time information was presented by the applicant indicating that additional time is needed to commence the project.

Section 3. The Planning Commission finds that pursuant to RHMC Section 17.46.080 the expiration would constitute an undue hardship upon the property owner; and the continuation of the approval would not be materially detrimental to the health, safety and general welfare of the public.

Section 4. Based upon information and evidence submitted, the Planning Commission grants two-year time extension and does hereby amend Paragraph A of Section 9 of Planning Commission Resolution No. 2019-13, dated July 16, 2019 to read as follows:

Section 5. The Site Plan, Variances, and Conditional Use Permit approval shall expire within four years from effective date of approval of Resolution No. 2019-13. No further extension shall be granted as required by Sections 17.46.080, 17.42.070 and 17.38.070 of the RHMC.

Section 6. Except as herein amended, the provisions and conditions of Resolution No. 2019-13 shall continue to be in full force and effect.

PASSED, APPROVED AND ADOPTED THIS 17TH DAY OF AUGUST 2021.

BRAD CHELF, CHAIRMAN

ATTEST:

ELAINE JENG, P.E.
ACTING CITY CLERK

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

I certify that the foregoing Resolution No. 2021-11 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING TIME EXTENSION FOR A PREVIOUSLY APPROVED PROJECT FOR SITE PLAN REVIEW, CONDITIONAL USE PERMIT AND VARIANCE PERMIT, AND DRIVEWAY APRON APPROVAL BY THE CITY COUNCIL IN ZONING CASE NO. 956 LOCATED AT 8 MIDDLERIDGE LANE SOUTH (ZHANG).

was approved and adopted at a regular meeting of the Planning Commission on August 17, 2021 by the following roll call vote:

AYES: Cardenas, Cooley, Douglass, Kirkpatrick, and Chair Chelf

NOES: None.

ABSENT: None.

ABSTAIN: None.

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

Administrative Offices

ELAINE JENG, P.E.
ACTING CITY CLERK

RESOLUTION NO. 2019-13.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR THE CONSTRUCTION OF A NEW RESIDENCE, INCLUDING ATTACHED GARAGE AND BASEMENT, RETAINING WALL, SWIMMING POOL, AND GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A GUEST HOUSE; AND VARIANCES TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE OF THE LOT AND TO EXCEED THE MAXIMUM PERMITTED COVERAGE OF THE FRONT YARD SETBACK FOR CONSTRUCTION OF A DRIVEWAY IN ZONING CASE NO. 956 **AT 8 MIDDLERIDGE LANE SOUTH** (ZHANG).

THE PLANNING COMMISSION DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. An application was duly filed by Mr. Kevin Zhang (Applicant) for Site Plan Review for grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill with 835 cubic yard of dirt to be exported from the excavation of the basement and pool; to construct a 6,201 square foot residence with 3,000 square foot basement and 880 square foot attached garage; to construct a1,172 square foot swimming pool; and to construct a not to exceed 5' high retaining wall along the driveway; a Condition Use Permit to construct an 800 square foot guest house; and Variances to exceed the maximum permitted disturbance of the lot by 9.9% to up to 49.9%, where maximum permitted is 40%; and to cover 33.3% of the front yard setback with a driveway, where the maximum permitted is 20%. A new driveway apron was approved by the Traffic Commission. Applicant also seeks accompanying administrative approvals to construct the following: 1) 1,222 square feet of covered porches for the residence; 2) 238 square foot entryway for the residence; 3) 40 square foot pool equipment area; 4) 100 square foot water feature; 5) 400 square foot outdoor kitchen; 6) 100 square foot service yard area; and 7) 337 square foot attached porch for the guest house.

Section 2. During the Traffic Commission and Planning Commission proceedings, several residents along Middleridge Lane South expressed concerns about the project relating to the location of the driveway apron, massing and size of the house, grading amount, potential loss of privacy, loss of views, visibility of the long driveway from the street, and screening of the project. The applicant revised the project three times; by reducing the size of the house, attached garage, covered porches, eliminating two retaining walls, lowering the building pad by over 6' from the original proposed development, lowering the ridge line of the house, and moving the house away from the side setback line to provide for a greater distance between the project and adjacent house.

Section 3. The Planning Commission conducted duly noticed public hearings to consider the application at their regular meetings on February 19, 2019April 16, 2019, May 21, 2019, and June 18, 2019 including site visits on April 16, 2019 and on June 18, 2019. The Planning Commission at the June 18, 2019 regular meeting directed staff to prepare a Resolution approving the project. Neighbors within a 1,000-foot radius were notified of the public hearings and notices were published in the Peninsula News on January 3, 2019 and April 4, 2019. The Applicant and his agent were notified of the public hearings in writing by first class mail and the Applicant's agent was in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal and from members of the City staff. The Planning Commission reviewed, analyzed, and studied said proposal.

Section 4. The property is zoned RAS-2, and the lot is 3.45 acres in size excluding roadway easement. For development purposes the net lot area is 3.1 acres, (137,810 sq.ft.). The lot is vacant. The lot is long and narrow, having a very long frontage along Middleridge Lane South. The rear of the lot slopes to a bridle trail that crosses the lot.

Section 5. The Planning Commission finds that the development project is exempt from the California Environmental Quality Act, (CEQA) pursuant to Section 15303 (new construction of single family residence and accessory structures) of the CEQA guidelines.

Section 6. Site Plan Review is required for the construction of the 6,201 square foot residence, including 3,000 square foot basement and 880 square foot attached garage pursuant to Rolling Hills Municipal Code (RHMC) Section 17.46.020; the 1,172 square foot swimming pool pursuant to RHMC Section 17.46.020; the grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill pursunt to pursuant to RHMC Section 17.46.020; and a not to exceed 5 foot retaining wall along a portion of the driveway pursuant to RHMC Sections 17.16.190 and 17.16.210. With respect to the Site Plan Review, the Planning Commission makes the following findings of fact:

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 6,201 square foot residence, including 3,000 square foot basement and 880 square foot attached garage, and the 1,172 square foot swimming pool comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures and maintain sufficient setbacks to provide buffers between residential uses. The construction of these features also does not require variances from any zoning requirement.

The property is unimproved, and therefore a new driveway and a building pad must be created. The 6,790 cubic yards of cut and 5,955 cubic yards of fill of grading complies with the general plan and all requirements of the zoning ordinance subject to the two variances to increase the disturbance above the maximum allowable and to increase the coverage of the front yard set back above the maximum allowable to construct the driveway. The grading is necessary to create the building pad for the residence and a driveway of 20′ in width with a turn around area is required by the Fire Department. The net lot area of the lot is over 3 acres but is constrained by the shape of the lot which is long and narrow, having a very long frontage along Middleridge Lane South. Thelot is adjacent to other large lots along Middleridge Lane South.

The not to exceed 5 foot retaining wall along the driveway complies with the general plan and all requirements of the zoning ordinance. The topography of the lot and the requirement for a 20′ wide driveway dictates the location of a wall. The wall will not be visible from the street or by any neighbors; it will only be visible to the Applicant. The retaining wall supports the General Plan as it will provide safety to the property owners, reduce the need for additional grading and meet the building code and Fire Department requirements.

B. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. The topography and the configuration of the lot have been considered, and the proposed project will be constructed on the least steep area of the lot, so that the lot experiences the least disruption. The lot coverage is 28,243 square feet or 20.5%, which is below the maximum lot coverage limitation of 35%. The grading for the building pad leaves the steeper and more densely vegetated areas in their existing state. The project in general will retain the existing slopes and vegetation. The not to exceed 5′ retaining wall supports the slope along the driveway to reduce the need for additional grading.

C. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences. The proposed development, as conditioned, is consistent with the scale of the neighborhood when compared to new residences in the City. The proposed project is screened from the road so as to reduce the visual impact of the development. The development plan takes into consideration the views from Middleridge Lane South. The development will be set back from the road so that views from the road will not be blocked. Significant portions of the lot will be left

undeveloped. The development location will be the least intrusive to surrounding properties, is of sufficient distance from nearby residences so that it will not impact the view or privacy of surrounding neighbors, and will allow the owners to enjoy their property without significantly impacting surrounding property owners. The grading for the building pad leaves the steeper and more densely vegetated areas in their existing state. The proposed 5' retaining wall is necessary to support the slope along the driveway. The wall is harmonious in scale as it will be only visible from the yard of the subject residents and not by any other neighbors.

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). The area of the proposed construction does not contain any native vegetation; part of the area is flat and through the years has been cleared for fire prevention. There are several mature trees and shrubs that will be preserved and other native vegetation will be planted. A good potion of the lot will remain in its natural condition as it slopes into the canyon and a bridle trail. This area of the lot will not be affected by the construction of the project. The building pad is created with a cut of earth that parallels the existing topography and the road. The dirt will be placed in a natural appealing curved shape to fill an existing depression. The resulting slopes will range from 3:1 gradient in the front area to 2.5:1 and 2:1 gradient in the rear of the house.

The not to exceed 5 foot high and 50 foot long retaining wall along the driveway limits preserves and integrates existing topographic features of the site because it follows the countours of the lot and is required to support the width of the driveway. The wall will not affect native vegetation or mature trees. It will aid in the design of the drainage on the property as the run off will travel along the driveway curb and the wall into a dissipator located near the driveway apron and into the street. This will protect the building pad and the structure from flooding during heavy rains. The rear of the building pad will continue draining in sheet flow fashion to the natural drainage course below the property.

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 building pad is created with grading that parallels the existing topography and the road. The dirt will be placed in natural appealing curved shape to fill an existing depression. The resulting slopes will range from 3:1 gradient in the front area to 2.5:1 and 2:1 gradient in the rear of the house. With the pad pitched as the existing site slopes, the fill slopes follow Middleridge in a natural form. There is no grading in the canyon and all drainage courses remain the same. Run off will be collected in a managed fashion, so as not to flood the property and to discharge water through the dissipator into the street.

F. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course. The topography and hydrology of the lot dictate the location of the development so that an acceptable drainage design for the property may be accomplished. The project will not affect any drainage course as the drainage will mimic the existing drainage course; however due to the introduction of impervious surfaces to the lot the lot run off will be collected in a managed fashion, so as not to flood the property and to discharge water through a dissipater into the street. The design incorporates a drainage swale behind the wall to further direct the water along the wall and into a dissipater. This will protect the building pad and the structures from flooding during heavy rains.

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. The project will retain many of the existing vegetation, and add new vegetation comatible with the rural character of the City. A large portion of the lot will remain undisturbed and the existing vegetation will remain. A large poriton of the area proposed for construction does not contain any

native or mature vegetation as it was cleared for fire prevention through the years. The development will be screened and landscaped with additional trees and shrubs. The landscaping will provide a buffer or transition area between the property and surroudning properties. The retaining wall will not disturb surrounding native vegetation or mature trees. The retaining wall is only visible to the Applicant and not from adjacent properties.

H. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles. This is an unimproved lot and a new driveway must be constructed. Following several reiterations for a proposed driveway reviewed by the Traffic Commission including at a field visit, the Traffic Commission recommended approval of the driveway in its currently proposed location. The Traffic Engineer agreed on the location of the driveway apron. The neighbors at the field visit also supported the location of the driveway apron. A path for pedestrians is preserved at the street and there is ample off-street parking due to Fire Prevention access requirement.

The new 20' wide driveway, as required by the Fire Department, will be safe for two cars to drive past each other. There is ample parking in the garages and in the turnaround area at the front of the house so visitor parking will be contained on site outside of the setbacks.

I. The project conforms to the requirements of the California Environmental Quality Act. The development project is exempt from CEQA pursuant to Section 15303 (new construction of single family residence and accessory structures) of the CEQA guidelines.

Section 7. Conditionally permitted uses are not outright permitted by the RHMC. The Planning Commission must consider applications for a Conditional Use Permit and may, with such conditions as are deemed necessary, approve a conditional use which will not jeopardize, adversely affect, endanger or to otherwise constitute a menace to the public health, safety, or general welfare or be materially detrimental to the property of other persons located in the vicinity of such use. A Conditional Use Permit is required for construction of a 800 square foot guest house pursuant to RHMC Section 17.16.040. Section 17.16.210 (A)(5) of the RHMC contains conditions for a guest house subject to approval of a conditional use permit. With respect to this request for a Conditional Use Permit, the Planning Commission finds as follows:

A. The proposed conditional use is consistent with the General Plan. The guest house is consistent with the General Plan because it is consistent with similar uses in the community, meets all the applicable code development standards for such use, and is located in an area on the property that is adequately sized to accommodate such use. The guest house is appropriately located in that it will be sufficiently separated from nearby structures. The guest house is a common amenity in the City. The guest house complies with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures and maintains sufficient setbacks to provide buffers between residential uses.

B. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures. The guest house is located of sufficient distance from nearby residences so as to not impact the view or privacy of surrounding neighbors. The height of the guest house will not be obtrusive or block views and is located sufficient distance from the road so as to not be visible from adjacent residences. As part of the approval, a condition is imposed that the guest house will not be rented and will not be located within 50-feet of a driveway or a parking pad.

C. The site for the proposed conditional use is of adequate size and shape to accommodate the use and building proposed. The lot is over 3 acres net in size and is sufficiently large to accommodate the proposed use. The guest house blends in with the

house and will not give the property an over-built look. Sufficient areas of the lot will remain open and unobstructed and sufficient distance has been put between the house and the guest house to leave open spaces in between. Sufficient distance has also been put between the street and the guest house to leave open space between.

D. The proposed conditional use complies with all applicable development standards of the zone district (RAS-2). The guest house complies with all conditions for guest houses pursuant to Section 17.16.210(A)(5) of RHMC. No walls or any variances are requested for the guest house use. The height of the guest house will not be obtrusive or block views. It is located a sufficient distance from the road so as to not be visible from adjacent residences.

E. The proposed conditional use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting criteria for hazardous waste facilities because the project site is not listed on the current State of California Hazardous Waste and Substances Sites List.

F. The proposed conditional use observes the spirit and intent of this title. A guest house is a common amenity in the City. The construction meets all the development standards including the allowable size of 800 square feet. The proposed guest house is located a sufficient distance from nearby residences so as to not impact the view or privacy of surrounding neighbors. A stable and corral set aside area is preserved on the lot and the location of the guest house would not prevent the construction of a stable and corral should the owners wish to develop one in the future.

Section 8. Sections 17.38.010 through 17.38.050 of the RHMC permit approval of a Variance from the standards and requirements of the Zoning Ordinance when exceptional or extraordinary circumstances applicable to the property and not applicable to other similar properties in the same zone prevent the owner from making use of a parcel of property to the same extent enjoyed by similar properties in the same vicinity. A variance from Section 17.16.070 is required because it states that the lot disturbance shall be limited to 40% of the net lot area and a variance from Section 17.16.150 is required because it states that driveways may not cover more than 20% of the setback in which they're located. The Applicant is requesting a variance for 49.9% disturbance of the net lot area and to cover 33.3% of the front setback with a driveway. With respect to this request for Variances, the Planning Commission finds as follows:

A. There are exceptional and extraordinary circumstances or conditions applicable to the property that do not apply generally to the other property in the same vicinity and zone. Unlike most other properties in this zone, this lot is long and follows the curve of the road. The lot is also narrower than most typical lots and therefore it is suitable for development of a rambling, long house. This type of design requires more grading than if a "U" or an "L" shape house was feasible on the lot. In addition, the property is unimproved, and therefore a new driveway and a building pad must be created. The Traffic Commission determined that the best location for the driveway apron was to be located towards the north-east corner of the property, which required the driveway to be long; thus more disturbance of the lot was required. The Fire Department requires a 20' wide driveway with a turn around area and a path of at least 5' all around the structures to access all points of the structures, which also adds to the disturbance of the lot.

The Fire Department requires access to the east and north-east wings of the home and access all around the home through provision of a path. These requirements force the driveway to be long. Due to the narrow site, there is no room for the entire driveway to be moved out of the front setback. Therefore the front yard coverage of 33.3% with the driveway becomes necessary.

B. The 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 to the property in question.

Unlike most other properties in this zone, this lot is long and follows the curve of the road. The lot is also narrower than other typical lots and therefore it is suitable for development of a rambling, long house. This type of design requires more disturbance than if a "U" or an "L" shape house was developed on the lot. Middleridge Lane South has exceptionally poor sight lines due to tight curves and steepness. After several proposals for location of the driveway apron, the Traffic Commission, Traffic Engineer, and the residents at the site visit supported the location of the apron as a safe location along the meandering street. The selected driveway apron location leads to a long driveway in the front setback and requires additional disturbance. The shape of the lot, the Fire Department requirements, and the recommended location of the apron control design parameters. Therefore the Variances are necessary. Other properties in the vicinity have on average wider lots, which is denied to 8 Middleridge Lane South property.

