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, October 17, 2023

CITY OF ROLLING HILLS
6:30 PM

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. APPROVE AFFIDAVIT OF POSTING FOR THE PLANNING COMMISSION REGULAR MEETING OF OCTOBER 17, 2023
RECOMMENDATION: Approve as presented.
CL_AGN_231017_PC_AffidavitofPosting.pdf

7.B. APPROVE THE MINUTES FOR THE SEPTEMBER 12, 2023, PLANNING COMMISSION MEETINGS
RECOMMENDATION: Approve as presented.
CL_MIN_230912_PC_FT_F.pdf
CL_MIN_230912_PC_F.pdf

7.C. ZONING CASE NO. 23-003, MODIFICATION NO. 1: MINOR MODIFICATION TO

THE PLANNING COMMISSION'S DECISION APPROVING A SITE PLAN REVIEW FOR NON-EXEMPT GRADING AND A CONDITIONAL USE PERMIT TO MODIFY ONE 960-SQUARE-FOOT STABLE WITH 480-SQUARE-FOOT COVERED PORCH TO TWO 384-SQUARE-FOOT STABLES (EACH) WITH NO COVERED PORCHES LOCATED AT 74 PORTUGUESE BEND ROAD, (LOT 37-FT) (WILSON), AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

RECOMMENDATION: Receive and file.

2023-01_PC RESOLUTION_74PortugueseBendRd_ZC23-003_Stable_Wilson_F_E.pdf
ApprovedDevelopmentPlans_230405_74PortugueseBendRd_ZC23-003.pdf
ModificationNo1_231002_74PortugueseBendRd_ZC23-003_2Barns

8. EXCLUDED CONSENT CALENDAR ITEMS

9. PUBLIC HEARINGS ON ITEMS CONTINUED FROM PREVIOUS MEETING

9.A. ZONING CASE NO. 23-049: SITE PLAN REVIEW FOR A 1,957-SQUARE-FOOT ADDITION TO AN EXISTING RESIDENCE, AND CONDITIONAL USE PERMIT TO ADD 244 SQUARE FEET TO AN EXISTING POOL HOUSE, LOCATED AT 19 PORTUGUESE BEND ROAD (LOT 80-RH) (HTJGDB/SIU)

RECOMMENDATION: Adopt Resolution No. 2023-13 approving Zoning Case No. 23-049 for a Site Plan Review for a 1,957-square-foot addition to an existing residence, conditional use permit to add 244 square feet to an existing pool house, and finding the project exempt from the California Environmental Quality Act for a property located at 19 Portuguese Bend Road (LOT 80-RH) (HTJGDB/SIU).

Attachment 1: Resolution No. 2023-13

9.B. AN ORDINANCE OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO WIRELESS FACILITIES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

RECOMMENDATION:

1. **Open and conduct a public hearing;**
2. **Find that proposed Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), State CEQA Guidelines Section 15304 (minor alterations to land), or, in the alternative, Sections 15378 and 15061(b)(3); and**
3. **Adopt Resolution No. 2023-10 (Attachment 1), which recommends that the City Council adopt the proposed Ordinance No. 384 (Exhibit "A" to Attachment 1).**

ATTACHMENT1_2023-10_PCResolution_WCF_Ordinance_101723_F.pdf
ATTACHMENT2_384_WirelessOrdinance_Updated PC DRAFT 10-17-23-c1_redline.pdf
ATTACHMENT3_PL_WCF_OrdAmend2023_231002_Email_CrownCastle.pdf
ATTACHMENT4_PL_WCF_OrdAmend2023_231010_CrownCastlePresentation_2SlidesPer
ATTACHMENT5_CL_AGN_230912_PC_Item9B_RHCA_PublicComment.pdf
ATTACHMENT6_CL_AGN_230912_PC_Item9B_RHCA_CellAntennaMockUp.pdf
ATTACHMENT7_CL_AGN_230912_PC_Item9B_RHCA_CellSurveyResults2023.pdf
ATTACHMENT8_PL_WCF_230912_PC_StaffReport.pdf

10. NEW PUBLIC HEARINGS

11. OLD BUSINESS

12. NEW BUSINESS

13. SCHEDULE FIELD TRIPS

14. ITEMS FROM STAFF

1. Term Expirations - Announcement to Community

15. ITEMS FROM THE PLANNING COMMISSION

16. ADJOURNMENT

Next meeting: Tuesday, November 21, 2023 at 6:30 p.m. in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California, 90274.

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: 10/17/2023

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

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

THRU: **DAVID H. READY**

SUBJECT: **APPROVE AFFIDAVIT OF POSTING FOR THE PLANNING COMMISSION REGULAR MEETING OF OCTOBER 17, 2023**

DATE: **October 17, 2023**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve as presented.

ATTACHMENTS:
CL_AGN_231017_PC_AffidavitofPosting.pdf

Administrative Report

7.A., **File #** 2046 **Meeting Date**: 10/17/2023

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

AFFIDAVIT OF POSTING

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

Legislative Body	Planning Commission
Posting Type	Regular Meeting Agenda
Posting Location	2 Portuguese Bend Road, Rolling Hills, CA 90274 City Hall Window City Website: https://www.rolling-hills.org/government/agenda/index.php https://www.rolling-hills.org/government/city_council/city_council_archive_agendas/index.php
Meeting Date & Time	OCTOBER 17, 2023 6:30pm

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

Christian Horvath, City Clerk

Date: October 13, 2023

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.B
Mtg. Date: 10/17/2023

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

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

THRU: **DAVID H. READY**

SUBJECT: **APPROVE THE MINUTES FOR THE SEPTEMBER 12, 2023, PLANNING COMMISSION MEETINGS**

DATE: **October 17, 2023**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve as presented.

ATTACHMENTS:
CL_MIN_230912_PC_FT_F.pdf
CL_MIN_230912_PC_F.pdf

Minutes
Rolling Hills Planning Commission
Tuesday, September 12, 2023
Field Trip Meeting 7:30 a.m.
12 Pine Tree Lane

1. CALL MEETING TO ORDER

The Planning Commission of the City of Rolling Hills met at 12 Pine Tree Lane on the above date and the meeting was called to order at 7:32 a.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
	Stephanie Grant, Assistant Planner
Public Present:	Dave Brieholtz, Sue Brieholtz, Gary Wynn, Austin Su, Leah Mirsch

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

4. FIELD TRIP

4.A. APPROVE AFFIDAVIT OF POSTING FOR THE PLANNING COMMISSION FIELD TRIP MEETING OF SEPTEMBER 12, 2023

Motion made by Chair Chelf and seconded by Commissioner Cardenas to approve Item 4.A. Motioned passed unanimously, 4-0, via voice vote.

4.B. ZONING CASE NO 23-077: SITE PLAN REVIEW AND LOT LINE ADJUSTMENT BETWEEN THREE LOTS AT 10,12, AND 14 PINE TREE LANE TO CREATE TWO LARGER LOTS WITH A COMBINED GROSS LOT AREA OF 7.84 ACRES (LOTS 85-1-RH, 85-2-RH, 85-3-RH) (HASSOLDT); RESOLUTION NO. 2023-12

Presentation by Assistant Planner Grant

Public Comment: Gary Wynn, Dave Brieholtz, Sue Brieholtz

Commissioners and the public walked the site and asked questions. Mr. Wynn pointed out the stakes depicting the existing and proposed property lines and the proposed easement.

Chair Chelf continued the meeting to 19 Portuguese Bend Road at 7:40 a.m., and the meeting resumed at 19 Portuguese Bend Road at 7:55 a.m.

4.C. ZONING CASE NO. 23-049: SITE PLAN REVIEW FOR A 1,957-SQUARE-FOOT ADDITION TO AN EXISTING RESIDENCE, AND CONDITIONAL USE PERMIT TO ADD 244 SQUARE FEET TO AN EXISTING POOL HOUSE, LOCATED AT 19 PORTUGUESE BEND ROAD IN ZONING CASE NO. 23-049 (LOT 80-RH) (HTJGDB/SIU)

Public Present: Russ Barto, Dugal Bain, Leah Mirsch

Presentation by Assistant Planner Grant

Public Comment: Russ Barto, Dugal Bain

Commissioners and the public walked the site and asked questions. The group walked around the house to the pool house in the rear to view the silhouette depicting the proposed additions. Mr. Barto explained the proposed project and answered questions. Mr. Bain who lives next door at 17 Portuguese Bend Road expressed concern about privacy and requested vegetation screening.

5. ADJOURNMENT: 8:07 A.M.

The meeting was adjourned at 8:07 a.m. to the regular meeting of the Planning Commission scheduled to be held on Tuesday, September 12, 2023, beginning at 6:30 p.m. at City Hall.

Respectfully submitted,

_____
Christian Horvath, City Clerk

Approved,

_____
Brad Chelf, Chair

Minutes
Rolling Hills Planning Commission
Tuesday, September 12, 2023
Regular Meeting 6:30 p.m.

1. CALL MEETING TO ORDER

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

2. ROLL CALL

Commissioners Present:	Cardenas, Cooley, Douglass, Vice Chair Kirkpatrick, Chair Chelf
Commissioners Absent:	None
Staff Present:	John Signo, Planning & Community Services Director
	Christian Horvath, City Clerk / Executive Assistant to the City Manager
	Stephanie Grant, Assistant Planner
	Scott Shapses, Assistant City Attorney

3. PLEDGE OF ALLEGIANCE

Director Signo led the Pledge of Allegiance.

4. APPROVE ORDER OF THE AGENDA

Approved by Chair Chelf with no objections.

5. BLUE FOLDER ITEMS (SUPPLEMENTAL)

Motion by Chair Chelf, seconded by Commissioner Cardenas, to receive and file Blue Folder Items for 9A and 9B. Motion carried unanimously with the following vote:

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

6. PUBLIC COMMENTS ON NON-AGENDA ITEMS – NONE

7. CONSENT CALENDAR

7.A. APPROVE AFFIDAVIT OF POSTING FOR THE PLANNING COMMISSION REGULAR MEETING OF SEPTEMBER 12, 2023

7.B. APPROVE THE MINUTES FOR THE AUGUST 15, 2023, PLANNING COMMISSION MEETING

Motion by Vice Chair Kirkpatrick, seconded by Commissioner Cardenas, to approve Consent Calendar. Motion carried unanimously with the following vote:

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

NOES: None
ABSENT: None

8. EXCLUDED CONSENT CALENDAR ITEMS – NONE

9. PUBLIC HEARINGS ON ITEMS CONTINUED FROM PREVIOUS MEETINGS

9.A. ZONING CASE NO. 22-51: SITE PLAN REVIEW TO CONSTRUCT A NEW SINGLE-FAMILY RESIDENCE WITH A BASEMENT, ATTACHED GARAGE, FIVE-FOOT-HIGH RETAINING WALLS, NON-EXEMPT GRADING, AND RELATED IMPROVEMENTS; VARIANCES TO CONSTRUCT: (1) A SWIMMING POOL/SPA IN THE FRONT YARD, (2) RETAINING WALLS EXCEEDING AN AVERAGE OF 2½ FEET IN HEIGHT, (3) RETAINING WALLS IN THE FRONT YARD, AND (4) NON-EXEMPT GRADING EXPORT ON A PROPERTY LOCATED AT 4 POPPY TRAIL, ROLLING HILLS, CA 90274 (LOT 17-A-PT) (ARVIDSON), AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Presentation by Planning & Community Services Director John Signo,

Public Comment: Dan Bolton, Dave Long, Mark Minkes, Nikos Constant, Greg Becker

Motion by Chair Chelf, seconded by Commissioner Cardenas, to receive and file a public comment email from Greg Becker. Motion carried unanimously with the following vote:

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

Motion by Commissioner Cardenas, seconded by Commissioner Cooley, to approve Resolution No. 2023-11. Motion carried unanimously with the following vote:

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

9.B. AN ORDINANCE OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO WIRELESS FACILITIES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Presentation by Planning & Community Services Director John Signo,
Bennett Givens, Telecommunication Attorney, BB&K

Public Comment: Stephen Garcia (Crown Castle), Kristen Raig (RHCA), Jim Aichele

Motion by Vice Chair Kirkpatrick, seconded by Commissioner Douglass, to continue the item to the October 17, 2023 meeting. Motion carried unanimously with the following vote:

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

10. NEW PUBLIC HEARINGS

10.A. ZONING CASE NO 23-077: SITE PLAN REVIEW AND LOT LINE ADJUSTMENT BETWEEN THREE LOTS AT 10,12, AND 14 PINE TREE LANE TO CREATE TWO LARGER LOTS WITH A COMBINED GROSS LOT AREA OF 7.84 ACRES (LOTS 85-1-RH, 85-2-RH, 85-3-RH) (HASSOLDT); RESOLUTION NO. 2023-12

Presentation by Assistant Planner Stephanie Grant

Public Comment: Gary Wynn

Motion by Commissioner Cardenas, seconded by Commissioner Douglass, to approve Resolution No. 2023-12. Motion carried with the following roll call vote:

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

10.B. ZONING CASE NO. 23-049: SITE PLAN REVIEW FOR A 1,957-SQUARE-FOOT ADDITION TO AN EXISTING RESIDENCE, AND CONDITIONAL USE PERMIT TO ADD 244 SQUARE FEET TO AN EXISTING POOL HOUSE, LOCATED AT 19 PORTUGUESE BEND ROAD IN ZONING CASE NO. 23-049 (LOT 80-RH) (HTJGDB/SIU)

Commissioner Cardenas recused himself.

Presentation by Assistant Planner Stephanie Grant

Public Comment: Russ Barto

Motion by Chair Chelf, seconded by Commissioner Douglass, to bring back a resolution with additional language regarding landscape screening. Motion carried with the following roll call vote:

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

11. OLD BUSINESS – NONE

12. NEW BUSINESS – NONE

13. SCHEDULED FIELD TRIPS – NONE

14. ITEMS FROM STAFF

Planning & Community Services Director Signo welcomed the Commission back to their first meeting in person since the pandemic began in 2020. He also introduced Scott Shapses who was filling in for Assistant City Attorney Stager this month, and Telecommunication Attorney Bennett Givens who was present earlier. Director Signo also mentioned upcoming items regarding terms and chair assignments.

15. ITEMS FROM THE PLANNING COMMISSION – NONE

16. ADJOURNMENT: 9:13 P.M.

The meeting was adjourned at 9:13 p.m. to the Planning Commission meeting on Tuesday, October 17, 2023, beginning at 6:30 p.m. in the City Council Chambers at City Hall.

Respectfully submitted,

_____
Christian Horvath, City Clerk

Approved,

_____
Brad Chelf, Chair

Agenda Item No.: 7.C
Mtg. Date: 10/17/2023

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

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

THRU: **DAVID H. READY**

SUBJECT: **ZONING CASE NO. 23-003, MODIFICATION NO. 1: MINOR MODIFICATION TO THE PLANNING COMMISSION'S DECISION APPROVING A SITE PLAN REVIEW FOR NON-EXEMPT GRADING AND A CONDITIONAL USE PERMIT TO MODIFY ONE 960-SQUARE-FOOT STABLE WITH 480-SQUARE-FOOT COVERED PORCH TO TWO 384-SQUARE-FOOT STABLES (EACH) WITH NO COVERED PORCHES LOCATED AT 74 PORTUGUESE BEND ROAD, (LOT 37-FT) (WILSON), AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

DATE: **October 17, 2023**

BACKGROUND:
On February 21, 2023, the Planning Commission adopted Resolution No. 2023-01 granting approval for a site plan review for non-exempt grading and a conditional use permit for a proposed 960-square-foot stable with 480-square-foot covered porch to exceed the allowable 200-square-foot maximum located at 74 Portuguese Bend Road. The property owner is Pat Wilson represented by Bolton Engineering Corp.

Zoning, Location, and Lot Description

The lot is an irregularly shaped parcel zoned RAS-2 and the net lot area is 156,122 square feet (3.58 acres). The lot is currently developed with a 2,531-square-foot single-family residence, 510-square-foot attached garage, 469-square-foot above ground pool, 321-square-foot chicken coop, 194-square-foot shed, and 7,518-square-foot corral. There is one main building pad, and the subject property is developed for equestrian uses with existing temporary structures and a fenced pipe corral area that will be demolished and replaced with the proposed project.

The subject property is located at the end of Portuguese Bend Road within the Flying Triangle. The property is accessible from Portuguese Bend Road by a long extended private driveway that slopes down to the proposed stable and residence. The existing corral is located in the northern portion of the property.

DISCUSSION:

In September 2023, the applicant approached staff about modifying the stable to make it two smaller stables of 384 square feet each located on the same footprint with no change to grading. The proposed covered porch will be eliminated. Since the property is located in the Flying Triangle, the two smaller stables will require a less extensive review by Building and Safety.

It is the intent of every approval that the project be developed in substantial compliance with plans submitted and approved by the Planning Commission or City Council, on appeal. However, modifications are sometimes necessary due to field conditions or other aspects of the development. Condition F of Resolution No. 2023-003 allows staff to review a modification and determine if it is major or minor. This is in accordance with Rolling Hills Municipal Code (RHMC) Sections 17.46.070 and 17.42.065, which indicates the City Manager or designee has the authority to review and act upon minor modifications, and the Planning Commission has the authority to review and act upon major modifications. It is up to the City Manager to establish criteria for determining whether a proposed modification is considered major or minor. Minor modifications are approved administratively and do not require a public hearing or notice. Major modifications are considered new projects and a public hearing and noticing are required.

In this case, the applicant is proposing two smaller structures on the same footprint. The total building size is reduced from 960 square feet to 768 square feet. The 480-square-foot covered porch will be eliminated and the amount of grading (56 cubic yards) will not change. The biggest difference is the number of buildings from one to two. Since the two buildings are located on the same footprint as the approved building and are smaller in size, staff considers this to be a minor modification. Changes are summarized in Table 1.

Table 1 - Project Comparison

	APPROVED 2/21/23	**MODIFICATION NO. 1**
STABLE	960 SF	768 SF (Two 384 SF)
COVERED PORCH	480 SF	0 SF
TOTAL	**1,440 SF**	**768 SF**
GRADING	56 CY	56 CY (No Change)

Staff has approved the minor modification to convert the approved stable into to smaller stables. The action is being reported to the Planning Commission as a "receive and file."

FISCAL IMPACT:
None.

RECOMMENDATION:

Receive and file.

ATTACHMENTS:
2023-01_PC RESOLUTION_74PortugueseBendRd_ZC23-003_Stable_Wilson_F_E.pdf
ApprovedDevelopmentPlans_230405_74PortugueseBendRd_ZC23-003.pdf
ModificationNo1_231002_74PortugueseBendRd_ZC23-003_2Barns

RESOLUTION NO. 2023-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR NON-EXEMPT GRADING AND A CONDITIONAL USE PERMIT FOR A PROPOSED 960-SQUARE-FOOT STABLE WITH 480-SQUARE-FOOT COVERED PORCH TO EXCEED THE ALLOWABLE 200-SQUARE-FOOT MAXIMUM LOCATED AT 74 PORTUGUESE BEND ROAD, (LOT 37-FT) (WILSON), AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Section 1. On January 5, 2023, an application was duly filed by Mr. Patrick Wilson ("Applicant") with respect to real property located at 74 Portuguese Bend Road, Rolling Hills, requesting a Site Plan Review for non-exempt grading that covers an area greater than 2,000 square feet and a Conditional Use Permit for a 960-square-foot stable with 480 square feet of covered porches.

Section 2. On February 21, 2023, the Planning Commission conducted a duly noticed public hearing to consider the proposed project during an on-site field trip and an evening teleconference meeting on the same day. Neighbors within a 1,000-foot radius were notified of the public hearings and public notice was published in the Daily Breeze on February 11, 2023. The Applicant and the agent were notified of the public hearings in writing by first class mail and the Applicant and agent were in attendance at the hearings. Evidence was heard and presented from all persons interested in said proposal.

Section 3. The lot is an irregularly shaped parcel zoned RAS-2 and the net lot area is 156,122 square feet. The lot is currently developed with an existing 2,531-square-foot single-family residence, 510-square-foot attached garage, 469-square-foot above ground pool, 321-square foot chicken coop, 194-square-foot shed, and 8,445-square-foot corral. There is one main building pad, and the northern portion of the subject property is developed for equestrian uses with the corral. The proposed stable will be located within the existing corral and the applicant will demolish temporary structures and the existing pipe corral and grade a portion of the pad for the new stable.

Section 4. This Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(e), Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, which exempts the construction and location of new small facilities or structures, including accessory structures, including but not limited to garages, carports, patios, swimming pools and fences. Here, the Project includes construction of a new prefabricated stable with a covered porch. Although the property is located in the Flying Triangle, the project is not meant for human habitation and will be located in an area already used for equestrian purposes. Accordingly, the Project qualifies for the exemption pursuant to Section 15303(e). 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.

Section 5. Conditional Use Permit Findings. Section 17.18.050(A)(1) of the Rolling Hills Municipal Code (RHMC) permits approval of a stable greater than two hundred square with a Conditional Use Permit. RHMC Section 17.16.040 (A)(6) allows the proposed project in the RA-S zone, provided a conditional use permit is approved. The Planning Commission must consider findings 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 a conditional use permit. The proposed stable complies with all requirements of this section.

With respect to the aforementioned request for a Conditional Use Permit per RHMC 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 the new stable is consistent with the purposes and objectives of the Zoning Ordinance and General Plan because the stable meets the setback requirements, preserves viewscapes, and minimizes grading. The use is also consistent with similar uses in the community, and meets all the applicable code development standards for a stable. The propose project is located in an area on the property that is already developed to accommodate such equestrian use. The project is consistent with the following land use policies of the General Plan:

Land Use Policy 2.3: Maintain and provide regulations for sufficient setbacks and easements to provide buffers between residential uses.

Land Use Policy 2.4: Ensure the siting of buildings maintain and preserve viewscapes from adjacent structures through the site review process.

Land Use Policy 3.2: Maintain strict grading practices to preserve the community's natural terrain.

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 new 960-square-foot stable is distanced from nearby residences by at least 35 feet as required by Code, as well as not having any impact on the views of surrounding neighbors.

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

The proposed new stable is of similar scale with existing stables in the community and the net lot area is 3.58 acres. The proposed stable will be located in an existing 8,445-square-foot corral, which is sufficient to accommodate the proposed use. Furthermore, the area is already used for equestrian purposes and the stable will be replacing temporary structures used to support the equestrian use.

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

The proposed stable requires a Conditional Use Permit pursuant to RHMC Sections 17.18.050 and 17.18.060. The proposed stable meets all of the development standards of RHMC Section 17.06.060 for the RAS-2 Zone, including the front, rear, and side setbacks. The proposed stable is located 35 feet from any habitual structures.

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 a use that is encouraged throughout the City, as each property is required to have a stable and corral or a set aside therefor. It also meets all development standards and therefore observes the spirit and intent of the zoning ordinance.

Section 6. Site Plan Review Findings. RHMC Section 17.46.020(A)(1) requires a Site Plan Review for a proposed project with non-exempt grading. The project consists of 56 cubic yards of grading, including 28 cubic yards of cut from the west section of the building footprint and 28 cubic yards of fill in the east portion of the building footprint. The graded area covers more than 2,000 square feet of surface area and will level and flatten the pad for the proposed stable. In accordance with RHMC Section 17.46.050, the Planning Commission 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 Project is consistent with the purposes and objectives of the General Plan and is consistent with similar amenities in the community. It will be located in an area on the property that is already developed for equestrian uses. RHMC Section 17.20.120 requires all grading to be balanced on site. Eliminating export complies with the goals of the

General Plan by balancing grading on site. The total grading for the stable is 56 cubic yards and covers over 2,000 square feet of surface area. Grading will be balanced on site.

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 development plan substantially preserves the natural and undeveloped state of the lot because minimal grading is required to level the building pad footprint for the stable. The Project site, with the development, will be within the allowed structural coverage (3.5% proposed, 20% maximum permitted), total coverage of the lot (8.25% proposed, 35% maximum permitted).

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. The existing lot disturbance is 21,700 square feet or 13.9%. The proposed increase of disturbance is 810 square feet or 0.5%. The total proposed disturbed area is 22,510 square feet or 14.4%, and this is still below the 40% maximum permitted. The total proposed grading for this project will be minimal and grading will be balanced onsite. Slopes will not be steeper than 2:1 and no cut or fill areas will exceed a height of three feet. The existing stable building pad is already used for equestrian purposes.

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

There will be no changes to the overall drainage features on the lot. The stable will be located on a graded pad in an area already used for equestrian purposes. Minimal grading will be done to further flatten the pad so the stable is level and native vegetation and mature trees will not be affected.

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 is minimal and drainage has been designed to flow with the natural contours of the site. Slopes will not exceed 2:1 and cut and fill areas will not have a height greater than three feet.

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

No drainage channels will be affected by the proposed grading.

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 surrounding native vegetation and mature trees will not be affected.

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

There are no changes to the circulation patterns on the site.

I. The project conforms to the requirements of the California Environmental Quality Act. This project is also categorically exempt from CEQA pursuant to Section 15301.

See Section 4 above. The Project is exempt from the CEQA Guidelines pursuant to Section 15303(e), Class 3 (New Construction or Conversion of Small Structures).

Section 7. Approvals. Based upon the foregoing findings, the Planning Commission hereby approves the Site Plan Review and Conditional Use Permit requests in Zoning Case No. 23-001 for: (1) the construction of a new 960-square-foot stable and 480-square-foot covered patio to exceed the maximum allowable 200 square feet; and (2) 56 cubic yards of grading covering a surface area of more than 2,000 square feet. The Planning Commission's approval of the Site Plan Review and Conditional Use Permit is subject to the following conditions:

A. The Site Plan and Conditional Use Permit approvals shall expire within two years from the effective date of approval as defined in RHMC Sections 17.46.080 and 17.42.070 of the Zoning Ordinance unless otherwise extended pursuant to the requirements of these 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 Rolling Hills Municipal Code (RHMC).

C. All requirements of the Building and Construction Ordinance, the Zoning Ordinance, LA County Building Code 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. The lot shall be developed and maintained in substantial conformance with the site plan on file dated February 21, 2023 except as otherwise provided in these conditions.

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

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

G. 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.

H. 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.

I. Further, the person obtaining a building 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.

J. Structural lot coverage shall not exceed 5,489 square feet, or 3.5%. Total flatwork coverage shall not exceed 7,395 square feet or 4.74%.Total lot coverage shall not exceed 12,883 square feet or 8.25%.

K. Grading shall not exceed 56 cubic yards and all dirt shall be balanced on site.

L. The main building pad coverage shall not exceed 5,584 square feet, or 28.8%.

M. The disturbed area of the lot shall not exceed 22,510 square feet or 14.4%.

N. Notwithstanding Sections 17.46.020 and 17.46.070 of the Rolling Hills Municipal Code, any modification to this project or to the property, which would constitute additional structural development, grading, excavation of dirt and any modification including, but not be limited to retaining walls, drainage devices, pad elevation and any other deviation from the approved plan, shall require the filing of a new application for approval by the Planning Commission.

O. *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.

P. *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.

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

R. 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.

S. 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.

T. Until the Applicant execute an Affidavit of Acceptance of all conditions of

this approval, the approvals shall not be effective. Such affidavit shall be recorded together with the resolution.

U. 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.

V. During construction, activities shall conform with air quality management district requirements, stormwater pollution prevention practices, county and local ordinances, and engineering practices so that people and property are not exposed to undue vehicle trips, noise, dust, objectionable odors, landslides, mudflows, erosion, or land subsidence.

W. 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 nearby roadway easements, without blocking access to and over the common driveway to the residences adjacent thereto.

X. The Applicant shall be responsible for keeping the common access roadway in good condition during the entire construction process and shall, at their sole expense, make necessary repairs to the common access roadway should any damage occur during construction of their project.

Y. If an above ground drainage design is utilized, it shall be designed in such a manner as not to cross over any equestrian trails. Any drainage system shall not discharge water onto a trail, shall incorporate earth tone colors, including in the design of the dissipater and be screened from any trail and neighbors views to the maximum extent practicable, without impairing the function of the drain system.

Z. The project shall be reviewed and approved by the Rolling Hills Community Association Architectural Review Committee prior to the issuance of any permits.

AA. The applicant shall comply with the Requirements of the Fire Department for access, water flow and fire fuel modification prior to issuance of the Building permit.

BB. Before construction, Applicants shall clear the property of any dead or alive tumbleweed or dead tree, shrub, palm frond or other plant.

CC. During construction, the dust disturbance must be minimized at all times.

DD. Applicants shall indemnify, protect, defend, and hold the City, and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and other such procedures),

judgments, orders, and decisions (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Code of Civil Procedure Sections 1085 or 1094.5, or any other federal, state, or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF FEBRUARY 2023.

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. 2023-01 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR NON-EXEMPT GRADING AND A CONDITIONAL USE PERMIT FOR A PROPOSED 960-SQUARE-FOOT STABLE WITH 480-SQUARE-FOOT COVERED PORCH TO EXCEED THE ALLOWABLE 200-SQUARE-FOOT MAXIMUM LOCATED AT 74 PORTUGUESE BEND ROAD, (LOT 37-FT) (WILSON), AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

was approved and adopted at a regular meeting of the Planning Commission on February 21, 2023 by the following roll call vote:

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

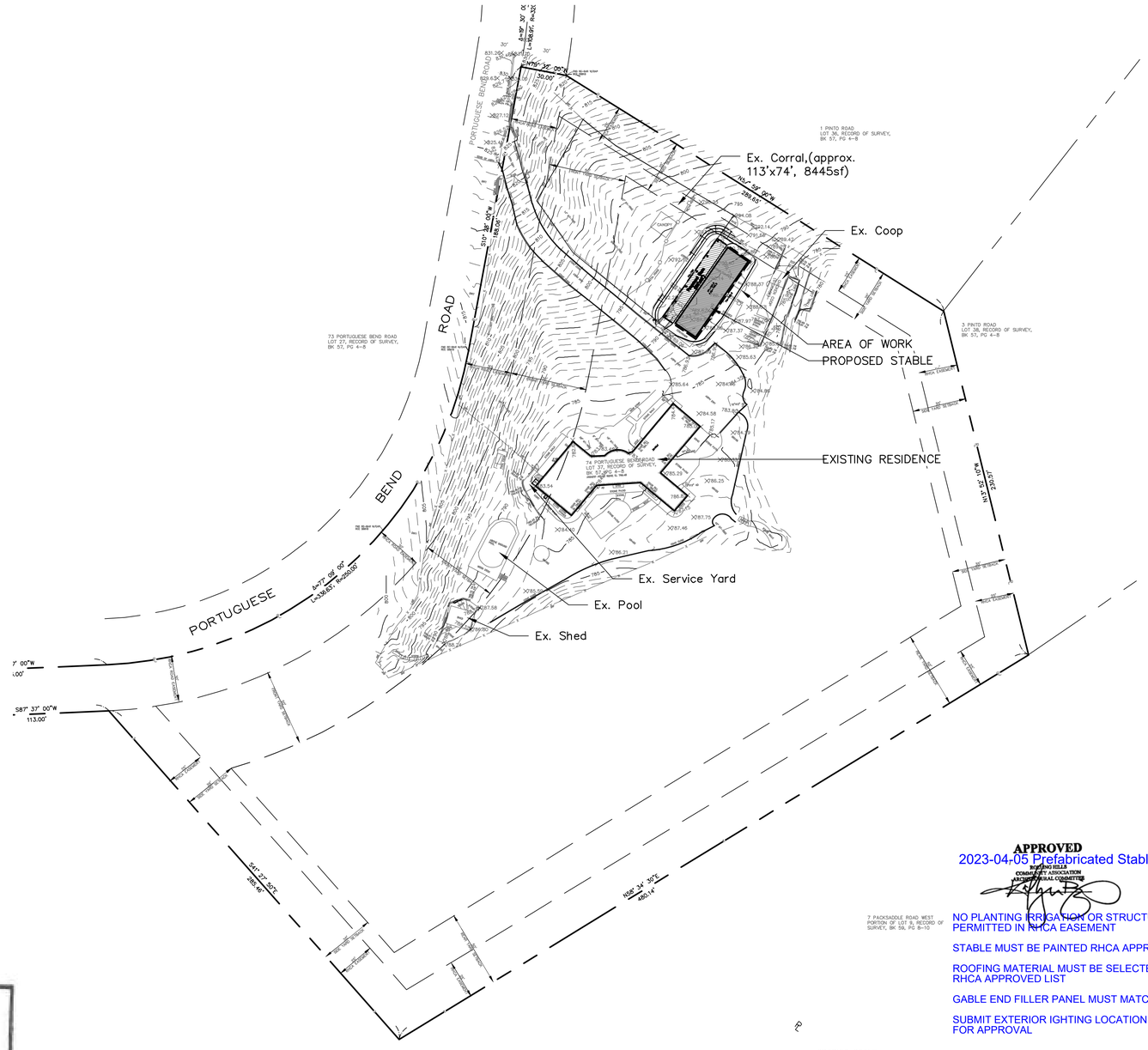
and in compliance with the laws of California was posted at the following:

Administrative Offices.

CHRISTIAN HORVATH
CITY CLERK

WILSON RESIDENCE

74 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274



OVERALL SITE PLAN
SCALE: 1" = 40'

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

PROJECT INFORMATION

Owner

Owner: Pat Wilson
74 Portuguese Bend Road
Rolling Hills CA 90274

Legal Description

Address: 74 Portuguese Bend Road
Rolling Hills, CA 90274

APN: 7567-013-012

Tract: Record of Survey, M.B .57, PG. 4-8

Lot: Lot 37

Zoning Summary

Zone: RAS-2

Setbacks:

Front:	50'
Rear:	50'
Side:	35'
Equestrian:	25' from Side Roadway Easement or Rear Property Line

Required Reviews:

Site Plan Review: Grading

Variance:

Conditional Use Permit: Equestrian Stable 17.18.060

Project Summary

Work Description: Construction of new stable, covered turnout, and corral
Grading to create pads for above items.

Low Impact Development

Designated Project: No: Less than 10,000 s.f. of impervious surfaces

Selected BMPs: n/a

Consultants

Civil Engineer
Dan Bolton RCE63290
Bolton Engineering Corporation
25834 Narbonne Ave. Suite 210
Lomita, CA 90717

Architect

Soils & Geology

APPROVED
2023-04-05 Prefabricated Stable
ROLLING HILLS COMMUNITY ASSOCIATION ARCHITECTURAL COMMITTEE

NO PLANTING IRRIGATION OR STRUCTURES PERMITTED IN RHCA EASEMENT

STABLE MUST BE PAINTED RHCA APPROVED WHITE

ROOFING MATERIAL MUST BE SELECTED FOR RHCA APPROVED LIST

GABLE END FILLER PANEL MUST MATCH SIDING

SUBMIT EXTERIOR IGHTING LOCATION & DESIGN FOR APPROVAL

City of Rolling Hills
Planning Department
Approved for Plan Check ONLY
By

4/5/2023 Zoning Case No. 23-003 Approved for Plan Check only
and subject to the Conditions of Approval of Resolution No. 2023-01

EARTHWORK ESTIMATE

CUT:	28cy	Max Depth 1.8'
FILL:	28cy	Max Depth 0.9'
TOTAL:	56cy	
NET:		0 (Balanced)

INDEX OF SHEETS

C1 OVERALL SITE PLAN
C2 PARTIAL TOPOGRAPHIC SURVEY
C3 PRELIMINARY GRADING PLAN, SECTION, AND BARN FLOORPLAN AND ELEVATION

1st Submittal-Dec 27, 2022

Revisions	By

Bolton Engineering Corp.
Civil Engineering & Surveying
25834 Narbonne Avenue Ste. 210
Lomita, CA 90717
Phone(310)325-5580 Fax(310)325-5581

client: PAT WILSON
72 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

title: COVER SHEET
NEW STABLE AT
74 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

Date:	Dec 27, 2022
Scale:	As Shown
Drawn:	GI
Checked:	DJB
Job No.	22142
Sheet	C1
Of	Sheets

Legend

AC	AIR CONDITIONER
AD	AREA DRAIN
ASPH	ASPHALT
CL	CENTERLINE
CS	CRAWL SPACE
CLF	CHAINLINK FENCE
CHIM	CHIMNEY
CONC	CONCRETE
EM	ELECTRICAL METER
FL	FLOWLINE
GM	GAS METER
MT	MULTI-TRUNK
PA	PLANTER AREA
PL	PROPERTY LINE
RRT	RAIL ROAD TIES
WF	WOOD FENCE
WMS	WATER METERS
3RF	3 RAIL FENCE

+ 123.54 SPOT ELEVATION

3 RAIL FENCE

RETAINING WALL

Benchmark

FD SPIKE AT THE INTERSECTION OF PORTUGUESE BEND ROAD AND RUNNING BRAND ROAD, ASSUMED ELEV. 855.14.