C. The granting of the Variance would not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity. The driveway extending across the front yard setback will be screened from the adjacent properties by new vegetation. Additionally, the existing vegetation already provides a buffer between the street, other properties, and the subject site. The development has been carefully designed and the driveway apron studied for sight distance, making it safe and therefore the improvement and the new driveway will not be injurious to the neighboring properties or subject site. The grading, which will result in greater than the maximum allowable disturbance of the lot, will also not be materially detrimental to the public welfare or injurious to the property as it has been carefully designed to minimize grading and does not greatly exceed the 40% maximum disturbance allowable at 49.9%. This grading is required for construction of the safe driveway in addition to construction of the remaining portion of the building pad.

D. In granting the variance, the spirit and intent of the Zoning Code will be observed. The Zoning Ordinance in the RHMC allows for the construction of single family residences on a lot. The property is unimproved, and therefore a new driveway must be constructed. The lot is unique in size and topography. The Traffic Commission determined that the best location of the apron was to be located towards the north-east corner of the property. This triggered more disturbance of the lot and the location of the driveway in the setback. The narrow nature of the lot makes it difficult to move the driveway out of the front setback. No other variances are requested for this project and the project meets all other development standards of the Zoning Ordinance, and therefore the spirit and intent of the Zoning Code is observed.

E. The variance does not grant special privilege to the Applicant. The lot is unique in size and topography. The driveway apron which requires the driveway to traverse through the front yard setback would allow the owners and visitors to enjoy a safe ingress and ingress from the property and provide for on-site parking. The exceedance in the disturbance of the lot is triggered by the requirements of the Fire Department for the wide driveway and access around the property. The Traffic Commission and Traffic Engineer determined that the driveway apron was in the best location for the lot. The residents at the site visit supported the location of the driveway apron. Without the variances, the Applicant would be required to significantly decrease the size of the residence to provide the Fire Department with sufficient access around the property. Such reduction is size would also constrain orderly development of the interior of the residence, attached garage, and guest house.

F. The variances are consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities because there are no hazardous waste facilities at issue in this case.

G. The variance requests are consistent with the General Plan. The proposed variances for the project will provide for residential uses which are in line with the

General Plan, as it allows construction of a single family single story home on a lot. The location of the driveway apron largely causes the disturbance to exceed the maximum allowable and causes the driveway to traverse through the front yard setback in excess of the maximum allowable. The driveway apron will provide the Applicant with a safe access to and from the property, on site parking so that parking will not spill over on the roadway easement, and will protect the views that the adjacent properties currenly enjoy. These items are consistent with the General Plan, meeting the goal of maintaining the City's one story height limitations and preserving scenic vistas.

Section 9. Based upon the foregoing findings, the Planning Commission hereby approves Zoning Case No. 956 a request for Site Plan Review for grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill with 835 cubic yard of dirt to be exported from the excavation of the basement and pool; to construct a 6,201 square foot residence with 3,000 square foot basement and 880 square foot attached garage; to construct a 1,172 square foot swimming pool; and to construct a not to exceed 5' high retaining wall along the driveway; a Condition Use Permit to construct an 800 square foot guest house; and Variances to exceed the maximum permitted disturbance of the lot by 9.9% to up to 49.9%, where maximum permitted is 40%; and to cover 33.3% of the front yard setback with a driveway, where the maximum permitted is 20% subject to the following conditions:

A. The Site Plan, Variances, and Conditional Use Permit approval shall expire within two years from the effective date of approval if construction pursuant to this approval has not commenced within that time period, as required by Sections 17.46.080, 17.42.070 and 17.38.070 of the RHMC, or the approval granted is otherwise extended pursuant to the requirements of those sections.

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 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 set forth in the Permit, or shown otherwise on an approved plan.

D. Prior to submittal of final working drawings to Building and Safety Department for issuance of building 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.

E. The lot shall be developed and maintained in substantial conformance with the site plan on file dated May 15, 2019 except as otherwise provided in these conditions. All conditions of the Site Plan Review, Variances and Conditional Use Permit 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 building plans submitted to the Building Department for review and shall be kept on site at all times.

Any modifications and/or changes to the approved project, including resulting from field conditions, shall be discussed and approved by staff prior to implementing the changes.

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 therein 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. The structural net lot coverage shall not exceed 11,603 sq.ft. or 8.4% (w/out deductions) and 8.2% w/deductions in conformance with the lot coverage limitations; the proposed total coverage, (structures and flatworks) shall not exceed 28,243 sq.ft. (w/deductions) or 20.5% and 20.6% w/out deduction in conformance with the lot coverage limitations.

The proposed residentil building pad will be 30,600 sq.ft. with 35.9% structural coverage-accounting for allowable deductions, and includes the guest house.

H. The disturbed area of the lot shall not exceed 49.9%. Grading for this project shall not exceed 6,790 cubic yards of cut and 5,955 cubic yards of fill, with 835 cubic yard of dirt to be exported.

I. A driveway and a turn-around shall be provided per the Fire Department requirements.

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

K. The highest ridgeline of the residence shall not exceed 18.2" feet from the finished grade to the finished surface of the roof along west elevation, and then stepp down to as low as 13'3". The guest house may not exceed the height of 14'10" along the north elevation and 13'10' elsewhere. Three chimneys are permitted, two shall run in a north south direction, which is parallel to views from behind, minimizing impact.

L. The dissipaters and pool equipment area shall be screened with landscaping. Sound attenuating equipment shall be installed to dampen the sound from the pool equipment area and the pool pump. The project shall utilize the most quiet and technologically advanced equipment to dampen the sound. Per LA County Building Code, pool barrier/fencing shall be required.

M. The applicant shall comply with all requirements of the Lighting Ordinance of the City of Rolling Hills (RHMC 17.16.190) pertaining to lighting on said property and roofing material requirements of properties and all other ordinances and laws of the City of Rolling Hills.

N. The guest house shall not exceed 800 square feet as measured from the outside wall. All provisions of Section 17.16.210(A)(5) of the zoning ordinance, shall be complied with; including, and not be limited to: only one sanitary facility consisting of a shower, sink, and a toilet and a kitchenette is permitted in the guest house; there shall be no parking area within 50-feet of the guest house and no renting of the guest house is permitted. A guest house floor plan shall be submitted to the Planning Department priort to obtaining a building permit.

O. The property on which the project is located shall contain a set aside area to provide an area meeting all standards for a stable and corral with adequate access. The stable and corral set aside area may not be graded, unless an application is filed with the City for construction of a stable.

P. A drainage plan, as required by the Building Department shall be prepared and approved by City Staff prior to issuance of a grading permit. Such plan shall be subject to LA County Code requirements. 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.

Q. All graded slopes shall be landscaped. Prior to issuance of building permit, a detailed landscaping plan shall be submitted to the City in conformance with Fire Department Fuel Modification requirements and shall be subject to the requirements of the City's Water Efficient Landscape Ordinance, (Chapter 13.18 of the RHMC).

The landscaping plan shall include vegetation and trees, that when planted, to the maximum extent feasible, screen the development from the adjacent properties; minimum of 24 inch plant boxes and 15 gallon plants shall be utilized for screening. The detailed landscaping plan must provide that any trees and shrubs used in the landscaping scheme for this project shall be planted in a way that screens the development from adjacent street and neighbors, but as plants grow, they would not grow into a hedge or impede any neighbors views. 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. The project shall be continually maintained in substantial conformance with the landscaping plan.

R. All utility lines to all structures on the lot shall be placed underground, subject to all applicable standards and requirements.

S. 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.

T. A construction fence may be allowed or may be required by the City or the Building Department staff for the duration of the construction of the project. City staff shall approve the location and height of the fence. The construction fence shall not be placed more than 15 calendar days prior to commencement of the construction and shall be removed within 15 calendar days of substantial completion of the project as determined by City staff or at any given time at the discretion of City staff.

U. Placement of one construction and one office trailer may be permitted for the duration of on-site construction activities during an active building permit; each shall be no larger than 8' x 40' in size, and must be authorized by City staff with such authorization being revoked at any point deemed reasonable by City staff. Such trailers, to maximum extent practicable shall be located in a manner not visible from the street. Unless otherwise approved by staff, with proof of a good cause, such trailers shall not be located in any setback or front yard, may be placed on the site no more than 15 calendar days prior to commencement of construction and must be removed within 15

calendar days of expiration of a building permit, revocation, or finalization of the project.

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 upon completion of the project.

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

X. *During construction,* to the extent feasible, all parking shall take place on the project site, but 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. A flagmen shall be used to direct traffic when necessary, including during delivery of large construction equipment or materials.

Y. *During construction,* the property owners shall be required to schedule and regulate construction and related 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. 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. Should a red flag warning be declared and if work is to be conducted on the property, the contractor shall have readily available fire distinguisher.

AA. The property owners shall be required to conform with the Regional Water Quality Control Board and County Public Works Department Best Management Practices (BMP's) requirements related to solid waste, drainage, cisterns, and storm water drainage facilities management and to the City's Low Impact development Ordinance (LID). Further the property owners shall be required to conform to the County Health Department requirements for a septic system.

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

AC. The Applicant shall execute an Affidavit of Acceptance of all conditions of this permit pursuant to Zoning Ordinance, or the approval shall not be effective. The affidavit shall be recorded together with the resolution.

PASSED, APPROVED AND ADOPTED THIS 16th DAY OF JULY, 2019.

BRAD CHELF, CHAIRMAN

ATTEST:

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 Code of Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2019-13 entitled:

> A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR THE CONSTRUCTION OF A NEW RESIDENCE, INCLUDING ATTACHED GARAGE AND BASEMENT, RETAINING WALL, SWIMMING POOL, AND GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A GUEST HOUSE; AND VARIANCES TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE OF THE LOT AND TO EXCEED THE MAXIMUM PERMITTED COVERAGE OF THE FRONT YARD SETBACK FOR CONSTRUCTION OF A DRIVEWAY IN ZONING CASE NO. 956 **AT 8 MIDDLERIDGE LANE SOUTH** (ZHANG).

was approved and adopted at a regular meeting of the Planning Commission on July 16th, 2019 by the following roll call vote:

AYES: CARDENAS, COOLEY, KIRKPATRICK, SEABURN, AND CHAIR CHELF.

NOES: NONE.

ABSENT: NONE.

ABSTAIN: NONE.

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

Administrative Offices

CITY CLERK

EASEMENT NOTES:

NUMBERING SEQUENCE PER FIDELITY NATIONAL TITLE COMPANY PRELIMINARY REPORT NO. 00193980-997-OC1-JA1 , DATED APRIL 30, 2018

A — ANY EASEMENTS OR SERVITUDES APPEARING IN THE PUBLIC RECORDS. (PLOTTED HEREON)
(EASEMENTS PER LACA MAP NO. 60 AM 8/1 AND TRACT MAP NO. 26769, MB 798/90-91, AND RS 58/22)

3 — EASEMENTS, RIGHTS AND RIGHTS OF WAY AS PROVIDED BY AGREEMENT AND DECLARATION OF ESTABLISHMENT OF CONDITIONS AND RESTRICTIONS TO PALOS VERDE CORPORATION FOR ROADS, STREETS, BRIDAL TRAILS, PARKWAYS, PARK AREAS, POLES, WIRES AND CONDUITS FOR ELECTRICAL DISTRIBUTION FOR LIGHTING, HEATING, POWER, TELEPHONE, PUBLIC AND PRIVATE SEWERS, STORM DRAINS, LAND DRAINS, PIPES, WATER DISTRIBUTION OR OTHER UTILITY SERVICES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JULY 16, 1946 IN BOOK 23491 PAGE 1 AND AS RESERVED BY SAID DEED FROM PALOS VERDE CORPORATION, RECORDED AUGUST 8, 1946 IN BOOK 23544, PAGE 219 OF OFFICIAL RECORDS AND AS AMENDED BY AMENDMENT RECORDED MAY 8, 1968 AS INSTRUMENT NO. 3283 IN BOOK M2856, PAGE 62 OF OFFICIAL RECORDS.
(PLOTTED HEREON)

4 — COVENANTS, CONDITIONS, AND RESTRICTIONS IN THE DOCUMENT RECORDED JULY 16, 1946 IN BOOK 23491 PAGE AND SAID DEED FROM PALOS VERDE CORPORATION, RECORDED AUGUST 8, 1946 IN BOOK 23544, PAGE 219 OF OFFICIAL RECORDS.AND AS AMENDED BY AMENDMENT RECORDED MAY 8, 1968 AS INSTRUMENT NO. 3283 IN BOOK M2856, PAGE 62 OF OFFICIAL RECORDS. (BLANKET IN NATURE)

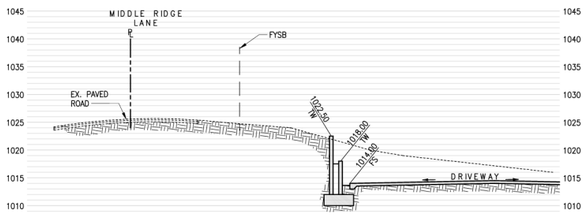
5 — AN EASEMENT RESERVED BY TO PALOS VERDE CORPORATION FOR ROADS, STREETS, BRIDAL TRAILS, PARKWAYS, PARK AREAS, POLES, WIRES AND CONDUITS FOR ELECTRICAL DISTRIBUTION FOR LIGHTING, HEATING, POWER, TELEPHONE, PUBLIC AND PRIVATE SEWERS, STORM DRAINS, LAND DRAINS, PIPES, WATER DISTRIBUTION OR OTHER UTILITY SERVICES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AUGUST 8, 1946 IN BOOK 23544, PAGE 219 OF OFFICIAL RECORDS.
(PLOTTED HEREON)

6 — AN EASEMENT GRANTED TO PALOS VERDE WATER COMPANY FOR WATER DISTRIBUTION AND INCIDENTAL PURPOSES IN THE DOCUMENT AS DESCRIBED AS PORTION OF PARCEL F AND RECORDED
OCTOBER 1, 1962 AS INSTRUMENT NO. 1962-4615 OF OFFICIAL RECORDS.
(PLOTTED HEREON)

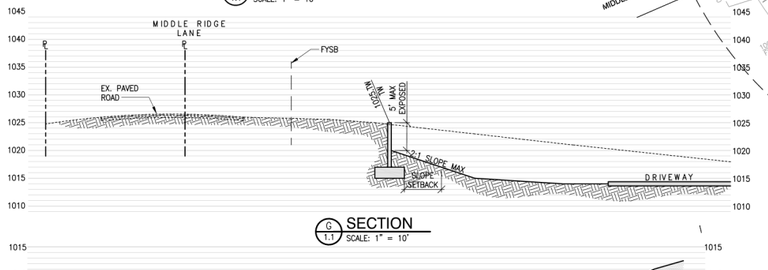
7 — EASEMENTS GRANTED TO ROLLING HILLS COMMUNITY ASSOCIATION OF RANCHO PALOS VERDES, A CORPORATION FOR ROAD, BRIDLE TRAILS AND PUBLIC UTILITY PURPOSES IN THE DOCUMENT DATED OCTOBER 18, 1962 AND RECORDED AS INSTRUMENT NO. 1962-1691 OF OFFICIAL RECORDS. (DOES NOT AFFECT FEE PARCEL)

8 — AN EASEMENT GRANTED TO SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, FOR PUBLIC UTILITIES, IN THE DOCUMENT DATED DECEMBER 16, 1983 AND RECORDED AS INSTRUMENT NO. 1983-1493954 OF OFFICIAL RECORDS. (PLOTTED HEREON)

9 — AN EASEMENT GRANTED TO GENERAL TELEPHONE COMPANY OF CALIFORNIA, A CORPORATION, FOR COMMUNICATION SYSTEMS AND INCIDENTAL PURPOSES, IN THE DOCUMENT DATED MARCH 22, 1984 AND RECORDED AS INSTRUMENT NO. 1984-353770 OF OFFICIAL RECORDS. (PLOTTED HEREON)



F 1:1 SECTION
SCALE: 1" = 10'



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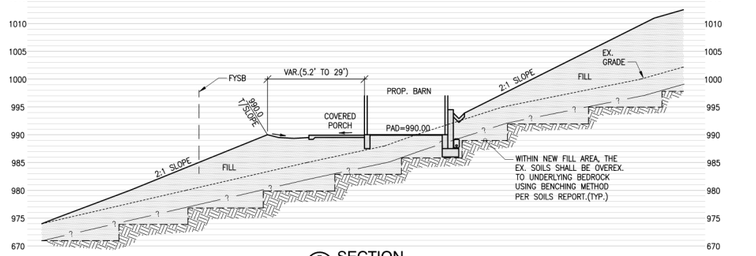