Basis Of Bearings

THE BASIS OF BEARINGS FOR THIS SURVEY, South 10° 28' 00" West THE CENTERLINE BEARING OF PORTUGUESE BEND ROAD, IN THE CITY OF ROLLING HILLS PER RECORD OF SURVEY, M.B. 57, PG 4-8

Property Description

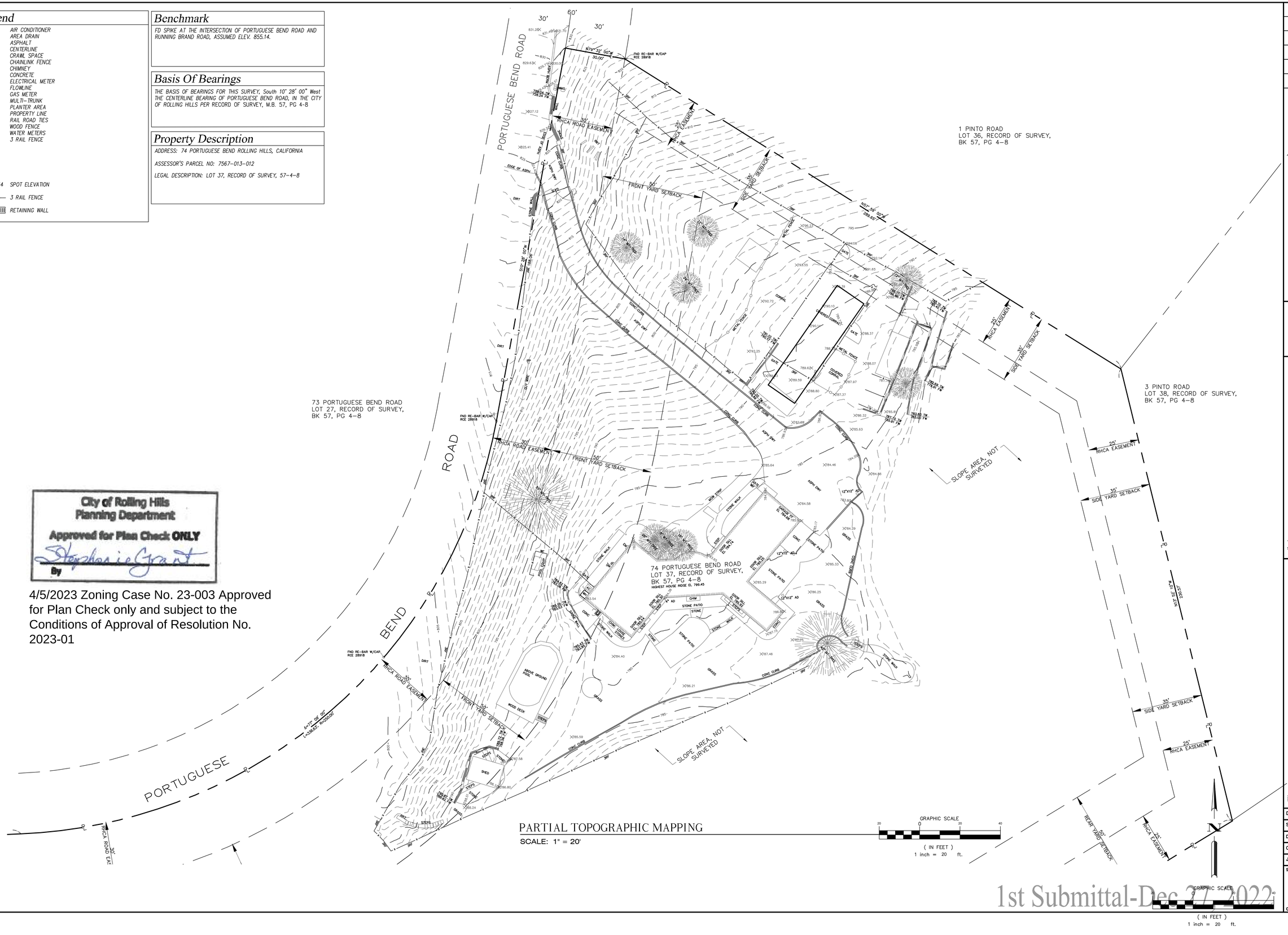
ADDRESS: 74 PORTUGUESE BEND ROLLING HILLS, CALIFORNIA

ASSESSOR'S PARCEL NO: 7567-013-012

LEGAL DESCRIPTION: LOT 37, RECORD OF SURVEY, 57-4-8

City of Rolling Hills
Planning Department
Approved for Plan Check ONLY
Stephanie Grant
By

4/5/2023 Zoning Case No. 23-003 Approved for Plan Check only and subject to the Conditions of Approval of Resolution No. 2023-01



PARTIAL TOPOGRAPHIC MAPPING
SCALE: 1" = 20'

1st Submittal-Dec 27, 2022

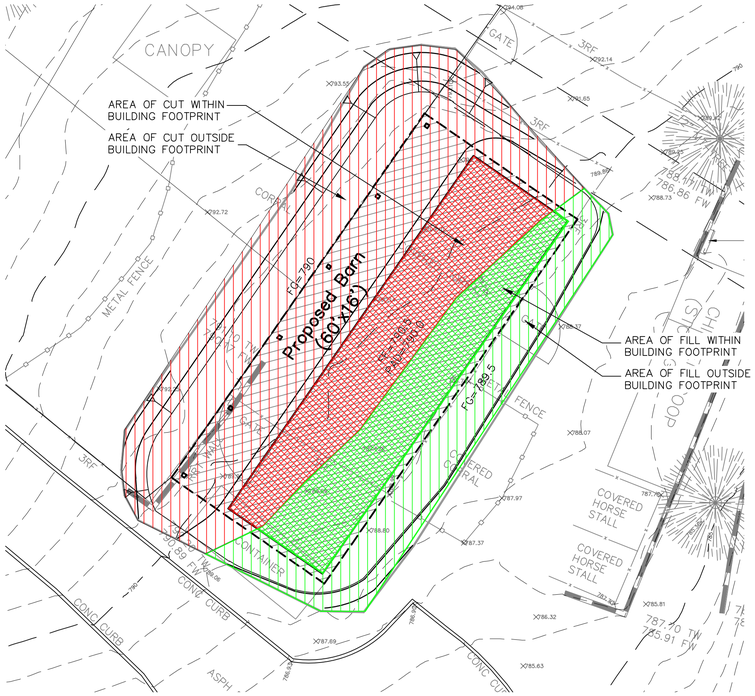
Revisions	By

Bolton Engineering Corp.
Civil Engineering & Surveying
25834 Narbonne Avenue Ste. 210
Lomita, CA 90717
Phone(310)325-5580 Fax(310)325-5681

client: PAT WILSON
72 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

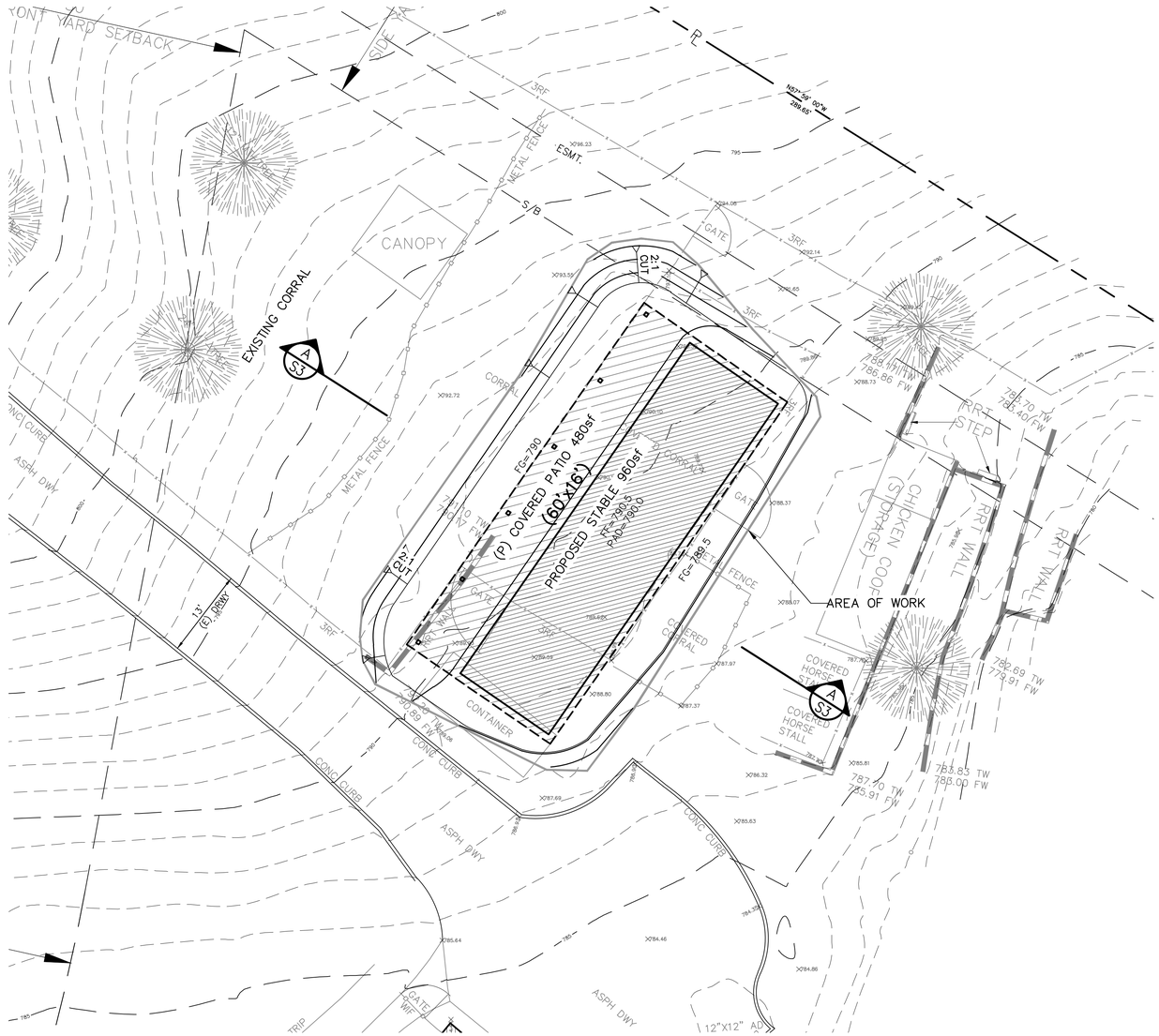
title: **PARTIAL TOPOGRAPHIC SURVEY**
NEW STABLE AT
74 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

Date:	Dec 27, 2022
Scale:	As Shown
Drawn:	GI
Checked:	DJB
Job No.	22142
Sheet	C2
Of	Sheets



EARTHWORK EXHIBIT

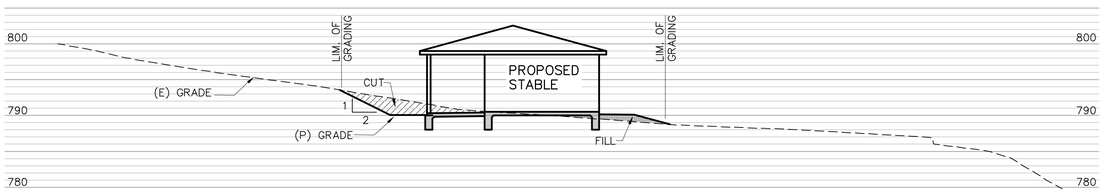
SCALE: 1" = 10'



SITE PLAN

SCALE: 1" = 10'

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



SECTION A-A

SCALE: 1" = 10'

Castlebrook Barns Design Authorization Prepared for: *Chloe Bell- Wilson* Date: *10/21/22* CO#____(if applicable)

NOTE:
Final design criteria rests with Buyer. Buyer is responsible to provide and confirm that all design criteria meets the requirements for all local agencies, HOA, etc...

NOTE:
- Install Fascia Board around perimeter of Roof.
- Prep Roof for Tile.

Design Notes

- Not For Construction
- All dimensions are Nominal.
- Pictorial representations are for general design only. Actual design may vary per structure.
- X Bracing for lateral support is part of CB's standard design. The location and quantity of X Brace will be determined once CB's production commences. Final X Brace locations may affect window, grill or barwork, and accessory placement. Therefore the customer should make special note of this when determining window or accessory placement.
- Unless specifically dimensioned on this drawing, all framed openings, doors and windows shall be located against the nearest post with the height to be set by the installer.
- Upper and lower RCA roof pitches vary slightly. Shedrow overhang roof pitch vary slightly from the roof pitch over the stall depending on overhang size.

Design Criteria

CB's standard will meet or exceed the following:

Design Code	CBC 2019	Wind Load Exposure	C
Roof Load	20#	Foundation	90 MPH 3 Sec gust
Seismic Design Category	D	Structural	110 MPH 3 Sec gust

Unless specifically denoted to the contrary on the contract these design values shall be used.

Shedrow Overhang Measurements (Centerline to Centerline)

8' Overhang	82"
9'-5" Overhang	97"
13'-2" Overhang	145"

Key

SSD	= Solid Sliding Door	DC/T-1-11	= Drop Ceiling/ T-1-11
SSD-6	= 6' Solid Sliding Door	DC/T&G	= Drop Ceiling/ Tongue and Groove
SDD	= Solid Dutch Door	GD	= Groom Stall Divider
GSD	= Grilled Sliding Door	WR	= Wash Rack
GDD	= Grilled Dutch Door	HP	= Hitching Post
GYD	= Grilled Yoke Door	HFW	= Hinged Foaling Wall
BSD	= Barred Sliding Door	FVW	= Foal Viewing Window
BDD	= Barred Dutch Door	FP	= Filler Panel/Metal
BYD	= Barred Yoke Door	FP/T&G	= Filler Panel/Tongue and Groove
MD	= Man Door	OWS	= Open Window/Shutter
AD	= Aisle Way Door	GWS	= Grilled Window/Shutter
XXX	= Grilled Front/Divider	BWS	= Barred Window/Shutter
(((	= Barred Front/Divider	FM	= Feed Manger
FW	= Feed Window	W	= 3X3 Glass Window
SFD	= Solid Feed Door	O	= Automatic Waterer
GFD	= Grilled Feed Door	+	= Post
BFD	= Barred Feed Door		

Authorized Signature _____ Date _____ Prepared By: *Jason Price*

Rev. 03/01/16

BARN FLOORPLAN AND ELEVATION

APPROVED
2023-04-05 Prefabricated Stable
ROLLING HILLS COMMUNITY ASSOCIATION ARCHITECTURAL COMMITTEE

NO PLANTING IRRIGATION OR STRUCTURES PERMITTED IN RHCA EASEMENT

STABLE MUST BE PAINTED RHCA APPROVED WHITE

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City of Rolling Hills
Planning Department
Approved for Plan Check ONLY
By

4/5/2023 Zoning Case No. 23-003 Approved for Plan Check only and subject to the Conditions of Approval of Resolution No. 2023-01

1st Submittal-Dec 27, 2022

Revisions	By

Bolton Engineering Corp.
Civil Engineering & Surveying
25834 Narbonne Avenue Ste. 210
Lomita, CA 90717
Phone(310)325-5580 Fax(310)325-5581

client: PAT WILSON
72 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

title: **PRELIMINARY GRADING PLAN**
NEW STABLE AT
74 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

Date:	Dec 27, 2022
Scale:	As Shown
Drawn:	GI
Checked:	DJB
Job No.	22142
Sheet	C3
Of	Sheets

A PROJECT FOR:

CASTLEBROOK BARNS

14600 WHITTRAM AVE

FONTANA, CA. 92335 (909)822-0500

L.A. CITY FABRICATOR TYPE 1 LIC. #1780

PATRICK WILSON
5 STALL SHEDROW

CONSTRUCTION DOCUMENT DATED: 03/16//2023

LOCATION: 74 PORTUGUESE BEND ROAD,
ROLLING HILLS, CA 90274

APPROVED
ROLLING HILLS
COMMUNITY ASSOCIATION
ARCHITECTURAL COMMITTEE

2023-04-05 Prefabricated Stable

NO PLANTING IRRIGATION OR STRUCTURES PERMITTED IN RHCA EASEMENT

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GABLE END FILLER PANEL MUST MATCH SIDING

SUBMIT EXTERIOR IGHTING LOCATION & DESIGN FOR APPROVAL

CODE ANALYSIS

ANALYSIS ITEMS	CODE REFERENCE
BUILDING:	CALIFORNIA BUILDING CODE 2022
STRUCTURAL:	CALIFORNIA BUILDING CODE 2022

DESIGN LOADS

STRUCTURE – 110 M.P.H (EXP. C.)
LIVE LOAD: 20.0 PSF
DEAD LOAD: 12.5 PSF
SITE CLASS: D
SEISMIC DESIGN CATEGORY: D
RISK CATEGORY: I

BUILDING CODE DATA:

OCCUPANCY CLASSIFICATION:	U
DESCRIPTION OF USE:	CASTLEBROOK BARN DESIGN
TYPE OF CONSTRUCTION:	II–B
OPEN AREA:	418 SQ. FT
TOTAL AREA:	1,393 SQ. FT
NUMBER OF STORIES:	ONE
BUILDING HEIGHT:	15'–0" MAX. ALLOWABLE
FIRE HAZARD SEVERITY ZONE:	NO

SEISMIC DESIGN PARAMETERS:

F_a	= 1.200	S_{DS}	= 1.218
F_v	= 1.750	S_{D1}	= 0.642
S_s	= 1.523	SDC	= D
S_1	= 0.550	C_S	= 0.49W

REGISTERED PROFESSIONAL ENGINEER
RICHARD A. PLUMP
No. C 052696
Exp. 12-31-24
CIVIL
STATE OF CALIFORNIA

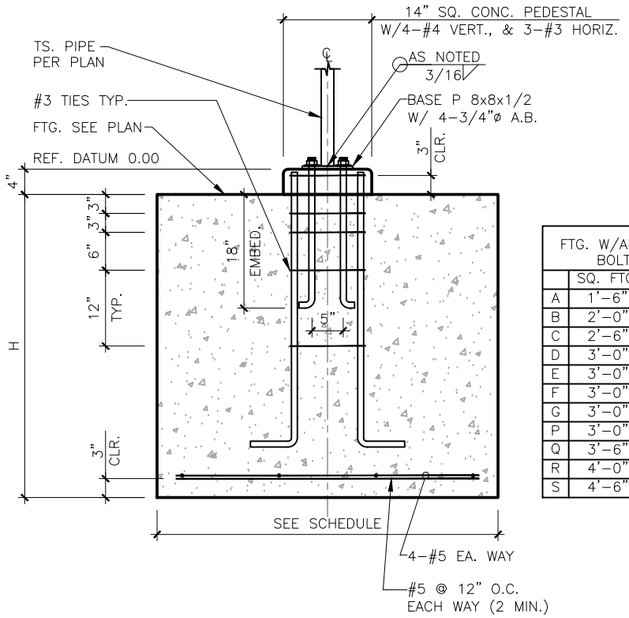
3/20/23

SHEET INDEX

SHEET NO.	STRUCTURAL DRAWINGS
COVER	CODE ANALYSIS, SHEET INDEX VICINITY MAP, SCOPE OF WORK
F1	DETAILS
F1.1	FOUNDATION PLAN
S1	GENERAL NOTES & DETAILS
S1.1	BASE RAIL PLAN
S1.2	TOP RAIL PLAN
S2	ELEVATIONS
S3	ELEVATIONS
SD1	SECTIONS AND DETAILS
SD2	SECTIONS AND DETAILS

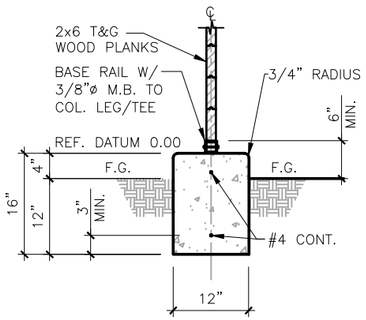
PLUMP ENGINEERING INC.
CONSULTING ENGINEERS IN
CIVIL, SURVEYING, ARCHITECTURAL
AND STRUCTURAL ENGINEERING
914 E. KATELLA AVENUE
ANAHEIM, CALIFORNIA 92805
(714) 385-1835, FAX (714) 385-1834

PEI JOB NO. S.2302089

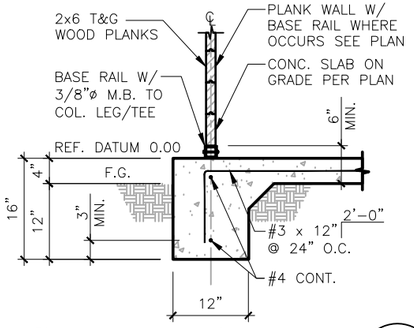


FTG. W/ANCHOR BOLTS	SQ. FTG.	H*
A	1'–6"	1'–6"
B	2'–0"	1'–6"
C	2'–6"	1'–6"
D	3'–0"	1'–6"
E	3'–0"	2'–0"
F	3'–0"	2'–6"
G	3'–0"	3'–0"
P	3'–0"	3'–0"
Q	3'–6"	3'–6"
R	4'–0"	3'–6"
S	4'–6"	4'–0"

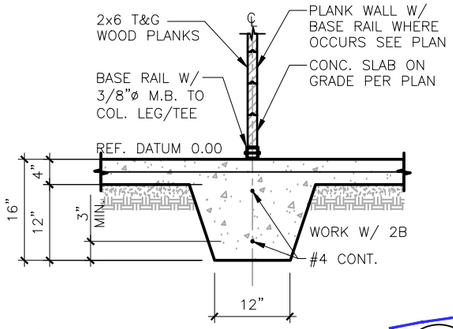
FTG. W/ANCHOR BOLT 5
SCALE: 3/4"=1'–0"



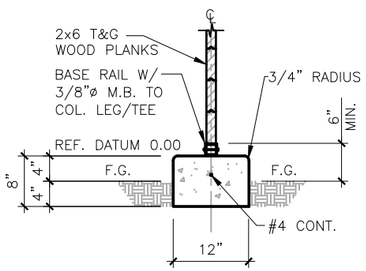
CURB DETAIL A
STRUCTURAL



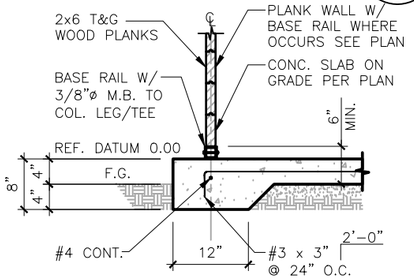
CURB DETAIL B
STRUCTURAL



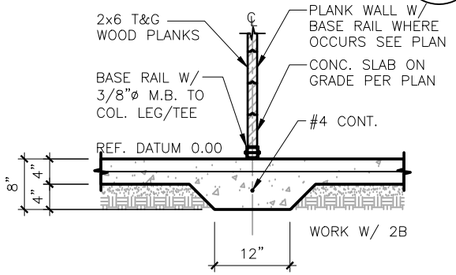
CURB DETAIL C
STRUCTURAL



THICKENED EDGE D

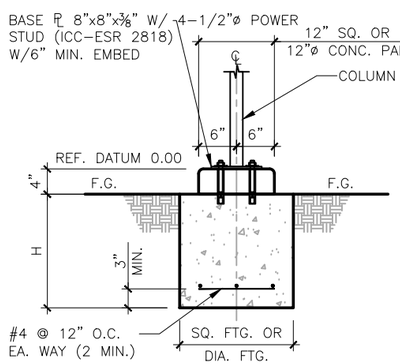


THICKENED EDGE E



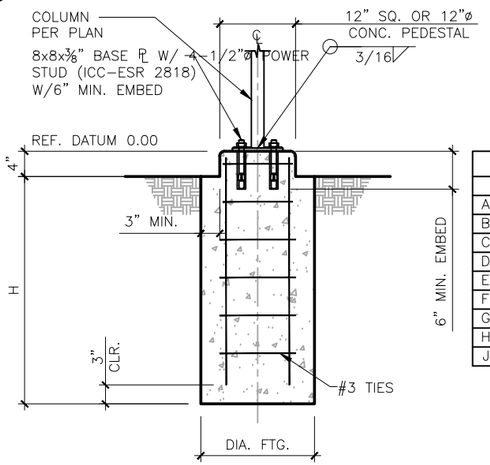
THICKENED EDGE F

CONTAINMENT WALL/TIE BEAM/CURB (TYPICAL SOIL) 3
SCALE: 3/4"=1'–0"



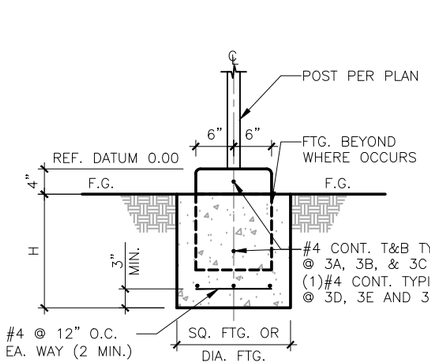
	SQ. FTG.	DIA. FTG.	H*
A	1'–6"	21"	1'–6"
B	2'–0"	28"	1'–6"
C	2'–6"	34"	1'–6"
D	3'–0"	41"	1'–6"
E	3'–0"	41"	2'–0"
F	3'–0"	41"	2'–6"
G	3'–0"	41"	3'–0"
H	3'–6"	48"	3'–0"

COLUMN FOOTING 4
SCALE: 3/4"=1'–0"



FTG.	DIA. FTG.	H*	REINF.	TIES
A	1'–6"	3'–0"	4–#4	#3@6"
B	1'–6"	4'–0"	4–#4	#3@6"
C	1'–6"	5'–0"	4–#4	#3@6"
D	2'–0"	3'–0"	4–#4	#3@6"
E	2'–0"	4'–0"	4–#4	#3@6"
F	2'–0"	5'–6"	4–#4	#3@6"
G	2'–6"	3'–0"	4–#4	#3@6"
H	2'–6"	4'–0"	4–#4	#3@6"
J	2'–6"	5'–0"	4–#4	#3@6"

COLUMN FOOTING 2
SCALE: 3/4"=1'–0"



	SQ. FTG.	DIA. FTG.	H*
A	1'–6"	21"	1'–6"
B	2'–0"	28"	1'–6"
C	2'–6"	34"	1'–6"
D	3'–0"	41"	1'–6"
E	3'–0"	41"	2'–0"
F	3'–0"	41"	2'–6"
G	3'–0"	41"	3'–0"
H	3'–6"	48"	3'–0"

COLUMN FOOTING 1
SCALE: 3/4"=1'–0"

CASTLEBROOK BARNS
14600 WHITTRAM AVE
FONTANA, CA. 92335
(909)822–0500
LA. CITY FABRICATOR TYPE 1 LIC. #1780

REGISTERED PROFESSIONAL ENGINEER
RICHARD A. PLUMP
No. C 052696
Exp. 12-31-24
CIVIL
STATE OF CALIFORNIA
3/20/23

FOUNDATION DETAILS

PATRICK WILSON
5 STALL SHEDROW
74 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274

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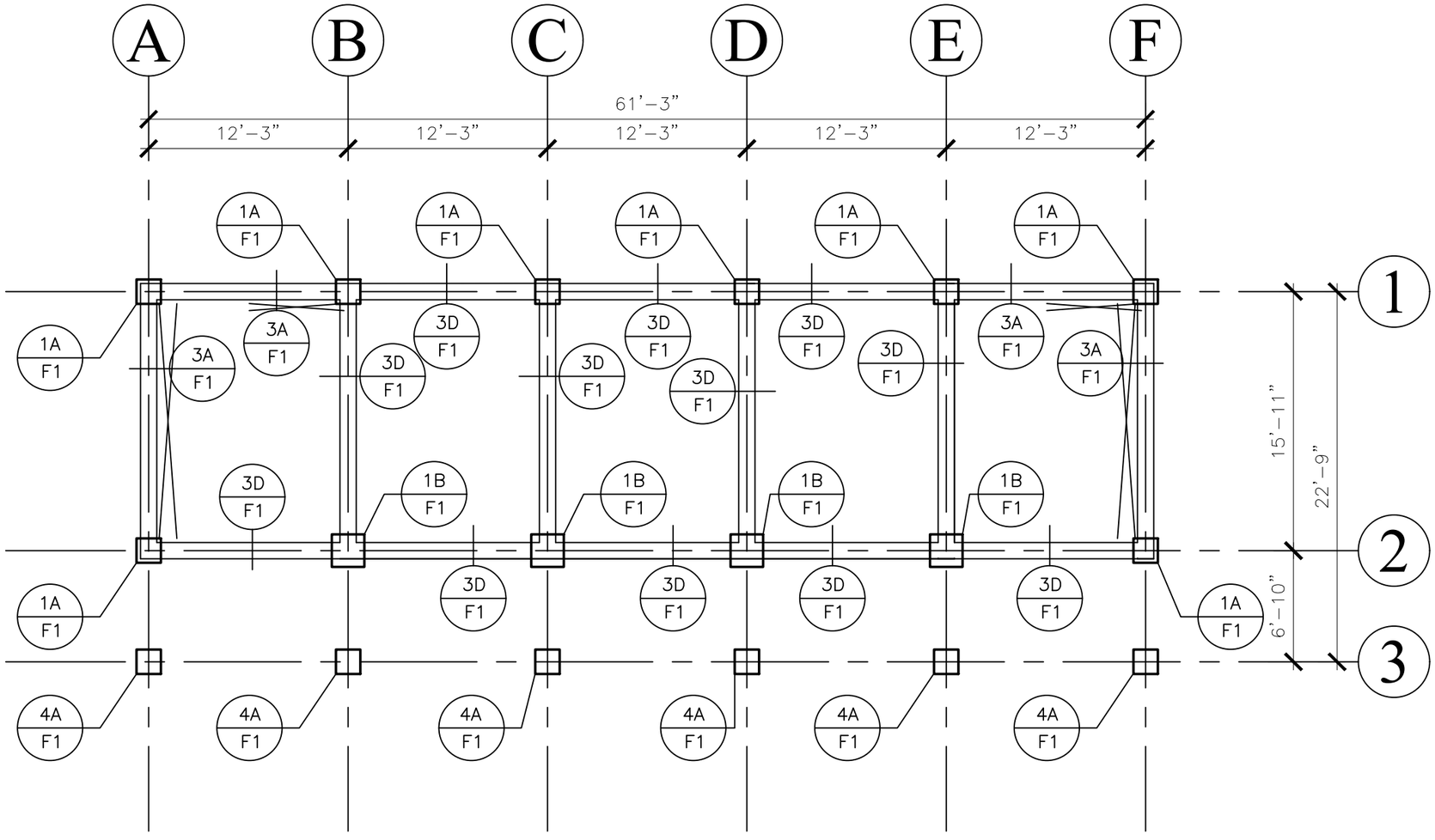
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PROJECT NO:	S 2302089		REVISIONS
DATE:	03/16/2023		
CHECKED BY:	R. PLUMP		
SCALE:			

F1

SHEET NO:



FOUNDATION PLAN

SCALE: 1/8"=1'–0"

ALL DIMENSIONS SHOWN ON PLANS ARE CENTER LINE DIMENSIONS.

CASTLEBROOK BARNS
14600 WHITTRAM AVE
FONTANA, CA. 92335
(909)822-0500
L.A. CITY FABRICATOR TYPE 1 LIC. #1780

REGISTERED PROFESSIONAL ENGINEER
RICHARD A. PLUMP
No. C 052696
Exp. 12-31-24
CIVIL
STATE OF CALIFORNIA
3/20/23

FOUNDATION PLAN

PATRICK WILSON
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PROJECT NO:	S.2302089	
		REVISIONS
DATE:	03/16/2023	
CHECKED BY:	R. PLUMP	
SCALE:		

F1.1

SHEET NO:

CODE: COMPLY WITH CALIFORNIA BUILDING CODE 2022
THESE PLANS HAVE BEEN DESIGNED AND COMPLY WITH THE BUILDING CDDE SHOWN BELOW AS IT PERTAINS TO DESIGN CRITERIA. ROOF LOADS, SNOW LOADS AND WIND LOADS ARE BASED UPON INFORMATION SUPPLIED BY THE CUSTOMER AND HAVE NOT BEEN VERIFIED AS CORRECT BY THE ENGINEER AND MAY BE SUBJECT TO CHANGE PER BUILDING DEPARTMENT REQUIREMENTS. PLEASE VERIFY THAT THE CORRECT LOADS ARE BEING USED PRIOR TO PERMIT APPROVAL.

DESIGN LOADS: STRUCTURE – 110 M.P.H EXP. C.
ROOF DEAD LOAD = 12.5 PSF, ROOF LIVE LOAD = 20.0 PSF
SITE CLASS D, SEISMIC DESIGN CATEGORY D

FOUNDATION: BOTTOMS OF ALL FOOTINGS SHALL BEAR ON UNDISTURBED SOIL 1'–0" BELOW NATURAL GRADE, U.N.O. DESIGN SOIL PRESSURE 1,500 PSF TOTAL LOAD.

FROST HEAVE: BOTTOMS OF ALL FOOTINGS SHALL BEAR ON UNDISTURBED SOIL 1'–6" BELOW NATURAL GRADE, U.N.O. VERIFY W/ LOCAL BLDG. DEPT. WHERE DEEPER FTG'S. MAY BE REQ'D. TO PREVENT FROST HEAVE. DESIGN SOIL PRESSURE 1,500 PSF TOTAL LOAD. SHOULD SOIL PRESSURE NOT MEET 1,500 PSF, VERIFY W/ LOCAL BLDG. DEPT. AS TO THE ACTUAL SOIL PRESSURE

CONCRETE: SHALL MEET ALL THE REQUIREMENTS OF CHAPTER 19 OF CBC TYPE V CEMENT.
MINIMUM 28 DAYS STRENGTH OF 2,500 PSI.
MECHANICALLY VIBRATE ALL CONCRETE WHEN PLACED, EXCEPT SLABS ON GRADE. MAXIMUM SLUMP 3 1/2" TO 5".

SLAB–ON–GRADE: PROVIDE MIN. REINFORCING FOR ALL SLAB ON GRADE 6x6–W1.4xW1.4 WELDED WIRE FABRIC OR #3 REBAR @ 24" O.C. EA. WAY.

LEGEND
1. ═══ DESIGNATES STEM WALL
SEE 3A/F1

STRUCTURAL STEEL:
1. ALL STRUCTURAL STEEL MATERIALS AND CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS SPECIFIED IN CBC
2. STRUCTURAL STEEL SHALL CONFORM TO A.S.T.M. A–36 SPECIFICATIONS AND AS THE A.I.S.C. SPECIFICATIONS FOR FABRICATION AND ERECTION, U.N.O.
3. ALL STEEL TUBES SHALL CONFORM TO A.S.T.M. A–500 GRADE "C", ALL STEEL PIPE SHALL CONFORM TO A.S.T.M. A–53 GRADE "B".
4. ALL BOLTS SHALL CONFORM TO A.S.T.M. (A–307) FOR UNFINISHED BOLTS, EXCEPT WHERE SPECIFICALLY NOTED AS SAE J492 GRADE 5 BOLTS IN DETAIL 1/SD2 SEE NOTES IN 1/SD2 FOR INSPECTION.
5. EXPANSIONS ANCHORS SHALL CONFORM AS FOLLOWS TO MFGR.
   A. POWERS WEDGE BOLT ANCHOR ... ICC–ESR 2818
   B. SIMPSON STRONG BOLT ... ICC–ESR 3037

REINFORCING STEEL: ALL REINFORCING STEEL SHALL CONFORM TO ASTM A–615, GRADE 60 EXCEPT TIES & STIRRUPS No. 3 AND 4 MAY BE GRADE 40. MIN. LAP, UNLESS NOTED OTHERWISE ON PLANS, SHALL BE 40 DIAMETERS. SPLICES IN HORIZONTAL REBAR IN STEM WALLS & FOOTING SHALL BE STAGGER 4'–0" MINIMUM. REINFORCING FABRIC SHALL CONFORM TO ASTM A–185.

FASTENERS: VS BRAND SELF–DRILLING, SELF–TAPPING SCREWS ... ICC–ESR 5617

COLD FORMED STEEL: PAINTED STEEL – 12, 14 AND 16 GA. SHALL CONFORM TO ASTM A570 GRADE 50, OR A.S.T.M. A678 GRADE 50
GALVANIZED STEEL: – 12, 14 AND 16 GA. SHALL CONFORM TO ASTM A446 GRADE D.

LUMBER: IF APPLICABLE, PLYWOOD FOR ROOF SHEATHING SHALL BE CD EXPOSURE I STRUCTURAL I USE EXTERIOR TYPE, MIN. C–C GRADE, WHERE PLYWOOD IS EXPOSED TO WEATHER. ALL PLYWOOD SHALL BE GLUED WITH EXTERIOR TYPE GLUE. ALL PLYWOOD SHALL CONFORM TO U.S. PRODUCT STANDARDS PS–1–83. PLYWOOD FOR FLOOR AND ROOF SHEATHING SHALL BE 5 PLY MIN.

WELDING: NO FIELD WELDING SHALL BE DONE.

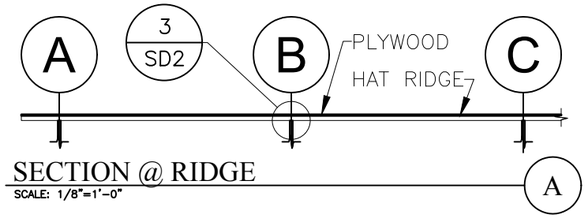
FABRICATION: ALL STEEL FABRICATION SHALL BE DONE IN A CERTIFIED SHOP APPROVED BY THE CITY.

SAFETY: PROJECT SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR PLOR PERSONS IN CHARGE OF THE DAY–TO–DAY CONSTRUCTION. UNSECURED ROOF OR FLOOR JOISTS ARE SUBJECT TO ROLL OVER AND THEREFORE SHOULD NOT BE USED AS A WALKING SURFACE UNTIL THEY ARE SECURED AT BOTH SUPPORTS AND LATERALLY BRACED.