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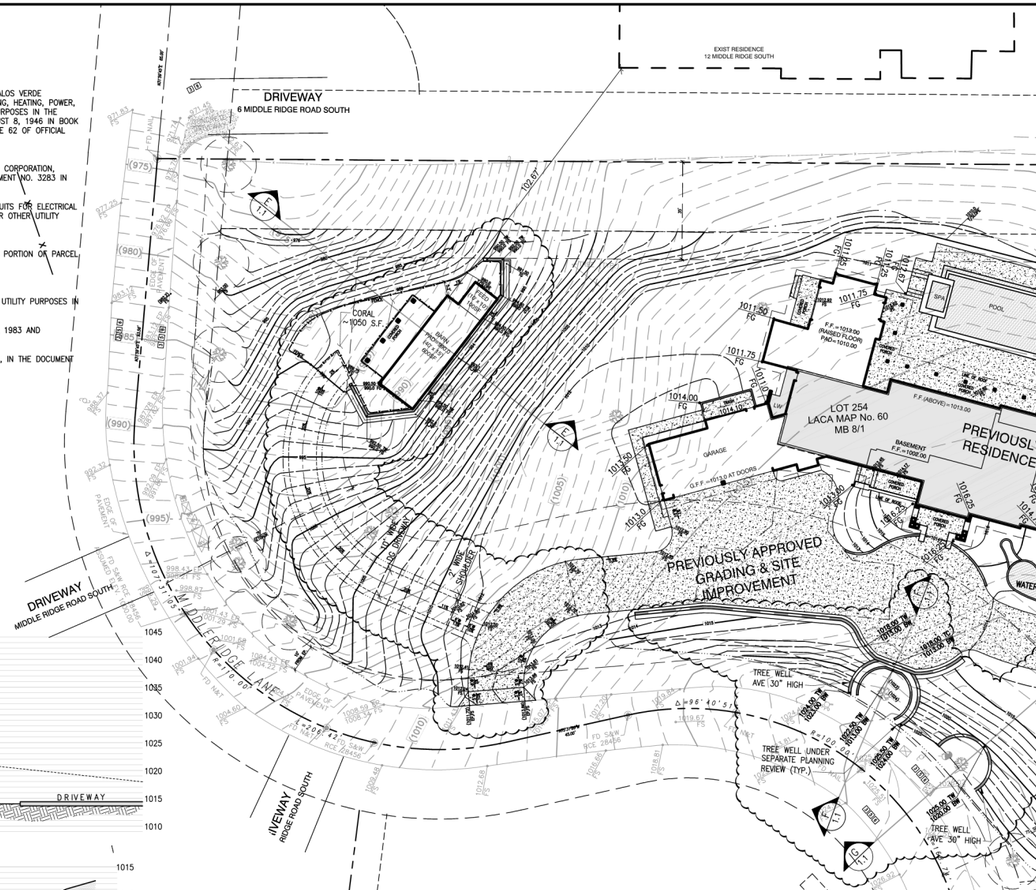


CLOUDED AREAS INDICATE SCOPE OF WORK FOR THIS APPLICATION

SITE PLAN

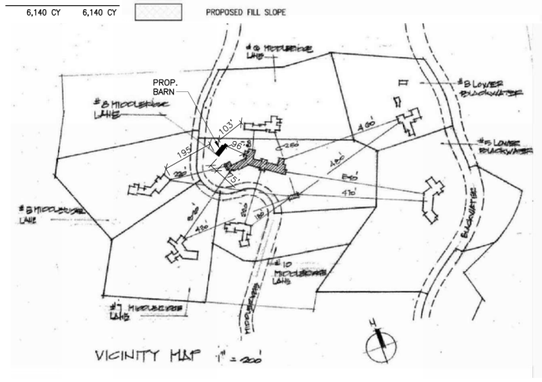
SCALE: 1"=20'

LEGEND

100	EXISTING CONTOUR		PROPERTY LINE
100	PROPOSED CONTOUR		FENCE
100.00	SPOT ELEVATION		GRADING LIMITS
	PROPOSED CONCRETE PAVING	R	RIDGE LINE
	PROPOSED DRAIN SYSTEM	F.F.	PROPOSED FINISHED FLOOR
	PROPOSED BEARING/RETAINING WALL	G.F.F.	PROPOSED GARAGE FINISH FLOOR
	EXISTING SCREEN WALL	TG	TOP OF GRATE
	PROPOSED SCREEN WALL	P.L.	PROPERTY LINE
	PROPOSED RETAINING WALL	TW	TOP OF WALL
PAD	PROPOSED PAD ELEVATION	TF	TOP OF FOOTING
T/SLAB	PROPOSED TOP OF SLAB	LW	LIGHT WELL
FS	PROPOSED FINISHED SURFACE	W.F.	WATER FEATURE
FG	PROPOSED FINISHED GRADE	T.P.	TOP OF PILASTER
EG	EXISTING GRADE	P.A.	PLANTER AREA
	PROPOSED CUT SLOPE	F.P.	FIRE PIT
	PROPOSED FILL SLOPE		

EARTHWORK ESTIMATE

EARTHWORK	CUT	FILL
EXCAVATION	6,140 CY	–
EMBANKMENT	–	6,140 CY
IMPORT	–	–
TOTAL	6,140 CY	6,140 CY



PREVIOUSLY APPROVED

DATE 4-4-22 ZONING CASE NO. _____ ADDRESS 8 MIDDLERIDGE S

ALL MEASUREMENTS TO BE TAKEN FROM THE EXTERIOR FINISHED WALLS OF STRUCTURES. ALL STRUCTURES MUST BE SHOWN ON THE PLAN AND LISTED HERE.

CALCULATION OF LOT COVERAGE

AREA AND STRUCTURES	EXISTING	PROPOSED	TOTAL
NET LOT AREA	_____ sq.ft.	_____ sq.ft.	137,816 sq.ft.
RESIDENCE	_____ sq.ft.	_____ sq.ft.	9,695 sq.ft.
GARAGE	_____ sq.ft.	_____ sq.ft.	951 sq.ft.
SWIMMING POOL/SPA	_____ sq.ft.	_____ sq.ft.	1,172 sq.ft.
POOL EQUIPMENT	_____ sq.ft.	_____ sq.ft.	40 sq.ft.
GUEST HOUSE	_____ sq.ft.	_____ sq.ft.	– sq.ft.
CABANA	_____ sq.ft.	_____ sq.ft.	– sq.ft.
STABLE (dirt volume to be included in grading quantities)	_____ sq.ft.	_____ sq.ft.	450 sq.ft. 750
RECREATION COURT	_____ sq.ft.	_____ sq.ft.	– sq.ft.
ATTACHED COVERED PORCHES	_____ sq.ft.	_____ sq.ft.	1,233 sq.ft. 300
ENTRYWAY/ PORTE COCHERE, BREEZEWAYS	_____ sq.ft.	_____ sq.ft.	238 sq.ft.
ATTACHED TRELLISES	_____ sq.ft.	_____ sq.ft.	244 sq.ft.
*DETACHED STRUCTURES: (circle all that applies) SHEDS, TRELLISES, GAZEBO, BARBECUE, OUTDOOR KITCHEN, ROOFED PLAY EQUIP. - over 15 ft. high and over 120 sq. ft. in area, WATER FEATURES, ETC.	_____ sq.ft.	_____ sq.ft.	400 sq.ft.
	_____ sq.ft.	_____ sq.ft.	100 sq.ft.
SERVICE YARD	_____ sq.ft.	_____ sq.ft.	100 sq.ft.
OTHER ADU	_____ sq.ft.	_____ sq.ft.	1,000 sq.ft.
BASEMENT AREA (volume to be included in grading quantities)	_____ sq.ft.	_____ sq.ft.	4,491 sq.ft.
DEPTH OF BASEMENT			10
TOTAL STRUCTURES	_____ sq.ft.	_____ sq.ft.	12,047 sq.ft. 12,047
% STRUCTURAL COVERAGE	_____ %	_____ %	8.7 % 9.2%
TOTAL STRUCTURES EXCLUDING up to 5 (open) & up to 800 sq.ft. detached structures that are not higher than 12 ft. (no more than 120 sq.ft. per structure per definition, except for trellis)	_____ sq.ft.	_____ sq.ft.	11,991 sq.ft. 12,147
% STRUCTURAL COVERAGE	_____ %	_____ %	8.4 % 8.8

5-12-22 RBV

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SPR Rev. 2016
City of Rolling Hills

PREVIOUSLY APPROVED

4-4-22

ALL FLATWORK MUST BE SHOWN ON THE PLAN

5-12-22 RBV

	EXISTING	PROPOSED	TOTAL
PRIMARY DRIVEWAY(S)	_____ sq.ft.	_____ sq.ft.	10,778 sq.ft. 6,722
PAVED WALKS, PATIO AREAS, COURTYARDS	_____ sq.ft.	_____ sq.ft.	1,250 sq.ft.
POOL DECKING	_____ sq.ft.	_____ sq.ft.	4,280 sq.ft.
OTHER PAVED DRIVEWAYS, ROAD EASEMENTS, PARKING PADS	_____ sq.ft.	_____ sq.ft.	– sq. ft.
TOTAL FLATWORK	_____ sq.ft.	_____ sq.ft.	16,330 sq.ft. 12,812
% TOTAL FLATWORK COVERAGE	_____ %	_____ %	12.2 % 9.3%
TOTAL STRUCTURAL & FLATWORK COVERAGE	_____ sq.ft.	_____ sq.ft.	28,967 sq.ft. 25,459
% TOTAL COVERAGE	_____ %	_____ %	
TOTAL STRUCTURAL & **structural** FLATWORK COVERAGE **flat work** *Excl. the allowance of up to 5 – 800 sq.ft. structures from previous page.*	_____ sq.ft. _____ sq.ft.	_____ sq.ft. _____ sq.ft.	28,401 sq.ft. 24,959
% TOTAL COVERAGE	_____ %	_____ %	20.9 % 18.1%
TOTAL DISTURBED AREA	_____ sq.ft.	_____ sq.ft.	68,868 sq.ft. 72,046
% DISTURBED AREA	_____ %	_____ %	49.9 % 52.7%
GRADING QUANTITY *(include future stable, corral and access way; basement and all other areas to be grouded/excavated)*			_____ cubic yards

All structures (attached and detached) must be listed.

- *Free standing legal, conforming accessory structures such as sheds, trellises, covered patios, gazebo, fountains, barbecue, outdoor fire place, etc., are not counted towards coverages and disturbed area, unless their combined area exceeds 800 sq. ft., are over 120 sq.ft. in size (except for trellis) or if there are more than 5 such structures on the property.*

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SPR Rev. 2016
City of Rolling Hills

PREVIOUSLY APPROVED

DATE 9-9-21 Z.C. NO. _____ ADDRESS _____

5-12-22 RBV N/C

CALCULATION OF BUILDING PAD COVERAGE

PAD NO. 1

BUILDABLE PAD AREA AND STRUCTURES	EXISTING	PROPOSED	TOTAL
BUILDING PAD	_____ sq.ft.	_____ sq.ft.	32,000 sq.ft.
RESIDENCE	_____ sq.ft.	_____ sq.ft.	9,695 sq.ft.
GARAGE	_____ sq.ft.	_____ sq.ft.	951 sq.ft.
POOL/SPA	_____ sq.ft.	_____ sq.ft.	1,172 sq.ft.
POOL EQUIPMENT	_____ sq.ft.	_____ sq.ft.	40 sq.ft.
CABANA/REC.RM	_____ sq.ft.	_____ sq.ft.	– sq.ft.
GUEST HOUSE	_____ sq.ft.	_____ sq.ft.	– sq.ft.
STABLE	_____ sq.ft.	_____ sq.ft.	100 sq.ft.
SPORTS COURT	_____ sq.ft.	_____ sq.ft.	– sq.ft.
SERVICE YARD	_____ sq.ft.	_____ sq.ft.	– sq.ft.
ATTACHED COVERED PORCHES Primary residence	_____ sq.ft.	_____ sq.ft.	1,222 sq.ft.
Accessory structures	_____ sq.ft.	_____ sq.ft.	327 sq.ft.
AREA OF ATTACHED COVERED PORCHES THAT EXCEED 10% OF THE SIZE OF RESIDENCE/ACCS. STRUCTURE	_____ sq.ft.	_____ sq.ft.	289 sq.ft.
ENTRYWAY/PORTE COCHERE/ BREEZEWAY	_____ sq.ft.	_____ sq.ft.	238 sq.ft.
ATTACHED TRELLISES	_____ sq.ft.	_____ sq.ft.	– sq.ft.
ALL DETACHED STRUCTURES *(from previous page)*	_____ sq.ft.	_____ sq.ft.	500 sq.ft.
ALL DETACHED STRUCTURES *(from previous page after excluding allowed deduction)*	_____ sq.ft.	_____ sq.ft.	0 sq.ft.
OTHER ADU	_____ sq.ft.	_____ sq.ft.	1,000 sq.ft.
TOTAL STRUCTURES ON PAD NO. 1	_____ sq.ft.	_____ sq.ft.	11,693 sq.ft.
% BUILDING PAD COVERAGE	_____ %	_____ %	38.2 %
TOTAL STRUCTURES ON PAD NO. 1 *Excluding attached trellises, excluding allowed deductions, and including the area of covered porches that exceed 10% of the size of the residence/accessory structures.*	_____ sq.ft.	_____ sq.ft.	11,190 sq.ft.
% BUILDING PAD COVERAGE	_____ %	_____ %	36.6 %

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SPR Rev. 2016
City of Rolling Hills

PROPOSED

DATE 5-12-22 Z.C. NO. _____ ADDRESS _____

CALCULATION OF BUILDING PAD COVERAGE

PAD NO. 2

BUILDABLE PAD AREA AND STRUCTURES	EXISTING	PROPOSED	TOTAL
BUILDING PAD	0 sq.ft.	_____ sq.ft.	1775 sq.ft.
RESIDENCE	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
GARAGE	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
POOL/SPA	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
POOL EQUIPMENT	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
CABANA/REC.RM	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
GUEST HOUSE	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
STABLE	_____ sq.ft.	_____ sq.ft.	750 sq.ft.
SPORTS COURT	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
SERVICE YARD	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
ATTACHED COVERED PORCHES Primary residence	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
Accessory structures	_____ sq.ft.	_____ sq.ft.	300 sq.ft.
AREA OF ATTACHED COVERED	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
PORCHES THAT EXCEED 10% OF THE SIZE OF RESIDENCE/ACCS. STRUCTURE			
ENTRYWAY/PORTE COCHERE/ BREEZEWAY	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
ATTACHED TRELLISES	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
ALL DETACHED STRUCTURES *(from previous page)*	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
ALL DETACHED STRUCTURES *(from previous page after excluding allowed deduction)*	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
OTHER	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
TOTAL STRUCTURES ON PAD NO. 2	_____ sq.ft.	_____ sq.ft.	1075 sq.ft.
% BUILDING PAD COVERAGE	_____ %	_____ %	59.1 %
TOTAL STRUCTURES ON PAD NO. 2 *Excluding attached trellises, excluding allowed deductions, and including the area of covered porches that exceed 10% of the size of the residence/accessory structures.*	_____ sq.ft.	_____ sq.ft.	1050 sq.ft.
% BUILDING PAD COVERAGE	_____ %	_____ %	59.1 %

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City of Rolling Hills

CRISS C GUNDERSON • AIA ARCHITECT
2417 Sunnyside Ridge Road, Rancho Palos Verdes, CA 90275 • 310.373.8077 • Criss@Criss-Gunderson-Architect.com

Written dimensions take preference over scaled dimensions and shall be verified on the job site. Details take preference over plans, elevations and sections. Any discrepancy shall be brought to the attention of the architect prior to the commencement of any work. These drawings and specifications are the property of Criss C.Gunderson AIA Architect and shall not be used on any other project.