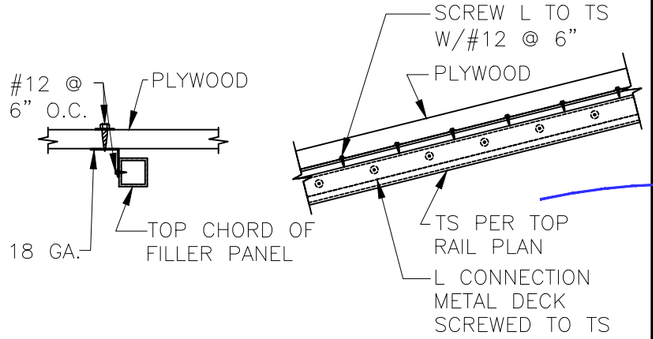
SPECIAL INSPECTION: SPECIAL INSPECTION MAY BE REQUIRED PRIOR AND, OR DURING THE INSTALLATION OF THIS STRUCTURE. IT IS THE CUSTOMER'S RESPONSIBILITY TO PROVIDE FOR THESE INSPECTIONS AS APPLICABLE, AND TO HAVE ANY INSPECTOR REQUIRED ON SITE SO AS NOT TO INTERRUPT INSTALLATION OF THE STRUCTURE.

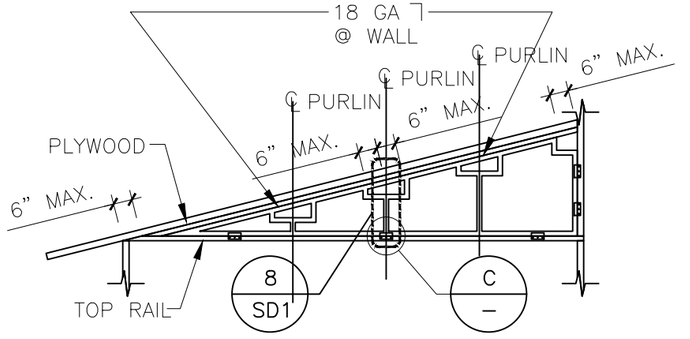
NOTE TO CONTRACTOR: IF FOR ANY REASON THE DETAILS AND INFORMATION CONTAINED ON THESE PLANS DO NOT CONFORM TO THE CONSTRUCTION SITE CONDITIONS, IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO PROMPTLY NOTIFY CASTLEBROOK BARNS. THERE IS NO ACCEPTABLE EXCUSE FOR UNAUTHORIZED FIELD MODIFICATIONS.
THE CONTRACTOR SHALL PROVIDE ALL TEMPORARY BRACING, SHORING, GUYING OR OTHER MEANS TO AVOID EXCESSIVE STRESSES AND TO HOLD STRUCTURAL ELEMENTS IN PLACE DURING ERECTION. ESTABLISH AND VERIFY ALL OPENINGS AND INSERTS FOR MECHANICAL, ELECTRICAL AND PLUMBING WITH APPROPRIATE TRADES, DRAWINGS AND SUBCONTRACTORS PRIOR TO CONSTRUCTION.
CONTRACTOR SHALL VERIFY IN FIELD ALL EXISTING CONDITIONS SHOWN IN DRAWINGS.
ANY ENGINEERING DESIGN PROVIDED BY OTHERS AND SUBMITTED FOR REVIEW SHALL BEAR THE SEAL OF AN ENGINEER REGISTERED IN CALIFORNIA.
IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBSERVE AISC–15TH EDITION CODE OF STANDARD PRACTICE
ALL DIMENSIONS SHOWN ON PLANS ARE CENTER LINE DIMENSIONS. CONCRETE ESTIMATES ARE BASED ON $85.00 PER YARD. SHOP YOUR CONCRETE PRIOR TO CONTRACTING FOR YOUR BEST PRICE.

STRUCTURAL OBSERVATION: OWNER SHALL PAY ENGINEER TO PERFORM STRUCTURAL OBSERVATIONS IF REQUIRED BY BUILDING DEPT.

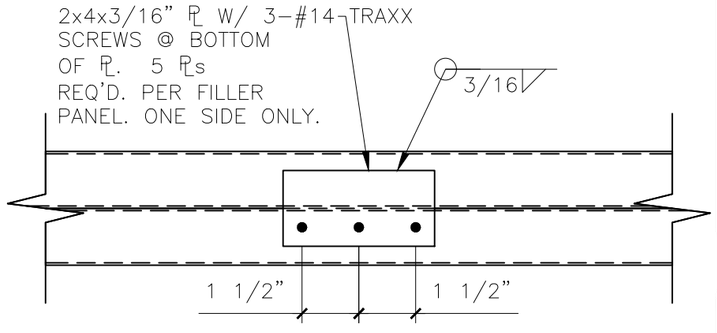


SECTION @ RIDGE
SCALE: 1/8"=1'–0"





FILLER PANEL ELEVATION
SCALE: 1/4"=1'–0"
B



FILLER PANEL ATTACHMENT
SCALE: 3"=1'–0"
C

NOTE: ALL Z PURLINS ARE MANUF. BY McELROY SEE 4/SD1 FOR PROPERTIES WORK W/ 5A/SD1 FOR METAL DECK ROOF ATTACHMENT

OCCUPANCY TYPE AND CONSTRUCTION:		
OPEN AREA	=	418 SQ. FT
CLOSED AREA	=	975 SQ. FT
TOTAL AREA	=	1,393 SQ. FT
OCCUPANCY	U	☑
CONSTRUCTION	II–B	

APPROVED
ROLLING HILLS COMMUNITY ASSOCIATION ARCHITECTURAL COMMITTEE
2023-04-05 Prefabricated Stable

nO PLANTING IRRIGATION OR STRUCTURES PERMITTED IN RHCA EASEMENT

STABLE MUST BE PAINTED RHCA APPROVED WHITE

ROOFING MATERIAL MUST BE SELECTED FOR RHCA APPROVED LIST

GABLE END FILLER PANEL MUST MATCH SIDING

SUBMIT EXTERIOR IGHTING LOCATION & DESIGN FOR APPROVALe text here

CASTLEBROOK BARNS
14600 WHITTRAM AVE
FONTANA, CA. 92335
(909)822–0500
LA. CITY FABRICATOR TYPE 1 LIC. #1780

REGISTERED PROFESSIONAL ENGINEER
RICHARD A. PLUMP
No. C 052696
Exp. 12-31-24
CIVIL
STATE OF CALIFORNIA
3/20/23

GENERAL NOTES & DETAILS

PATRICK WILSON
5 STALL SHEDROW
74 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274

PLUMP ENGINEERING INC.
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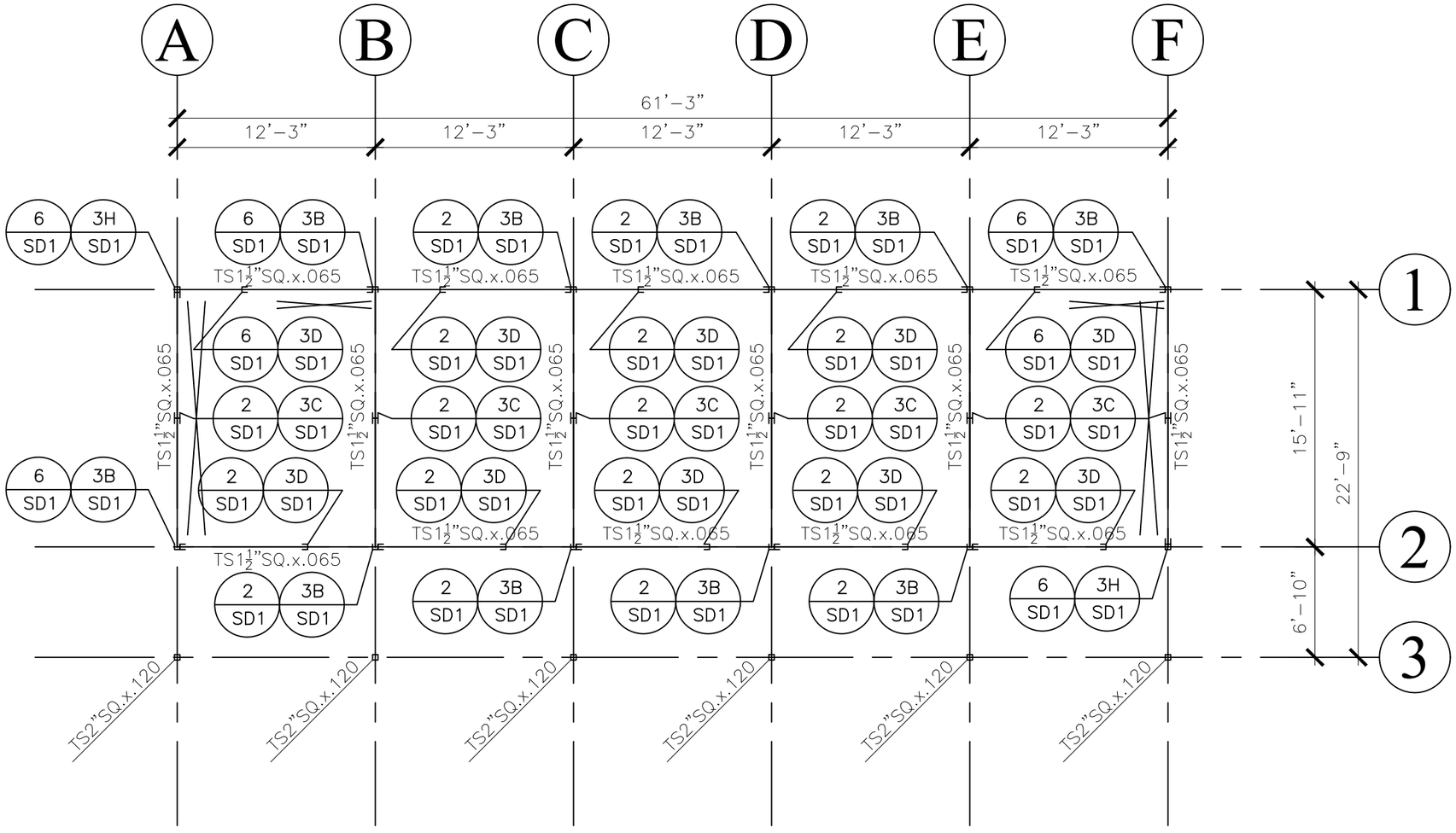
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PROJECT NO: S.2302089

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DATE:	03/16/2023	
CHECKED BY:	R. PLUMP	
SCALE:		

S1

SHEET NO:



BASE RAIL PLAN

SCALE: 1/8"=1'–0"

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FONTANA, CA. 92335
(909)822–0500
LA. CITY FABRICATOR TYPE 1 LIC. #1780

REGISTERED PROFESSIONAL ENGINEER
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No. C 052696
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STATE OF CALIFORNIA
3/20/23

BASE RAIL PLAN

PATRICK WILSON
5 STALL SHEDROW
74 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274

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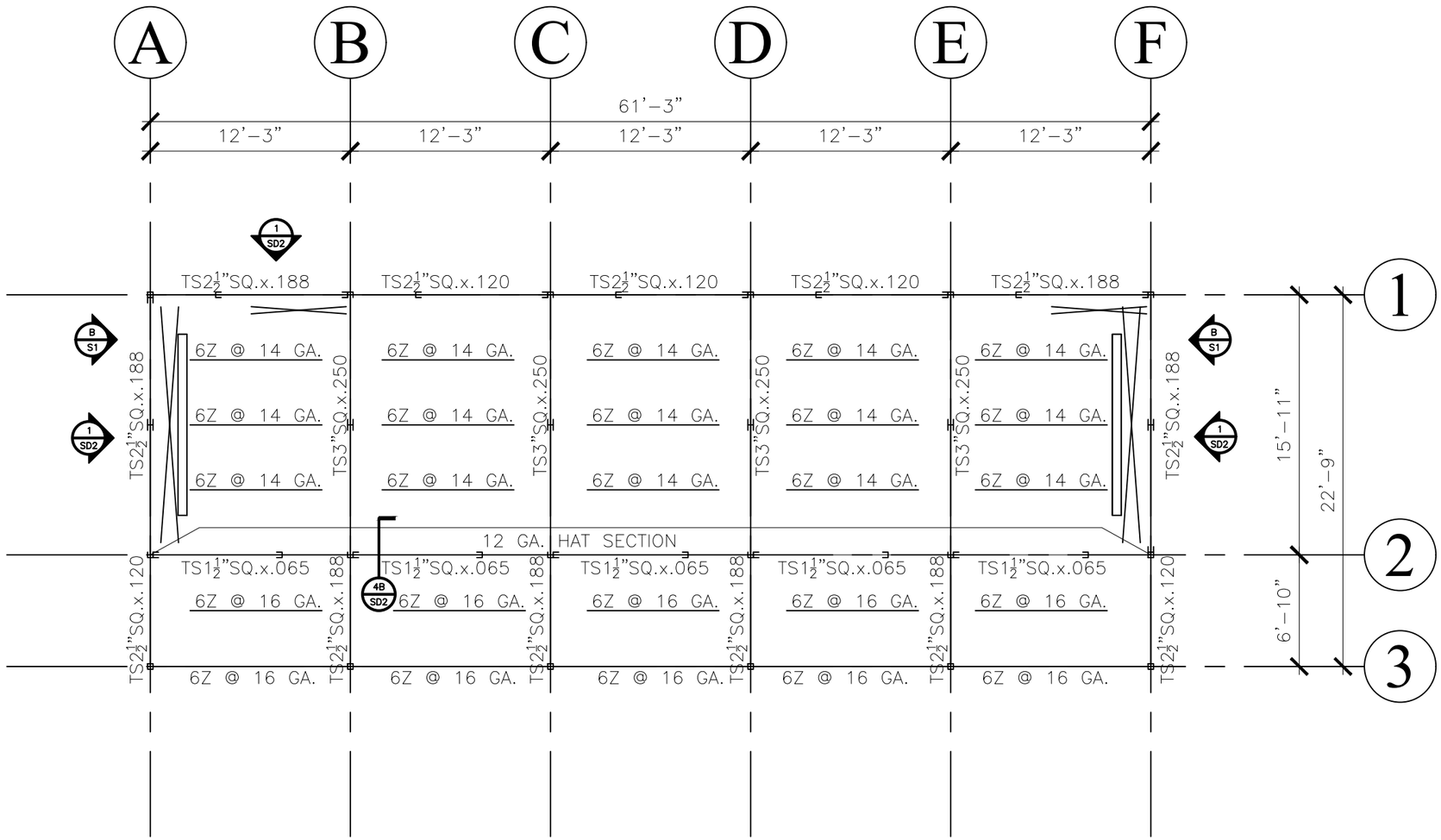
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DATE:	03/16/2023	
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SCALE:		

S1.1

SHEET NO:



TOP RAIL PLAN

SCALE: 1/8"=1'–0"

CASTLEBROOK BARNS
14600 WHITTRAM AVE
FONTANA, CA. 92335
(909)822–0500
L.A. CITY FABRICATOR TYPE 1 LIC. #1780

REGISTERED PROFESSIONAL ENGINEER
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3/20/23

TOP RAIL PLAN

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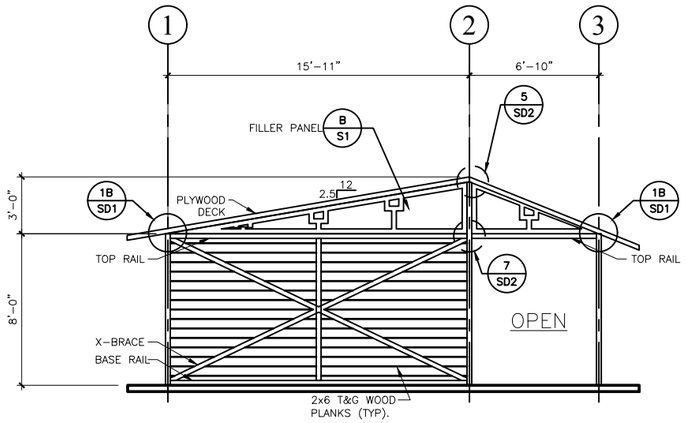
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SCALE:		

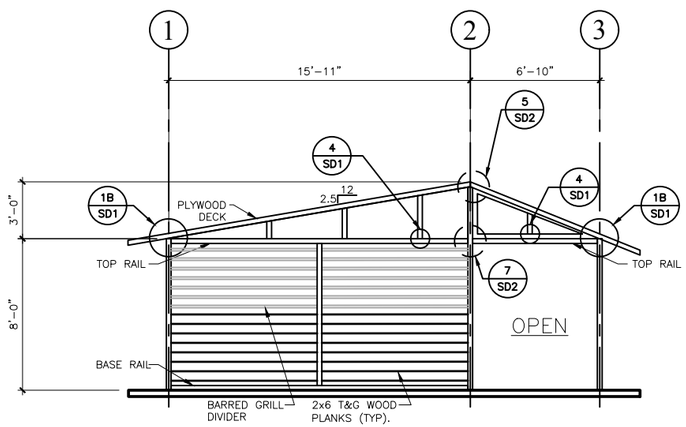
S1.2

SHEET NO:



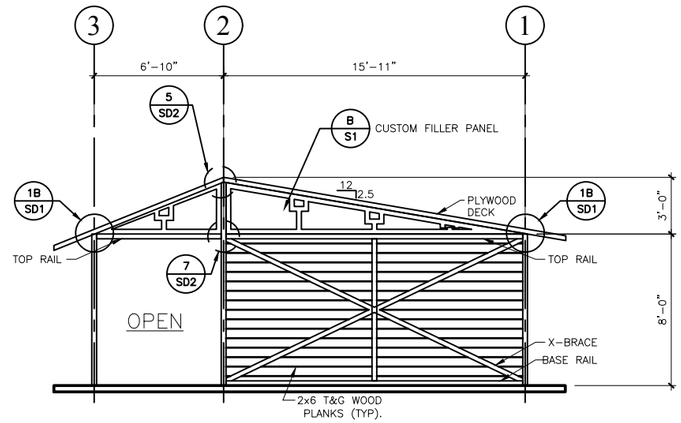
ELEVATION @ LINE A

SCALE: 1/8"=1'–0"



ELEVATION @ LINE B, C, D & E

SCALE: 1/8"=1'–0"



ELEVATION @ LINE F

SCALE: 1/8"=1'–0"

APPROVED
2023-04-05 Prefabricated Stable
ROLLING HILLS
COMMUNITY ASSOCIATION
ARCHITECTURAL COMMITTEE

nO PLANTING IRRIGATION OR STRUCTURES PERMITTED IN RHCA EASEMENT

STABLE MUST BE PAINTED RHCA APPROVED WHITE

ROOFING MATERIAL MUST BE SELECTED FOR RHCA APPROVED LIST

GABLE END FILLER PANEL MUST MATCH SIDING

SUBMIT EXTERIOR IGHTING LOCATION & DESIGN FOR APPROVALe text here

DESIGN LOADS
DEAD LOAD = 12.5 PSF
LIVE LOAD = 20.0 PSF

☐ McELROY METAL INC. 7.2" 26 GA. 2012 AISI MANUAL W/ FY = 80 KSI, 36" WIDTH

☑ PLYWOOD FOR ROOF SHEATHING SHALL BE CD EXPOSURE I STRUCTURAL I USE EXTERIOR TYPE, MIN. C–C GRADE, WHERE PLYWOOD IS EXPOSED TO WEATHER.

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(909)822–0500
L.A. CITY FABRICATOR TYPE 1 LIC. #1780

REGISTERED PROFESSIONAL ENGINEER
RICHARD A. PLUMP
No. C 052696
Exp. 12-31-24
CIVIL
STATE OF CALIFORNIA
3/20/23

ELEVATIONS

PATRICK WILSON
5 STALL SHEDROW
74 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274

PLUMP ENGINEERING INC.
CONSULTING ENGINEERS IN CIVIL, SURVEYING, ARCHITECTURAL AND STRUCTURAL ENGINEERING
914 E. KATELLA AVENUE
ANAHEIM, CALIFORNIA 92805
(714) 385-1835, FAX (714) 385-1834

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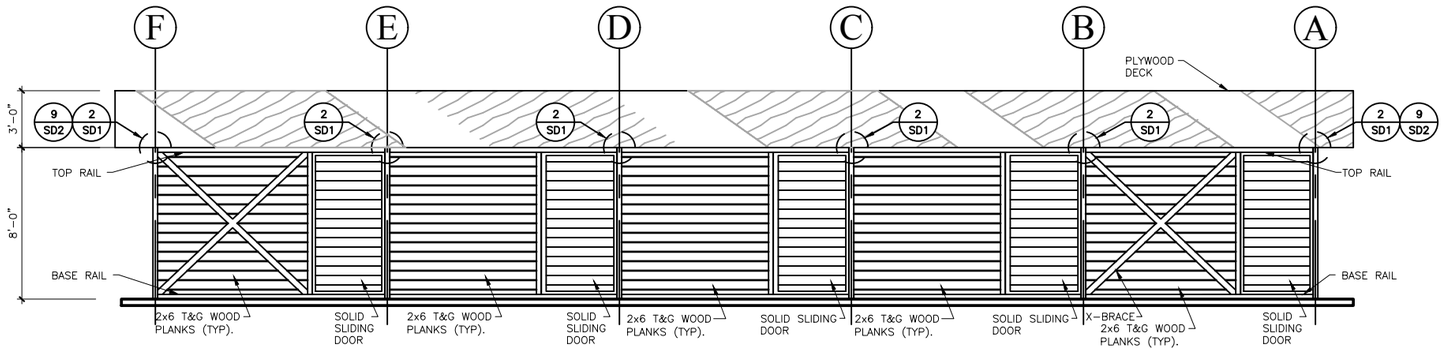
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PROJECT NO: S.2302089

		REVISIONS
DATE:	03/16/2023	
CHECKED BY:	R. PLUMP	
SCALE:		

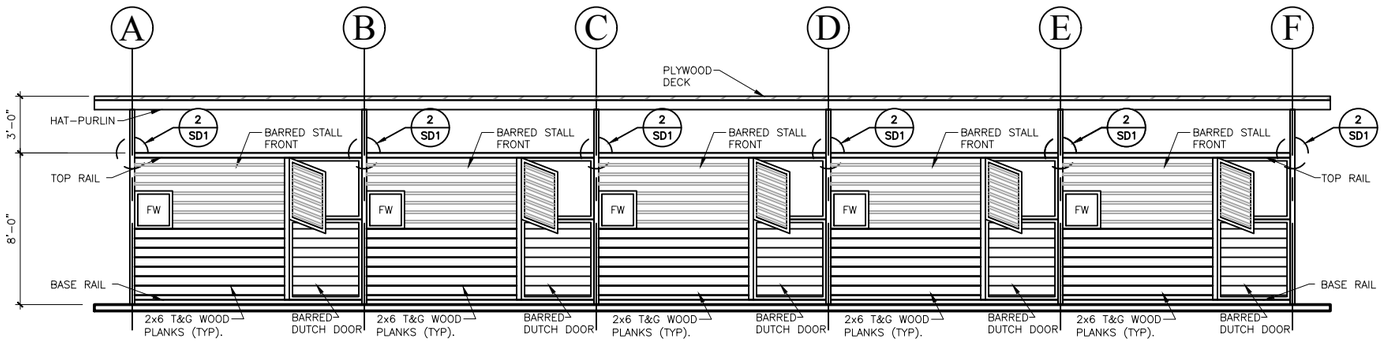
S2

SHEET NO:



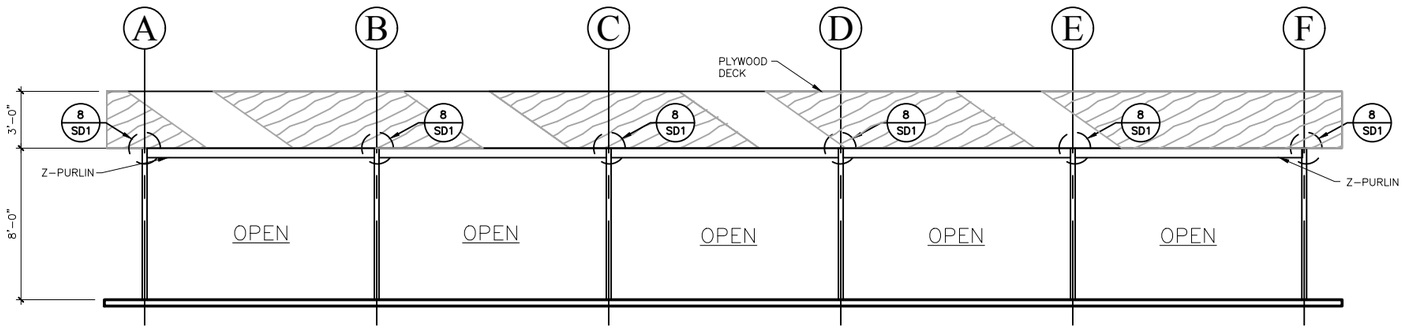
ELEVATION @ LINE 1

SCALE: 1/8"=1'-0"



ELEVATION @ LINE 2

SCALE: 1/8"=1'-0"



ELEVATION @ LINE 3

SCALE: 1/8"=1'-0"

DESIGN LOADS
DEAD LOAD = 12.5 PSF
LIVE LOAD = 20.0 PSF

☐ McELROY METAL INC. 7.2" 26 GA. 2012 AISI MANUAL W/ FY = 80 KSI, 36" WIDTH

☑ PLYWOOD FOR ROOF SHEATHING SHALL BE CD EXPOSURE I STRUCTURAL I USE EXTERIOR TYPE, MIN. C-C GRADE, WHERE PLYWOOD IS EXPOSED TO WEATHER.

APPROVED
2023-04-05 Prefabricated Stable
ROLLING HILLS COMMUNITY ASSOCIATION
ARCHITECTURAL COMMITTEE

nO PLANTING IRRIGATION OR STRUCTURES PERMITTED IN RHCA EASEMENT

STABLE MUST BE PAINTED RHCA APPROVED WHITE

ROOFING MATERIAL MUST BE SELECTED FOR RHCA APPROVED LIST

GABLE END FILLER PANEL MUST MATCH SIDING

SUBMIT EXTERIOR IGHTING LOCATION & DESIGN FOR APPROVALe text here

CASTLEBROOK BARNS
14600 WHITTRAM AVE
FONTANA, CA. 92335
(909)822-0500
LA. CITY FABRICATOR TYPE 1 LIC. #1780

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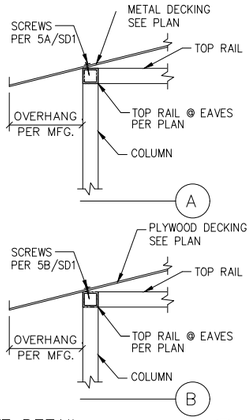
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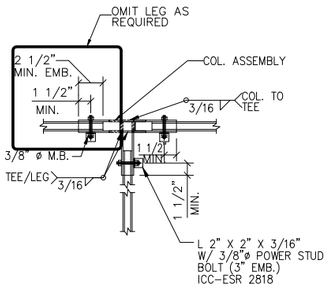
PROJECT NO:	S.2302089	
		REVISIONS
DATE:	03/16/2023	
CHECKED BY:	R. PLUMP	
SCALE:		

S3

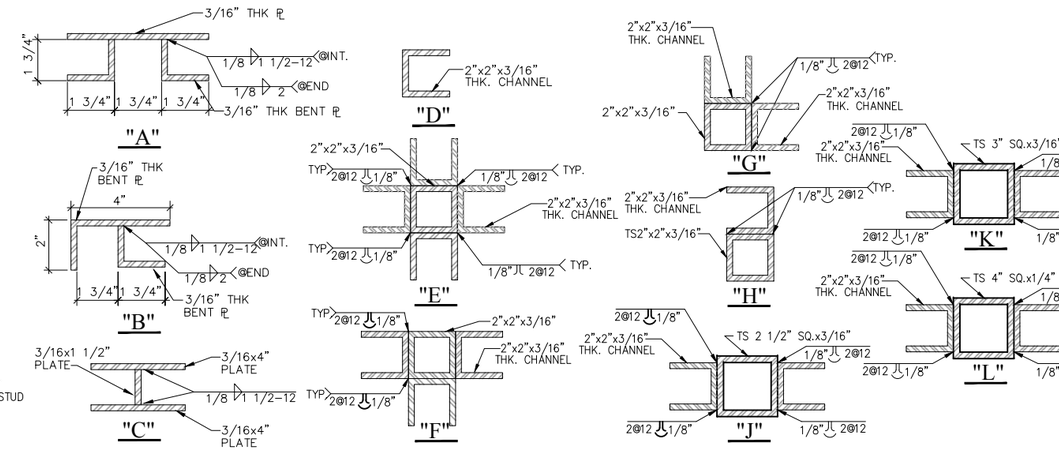
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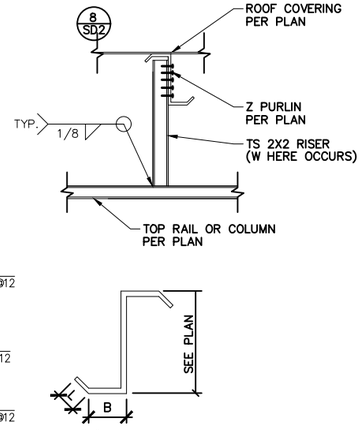
EAVE DETAIL — 1



TYP. BASE RAIL ASSEMBLY (PLAN VIEW) — 2



POST TYPE (PLAN VIEW) — 3



"Z" PURLIN SECTION

Z PURLIN			
SIZE	GA	B	L
6 x 2.25	16	2.25	.944
	14	2.25	.97
8 x 2.25	16	2.25	.944
	14	2.25	.97
	12	2.25	1.02

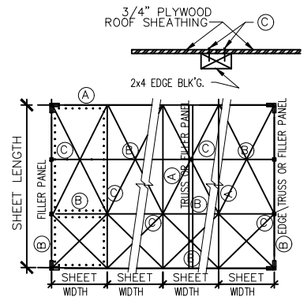
Z PURLIN — 4

ROOF DECK:

☐ IMSA "BOX RIB" 24 GA. ASTM A-924/ A-792 W/ FY = 40 KSI, 36" WIDTH
TEL: 1 (800)272-2466
OR McELROY METAL INC. 7.2" 24 GA. 1986 AISI MANUAL W/ FY = 80 KSI, 36" WIDTH
TEL: 1 (800) 950-9082

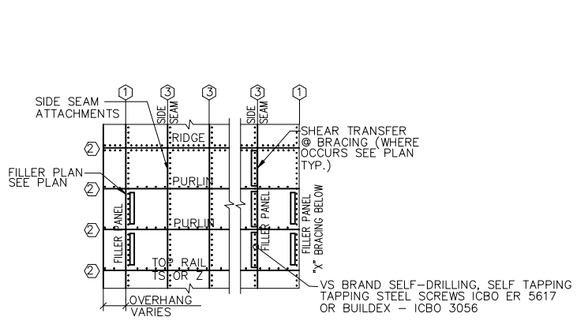
☐ McELROY METAL INC. 7.2" 26 GA. 1986 AISI MANUAL W/ FY = 80 KSI, 36" WIDTH

☑ PLYWOOD FOR ROOF SHEATHING SHALL BE CD EXPOSURE 1 STRUCTURAL 1



TYPE	LOCATION	SCREW SIZE & SPACING
A	TUBE OR PURLIN	#12 x 2 1/4" @ 6" O.C.
B	SHEAR TRANSFER FILLER PANEL	#12 x 2 1/4" @ 6" O.C.
C	BLOCKING	#12 x 1 1/2" @ 6" O.C.

FOR PLYWOOD SHEATHING Ⓑ



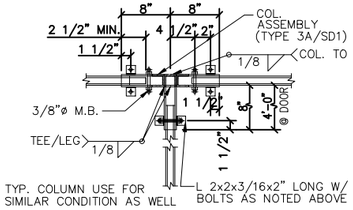
TYPE	FASTENER SCHEDULE	SPACING
1	SHEAR PANEL FILER PANEL	WORK W/ B/S-1
2	TUBE OR PURLIN	#12x3/4" @ 7 1/4" O.C.
3	SIDE SEAM (S.S.)	#14x3/4" @ 9" O.C.

FOR METAL DECK Ⓐ

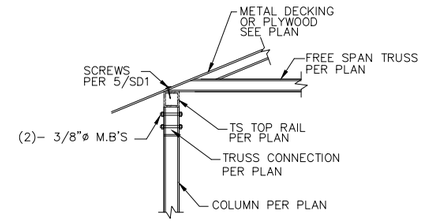
FASTENING PATTERN FOR ROOF DECK — 5

☑ 1/2"ø POWER WEDGE STUD ANCHOR W/4" MIN. EMBEDMENT ICC-ESR 2818 LARR #25787
ALTERNATE:
1/2"ø SIMPSON STRONG BOLT 2 W/ 4" MIN. EMBEDMENT ICC #3037

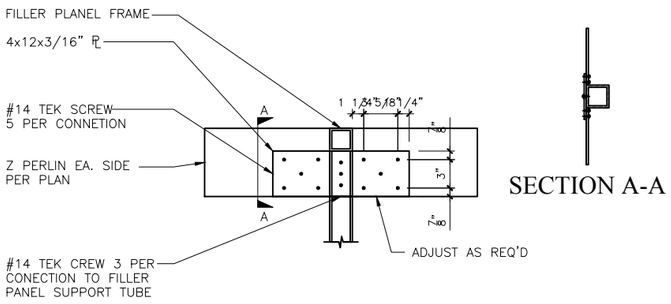
NOTE:
(4) EXPANSION BOLTS REQUIRED @ EACH END OF 'X' BRACING
TYPE OF BOLTS AS NOTED



BASE RAIL ASSEMBLY @ X-BRACING (PLAN VIEW) — 6

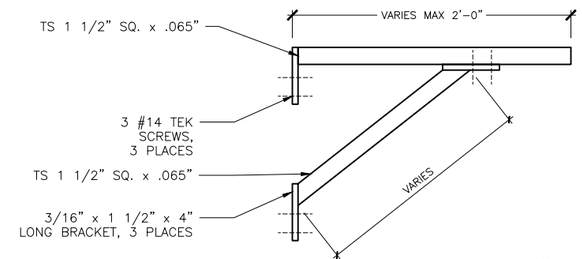


FREESPAN TRUSS CONN. @ EAVE — 7



SECTION A-A

OVERHANG DETAIL — 8



ROOF ASSEMBLY EXTENSION @ GABLE ENDS — 9

CASTLEBROOK BARNS
14600 WHITTRAM AVE
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LA. CITY FABRICATOR TYPE 1 LIC. #1780

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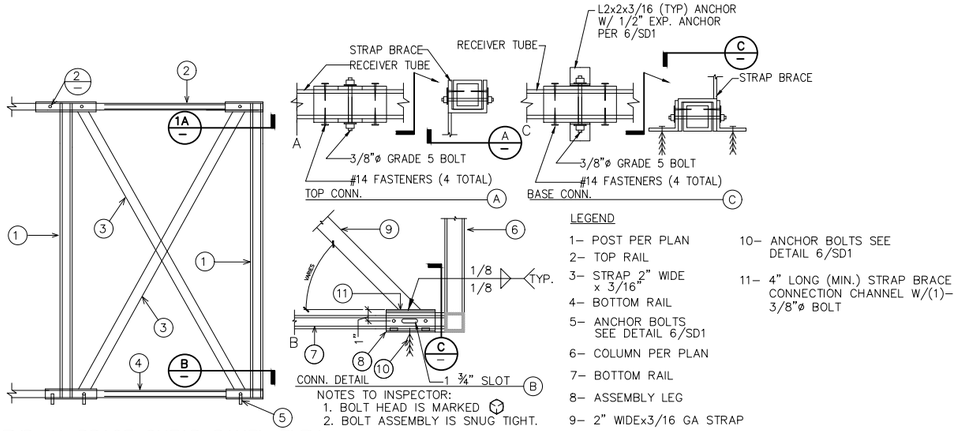
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PROJECT NO: S.2302089

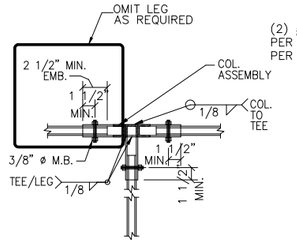
REVISIONS		
DATE:	03/16/2023	
CHECKED BY:	R. PLUMP	
SCALE:		

SD1

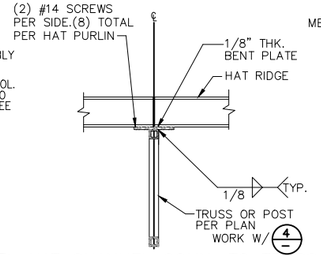
SHEET NO:



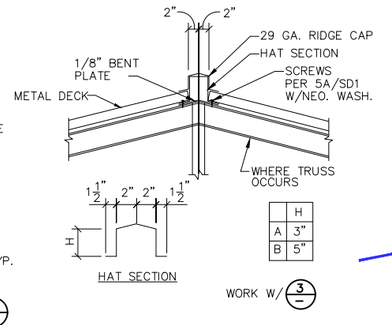
TYP. X–BRACE SHEAR PANEL ELEV. 1



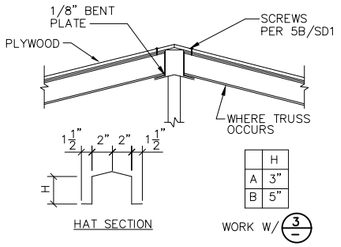
TOP RAIL ASSEMBLY (PLAN VIEW) 2



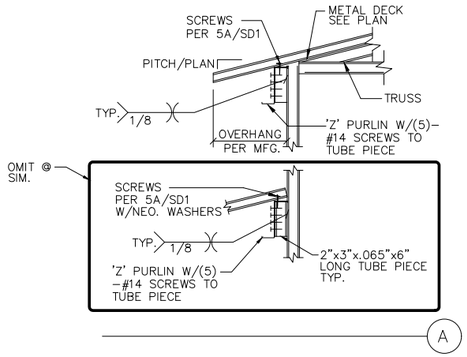
HAT CHANNEL CONN. TO TRUSS 3



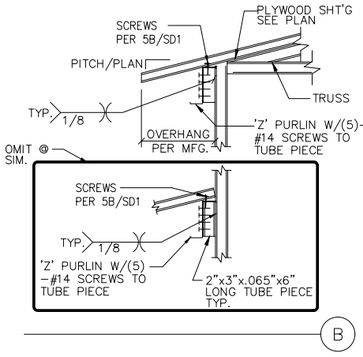
HAT SECTION METAL DECKING 4



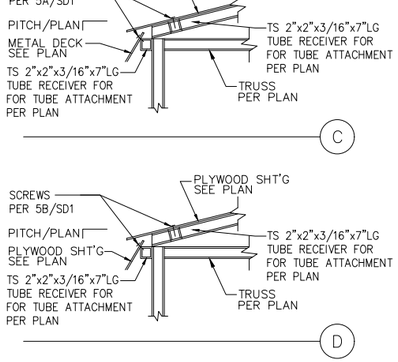
HAT SECTION PLYWOOD DECKING 5

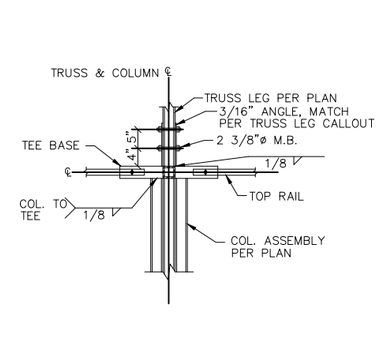


HIGH–EAVE DETAIL A

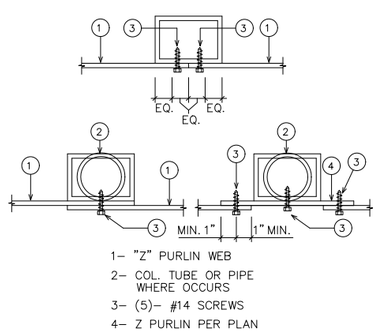


B

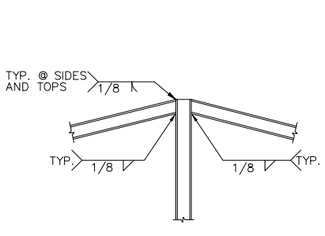




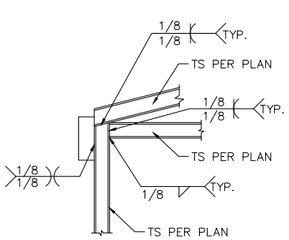
TRUSS TO POST CONN. 7



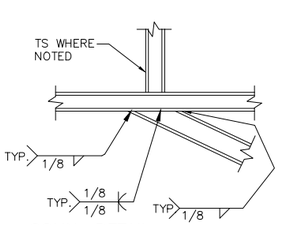
PURLIN TO COL. CONN. (PLAN VIEW) 8



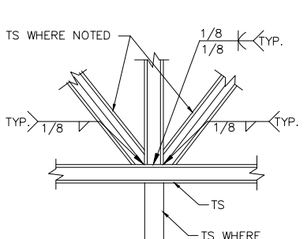
CONN. DETAIL 9



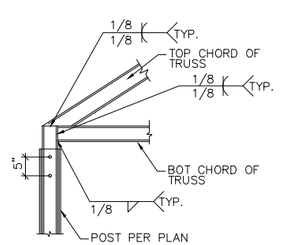
CONN. DETAIL 10



CONN. DETAIL 11



CONN. DETAIL 12



FREESPAN TRUSS CONN. 13
WORK WITH 7/SD1

CASTLEBROOK BARNS
14600 WHITTRAM AVE
FONTANA, CA. 92335
(909)822–0500
L.A. CITY FABRICATOR TYPE 1 LIC. #1780

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3/20/23

DETAILS

PATRICK WILSON
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74 PORTUGUESE BEND ROAD
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PROJECT NO:	S.2302089	
		REVISIONS
DATE:	03/16/2023	
CHECKED BY:	R. PLUMP	
SCALE:		

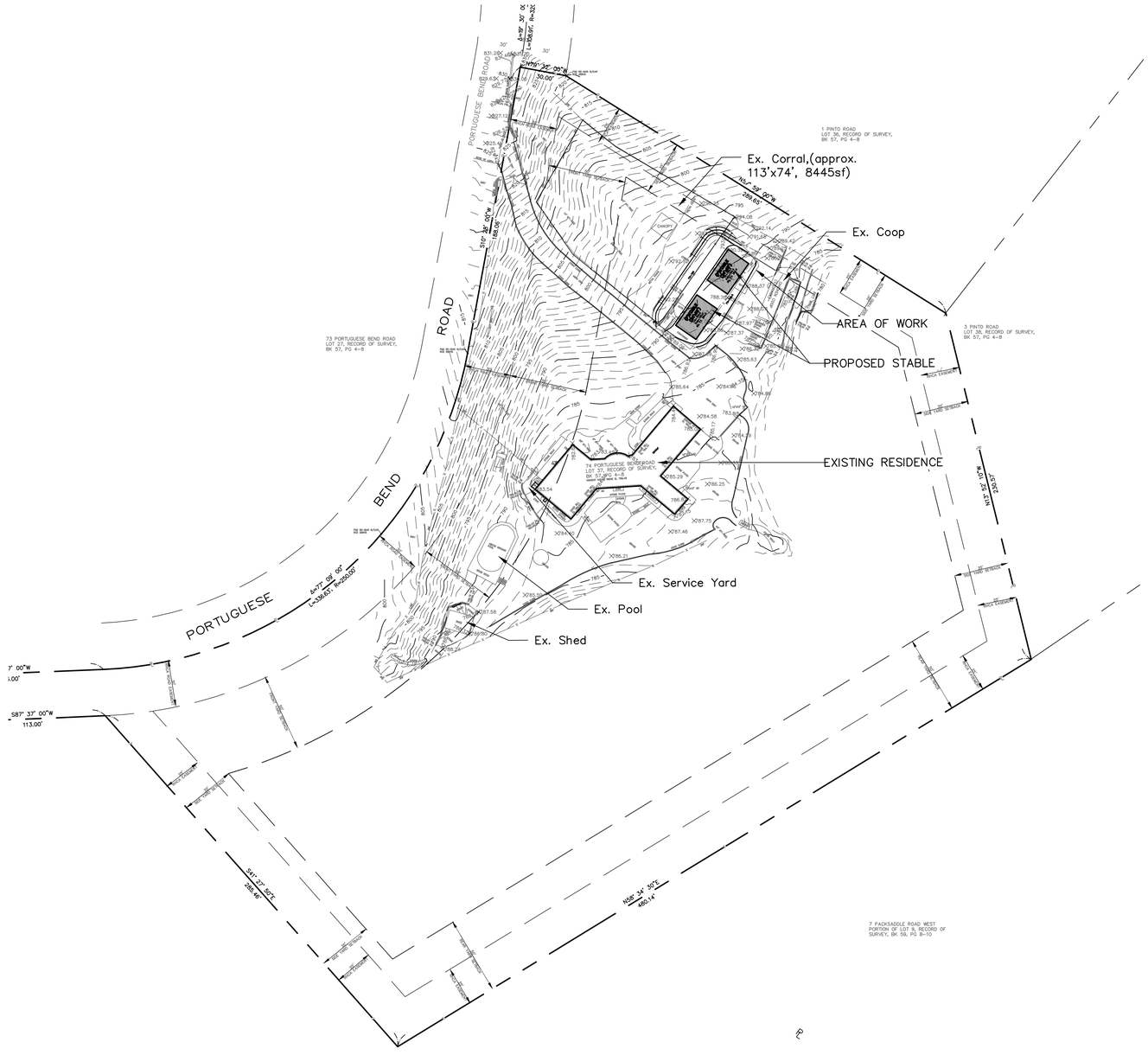
SD2

SHEET NO:

WILSON RESIDENCE

74 PORTUGUESE BEND ROAD

ROLLING HILLS, CA 90274



OVERALL SITE PLAN

SCALE: 1" = 40'

PROJECT INFORMATION

Owner

Owner: Pat Wilson
74 Portuguese Bend Road
Rolling Hills CA 90274

Legal Description

Address: 74 Portuguese Bend Road
Rolling Hills, CA 90274

APN: 7567-013-012

Tract: Record of Survey, M.B .57, PG. 4-8

Lot: Lot 37

Zoning Summary

Zone: RAS-2

Setbacks:

Front:	50'
Rear:	50'
Side:	35'
Equestrian:	25' from Side Roadway Easement or Rear Property Line

Required Reviews:

Site Plan Review: Grading

Variance:

Conditional Use Permit: Equestrian Stable 17.18.060

Project Summary

Work Description: Construction of new stable, covered turnout, and corral
Grading to create pads for above items.

Low Impact Development

Designated Project: No: Less than 10,000 s.f. of impervious surfaces

Selected BMPs: n/a

Consultants

Civil Engineer
Dan Bolton RCE63290
Bolton Engineering Corporation
25834 Narbonne Ave. Suite 210
Lomita, CA 90717

Architect

Soils & Geology

EARTHWORK ESTIMATE

CUT:	28cy	Max Depth 1.8'
FILL:	28cy	Max Depth 0.9'
TOTAL:	56cy	
NET:		0 (Balanced)

INDEX OF SHEETS

C1 OVERALL SITE PLAN
C2 PARTIAL TOPOGRAPHIC SURVEY
C3 PRELIMINARY GRADING PLAN, SECTION, AND BARN FLOORPLAN AND ELEVATION

Resubmittal-Oct 2, 2023

Revisions	By

Bolton Engineering Corp.
Civil Engineering & Surveying
25834 Narbonne Avenue Ste. 210
Lomita, CA 90717
Phone(310)325-5580 Fax(310)325-5581

client: PAT WILSON
72 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

title: COVER SHEET
NEW STABLE AT
74 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

Date:	Oct 2, 2023
Scale:	As Shown
Drawn:	GI
Checked:	DJB
Job No.	22142
Sheet	C1
Of	Sheets

Legend

AC	AIR CONDITIONER
AD	AREA DRAIN
ASPH	ASPHALT
CL	CENTERLINE
CS	CRAWL SPACE
CLF	CHAINLINK FENCE
CHIM	CHIMNEY
CONC	CONCRETE
EM	ELECTRICAL METER
FL	FLOWLINE
GM	GAS METER
MT	MULTI-TRUNK
PA	PLANTER AREA
PL	PROPERTY LINE
RRT	RAIL ROAD TIES
WF	WOOD FENCE
WMS	WATER METERS
3RF	3 RAIL FENCE

+ 123.54 SPOT ELEVATION

3 RAIL FENCE

RETAINING WALL

Benchmark

FD SPIKE AT THE INTERSECTION OF PORTUGUESE BEND ROAD AND RUNNING BRAND ROAD, ASSUMED ELEV. 855.14.

Basis Of Bearings

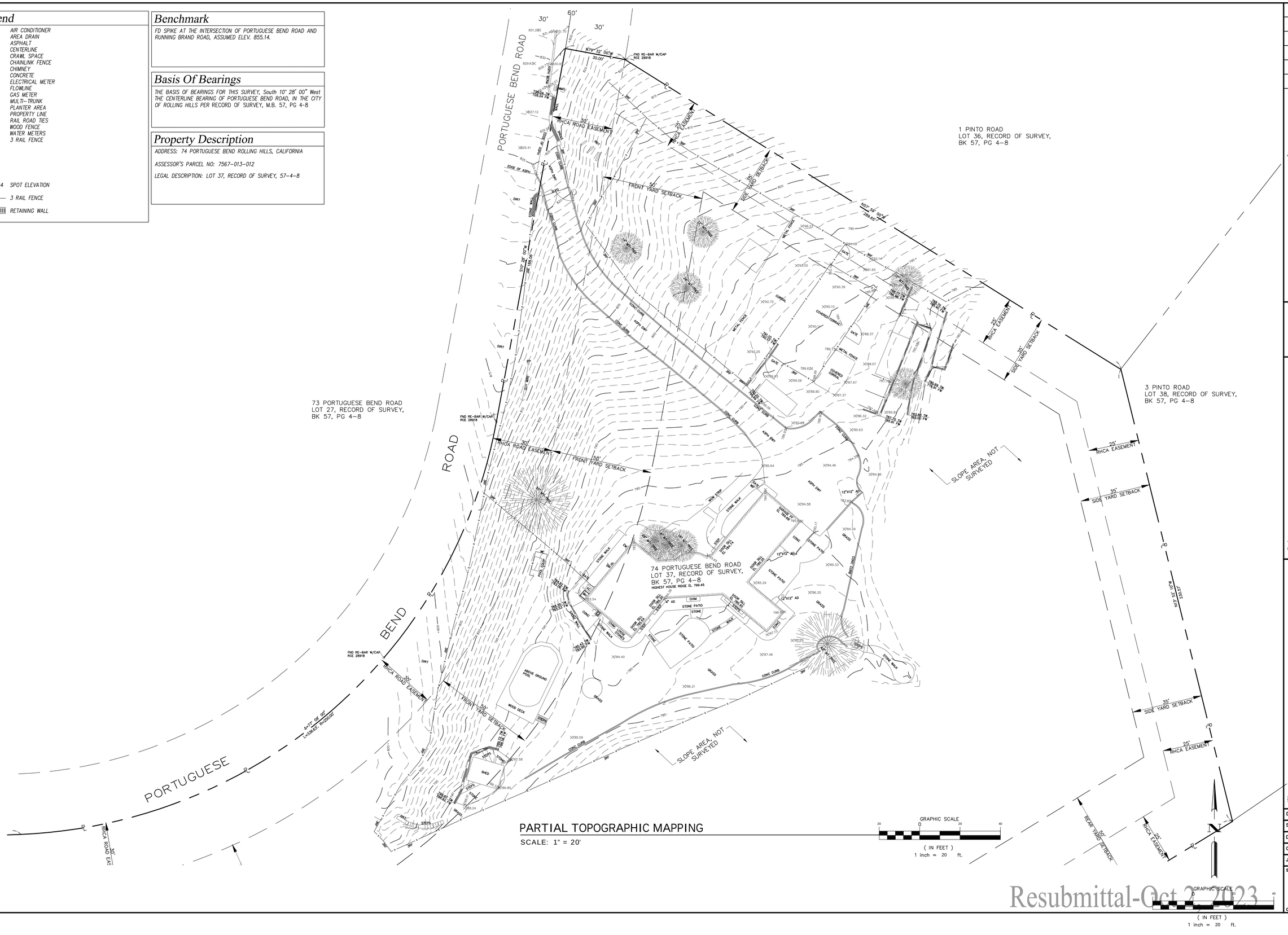
THE BASIS OF BEARINGS FOR THIS SURVEY, South 10° 28' 00" West THE CENTERLINE BEARING OF PORTUGUESE BEND ROAD, IN THE CITY OF ROLLING HILLS PER RECORD OF SURVEY, M.B. 57, PG 4-8

Property Description

ADDRESS: 74 PORTUGUESE BEND ROLLING HILLS, CALIFORNIA

ASSESSOR'S PARCEL NO: 7567-013-012

LEGAL DESCRIPTION: LOT 37, RECORD OF SURVEY, 57-4-8



PARTIAL TOPOGRAPHIC MAPPING

SCALE: 1" = 20'

GRAPHIC SCALE
20 0 20 40
(IN FEET)
1 inch = 20 ft.

GRAPHIC SCALE
20 0 20 40
(IN FEET)
1 inch = 20 ft.

Resubmittal-Oct 2, 2023

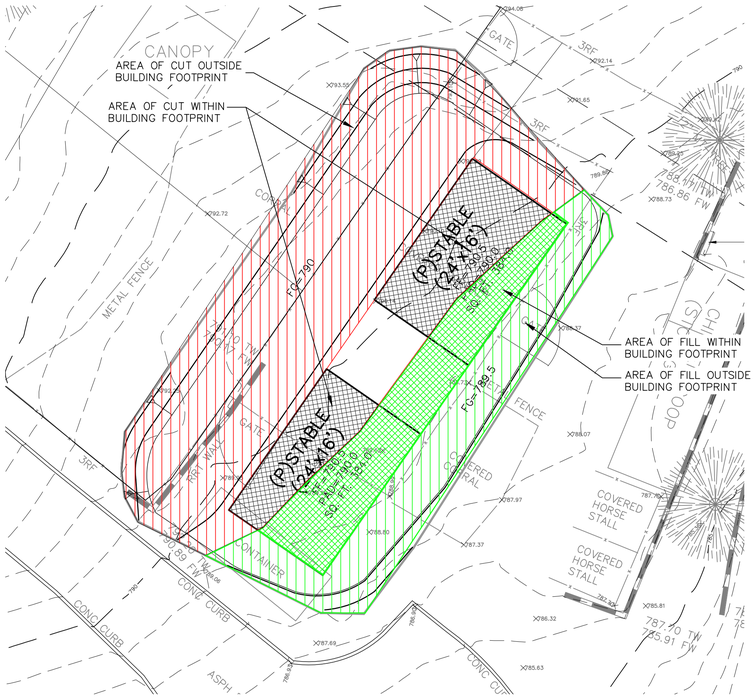
Revisions	By

Bolton Engineering Corp.
Civil Engineering & Surveying
25834 Narbonne Avenue Ste. 210
Lomita, CA 90717
Phone(310)325-5580 Fax(310)325-5581

client: PAT WILSON
72 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

title: PARTIAL TOPOGRAPHIC SURVEY
NEW STABLE AT
74 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

Date:	Oct 2, 2023
Scale:	As Shown
Drawn:	GI
Checked:	DJB
Job No.	22142
Sheet	C2
Of	Sheets



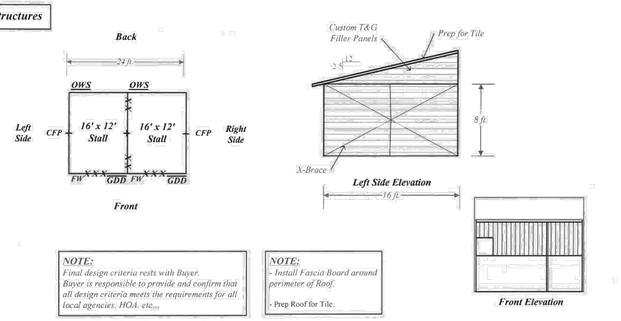
EARTHWORK EXHIBIT

SCALE: 1" = 10'

Castlebrook Barns Design Authorization

Prepared for: *Patrick Wilson* Date *6/29/23* CO# *3* (if applicable)

1 of 2 Identical Structures



NOTE:
Final design criteria rests with Buyer. Buyer is responsible to provide and confirm that all design criteria meets the requirements for all local agencies; HOA, etc.