RESIDENCE for COLORADO ST BRAND BLVD LLC
NO.8 MIDDLERIDGE LANE SOUTH, ROLLING HILLS, CALIFORNIA 90274

LICENSED ARCHITECT CHRIS C. GUNDERSON No. C-016974 RENEWAL DATE 08/31/2023 STATE OF CALIFORNIA

1.1

9/13/2021 12:55:59 PM N:\2020\v1\2020v1planning\v1\arch\v1\architecture planning submittals\202004-arch-base-10.dwg

EASEMENT NOTES:

NUMBERING SEQUENCE PER FIDELITY NATIONAL TITLE COMPANY PRELIMINARY REPORT NO. 00193980-997-OC1-JA1 , DATED APRIL 30, 2018

A — ANY EASEMENTS OR SERVITUDES APPEARING IN THE PUBLIC RECORDS. (PLOTTED HEREON)
(EASEMENTS PER LACA MAP NO. 60 AM 8/1 AND TRACT MAP NO. 26769, MB 798/90-91, AND RS 58/22)

3 — EASEMENTS, RIGHTS AND RIGHTS OF WAY AS PROVIDED BY AGREEMENT AND DECLARATION OF ESTABLISHMENT OF CONDITIONS AND RESTRICTIONS TO PALOS VERDE CORPORATION FOR ROADS, STREETS, BRIDAL TRAILS, PARKWAYS, PARK AREAS, POLES, WIRES AND CONDUITS FOR ELECTRICAL DISTRIBUTION FOR LIGHTING, HEATING, POWER, TELEPHONE, PUBLIC AND PRIVATE SEWERS, STORM DRAINS, LAND DRAINS, PIPES, WATER DISTRIBUTION OR OTHER UTILITY SERVICES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JULY 16, 1946 IN BOOK 23491 PAGE 1 AND AS RESERVED BY SAID DEED FROM PALOS VERDE CORPORATION, RECORDED AUGUST 8, 1946 IN BOOK 23544, PAGE 219 OF OFFICIAL RECORDS AND AS AMENDED BY AMENDMENT RECORDED MAY 8, 1968 AS INSTRUMENT NO. 3283 IN BOOK M2856, PAGE 62 OF OFFICIAL RECORDS.
(PLOTTED HEREON)

4 — COVENANTS, CONDITIONS, AND RESTRICTIONS IN THE DOCUMENT RECORDED JULY 16, 1946 IN BOOK 23491 PAGE AND SAID DEED FROM PALOS VERDE CORPORATION, RECORDED AUGUST 8, 1946 IN BOOK 23544, PAGE 219 OF OFFICIAL RECORDS.AND AS AMENDED BY AMENDMENT RECORDED MAY 8, 1968 AS INSTRUMENT NO. 3283 IN BOOK M2856, PAGE 62 OF OFFICIAL RECORDS. (BLANKET IN NATURE)

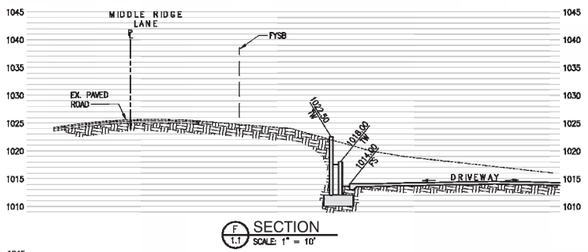
5 — AN EASEMENT RESERVED BY TO PALOS VERDE CORPORATION FOR ROADS, STREETS, BRIDAL TRAILS, PARKWAYS, PARK AREAS, POLES, WIRES AND CONDUITS FOR ELECTRICAL DISTRIBUTION FOR LIGHTING, HEATING, POWER, TELEPHONE, PUBLIC AND PRIVATE SEWERS, STORM DRAINS, LAND DRAINS, PIPES, WATER DISTRIBUTION OR OTHER UTILITY SERVICES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AUGUST 8, 1946 IN BOOK 23544, PAGE 219 OF OFFICIAL RECORDS.
(PLOTTED HEREON)

6 — AN EASEMENT GRANTED TO PALOS VERDE WATER COMPANY FOR WATER DISTRIBUTION AND INCIDENTAL PURPOSES IN THE DOCUMENT AS DESCRIBED AS PORTION OF PARCEL F AND RECORDED
OCTOBER 1, 1962 AS INSTRUMENT NO. 1962-4615 OF OFFICIAL RECORDS.
(PLOTTED HEREON)

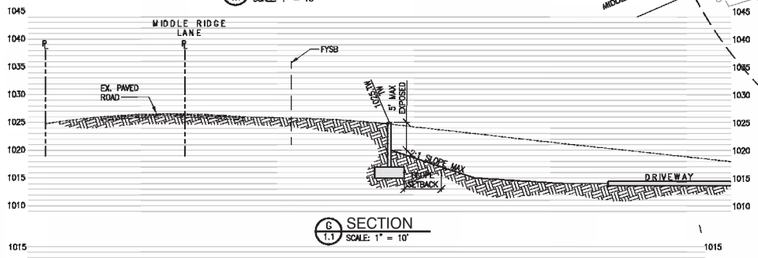
7 — EASEMENTS GRANTED TO ROLLING HILLS COMMUNITY ASSOCIATION OF RANCHO PALOS VERDES, A CORPORATION FOR ROAD, BRIDLE TRAILS AND PUBLIC UTILITY PURPOSES IN THE DOCUMENT DATED OCTOBER 18, 1962 AND RECORDED AS INSTRUMENT NO. 1962-1691 OF OFFICIAL RECORDS. (DOES NOT AFFECT FEE PARCEL)

8 — AN EASEMENT GRANTED TO SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, FOR PUBLIC UTILITIES, IN THE DOCUMENT DATED DECEMBER 16, 1983 AND RECORDED AS INSTRUMENT NO. 1983-1493954 OF OFFICIAL RECORDS. (PLOTTED HEREON)

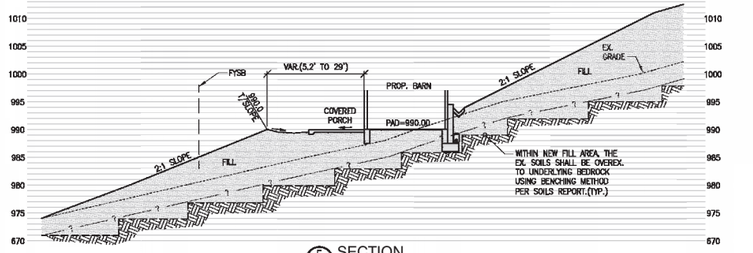
9 — AN EASEMENT GRANTED TO GENERAL TELEPHONE COMPANY OF CALIFORNIA, A CORPORATION, FOR COMMUNICATION SYSTEMS AND INCIDENTAL PURPOSES, IN THE DOCUMENT DATED MARCH 22, 1984 AND RECORDED AS INSTRUMENT NO. 1984-353770 OF OFFICIAL RECORDS. (PLOTTED HEREON)



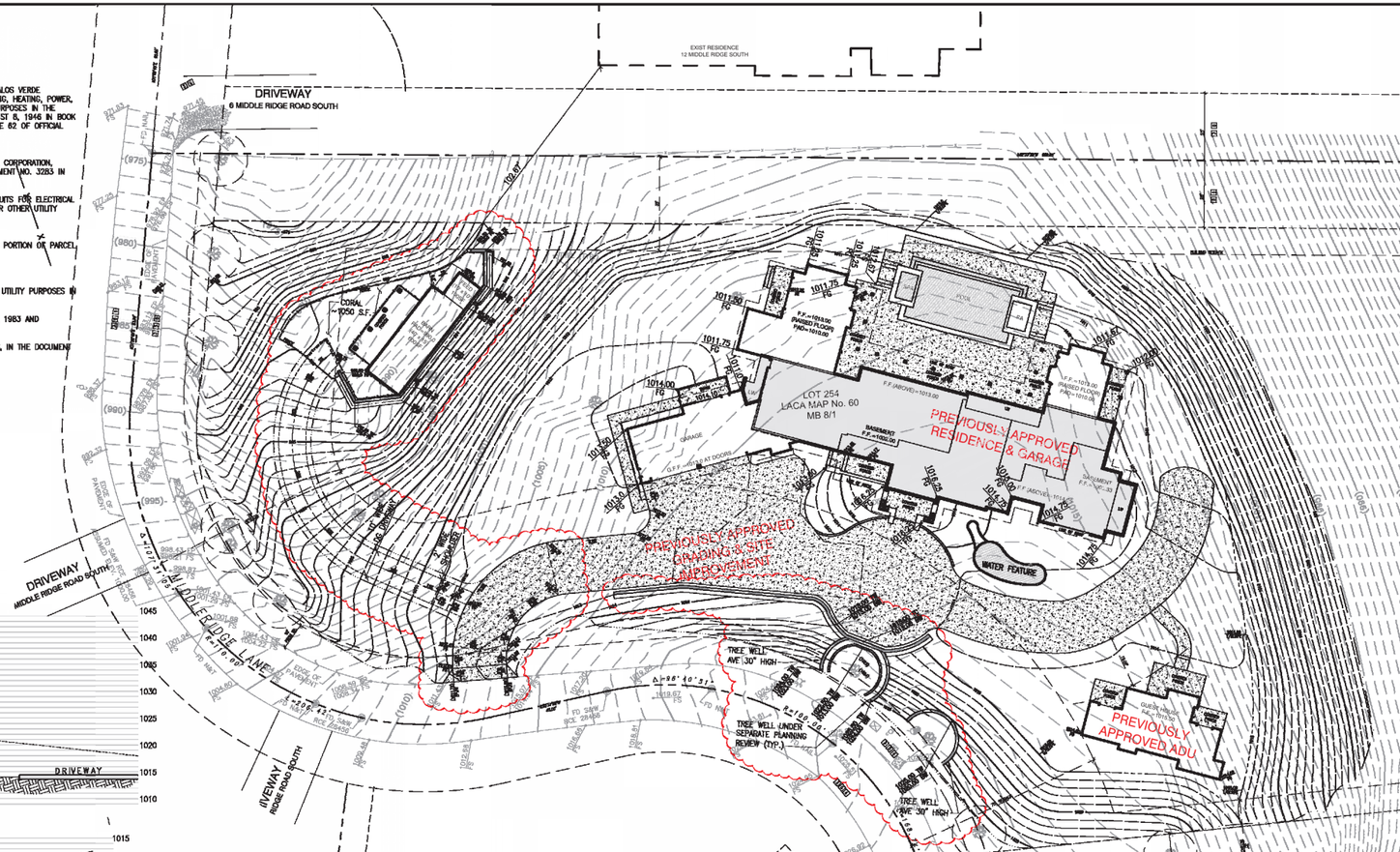
F 1:1 SECTION
SCALE: 1" = 10'



G 1:1 SECTION
SCALE: 1" = 10'



E 1:1 SECTION
SCALE: 1" = 10'



CLOUDED AREAS INDICATE SCOPE OF WORK FOR THIS APPLICATION

SITE PLAN

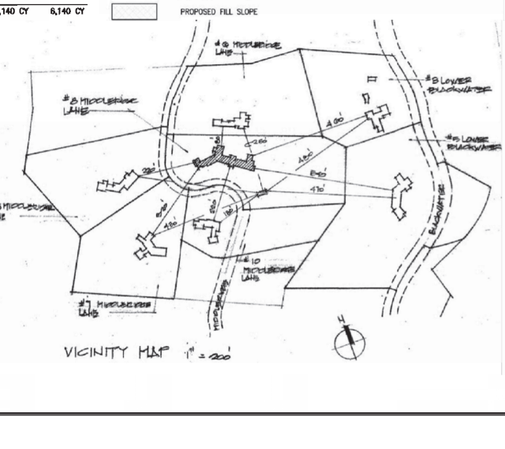
NOT TO SCALE

LEGEND

100	EXISTING CONTOUR
100	PROPOSED CONTOUR
100.00	SPOT ELEVATION
	PROPOSED CONCRETE PAVING
	PROPOSED DRAIN SYSTEM
	PROPOSED BEARING/RETAINING WALL
	EXISTING SCREEN WALL
	PROPOSED SCREEN WALL
	PROPOSED RETAINING WALL
PAD	PROPOSED PAD ELEVATION
T/SLAB	PROPOSED TOP OF SLAB
FS	PROPOSED FINISHED SURFACE
FG	PROPOSED FINISHED GRADE
EG	EXISTING GRADE
	PROPOSED CUT SLOPE
	PROPOSED FILL SLOPE
	PROPERTY LINE
C C	FENCE
	GRADING LIMITS
R	RIDGE LINE
F.F.	PROPOSED FINISHED FLOOR
G.F.F.	PROPOSED GARAGE FINISH FLOOR
TG	TOP OF GRATE
P.L.	PROPERTY LINE
TW	TOP OF WALL
TF	TOP OF FOOTING
LW	LIGHT WELL
W.F.	WATER FEATURE
T.P.	TOP OF PILASTER
P.A.	PLANTER AREA
F.P.	FIRE PIT

EARTHWORK ESTIMATE

EARTHWORK	CUT	FILL
EXCAVATION	6,140 CY	–
EMBANKMENT	–	6,140 CY
IMPORT	–	–
TOTAL	6,140 CY	6,140 CY



PREVIOUSLY APPROVED

DATE 4-4-22 ZONING CASE NO. ____ ADDRESS 8 MIDDLE RIDGE S

ALL MEASUREMENTS TO BE TAKEN FROM THE EXTERIOR FINISHED WALLS OF STRUCTURES. ALL STRUCTURES MUST BE SHOWN ON THE PLAN AND LISTED HERE

CALCULATION OF LOT COVERAGE

AREA AND STRUCTURES	EXISTING	PROPOSED	TOTAL
NET LOT AREA	____ sq.ft.	____ sq.ft.	137,616 sq.ft.
RESIDENCE	____ sq.ft.	____ sq.ft.	6,094 sq.ft.
GARAGE	____ sq.ft.	____ sq.ft.	987 sq.ft.
SWIMMING POOL/SPA	____ sq.ft.	____ sq.ft.	1,172 sq.ft.
POOL EQUIPMENT	____ sq.ft.	____ sq.ft.	40 sq.ft.
GUEST HOUSE	____ sq.ft.	____ sq.ft.	— sq.ft.
CABANA	____ sq.ft.	____ sq.ft.	— sq.ft.
STABLE (dirt volume to be included in grading quantities)	____ sq.ft.	____ sq.ft.	450 sq.ft. 750
RECREATION COURT	____ sq.ft.	____ sq.ft.	— sq.ft.
ATTACHED COVERED PORCHES	____ sq.ft.	____ sq.ft.	1,237 sq.ft. 300
ENTRYWAY/PORTE COCHERE, BREEZEWAYS	____ sq.ft.	____ sq.ft.	238 sq.ft.
ATTACHED TRELLISES	____ sq.ft.	____ sq.ft.	244 sq.ft.
*DETACHED STRUCTURES (circle all that applies) SHEDS, TRELLISES, GAZEBO, BARBECUE, OUTDOOR KITCHEN, ROOFED PLAY HOUSE over 12 ft. high and over 120 sq. ft. in area, WATER FEATURES, ETC.	____ sq.ft.	____ sq.ft.	100 sq.ft.
SERVICE YARD	____ sq.ft.	____ sq.ft.	100 sq.ft.
OTHER ADU	____ sq.ft.	____ sq.ft.	1,000 sq.ft.
BASEMENT AREA (volume to be included in grading quantities)	____ sq.ft.	____ sq.ft.	4,991 sq.ft.
DEPTH OF BASEMENT	____	____	10
TOTAL STRUCTURES	____ sq.ft.	____ sq.ft.	12,247 sq.ft. 12,047
% STRUCTURAL COVERAGE	____ %	____ %	8.9 % 9.2%
TOTAL STRUCTURES EXCLUDING: up to 5 (each) & up to 800 sq.ft. detached structures that are not higher than 12 ft. (no more than 120 sq.ft. per structure per deduction, except for trellis)	____ sq.ft.	____ sq.ft.	11,547 sq.ft. 12,147
% STRUCTURAL COVERAGE	____ %	____ %	8.4 % 8.8

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SPR Rev. 2016
City of Rolling Hills

PREVIOUSLY APPROVED

4-4-22 5-12-22

ALL FLATWORK MUST BE SHOWN ON THE PLAN

	EXISTING	PROPOSED	TOTAL
PRIMARY DRIVEWAY(S)	____ sq.ft.	____ sq.ft.	19,770 sq.ft. 6,722
PAVED WALKS, PATIO AREAS, COURTYARDS	____ sq.ft.	____ sq.ft.	1,250 sq.ft.
POOL DECKING	____ sq.ft.	____ sq.ft.	4,340 sq.ft.
OTHER PAVED DRIVEWAYS, ROAD EASEMENTS, PARKING PADS	____ sq.ft.	____ sq.ft.	— sq.ft.
TOTAL FLATWORK	____ sq.ft.	____ sq.ft.	16,360 sq.ft. 12,312
% TOTAL FLATWORK COVERAGE	____ %	____ %	12.2 % 9.3%
TOTAL STRUCTURAL & FLATWORK COVERAGE	____ sq.ft.	____ sq.ft.	28,907 sq.ft. 25,459
% TOTAL COVERAGE	____ %	____ %	____ %
TOTAL STRUCTURAL & structural FLATWORK COVERAGE flat work Excl. the allowance of up to 5 - 800 sq. ft. structures from previous page.	____ sq.ft. ____ sq.ft.	____ sq.ft. ____ sq.ft.	28,407 sq.ft. 24,959
% TOTAL COVERAGE	____ %	____ %	20.9 % 18.1%
TOTAL DISTURBED AREA	____ sq.ft.	____ sq.ft.	68,868 sq.ft. 72,646
% DISTURBED AREA	____ %	____ %	49.9 % 52.7%
GRADING QUANTITY (include future stable, corral and access way; basement and all other areas to be graded/excavated)			____ cubic yards

All structures (attached and detached) must be listed.

- *Free standing legal, conforming accessory structures such as sheds, trellises, covered patios, gazebo, fountains, barbecue, outdoor fire place, etc., are not counted towards coverages and disturbed area, unless their combined area exceeds 800 sq. ft., are over 120 sq.ft. in size (except for trellis) or if there are more than 5 such structures on the property.*

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SPR Rev. 2016
City of Rolling Hills

PREVIOUSLY APPROVED

DATE 9-9-21 Z.C. NO. ____ ADDRESS ____

5-12-22 P.S.V. N/C

CALCULATION OF BUILDING PAD COVERAGE

PAD NO. 1

BUILDABLE PAD AREA AND STRUCTURES	EXISTING	PROPOSED	TOTAL
BUILDING PAD	____ sq.ft.	____ sq.ft.	30,602 sq.ft.
RESIDENCE	____ sq.ft.	____ sq.ft.	6,094 sq.ft.
GARAGE	____ sq.ft.	____ sq.ft.	987 sq.ft.
POOL/SPA	____ sq.ft.	____ sq.ft.	1,172 sq.ft.
POOL EQUIPMENT	____ sq.ft.	____ sq.ft.	40 sq.ft.
CABANA/RECRM	____ sq.ft.	____ sq.ft.	— sq.ft.
GUEST HOUSE	____ sq.ft.	____ sq.ft.	— sq.ft.
STABLE	____ sq.ft.	____ sq.ft.	450 sq.ft.
SPORTS COURT	____ sq.ft.	____ sq.ft.	— sq.ft.
SERVICE YARD	____ sq.ft.	____ sq.ft.	100 sq.ft.
ATTACHED COVERED PORCHES: Primary residence	____ sq.ft.	____ sq.ft.	1,237 sq.ft.
Accessory structures	____ sq.ft.	____ sq.ft.	337 sq.ft.
AREA OF ATTACHED COVERED PORCHES THAT EXCEED 10% OF THE SIZE OF RESIDENCE/G.S. STRUCTURE	____ sq.ft.	____ sq.ft.	287 sq.ft.
ENTRYWAY/PORTE COCHERE/ BREEZEWAY	____ sq.ft.	____ sq.ft.	238 sq.ft.
ATTACHED TRELLISES	____ sq.ft.	____ sq.ft.	— sq.ft.
ALL DETACHED STRUCTURES (from previous page)	____ sq.ft.	____ sq.ft.	800 sq.ft.
ALL DETACHED STRUCTURES (from previous page after excluding allowed deductions)	____ sq.ft.	____ sq.ft.	0 sq.ft.
OTHER ADU	____ sq.ft.	____ sq.ft.	1,000 sq.ft.
TOTAL STRUCTURES ON PAD NO. 1	____ sq.ft.	____ sq.ft.	11,692 sq.ft.
% BUILDING PAD COVERAGE	____ %	____ %	38.2 %
TOTAL STRUCTURES ON PAD NO. 1 Excluding attached trellises, excluding allowed deductions, and including the area of covered porches that exceed 10% of the size of the residence/accessory structures.	____ sq.ft.	____ sq.ft.	11,192 sq.ft.
% BUILDING PAD COVERAGE	____ %	____ %	36.6 %

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SPR Rev. 2016
City of Rolling Hills

PROPOSED

DATE 5-12-22 Z.C. NO. ____ ADDRESS ____

CALCULATION OF BUILDING PAD COVERAGE

PAD NO. 2

BUILDABLE PAD AREA AND STRUCTURES	EXISTING	PROPOSED	TOTAL
BUILDING PAD	0 sq.ft.	____ sq.ft.	1775 sq.ft.
RESIDENCE	____ sq.ft.	____ sq.ft.	____ sq.ft.
GARAGE	____ sq.ft.	____ sq.ft.	____ sq.ft.
POOL/SPA	____ sq.ft.	____ sq.ft.	____ sq.ft.
POOL EQUIPMENT	____ sq.ft.	____ sq.ft.	____ sq.ft.
CABANA/RECRM	____ sq.ft.	____ sq.ft.	____ sq.ft.
GUEST HOUSE	____ sq.ft.	____ sq.ft.	____ sq.ft.
STABLE	____ sq.ft.	____ sq.ft.	788 sq.ft.
SPORTS COURT	____ sq.ft.	____ sq.ft.	____ sq.ft.
SERVICE YARD	____ sq.ft.	____ sq.ft.	____ sq.ft.
ATTACHED COVERED PORCHES: Primary residence	____ sq.ft.	____ sq.ft.	____ sq.ft.
Accessory structures	____ sq.ft.	____ sq.ft.	300 sq.ft.
AREA OF ATTACHED COVERED	____ sq.ft.	____ sq.ft.	____ sq.ft.
PORCHES THAT EXCEED 10% OF THE SIZE OF RESIDENCE/G.S. STRUCTURE			
ENTRYWAY/PORTE COCHERE/ BREEZEWAY	____ sq.ft.	____ sq.ft.	____ sq.ft.
ATTACHED TRELLISES	____ sq.ft.	____ sq.ft.	____ sq.ft.
ALL DETACHED STRUCTURES (from previous page)	____ sq.ft.	____ sq.ft.	____ sq.ft.
ALL DETACHED STRUCTURES (from previous page after excluding allowed deductions)	____ sq.ft.	____ sq.ft.	____ sq.ft.
OTHER	____ sq.ft.	____ sq.ft.	____ sq.ft.
TOTAL STRUCTURES ON PAD NO. 2	____ sq.ft.	____ sq.ft.	1050 sq.ft.
% BUILDING PAD COVERAGE	____ %	____ %	59.1 %
TOTAL STRUCTURES ON PAD NO. 2 Excluding attached trellises, excluding allowed deductions, and including the area of covered porches that exceed 10% of the size of the residence/accessory structures.	____ sq.ft.	____ sq.ft.	1050 sq.ft.
% BUILDING PAD COVERAGE	____ %	____ %	59.1 %

-18-

SPR Rev. 2016
City of Rolling Hills

CRISS C GUNDERSON • AIA ARCHITECT
2417 Sunnyside Ridge Road, Rancho Palos Verdes, CA 90275 • 310.373.8077 • Criss@Criss-Gunderson-Architect.com

© Criss C Gunderson AIA Architect and shall not be used on any other project. Any discrepancy shall be brought to the attention of the architect prior to the commencement of any work. These drawings and specifications are the property of

RESIDENCE for COLORADO ST BRAND BLVD LLC
NO.8 MIDDLERIDGE LANE SOUTH, ROLLING HILLS, CALIFORNIA 90274

LICENSED ARCHITECT CRISS C GUNDERSON No. C-11 6574 RENEWAL DATE STATE OF CALIFORNIA

Written dimensions take preference over scaled dimensions and shall be verified on the job site. Details take preference over plans, elevations and sections. Any discrepancy shall be brought to the attention of the architect prior to the commencement of any work.

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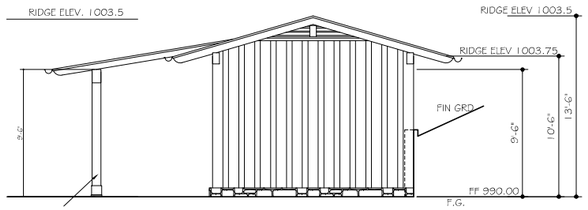
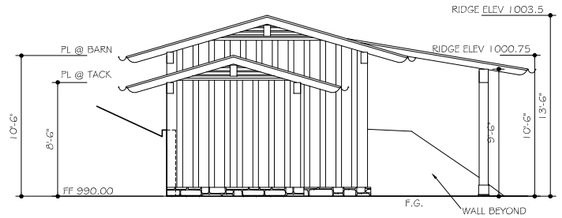
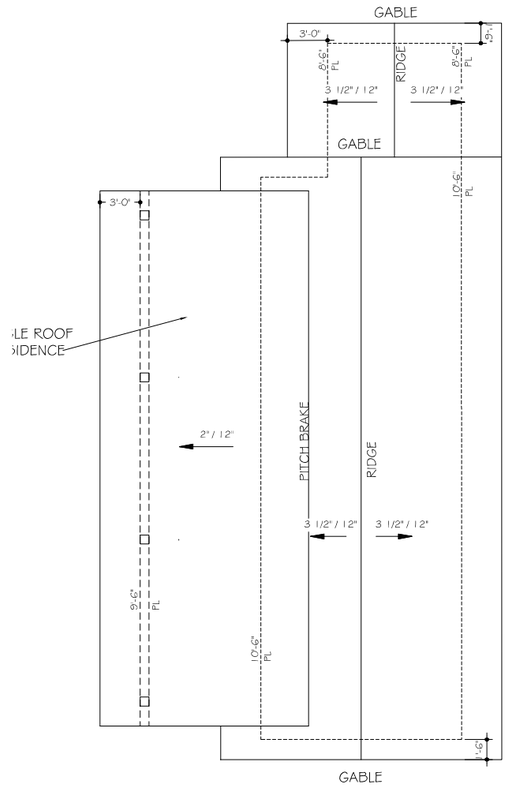
1.1



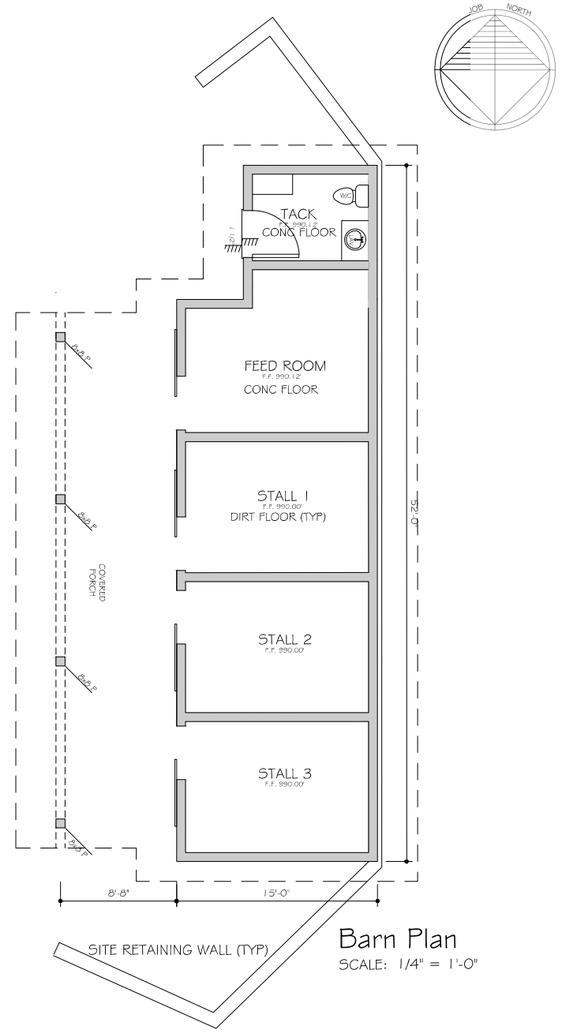
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



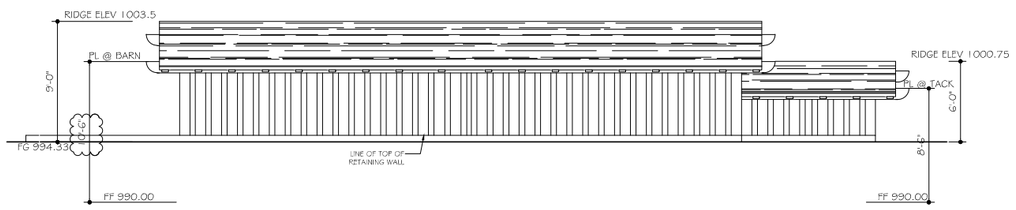
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



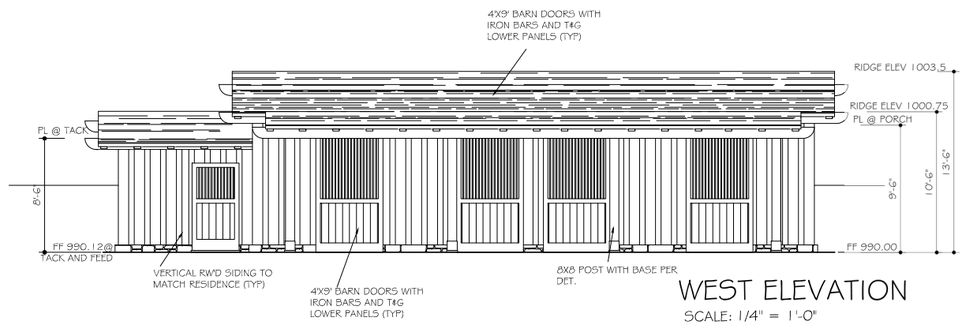
Roof Plan
SCALE: 1/4" = 1'-0"



Barn Plan
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"

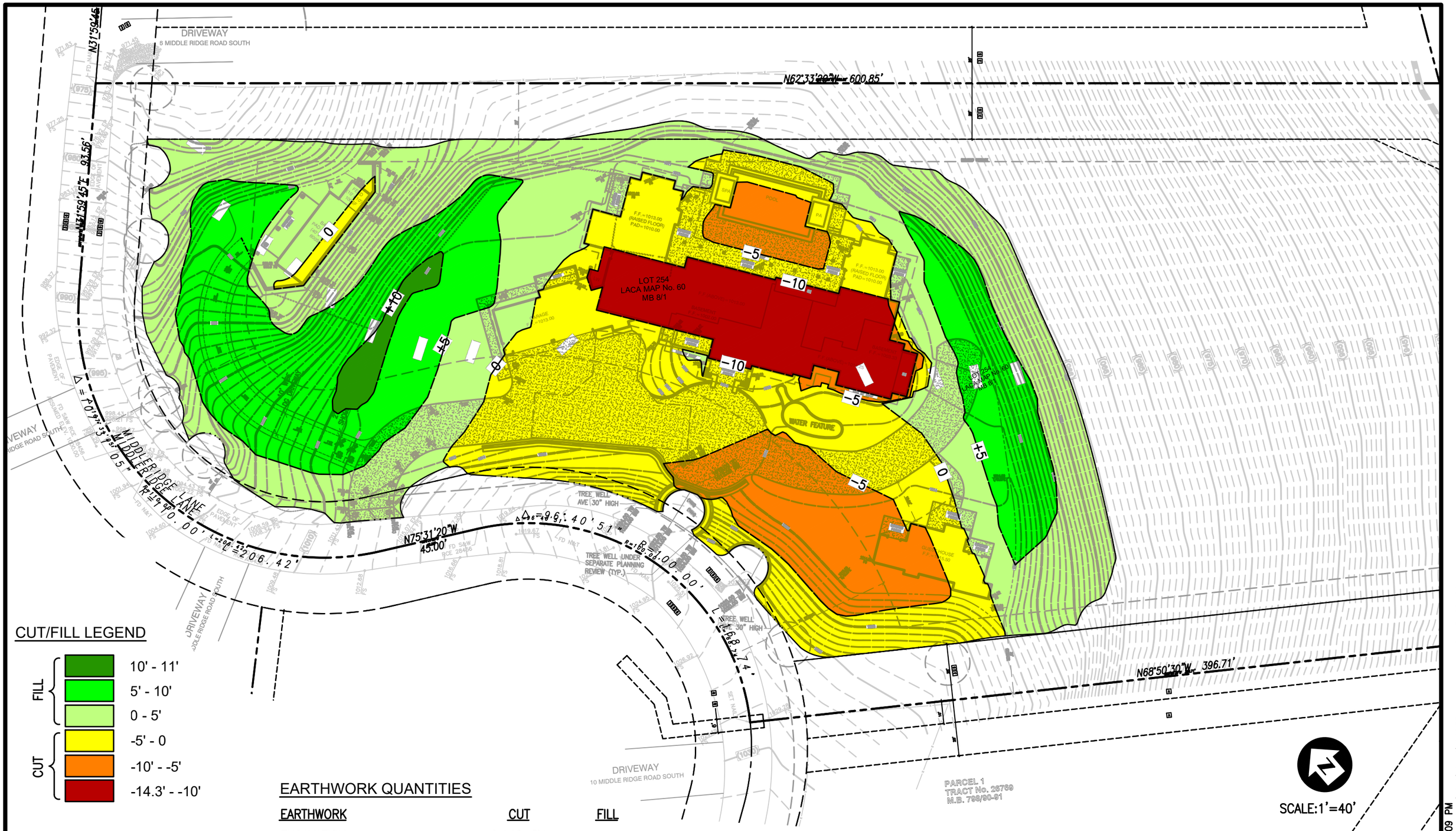
Written dimensions take preference over scaled dimensions and shall be verified on the job site. Details take preference over plans, elevations and sections. Any discrepancy shall be brought to the attention of the architect prior to the commencement of any work. These drawings and specifications are the property of Criss C Gunderson AIA Architect and shall not be used on any other project.

CRISS C GUNDERSON - AIA ARCHITECT
2417 Sunnyside Ridge Road, Rancho Palos Verdes, CA 90275 • 310.373.8077 • Criss@Criss-Gunderson-Architect.com

BARN for COLORADO ST BRAND BLVD LLC
NO.8 MIDDLERIDGE LANE SOUTH, ROLLING HILLS, CALIFORNIA 90274

LICENSED ARCHITECT CRISS C. GUNDERSON No. C-018574 RENEWAL DATE STATE OF CALIFORNIA

BARN
1.1



CUT/FILL LEGEND

FILL	10' - 11'	
	5' - 10'	
	0 - 5'	
CUT	-5' - 0	
	-10' - -5'	
	-14.3' - -10'	

EARTHWORK QUANTITIES

EARTHWORK	CUT	FILL
EXCAVATION	6,140 CY	
EMBANKMENT		6,140 CY
IMPORT/EXPORT	0 CY	0 CY
TOTAL	6,140 CY	6,140 CY

TOAL ENGINEERING, INC.

CUT/FILL EXHIBIT

FIGURE E-1

JOB NO.: 220[illegible]102

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DRIVEWAY
6 MIDDLE RIDGE ROAD SOUTH

N62°33'20"W 600.85'

N31°59'45"E 93.56'

LOT 254
LACA MAP No. 60
MB 8/1

F.F.=1013.00
(RAISED FLOOR)
PAD=1010.00

SPA

POOL

PA

F.F.=1013.00
(RAISED FLOOR)
PAD=1010.00

GARAGE
F.F.=1013.00

F.F.(ABOVE)=1013.00

BASEMENT
F.F.=1002.00

F.F.(ABOVE)=1014.25

BASEMENT
F.F.=1003.33

WATER FEATURE

LOT 254
LACA MAP No. 60
MB 8/1

GUEST HOUSE
F.F.=1015.50

FFED
F.F.=1010.00

BARN
PAD=1006.0
(40' x 50')
GOOSE

2% SWALE
SLOPE DOWNHILL

2% SWALE
SLOPE DOWNHILL

EDGE OF PAVEMENT

Δ=4°01'33"
MIDDLE RIDGE LANE
R=1910.00'
L=206.42'

N75°31'20"W
45.00'

Δ=9°40'51"
R=262.00'
L=44.26'

TREE WELL
AVE 30" HIGH

TREE WELL UNDER
SEPARATE PLANNING
REVIEW (TYP.)

TREE WELL
AVE 30" HIGH

DRIVEWAY
7 MIDDLE RIDGE ROAD SOUTH

DRIVEWAY
10 MIDDLE RIDGE ROAD SOUTH

N68°50'30"W 396.71'

PARCEL 1
TRACT No. 26769
M.B. 798/90-91

SLOPE LEGEND

- 0 - 10%
- 10% - 33.5%(3:1 SLOPE)
- 33.5% - 50% (2:1 SLOPE)

SCALE:1'=40'

TOAL ENGINEERING, INC.

SLOPE EXHIBIT

FIGURE E-2

JOB NO.: 220[illegible]103

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Agenda Item No.: 10.B
Mtg. Date: 06/21/2022

TO: **HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION**

FROM: **JANE ABZUG, DEPUTY CITY ATTORNEY**

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

SUBJECT: **RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING CHAPTER 17.28 OF THE MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE EXEMPT FROM CEQA**

DATE: **June 21, 2022**

BACKGROUND:

In 2019 the Governor signed into law several bills that imposed substantial new limits on local authority to regulate accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs") under Government Code sections 65852.2 and 65852.22 (collectively, the "2019 ADU Laws"). The 2019 ADU Laws went into effect on January 1, 2020. Shortly thereafter, the City Council adopted Ordinance Nos. 364U and 364, which updated the City's ADU and JADU regulations (contained in Chapter 17.28 of the Rolling Hills Municipal Code) to comply with the 2019 ADU Laws. The Legislature has continued amending the state's ADU and JADU statutes on an annual basis.

In September 2020, the Governor signed into law Assembly Bill 3182 which, among other things, amended Government Code section 65852.2 to: (1) expand the scenarios under which the City must allow certain ADUs and JADUs with only a building permit; and (2) provide that if City does not act on a complete ADU application within 60 days (subject to limited exceptions), the application is deemed approved. Thereafter, in September 2021, the Governor signed into law Assembly Bill 345, which requires cities to allow the separate sale or conveyance of certain ADUs that satisfy the conditions set forth in Government Code section 65852.26. Such conditions include, among other things, that the ADU or the primary dwelling was constructed by a qualified nonprofit and the ADU is sold to a qualified low-income buyer.

The California Department of Housing and Community Development ("HCD") recently issued clarifying guidance with respect to local implementation of the 2019 ADU Laws, AB 3182, and AB 345. Relatedly, as part of the City's Housing Element update process, HCD reviewed the

City's current ADU ordinance and determined that certain aspects need to be updated to comply with changes in state law. The proposed ordinance ("Ordinance") updates the City's ADU and JADU regulations to comply with AB 3182 and AB 345, align with HCD's guidance, and further increase clarity for the benefit of staff and the general public.

DISCUSSION:

The Ordinance's amendments to Rolling Hills Municipal Code ("RHMC") Chapter 17.28 include, but are not limited to, the following:

- Replaced minimum counter (15 sq. ft.) and storage cabinet (30 sq. ft.) size requirements for JADU kitchens with language requiring counters and storage cabinets to be of a reasonable size in relation to the size of the JADU (RHMC Section 17.28.030(D)).
- Replaced language that allowed one converted ADU or one JADU on a single-family residential lot with language that allows one ADU and one JADU if specified conditions are met (RHMC Section 17.28.040(A)(1)).
- Clarified that the fee for processing ADU applications is not an impact fee (RHMC Section 17.28.040(B)).
- Revised the City's prohibition on separate sale or conveyance to provide that no ADU or JADU may be sold or otherwise conveyed separately from the lot and primary dwelling except as provided in Government Code section 65852.26 (RHMC Section 17.28.050(D)).
- Clarified that all ADUs and JADUs must comply with all local building code requirements (RHMC Section 17.28.050(G)).
- Replaced language limiting an ADU to two bedrooms with language clarifying that there is no limit on the number of bedrooms (RHMC Section 17.28.060(A)(1)).
- Revised the architectural requirements, impact and utility fee provisions to align with HCD's guidance on the same (RHMC Sections 17.28.060(I) and 17.28.070).
- Additional minor amendments to augment clarity for staff and the general public.

For reference, the redline (Attachment 3) compares this Ordinance's amended ADU regulations against the City's current regulations. Staff is recommending that the Planning Commission consider and recommend that the City Council adopt the proposed Ordinance.

ENVIRONMENTAL IMPACT

Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed Ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

FISCAL IMPACT:
The ordinance amendment brings the Municipal Code into compliance with State law which protects the City from legal challenges.

RECOMMENDATION:
1. Open the public hearing, receive public testimony, close the public hearing; and
2. Adopt the Resolution (Attachment 1), which:

a. Recommends that the City Council adopt the proposed Ordinance (Attachment 2) amending RHMC Chapter 17.28 regarding ADUs and JADUs; and
b. Finds that the adoption of the proposed Ordinance is statutorily exempt from review under CEQA pursuant to Public Resources section 21080.17.

ATTACHMENTS:
Attachment 1 - 2022-09_PC_Resolution__ADU_Ordinance.pdf
Attachment 2 - 2022-09_PC_Resolution_Exhibit_A_ADU_Ordinance.pdf
Attachment 3 - REDLINE-c1.pdf

RESOLUTION NO. 2022-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING CHAPTER 17.28 OF THE ROLLING HILLS MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, the City of Rolling Hills, California ("City") is a municipal corporation, duly organized under the California Constitution and laws of the State of California; and

WHEREAS, the Planning and Zoning Law authorizes local agencies to act by ordinance to provide for the creation and regulation of accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"); and

WHEREAS, in 2019, the California Legislature approved, and the Governor signed into law a number of bills ("2019 ADU Laws") that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, in February 2020, the City Council adopted Ordinance Nos. 364U and 364, which updated the City's ADU and JADU regulations (contained in Chapter 17.28 of the Rolling Hills Municipal Code) to comply with the 2019 ADU Laws; and

WHEREAS, in September 2020, the California Legislature approved, and the Governor signed into law, Assembly Bill 3182 ("AB 3182"); and

WHEREAS, AB 3182, among other things, amended Government Code section 65852.2 to: (1) expand the scenarios under which the City must allow certain ADUs and JADUs with only a building permit; and (2) provide that if City does not act on a complete ADU application within 60 days (subject to limited exceptions), the application is deemed approved; and

WHEREAS, in September 2021, the California Legislature approved, and the Governor signed into law, Assembly Bill 345 ("AB 345"); and

WHEREAS, AB 345 requires cities to allow the separate sale or conveyance of certain ADUs that satisfy the conditions set forth in Government Code section 65852.26. Such conditions include, among other things, that the ADU or the primary dwelling was constructed by a qualified nonprofit and the ADU is sold to a qualified low-income buyer; and

WHEREAS, the California Department of Housing and Community Development ("HCD") recently issued guidance with respect to local implementation of the 2019 ADU Laws, AB 3182, and AB 345; and

WHEREAS, the City desires to amend its local ADU ordinance to keep it in compliance with the recent changes in state law and HCD's guidance on the same; and

WHEREAS, on June 21, 2022, the Planning Commission conducted a duly noticed public hearing to consider the proposed ordinance, which would amend the City's Accessory Dwelling Unit ("ADU") and Junior Accessory Dwelling Unit ("JADU") regulations set forth in Chapter 17.28 of the Rolling Hills Municipal Code to comply with recent changes in state law and add further clarity for the benefit of staff and the general public; and

WHEREAS, the Planning Commission has considered the staff report, supporting documents, public testimony, and all appropriate information that has been submitted with the proposed ordinance.

NOW, THEREFORE, the Planning Commission of the City of Rolling Hills does hereby resolve, determine, find, and order as follows:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution**.**

Section 2. CEQA. Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the Planning Commission finds that adoption of the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the state's ADU law.

Section 3. General Plan. This Ordinance is, as a matter of law, consistent with the City's General Plan pursuant to Government Code Section 65852.2(a)(1)(C).

Section 4. Recommendation. Based on the foregoing recitals and findings, the Planning Commission hereby recommends that the City Council approve and adopt the proposed ordinance and code amendments that are attached as Exhibit "A" hereto and incorporated herein by reference.

Section 5. Certification. The Planning Commission Chair shall sign and the Secretary shall attest to the adoption of this Resolution.

Section 6. Effective Date. This Resolution takes effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED THIS 21th DAY OF JUNE, 2022.

_____
BRAD CHELF, CHAIRPERSON

ATTEST:

_____
CHRISTIAN HORVATH, CITY CLERK

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 17.54.070 of the Rolling Hills Municipal Code and Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2022-09 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING CHAPTER 17.28 OF THE ROLLING HILLS MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

was approved and adopted at a regular meeting of the Planning Commission on June 21, 2022, 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

EXHIBIT "A"

ORDINANCE NO. 376

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA AMENDING CHAPTER 17.28 OF THE ROLLING HILLS MUNICIPAL CODE GOVERNING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, the City of Rolling Hills, California ("City") is a municipal corporation, duly organized under the California Constitution and laws of the State of California; and

WHEREAS, the Planning and Zoning Law authorizes local agencies to act by ordinance to provide for the creation and regulation of accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"); and

WHEREAS, in 2019, the California Legislature approved, and the Governor signed into law a number of bills ("2019 ADU Laws") that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, in February 2020, the City Council adopted Ordinance Nos. 364U and 364, which updated the City's ADU and JADU regulations (contained in Chapter 17.28 of the Rolling Hills Municipal Code) to comply with the 2019 ADU Laws; and

WHEREAS, in September 2020, the California Legislature approved, and the Governor signed into law, Assembly Bill 3182 ("AB 3182"); and

WHEREAS, AB 3182, among other things, amended Government Code section 65852.2 to: (1) expand the scenarios under which the City must allow certain ADUs and JADUs with only a building permit; and (2) provide that if City does not act on a complete ADU application within 60 days (subject to limited exceptions), the application is deemed approved; and

WHEREAS, in September 2021, the California Legislature approved, and the Governor signed into law, Assembly Bill 345 ("AB 345"); and

WHEREAS, AB 345 requires cities to allow the separate sale or conveyance of certain ADUs that satisfy the conditions set forth in Government Code section 65852.26. Such conditions include, among other things, that the ADU or the primary dwelling was constructed by a qualified nonprofit and the ADU is sold to a qualified low-income buyer; and

WHEREAS, the California Department of Housing and Community Development ("HCD") recently issued guidance with respect to local implementation of the 2019 ADU Laws, AB 3182, and AB 345; and

WHEREAS, this Ordinance updates the City's ADU and JADU regulations to

comply with AB 38182 and AB 345, align with HCD's guidance, and further increase clarity for the benefit of staff and the general public; and

WHEREAS, on June 9, 2022, the City gave public notice of a Planning Commission public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on June 21, 2022, the Planning Commission held a duly-noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning this Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

WHEREAS, on [insert], 2022 the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on [insert], 2022, the City Council held a duly-noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City's Planning Commission; and

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The foregoing Recitals are true and correct and are incorporated herein by this reference.

Section 2. CEQA. Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

Section 3. General Plan. This Ordinance is, as a matter of law, consistent with the City's General Plan pursuant to Government Code Section 65852.2(a)(1)(C).

Section 4. Code Amendments. Chapter 17.28 of the Rolling Hills Municipal Code is hereby amended to read as set forth in Exhibit "A," attached hereto and incorporated herein.

Section 5. Effective Date. This Ordinance takes effect 30 days following its

adoption.

Section 6. Submittal to HCD. The City Clerk shall submit a copy of this Ordinance to the Department of Housing and Community Development within 60 days after adoption.

Section 7. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 2 Portuguese Bend Rd, Rolling Hills, CA 90274. The custodian of these records is the City Clerk.

Section 8. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 9. Certification. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Rolling Hills, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with California Government Code section 36933.

PASSED, APPROVED, AND ADOPTED by the City Council of Rolling Hills California, on the _____ day of _____ 2022.

AYES:
NOES:
ABSENT:
ABSTAIN:

City of Rolling Hills

_____
James Black, M.D., Mayor

ATTEST:

_____
Christian Horvath, City Clerk

APPROVED AS TO FORM:

_____
Michael Jenkins, City Attorney

Chapter 17.28 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sections:

17.28.010 Purpose.

The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22.

17.28.020 Effect of conforming.

An ADU or JADU that conforms to the standards in this section will not be:

A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.

B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

C. Considered in the application of any local ordinance, policy, or program to limit residential growth.

D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030(G) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

17.28.030 Definitions.

As used in this section, terms are defined as follows:

A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and

2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.

B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

D. "Efficiency kitchen" means a kitchen that includes ~~each~~all of the following:

1. A cooking facility with appliances.
2. A food preparation counter ~~or counters that total at least fifteen square feet in area~~and storage cabinets that are of a reasonable size in relation to the size of the JADU.

~~3. Food storage cabinets that total at least thirty square feet of shelf space.~~

E. "Junior accessory dwelling unit" or "JADU" means a residential unit that:

1. Is no more than five hundred square feet in size,
2. Is contained entirely within an existing or proposed single-family dwelling,
3. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling, and
4. Includes an efficiency kitchen, as defined in subsection D above.

F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

17.28.040 Approvals.

The following approvals apply to ADUs and JADUs under this section:

A. Building-permit Only. If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:

1. Converted on Single-family Lot: ~~Only one~~One ADU ~~or~~as described in this subsection (A)(1) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

(a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory structure, plus up to one hundred fifty additional square feet if the expansion is limited to accommodating ingress and egress~~.~~; and

(b) Has exterior access that is independent of that for the single-family dwelling~~.~~; and

(c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

2. Limited Detached on Single-family Lot: One detached, new- construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (A)(1) above), if the detached ADU satisfies each of the following limitations:

(a) The side- and rear-yard setbacks are at least four-feet.

(b) The total floor area is eight hundred square feet or smaller.

(c) The peak height above grade is sixteen feet or less.

3. Converted on Multifamily Lot: ~~Multiple~~One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. ~~At~~Under this subsection (A)(3), at least one converted ADU is allowed within an existing multifamily dwelling~~. The maximum number of converted ADUs allowed within an existing multifamily dwelling structure is equal to twenty-five~~, up to a quantity equal to 25 percent of the existing multifamily dwelling units.

4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies both of the following limitations:

(a) The side- and rear-yard setbacks are at least four-feet.

(b) The peak height above grade is sixteen feet or less.

B. ADU Permit.

1. Except as allowed under subsection (A) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.

2. The City may charge ~~a~~an application fee, adopted by resolution of the City Council, to reimburse it for costs incurred in processing ADU permits~~, including the costs of adopting or amending the City's ADU ordinance. The ADU permit processing fee is determined by the Director of Planning and Community Services and approved by the City Council by resolution.~~.

C. Process and Timing.

1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.

2. The City must act on an application to create an ADU or JADU within sixty days from the date that the City receives a completed application~~.~~. If the

City does not act upon the completed application within sixty days, the application is deemed approved unless either:

(a) The applicant requests a delay, in which case the sixty-day time period is tolled for the period of the requested delay, or

(b) ~~In the case of a JADU and the~~When an application to create ~~a junior accessory dwelling unit~~an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

17.28.050 General ADU and JADU requirements.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or (B):

A. Zoning.

1. An ADU or JADU subject only to a building permit under Section 17.28.040(A) may be created on a lot in a residential or mixed-use zone.

2. An ADU or JADU subject to an ADU permit under Section 17.28.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

B. Fire Sprinklers. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

C. Rental Term. No ADU or JADU may be rented for a term that is shorter than thirty days. This prohibition applies regardless of when the ADU or JADU was created.

D. No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

E. Owner Occupancy.

1. All ADUs ~~created~~permitted before January 1, 2020, are subject to the owner-occupancy requirement that was in place when the ADU was created.

2. An ADU that is ~~created~~permitted after that date but before January 1, 2025, is not subject to any owner-occupancy requirement.

3. All ADUs that are ~~created~~permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.

4. All JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

F. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

1. ~~The~~Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.

2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.

3. The deed restriction runs with the land and may be enforced against future property owners.

4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

G. Building & Safety. All ADUs and JADUs must comply with all local building code requirements.

17.28.060 Specific ADU requirements.

The following requirements apply only to ADUs that require an ADU permit under Section 17.28.040(B).

A. Maximum Size.

1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is eight hundred fifty square feet for a studio or one-bedroom unit and one thousand square feet for a unit with two or more bedrooms. ~~No more than two bedrooms are allowed.~~

2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent of the floor area of the existing primary dwelling, subject to ~~Section 17.28.060~~subsection (A)(3) below.

3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of ~~a~~the percentage-based size ~~restriction,~~limit in subsection (A)(2) above, or of an FAR, lot coverage~~,~~ limit or open-space requirement may require the ADU to be smaller than eight hundred square feet.

B. Floor Area Ratio (FAR). No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed forty-five percent, subject to Section 17.28.060(A)(3) above.

C. Setbacks.

1. No part of any ADU subject to this Section 17.28.060 may be located within thirty feet of the front property line.

2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.

D. Lot Coverage. No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed fifty percent, subject to Section 17.28.060(A)(3) above.

E. Minimum Open Space. No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below fifty percent, subject to subsection Section 17.28.060(A)(3) above.

F. Height. No ADU subject to this Section 17.28.060 may exceed sixteen feet in height above grade, measured to the peak of the structure.

G. Passageway. No passageway, as defined by Section 17.28.030(H) above, is required for an ADU.

H. Parking.

1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030(K) above.

2. Exceptions. No parking under Section 17.28.060(H)(1) is required in the following situations:

(a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030(J) above.

(b) The ADU is located within an architecturally and historically significant historic district.

(c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040(A)(1) above.

(d) When on-street parking permits are required but not offered to the occupant of the ADU.

(e) When there is an established car share vehicle stop located within one block of the ADU.

3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

I. Architectural Requirements.

1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.

2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling. ~~The ADU entrance must be located on the side or rear building façade, not facing a public right-of-way.~~

5. The interior horizontal dimensions of an ADU must be at least ten feet wide in every direction, with a minimum interior wall height of seven feet.

6. ~~Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property.~~ Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.

~~7. All windows and doors that are less than thirty feet from a property line that is not a right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, (for windows and for doors) utilize frosted or obscure glass, or (for doors) opaque.~~

7. ~~8.~~ The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the ~~federal, state, or local register of historic places~~California Register of Historic Resources must comply with all applicable ministerial requirements imposed by the Secretary of Interior.

J. Landscape Requirements.

1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:

   (a) At least one, fifteen-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior wall.

   (b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.

2. All landscaping must be drought-tolerant.

3. All landscaping must be from the City's approved plant list.

K. Historical Protections. An ADU that is subject to this Section 17.28.060 and that is on or within six hundred feet of real property that is listed in the California Register of Historic Resources is subject to all the objective standards imposed by the Secretary of Interior.

17.28.070 Fees.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or Section 17.28.040(B).

A. Impact Fees.

1. No impact fee is required for an ADU ~~or JADU~~ that is less than seven hundred fifty square feet in size. For purposes of this Section 17.28.070, "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.

2. Any impact fee that is required for an ADU that is seven hundred fifty square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ~~primary dwelling,~~ADU divided by the floor area of the ~~ADU~~primary dwelling, times the typical fee amount charged for a new dwelling.) ~~"Impact fee" here does not include any connection fee or capacity charge for water or sewer service.~~

B. Utility Fees.

1. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

2. ~~1. Converted~~Except as described in subsection 17.28.070(B)(1), converted ADUs and JADUs on a single-family lot~~,~~ that are created under Section 17.28.040(A)(1) above~~,~~ are not required to have a new or separate utility connection directly between the ADU or JADU and the utility. Nor is a

connection fee or capacity charge required~~ unless the ADU or JADU is constructed with a new single-family home~~.

~~2. All~~Except as described in Section 17.28.070(B)(1), all ADUs and JADUs not covered by Section 17.28.070(B)(~~1~~2) above require a new, separate utility connection directly between the ADU or JADU and the utility.

(a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU ~~or JADU,~~ based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

(b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

17.28.080 Nonconforming ADUs and discretionary approval.

Any proposed ADU or JADU that does not conform to the objective standards set forth in Section 17.28.010 through Section 17.28.070 of this chapter may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.

Summary report: Litera Compare for Word 11.1.0.69 Document comparison done on 5/24/2022 1:53:40 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original filename: Exhibit A - Updated ADU Ordinance (May 2022).docx	
Modified filename: Exhibit A - Updated ADU Ordinance (May 2022)v2 (2).docx	
Changes:	
Add	70
~~Delete~~	62
~~Move From~~	0
Move To	0
Table Insert	0
~~Table Delete~~	0
Table moves to	0
~~Table moves from~~	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	132

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 10.C
Mtg. Date: 06/21/2022

TO: **HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION**

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

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

SUBJECT: **RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA**

DATE: **June 21, 2022**

BACKGROUND:

In recent years, the State of California has preempted local regulation of certain residential uses, including employee, supportive, and transitional housing. State law generally defines each use follows:

- *Employee Housing*: refers to privately-owned housing that houses five or more employees and meets specified criteria (e.g., the living quarters are provided in connection with employment). (see Health and Safety Code, § 17008(a)).
- *Supportive Housing*: refers to housing that is occupied by an homeless individual or family with no limit on the length of stay and that is linked to onsite or offsite services. (see Gov. Code, § 65650(a)).
- *Transitional Housing*: refers to rental housing operated under program requirements that require termination of assistance and recirculating the unit to another recipient at a predetermined future date that is not less than six months from the beginning of the assistance. (see Gov. Code, § 65582(j)).

The proposed ordinance (the "Ordinance") updates the Rolling Hills Municipal Code ("RHMC") to clarify that the City permits these uses as required by State law.

DISCUSSION:

As required by State law, the Ordinance amends the RHMC to:

- Add definitions for “employee housing,” “supportive housing,” and “transitional housing” to the Zoning Code’s “Definitions” provided in Chapter 17.12 of the RHMC.
- Specify that for purposes of the RHMC, “employee housing,” “supportive housing,” and “transitional housing” have the same meaning as defined under State law.
- Indicate that employee housing (with a permit from the statutory enforcement agency) to serve six or fewer employees is considered a single-family residential structure.
    - The Ordinance specifies that the “statutory enforcement agency” refers to the Department of Housing and Community Development (HCD) unless and until the City of Rolling Hills or the County of Los Angeles assume responsibility for enforcing the Employee Housing Act under Health and Safety Code Section 17050.
- Clarify that no conditional use permit, zoning variance, or other zoning clearance will be required for employee housing serving six or fewer employees unless the same is required for a family dwelling of the same type in the same zone.
- Specify that “supportive housing” and “transitional housing” are considered residential uses of property and subject to those restrictions that apply to other residential dwellings of the same type in the same zone.
- Clarify that “supportive housing” is a use by right in all zones where multifamily and mixed uses are permitted.

The Ordinance’s amendments to the RHMC are mandated by State law. For these reasons, staff is recommending that the Planning Commission consider and recommend that the City Council adopt the proposed Ordinance.

ENVIRONMENTAL IMPACT

Adoption of this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the adoption of this Ordinance is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3)).

FISCAL IMPACT:
None.

RECOMMENDATION:
1. Open the public hearing, receive public testimony, close the public hearing; and
2. Adopt the Resolution (Attachment 1), which:
    a. Recommends that the City Council adopt the proposed Ordinance (Attachment 2) amending various sections of the RHMC to ensure consistency with State law regarding employee, supportive, and transitional housing; and
    b. Finds that the adoption of the Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the State CEQA Guidelines (California Code of Regulations,

Title 14, Chapter 3).

ATTACHMENTS:
Attachment 1 - Resolution No. 2022-10_Employee_Supportive_Transitional_Housing.pdf
Attachment 2 - Ordinance No. 377-Employee_Supportive_Transitional_Housing.pdf

RESOLUTION NO. 2022-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, the City of Rolling Hills, California ("City") is a municipal corporation, duly organized under the California Constitution and laws of the State of California; and

WHEREAS, in recent years, the State of California has preempted local regulation of certain residential uses, including employee, supportive, and transitional housing; and

WHEREAS, the City desires to amend the Rolling Hills Municipal Code ("RHMC") to keep it in compliance with state law; and

WHEREAS, on June 21, 2022, the Planning Commission conducted a duly noticed public hearing to consider the proposed ordinance, which would amend various provisions of the RHMC to clarify that the City permits employee, supportive, and transitional housing as required by state law; and

WHEREAS, the Planning Commission has considered the staff report, supporting documents, public testimony, and all appropriate information that has been submitted with the proposed ordinance.

NOW, THEREFORE, the Planning Commission of the City of Rolling Hills does hereby resolve, determine, find, and order as follows:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution**.**

Section 2. CEQA. The Planning Commission finds that adoption of the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the adoption of this ordinance is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3).)

Section 3. **General Plan**. The proposed ordinance's amendments to Title 17 of the Rolling Hills Municipal Code are consistent with, and in furtherance of, the City's adopted General Plan as they effectuate the Fifth Cycle Housing Element's Implementation Program No. 8—which provides that the City would amend the Municipal Code to add definitions for employee, supportive, and transitional housing.

Section 4. **Recommendation**. Based on the foregoing recitals and findings, the Planning Commission hereby recommends that the City Council approve and adopt of the proposed ordinance and code amendments that are attached as Exhibit "A" hereto and incorporated herein by reference.

Section 5. Certification. The Planning Commission Chair shall sign and the Secretary shall attest to the adoption of this Resolution.

Section 6. Effective Date. This Resolution takes effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED THIS 21th DAY OF JUNE, 2022.

_____
BRAD CHELF, CHAIRPERSON

ATTEST:

_____
CHRISTIAN HORVATH, CITY CLERK

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 17.54.070 of the Rolling Hills Municipal Code and Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2022-12 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

was approved and adopted at a regular meeting of the Planning Commission on June 21, 2022, 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

EXHIBIT "A"

ORDINANCE NO. 377

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, the City of Rolling Hills, California ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, in recent years, the State of California has preempted local regulation of certain residential uses, including employee, supportive, and transitional housing; and

WHEREAS, this Ordinance amends Title 17 (Zoning) of the Rolling Hills Municipal Code to ensure that the City's regulation of the above mentioned uses is clear and in accordance with state law; and

WHEREAS, on June 9, 2022, the City gave public notice of a Planning Commission public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on June 21, 2022, the Planning Commission held a duly-noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning this Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

WHEREAS, on [insert], 2022 the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on [insert], 2022, the City Council held a duly-noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City's Planning Commission; and

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. **Recitals**. The Recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

SECTION 2. **CEQA**. The City Council finds that adoption of this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the adoption of this Ordinance is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3).)

SECTION 3. **General Plan**. This Ordinance's amendments to Title 17 of the Rolling Hills Municipal Code are consistent with, and in furtherance of, the City's adopted General Plan as they effectuate the Fifth Cycle Housing Element's Implementation Program No. 8—which provides that the City would amend the Municipal Code to add definitions for employee, supportive, and transitional housing.

SECTION 4. Code Amendment. Section 17.12.050 ("E" words, terms and phrases) of the Rolling Hills Municipal Code is hereby amended to add a definition for "Employee housing," to read in its entirety as follows:

> "Employee housing" has the same meaning as in California Health and Safety Code Section 17008(a), as that section is amended from time to time.

SECTION 5. **Code Amendment**. Section 17.12.109 ("S" words, terms and phrases) of the Rolling Hills Municipal Code is hereby amended to add a definition for "Supportive housing," to read in its entirety as follows:

> "Supportive housing" has the same meaning as in California Government Code Section 65650(a), as that section is amended from time to time.

SECTION 6. **Code Amendment**. Section 17.12.200 ("T" words, terms and phrases) of the Rolling Hills Municipal Code is hereby amended to add a definition for "Transitional housing," to read in its entirety as follows:

> "Transitional housing" has the same meaning as in California Government Code Section 65582(j), as that section is amended from time to time.

SECTION 7. **Code Amendment**. Section 17.16.250, entitled "Employee, Supportive, and Transitional Housing," is hereby added to the Rolling Hills Municipal Code and shall read in its entirety as follows:

"**Section 17.16.250 – Employee, Supportive, and Transitional Housing**

A. In accordance with California Health and Safety Code Section 10721.5, subdivision (b):

1. Employee housing with a permit from the statutory enforcement agency to serve six or fewer employees is considered a single-family residential structure.

2. No conditional use permit, zoning variance, or other zoning clearance is required for employee housing serving six or fewer employees unless the same is required for a family dwelling of the same type in the same zone.

3. In accordance with California Health and Safety Code Section 17007, for purposes of this subsection (A), "statutory enforcement agency" refers to the Department of Housing and Community Development unless and until the City of Rolling Hills or the County of Los Angeles assume responsibility for enforcing the Employee Housing Act under Health and Safety Code Section 17050.

B. Supportive housing is a use by right in all zones where multifamily and mixed uses are permitted, in accordance with Government Code Title 7, Division 1, Chapter 3, Article 11 (commencing with Section 65650).

C. Transitional housing and supportive housing are each considered a residential use of property and are subject to those restrictions that apply to other residential dwellings of the same type in the same zone, in accordance with Government Code Section 65583, subdivision (c)(3)."

SECTION 8. **Severability**. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect any remaining provision hereof. The City Council of the City of Rolling Hills hereby declares that it would have adopted this Ordinance despite any partial invalidity.

SECTION 9. **Effective Date.** This Ordinance takes effect 30 days after its passage and adoption in accordance with California Government Code section 36937.

SECTION 10. **Certification**. The City Clerk is hereby directed to certify to the passage and adoption of this Ordinance; cause the same, or a summary thereof, to be published or posted in the manner required by law; and file a notice of exemption within five business days after adoption of the Ordinance.

PASSED, APPROVED and **ADOPTED** this XX day of MONTH, 2022.

James Black, Mayor

ATTEST:

Christian Horvath, City Clerk

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

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. 377 was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the XX day of Month, YEAR, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Christian Horvath
City Clerk

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 10.D
Mtg. Date: 06/21/2022

TO: **HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION**

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

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

SUBJECT: **RECOMMENDATION TO ADOPT A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTION 17.19.030 OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO FAMILY DAY CARE HOMES**

DATE: **June 21, 2022**

BACKGROUND:

Senate Bill (SB) 234 prohibits cities from requiring any Family Child Care Home licensed by the Department of Social Services, Community Care Licensing Division, large or small as defined in Health and Safety Code 1596.78, from having to obtain a land use/zoning permit and/or business license for their operation. Health and Safety Code section 1597.45 now states that Large Family Child Care Homes (caring for up to 14 children) shall be treated the same as Small Family Child Care Homes (caring for up to 8 children) under all local laws. Cities must now consider the operation of a Large Family Child Care Home as a residential use of property by right, just as they have historically been required to treat Small Family Child Care Homes as residential property uses by right.

DISCUSSION:

The enclosed Ordinance amends Section 17.19.030 of the Rolling Hills Municipal Code, which previously provided that homes in the Rancho Del Mar Housing Opportunity Zone were required to get a Conditional Use Permit ("CUP") before operating a day care home. This is no longer permitted by SB 234, so the enclosed Ordinance removes the requirement to get a CUP. Staff worked with the City Attorney's office to draft the ordinance, which amends the Municipal Code so that the City is in compliance with SB 234's requirements.

CEQA CONSIDERATIONS:

The Planning Commission's recommendation that the City Council adopt the proposed Ordinance is not a project subject to the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guideline 15061(b)(3), as it can be seen with certainty that the proposed adoption will not have a significant effect on the environment, primarily because the amendment removes the requirement for a use permit for large family day care homes, and regardless of the use permit requirement, state law already establishes that CEQA does not apply to either large or small family day care homes pursuant to CEQA Guideline 15274 and California Health & Safety Code 1597.45(d). Thus, the action on the Ordinance is not anticipated to have any impact under CEQA primarily because the State has already decided that CEQA does not apply to large or small family day care homes.

FISCAL IMPACT:
None.

RECOMMENDATION:

Adopt Resolution 2022-11 recommending that the City Council adopt an ordinance to amend Section 17.19.030 of the Rolling Hills Municipal Code relating to family day care homes.

ATTACHMENTS:
Attachment 1 - Resolution No. 2022-11_Family_Day_Care_Homes.pdf
Attached 2 - Ordinance No. 378_Family_Day_Care__Homes.A.pdf

RESOLUTION NO. 2022-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTION 17.19.030 OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO FAMILY DAY CARE HOMES

WHEREAS, Governor Newsom signed SB 234 (Skinner, Chapter 244) into law, amending the Health and Safety Code relating to family daycare homes, including requiring all local ordinances to treat family daycare homes as a residential use of property; and

WHEREAS, pursuant to Health and Safety Code section 1597.45(a), a small or large family daycare home shall be considered a residential use of property by right for purposes of all City ordinances, including zoning ordinances; and

WHEREAS, pursuant to Health and Safety Code section 1597.45(b), cities cannot impose a business license, fee, or tax on a small or large family daycare home; and

WHEREAS, the use of a home as a small or large family daycare home does not constitute a change of occupancy for purposes of the State Housing Law or local building codes; and

WHEREAS, Health and Safety Code section 1596.78(a) defines a "family daycare home" to mean a "facility that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family daycare home or a small family daycare home"; and

WHEREAS, Health and Safety Code section 1596.78(b) defines a "large family daycare home" as a facility that provides care, protection, and supervision for 7 to 14 children…" and section 1596.78 defines a "small family daycare home" as a facility that provides care, protection, and supervision for eight or fewer children…"; and

WHEREAS, adoption of this Ordinance will bring the City's Zoning Code into compliance with the changes made to family child day care home law pursuant to SB 234 by removing and amending certain regulations for small and large family child care homes in the City; and

WHEREAS, the Ordinance proposed for adoption by the City Council will result in the amendment of certain zoning provisions within the Rolling Hills Municipal Code; and

WHEREAS, Government Code section 65853 *et seq.* requires the Rolling Hills Planning Commission ("Planning Commission") to hold a public hearing and render a written recommendation to the City Council prior to its adoption of an ordinance that amends zoning provisions within the Municipal Code; and

WHEREAS, the Commission held a duly noticed public hearing on June 21, 2022 to consider the facts as presented in the staff report prepared for this purpose, and to accept public testimony regarding this proposed zoning update.

NOW, THEREFORE, the Planning Commission of the City of Rolling Hills does hereby resolve, determine, find, and order as follows:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference as findings in support of this Resolution.

Section 2. CEQA. The Planning Commission finds that the adoption of this Ordinance is not a project subject to the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guideline 15061(b)(3), as it can be seen with certainty that the proposed adoption will not have a significant effect on the environment, primarily because the amendment removes the requirement for a use permit for large family day care homes, and regardless of the use permit requirement, state law already establishes that CEQA does not apply to either large or small family day care homes pursuant to CEQA Guideline 15274 and California Health & Safety Code 1597.45(d). Thus, the action on this Ordinance is not anticipated to have any impact under CEQA primarily because the State has already decided that CEQA does not apply to large or small family day care homes.

Section 3. General Plan. The Planning Commission finds that this Ordinance is, as a matter of law, consistent with the City's General Plan pursuant to Government Code Section 1597.45.

Section 4. Recommendation. Based on the foregoing recitals and findings, the Planning Commission hereby recommends that the City Council approve and adopt a proposed ordinance that amends Subdivision E. of Section 17.19.030 to read as follows "E. Daycare;" and accordingly the requirement for daycares to obtain a conditional use permit is stricken.

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF JUNE, 2022.

_____
Brad Chelf, 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 Code of Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2022-11 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTION 17.19.030 OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO FAMILY DAY CARE HOMES.

was approved and adopted at a regular meeting of the Planning Commission on June 21st, 2022 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

EXHIBIT "A"

ORDINANCE NO. 378

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA AMENDING SECTION 17.19.030 OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO FAMILY DAY CARE HOMES

WHEREAS, Governor Newsom signed SB 234 (Skinner, Chapter 244) into law, amending the Health and Safety Code relating to family daycare homes, including requiring all local ordinances to treat family daycare homes as a residential use of property; and

WHEREAS, pursuant to Health and Safety Code section 1597.45(a), a small or large family daycare home shall be considered a residential use of property by right for purposes of all City ordinances, including zoning ordinances; and

WHEREAS, pursuant to Health and Safety Code section 1597.45(b), the City cannot impose a business license, fee, or tax on a small or large family daycare home; and

WHEREAS, the use of a home as a small or large family daycare home does not constitute a change of occupancy for purposes of the State Housing Law or local building codes; and

WHEREAS, Health and Safety Code section 1596.78(a) defines a “family daycare home” to mean a “facility that regularly provides care, protection, and supervision for 14 or fewer children, in the provider’s own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family daycare home or a small family daycare home”; and

WHEREAS, Health and Safety Code section 1596.78(b) defines a “large family daycare home” as a facility that provides care, protection, and supervision for 7 to 14 children…” and section 1596.78 defines a “small family daycare home” as a facility that provides care, protection, and supervision for eight or fewer children…”; and

WHEREAS, adoption of this Ordinance will bring the City’s Zoning Code into compliance with the changes made to family child day care home law pursuant to SB 234 by removing and amending certain regulations for small and large family child care homes in the City; and

WHEREAS, the Planning Commission held a duly noticed public hearing on June 21, 2022, to consider making a recommendation to the City Council on making the proposed changes to the zoning chapter of the City’s Municipal Code, and voted in favor of making such a recommendation to the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on [insert date], at which time all interested persons were allowed to address the City Council regarding adoption of this ordinance; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by this reference as findings in support of this Ordinance.

Section 2. CEQA. The City Council's adoption of this Ordinance is not a project subject to the California Environmental Quality Act pursuant to CEQA Guideline 15061(b)(3) as it can be seen with certainty that the proposed adoption will not have a significant effect on the environment, primarily because the amendment removes the requirement for a use permit for large family day care homes, and regardless of the use permit requirement, state law already establishes that CEQA does not apply to either large or small family day care homes pursuant to CEQA Guideline 15274 and California Health & Safety Code 1597.45(d). Thus, the City Council's action is not anticipated to have any impact under CEQA primarily because the State has already decided that CEQA does not apply to large or small family day care homes.

Section 3. Section 17.19.030 Amended. Subdivision E. of Section 17.19.030, which reads "E. Daycare*;" is hereby amended to read "E. Daycare;" and accordingly the requirement for daycares to obtain a conditional use permit is stricken.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The people of the City of Rolling Hills hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be in full force and effect 30 days after the date of its passage and adoption.

Section 6. Publication. The City Clerk is hereby directed to certify to the passage and adoption of this Ordinance; cause the same, or a summary thereof, to be published or posted in the manner required by law; and file a notice of exemption within five business days after adoption of the Ordinance.

PASSED, APPROVED and **ADOPTED** this XX day of MONTH, 2022.

James Black, Mayor

ATTEST:

Christian Horvath, City Clerk

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

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. 378 was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the XX day of Month, YEAR, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Christian Horvath
City Clerk

Agenda Item No.: 10.E
Mtg. Date: 06/21/2022

TO: **HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION**

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

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

SUBJECT: **RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE ADDING CHAPTER 17.62 TO THE ROLLING HILLS MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA**

DATE: **June 21, 2022**

BACKGROUND:
California Density Bonus Law (Gov. Code § 65915 et seq.) requires a city to grant a developer, at the developer's request, a density bonus and concessions or incentives for affordable housing projects. (Gov. Code, § 65915(b)(1).) A density bonus means an increase, by a certain percentage, of the number of housing units that may be built for the site. (Gov. Code, § 65915(f).) A concession or incentive means a modification of zoning code standard for the site, such as reduced setbacks, a reduced parking requirement, or allowance of mixed-use zoning. (Gov. Code, § 65915(k).) The degree of density bonus and number of concessions or incentives is based on the number of affordable units in the project (by percentage of all units in the project) and the level of affordability (i.e., for very low income, lower-income, moderate-income, senior housing, etc.).

DISCUSSION:

State law requires cities to adopt an ordinance specifying how the city will implement State Density Bonus Law. (Gov. Code, § 65915(a).) The proposed ordinance (the "Ordinance") amends the Rolling Hills Municipal Code ("RHMC") to satisfy this requirement. The Ordinance will add a new Chapter 17.62 to the RHMC, which will read as follows:

"**Chapter 17.62 Density Bonuses and other Affordable Housing Incentives**

Section 17.62.010 – Purpose

The purpose of this Chapter is to allow density bonuses and other affordable housing

incentives to qualifying projects in accordance with State law.

Section 17.62.020 - Density Bonus and Affordable Housing Incentives

The density bonuses and other affordable housing incentives required by State law, including, but not limited to, Government Code Section 65915 et seq., shall be available to applicants on the terms and conditions specified in State law."

The Ordinance will bring the RHMC into compliance with State Density Bonus Law. By incorporating the State's standards by reference, the RHMC will also stay current if and when changes in State law occur. For these reasons, staff is recommending that the Planning Commission consider and recommend that the City Council adopt the proposed Ordinance.

ENVIRONMENTAL IMPACT

Adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15358 (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Moreover, the proposed action is also exempt under CEQA Guidelines Section 15305 as a minor alteration in land-use limitation, as the proposed action does not allow any more density than before; it merely incorporates California's density-bonus statute and allowances by direct reference to the statute. Lastly, the City Council finds that this Ordinance is also exempt under CEQA pursuant to Guidelines Section 15061(b)(3) (there exists no possibility that the activity will have a significant adverse effect on the environment) because this Ordinance will not cause a change in any of the physical conditions within the area affected by the Ordinance.

FISCAL IMPACT:
None.

RECOMMENDATION:
1. Open the public hearing, receive public testimony, close the public hearing; and
2. Adopt the Resolution (Attachment 1), which:
    a. Recommends that the City Council adopt the proposed Ordinance No. 379 (Attachment 2) adding Chapter 17.62 to the Rolling Hills Municipal Code regarding density bonuses and other affordable housing incentives required by State law; and
    b. Finds that the adoption of the Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15358, 15305, and 15061(b)(3) of the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3).

ATTACHMENTS:
Attachment 1 - Resolution No. 2022-12_Density_Bonuses_and_Affordable_Housing_Incentives.pdf
Attachment 2 - Ordinance No. 379-Density_Bonus_and_Affordable_Housing_Incentives.pdf

RESOLUTION NO. 2022-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE ADDING CHAPTER 17.62 TO THE ROLLING HILLS MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, California's Density Bonus Law (Gov. Code, § 65915 et seq.) encourages developers to build affordable housing (e.g., very low-, low- and moderate-income units) by requiring cities to grant a density bonus, concessions, incentives, and waivers of developments standards for projects that commit certain percentages of their units to affordable housing; and

WHEREAS, Government Code Section 65915 requires cities to adopt an ordinance specifying how the city will implement State Density Bonus Law; and

WHEREAS, the City desires to amend the Rolling Hills Municipal Code ("RHMC") to keep it in compliance with State law; and

WHEREAS, the proposed ordinance (the "Ordinance") amends the RHMC to specify that density bonuses and other affordable housing incentives required by State law (including but not limited to Government Code section 65915 et seq.) will be available to applicants on the terms and conditions specified in State law; and

WHEREAS, on June 21, 2022, the Planning Commission conducted a duly noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning the Ordinance; and

WHEREAS, the Planning Commission has considered the staff report, supporting documents, public testimony, and all appropriate information that has been submitted with the Ordinance.

NOW, THEREFORE, the Planning Commission of the City of Rolling Hills does hereby resolve, determine, find, and order as follows:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution**.**

Section 2. CEQA. The Planning Commission finds that adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15358 (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical

change to the environment, directly or indirectly. Moreover, the proposed action is also exempt under CEQA Guidelines Section 15305 as a minor alteration in land-use limitation, as the proposed action does not allow any more density than before; it merely incorporates California's density-bonus statute and allowances by direct reference to the statute. Lastly, the Planning Commission finds that this Ordinance is also exempt under CEQA pursuant to Guidelines Section 15061(b)(3) (there exists no possibility that the activity will have a significant adverse effect on the environment) because this Ordinance will not cause a change in any of the physical conditions within the area affected by the Ordinance.

Section 3. **General Plan**. The Ordinance's amendments to Title 17 of the Rolling Hills Municipal Code are consistent with, and in furtherance of, the City's adopted General Plan as they effectuate the Fifth Cycle Housing Element's Implementation Program No. 9—which provides that the City would amend the Municipal Code to adopt density bonus requirements in accordance with State law.

Section 4. **Recommendation**. Based on the foregoing recitals and findings, the Planning Commission hereby recommends that the City Council approve and adopt the proposed ordinance and code amendments that are attached as Exhibit "A" hereto and incorporated herein by reference.

Section 5. Certification. The Planning Commission Chair shall sign and the Secretary shall attest to the adoption of this Resolution.

Section 6. Effective Date. This Resolution takes effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED THIS 21th DAY OF JUNE, 2022.

_____
BRAD CHELF, CHAIRPERSON

ATTEST:

_____
CHRISTIAN HORVATH, CITY CLERK

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 17.54.070 of the Rolling Hills Municipal Code and Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2022-12 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE ADDING CHAPTER 17.62 TO THE ROLLING HILLS MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

was approved and adopted at a regular meeting of the Planning Commission on June 21, 2022, 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

EXHIBIT A

Chapter 17.62 Density Bonuses and other Affordable Housing Incentives

Section 17.62.010 – Purpose

The purpose of this Chapter is to allow density bonuses and other affordable housing incentives to qualifying projects in accordance with State law.

Section 17.62.020 - Density Bonus and Affordable Housing Incentives

The density bonuses and other affordable housing incentives required by State law, including, but not limited to, Government Code Section 65915 et seq., shall be available to applicants on the terms and conditions specified in State law.

EXHIBIT "A"

ORDINANCE NO. 379

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, ADDING CHAPTER 17.62 TO THE ROLLING HILLS MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, California's Density Bonus Law (Gov. Code, § 65915 et seq.) encourages developers to build affordable housing (e.g., very low-, low- and moderate-income units) by requiring cities to grant a density bonus, concessions, incentives, and waivers of developments standards for projects that commit certain percentages of their units to affordable housing; and

WHEREAS, Government Code Section 65915 requires cities to adopt an ordinance specifying how the city will implement State Density Bonus Law; and

WHEREAS, the City desires to amend the Rolling Hills Municipal Code ("RHMC") to keep it in compliance with State law; and

WHEREAS, this Ordinance amends the RHMC to specify that density bonuses and other affordable housing incentives required by State law (including but not limited to Government Code section 65915 et seq.) will be available to applicants on the terms and conditions specified in State law; and

WHEREAS, on June 9, 2022, the City gave public notice of a Planning Commission public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on June 21, 2022, the Planning Commission held a duly-noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning this Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

WHEREAS, on [insert], 2022 the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on [insert], 2022, the City Council held a duly-noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City's Planning Commission; and

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. **Recitals**. The Recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

SECTION 2. **CEQA**. The City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15358 (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Moreover, the proposed action is also exempt under CEQA Guidelines Section 15305 as a minor alteration in land-use limitation, as the proposed action does not allow any more density than before; it merely incorporates California's density-bonus statute and allowances by direct reference to the statute. Lastly, the City Council finds that this Ordinance is also exempt under CEQA pursuant to Guidelines Section 15061(b)(3) (there exists no possibility that the activity will have a significant adverse effect on the environment) because this Ordinance will not cause a change in any of the physical conditions within the area affected by the Ordinance.

SECTION 3. **General Plan**. This Ordinance's amendments to Title 17 of the Rolling Hills Municipal Code are consistent with, and in furtherance of, the City's adopted General Plan as they effectuate the Fifth Cycle Housing Element's Implementation Program No. 9—which provides that the City would amend the Municipal Code to adopt density bonus requirements in accordance with State law.

SECTION 4. Code Amendment. Chapter 17.62, entitled "Density Bonuses and other Affordable Housing Incentives," is hereby added to Title 17 of the Rolling Hills Municipal Code and shall read in its entirety as follows:

"**Chapter 17.62 Density Bonuses and other Affordable Housing Incentives**

Section 17.62.010 – Purpose

The purpose of this Chapter is to allow density bonuses and other affordable housing incentives to qualifying projects in accordance with State law.

Section 17.62.020 - Density Bonus and Affordable Housing Incentives

The density bonuses and other affordable housing incentives required by State law, including, but not limited to, Government Code Section 65915 et seq., shall be available to applicants on the terms and conditions specified in State law."

SECTION 5. **Severability**. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect any remaining provision

hereof. The City Council of the City of Rolling Hills hereby declares that it would have adopted this Ordinance despite any partial invalidity.

SECTION 6. **Effective Date.** This Ordinance takes effect 30 days after its passage and adoption in accordance with California Government Code section 36937.

SECTION 7. **Certification**. The City Clerk is hereby directed to certify to the passage and adoption of this Ordinance; cause the same, or a summary thereof, to be published or posted in the manner required by law; and file a notice of exemption within five business days after adoption of the Ordinance.

PASSED, APPROVED and **ADOPTED** this XX day of MONTH, 2022.

_____
James Black, Mayor

ATTEST:

_____
Christian Horvath, City Clerk

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

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. 379 was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the XX day of Month, YEAR, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Christian Horvath
City Clerk