NOTE:
- Install Fascia Board around perimeter of Roof.
- Prep Roof for Tile.

Design Notes

- Not For Construction
- All dimensions are Nominal.
- Pictorial representations are for general design only. Actual design may vary per structure.
- X Bracing for lateral support is part of CB's standard design. The location and quantity of X Brace will be determined once CB's production commences. Final X Brace locations may affect window, grill or barwork, and accessory placement. Therefore the customer should make special note of this when determining window or accessory placement.
- Unless specifically dimensioned on this drawing, all framed openings, doors and windows shall be located against the nearest post with the height to be set by the installer.
- Upper and lower RCA roof pitches vary slightly. Shedrow overhang roof pitch vary slightly from the roof pitch over the stall depending on overhang size.

Design Criteria

CB's standard will meet or exceed the following:

Design Code	CBC 2022	Wind Load Exposure	C
Roof Load	20#	Foundation	90 MPH 3 Sec gust
Seismic Design Category	D	Structural	110 MPH 3 Sec gust

Unless specifically denoted to the contrary on the contract these design values shall be used.

Shedrow Overhang Measurements (Centerline to Centerline)

8' Overhang	82°
9'-5" Overhang	97°
13'-2" Overhang	145°

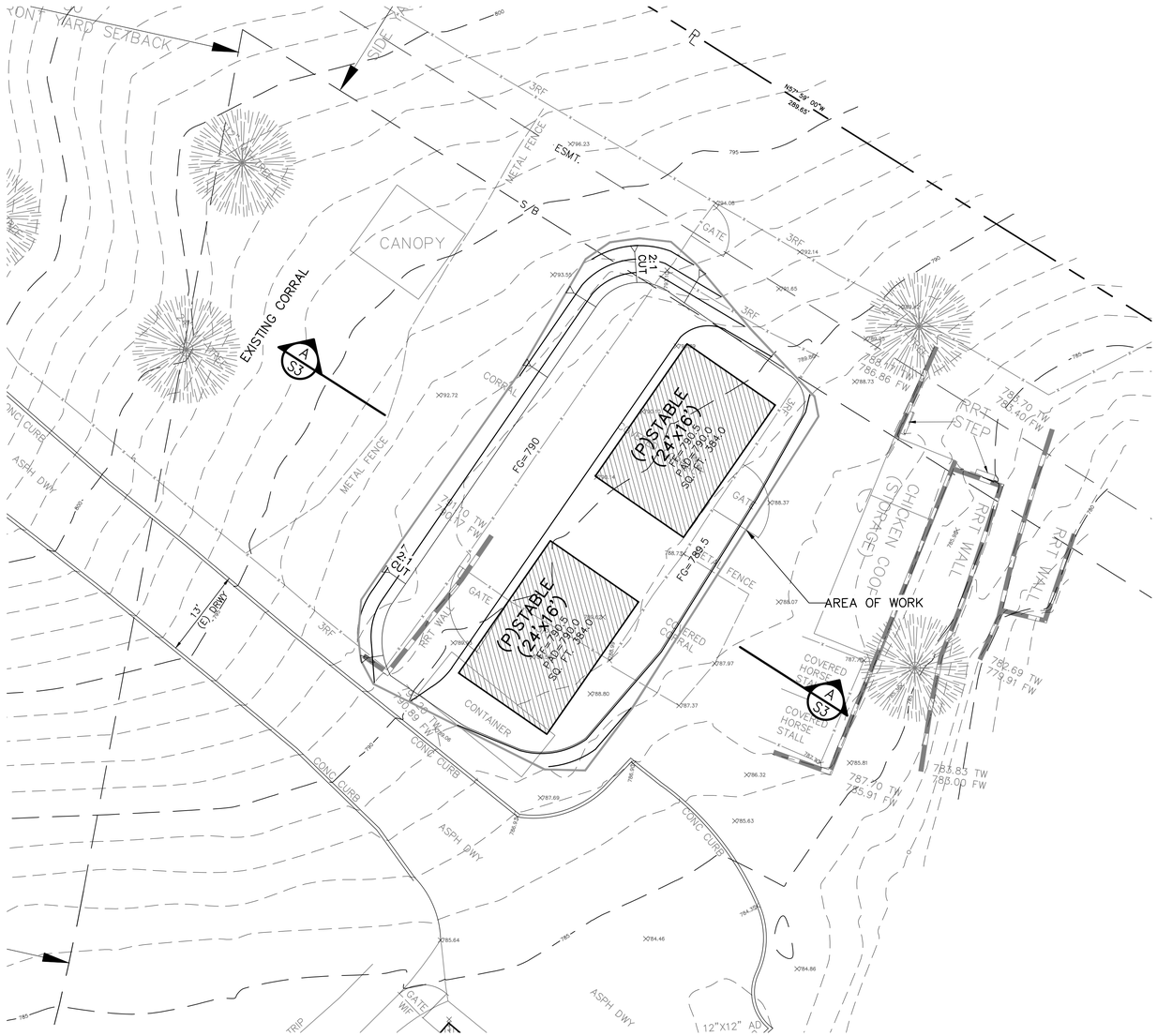
Key

SSD	= Solid Sliding Door	DC/T-1-11	= Drop Ceiling/ T-1-11
SSD-6	= 6' Solid Sliding Door	DC/T&G	= Drop Ceiling/ Tongue and Groove
SDD	= Solid Dutch Door	GD	= Groom Stall Divider
GSD	= Grilled Sliding Door	WR	= Wash Rack
GDD	= Grilled Dutch Door	HP	= Hitching Post
GYD	= Grilled Yoke Door	HFW	= Hinged Foaling Wall
BSD	= Barred Sliding Door	FVW	= Foal Viewing Window
BDD	= Barred Dutch Door	FP	= Filler Panel/Metal
BYD	= Barred Yoke Door	FP/T&G	= Filler Panel/Tongue and Groove
MD	= Man Door	OWS	= Open Window/Shutter
AD	= Aisle Way Door	GWS	= Grilled Window/Shutter
XXX	= Grilled Front/Divider	BWS	= Barred Window/Shutter
(((	= Barred Front/Divider	FM	= Feed Manger
FW	= Feed Window	W	= 3X3 Glass Window
SFD	= Solid Feed Door	O	= Automatic Waterer
GFD	= Grilled Feed Door	+	= Post
BFD	= Barred Feed Door		

Authorized Signature _____ Date _____ Prepared By: *Jason Price*

Rev. 03/01/16

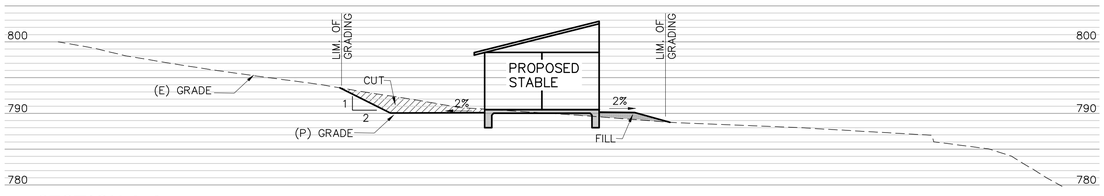
BARN FLOORPLAN AND ELEVATION



SITE PLAN

SCALE: 1" = 10'

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



SECTION A-A

SCALE: 1" = 10'

Resubmittal-Oct 2, 2023

Revisions	By

Bolton Engineering Corp.
Civil Engineering & Surveying
25834 Narbonne Avenue Ste. 210
Lomita, CA 90717
Phone(310)325-5580 Fax(310)325-5581

client: PAT WILSON
72 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

title: PRELIMINARY GRADING PLAN
NEW STABLE AT
74 PORTUGUESE BEND ROAD
ROLLING HILLS CA 90274

Date:	Oct 2, 2023
Scale:	As Shown
Drawn:	GI
Checked:	DJB
Job No.	22142
Sheet	C3
Of	Sheets

Agenda Item No.: 9.A
Mtg. Date: 10/17/2023

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

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

THRU: **DAVID H. READY**

SUBJECT: **ZONING CASE NO. 23-049: SITE PLAN REVIEW FOR A 1,957-SQUARE-FOOT ADDITION TO AN EXISTING RESIDENCE, AND CONDITIONAL USE PERMIT TO ADD 244 SQUARE FEET TO AN EXISTING POOL HOUSE, LOCATED AT 19 PORTUGUESE BEND ROAD (LOT 80-RH) (HTJGDB/SIU)**

DATE: **October 17, 2023**

BACKGROUND:
On September 12, 2023, the Planning Commission held a morning field trip at 19 Portuguese Bend Road and an evening meeting at City Hall. During the evening meeting, the Planning Commission received staff's presentation, asked questions of staff, and opened the public hearing for public discussion. Dugal Bain, resident at 17 Portuguese Bend Road which abuts the subject property, attended the field trip and evening meeting, but left the latter early before the item could be discussed. During the field trip, he presented concerns about privacy and screening. The Commission considered his concerns and directed staff to draft a resolution of approval with a condition addressing Mr. Bain's concern. The Commission voted to approve the project and directed staff to bring back a resolution with the additional language regarding landscape screening. Commissioner Kirkpatrick abstained since he was not at the field trip.

DISCUSSION:
The proposed resolution addresses the required findings for a Site Plan Review and Conditional Use Permit. A condition of approval is included to address screening and privacy concerns raised at the September 12th meeting. The condition reads as follows:

- Section 7, Condition of Approval II. The applicant is required to present a Landscape Plan to the Planning Department for approval and implement the approved Landscape Plan. The Landscape Plan shall include plantings, materials, and design that will provide privacy for the adjacent property owners, and provide screening to minimize the neighbors' views of the pool house. Landscaping shall be located along the northern

portion of the property line between 19 Portuguese Bend Road and 17 Portuguese Bend Road. New hedges are prohibited in the City, and the applicant shall use drought tolerant native plants, including trees, shrubs, bushes, or other plants or materials approved by the Planning Department.

Site Plan Review

The Rolling Hills Municipal Code (RHMC) requires a Site Plan Review for the construction of an addition which increases the size of the residence by more than 999 square feet pursuant to RHMC Section 17.46.020(A). The applicant proposes a 1,957-square-foot addition to the residence. The existing residence is 4,854 square feet and the proposed addition will bring the total to 6,811 square feet.

Conditional Use permit

RHMC requires a Conditional Use Permit for a detached accessory structure that exceeds 200 square feet pursuant to RHMC Section 17.16.200(L). The Project proposes a 175-square-foot addition to the existing guest house. The existing guest house is 545 square feet and the proposed addition will add 244 square feet for a total of 789 square feet.

Environmental Review

The Project has been determined *to* be exempt from the California Environmental Quality Act, (CEQA) 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 is for the construction of additions to the residence and pool house. 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.

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:
1. The project complies with and is consistent with the goals and policies of the general plan and all requirements of the zoning ordinance;
2. 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;
3. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences;
4. 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);
5. Grading has been designed to follow natural contours of the site and to minimize the

amount of grading required to create the building area;
6. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course;
7. 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;
8. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles; and
9. The project conforms to the requirements of the California Environmental Quality Act.
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 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:
A. That the proposed conditional use is consistent with the General Plan;
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;
C. That the site for the proposed conditional use is of adequate size and shape to accommodate the use and buildings proposed;
D. That the proposed conditional use complies with all applicable development standards of the zone district;
E. That the proposed use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities;
F. That the proposed conditional use observes the spirit and intent of this title.

FISCAL IMPACT:
None.

RECOMMENDATION:

Adopt Resolution No. 2023-13 approving Zoning Case No. 23-049 for a Site Plan Review for a 1,957-square-foot addition to an existing residence, conditional use permit to add 244 square feet to an existing pool house, and finding the project exempt from the California Environmental Quality Act for a property located at 19 Portuguese Bend Road (LOT 80-RH) (HTJGDB/SIU).

ATTACHMENTS:
Attachment 1: Resolution No. 2023-13

RESOLUTION NO. 2023-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF ZONING CASE NO. 23-049 FOR A SITE PLAN REVIEW FOR A 1,957-SQUARE-FOOT ADDITION TO AN EXISTING RESIDENCE, AND A CONDITIONAL USE PERMIT TO ADD 244 SQUARE FEET TO AN EXISTING POOL HOUSE, LOCATED AT 19 PORTUGUESE BEND ROAD (LOT 80-RH) (HTJGDB/SIU), AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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 Maryann Siu (HTJGDB) with respect to real property located at 19 Portuguese Bend Road, Rolling Hills (Lot 80-RH) requesting a Site Plan Review for a 1,957 square foot addition to the existing main residence and Conditional Use Permit for a 244 square-foot-addition to an existing pool house (Zoning Case No. 23-049). The Project also includes a 4,000 square foot residential interior remodel that is not part of this discretionary approval.

Section 2. The subject property is currently developed with a 4,854-square-foot single-family residence, 1,512 detached garage, 800 square-foot swimming pool/spa, 30-square-foot pool equipment, 545-square-foot pool house, 2,250-square-foot recreation court, 500-square foot attached trellis, 120-square-foot shed, and 200-square-foot service yard. There are a total of two building pads, the first building pad is developed for residential uses. The second building pad is developed for recreational uses.

Section 3. The Planning Commission conducted duly noticed public hearings to consider the application at a field trip meeting and regular meeting on September 2, 2023. Neighbors within a 1,000-foot radius were notified of the public hearings and a notice was published in the Daily Breeze on September 2, 2023. 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. At the September 12, 2023 regular meeting, the Planning Commission voted to continue the item to the next October 17, 2023 meeting and directed staff to bring back a resolution for approval.

Section 4. 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 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 5. Site Plan Review. Site Plan Review is required for construction of an addition which increases the size of the residence by more than 999 square feet pursuant to RHMC Section 17.46.020(A). The Project proposes a 1,957 square foot addition to the main the residence. The existing main residence is 4,854 square feet and the proposed addition will add 1,957 square feet for a total of 6,811 square feet. 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 additions to an existing residence is compatible with the General Plan and Zoning ordinance. The proposed structures comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures. The additions will be built on the existing building pad and connected to the main residence, which will reduce the visual impact from neighboring properties and from Portuguese Bend Road.

The Project conforms to Zoning Code lot coverage requirements. The net lot area of the lot is 3.6 acres per RHMC Section 17.16.060(A). The structural net lot coverage is proposed at 10,317 square feet or 6.6% (20% max. permitted) excluding exempt structures; and the total lot coverage proposed, including flatwork, would be 26,842 square feet or 17.3% (35% max. permitted). The disturbed area of the lot is proposed to be 42,000 square feet or 27% (40% max permitted).

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

The topography and the configuration of the lot have been considered, and the proposed additions will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures; the additions will be on the existing building pad which enables proposed project elements to be the least intrusive to surrounding properties. Further, the additions will be a sufficient distance from nearby residences so views and privacy of surrounding neighbors will not be impacted. The lot has an existing main building pad and recreational pad and 27% of the lot is already disturbed with the remaining area either landscaped or left 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 Portuguese Bend Road. 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).

There will be no changes to the overall drainage features on the lot. The proposed residential and pool house additions are located on existing building pads. The natural site design, native vegetation, and mature trees will not be affected.

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.

No grading is involved with the proposed project.

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

No grading is involved with the proposed project. Existing drainage flow will not be changed or redirected. Drainage 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. 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.

There are no changes to the existing circulation for the pedestrians or vehicles.

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 additions to an existing single-family

residence. 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.

Section 6. Conditional Use Permit Findings. RHMC Section 17.16.040(A)(3) requires a Conditional Use Permit for a pool house that exceeds 200 square feet. The Applicant is proposing a 244 square foot addition to an existing 545 square foot pool house, a total of 789 square feet (maximum 800). Given the foregoing, in accordance with RHMC Section 17.42.050, the Planning Commission makes the following findings:

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

The granting of a Conditional Use Permit for the 244 square foot addition to the existing pool house is consistent with the purposes and objectives of the Zoning Ordinance and General Plan because the use is consistent with similar uses in the community, and meets all the applicable code development standards for such use. The Project is compatible with existing land uses as other properties in the same zone have a pool house. With the addition of 244 square feet to the existing pool house, the Project is still consistent with Open Space and Conservation Element Goal 2, which aims for expanded opportunities for outdoor recreation.

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

The nature, condition, and development of adjacent structures have been considered, and the Project will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures because the proposed 244 square foot addition to the pool house is on the north portion of the already existing pool house on the second building pad.

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

The proposed conditional use complies with all applicable development standards in the RAS-2 Zone. The net lot area is 155,320 square feet and is adequate to support the proposed use. The 545 square foot pool house is already existing, and by adding 244 square feet will not exceed the maximum allowable 800 square feet maximum.

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

That the proposed conditional use complies with all applicable development standards of the RAS-2 Zone, districts, including size, setbacks, and location.

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. 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 because the Project site is not listed on the current State of California Hazardous Waste and Substances Sites List.

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

The 244 square foot addition to the existing pool house allows the Applicants the ability to enjoy rights enjoyed by other residents in the City. The proposed use is consistent with the residential character of the City.

Section 7. Approval Conditions. Based upon the foregoing findings, and the evidence in the record, the Planning Commission hereby approves Zoning Case No. 23-049 subject to the following conditions:

A. The Site Plan approval 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 October 17, 2023, 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 10,317 square feet or 6.6% of the net lot area, in conformance with structural lot coverage limitations (20% maximum). The flatwork coverage shall not exceed 16,525 square feet or 10.6%, in conformance with the flatwork coverage limitation (15% maximum).

The total lot coverage proposed, including structures and flatwork, shall not exceed 26,842 square feet or 17.3% of the net lot area, in conformance with lot coverage limitations (35% maximum).

H. The disturbed area of the lot shall not exceed 27%, and the Project does not propose any additional disturbance.

I. The existing Building Pad 1 coverage is 7,186 square feet or 34.4%, and the Project proposes an additional 1,632 square feet or 7.8%, and shall not exceed coverage of 8,698 square feet or 41.6% with allowed deductions. This exceeds the guideline by 12.2%. The

existing Building Pad 2 coverage is 3,625 square feet or 43.1%. the Project proposes an additional 244 square feet or 2.9%, and shall not exceed coverage of 3,869 square feet or 46.0% with allowed deductions. This exceeds the guideline by 16%.

J. 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.

K. 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.

L. 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).

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

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

O. Prior to issuance of building permit, the landscaping plan shall meet the requirements of the City, shall be submitted to the City in conformance with Fire Department Fuel Modification requirements, and shall be approved by the City's landscape consultant.

P. A construction fence may be required. If needed, it shall be reviewed and approved by the Planning Department for location, height, and screening material prior to installation.

Q. 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.

R. 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.

S. *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.

T. *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.

U. *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.

V. *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.

W. Prior to demolition of any 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.

X. 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.

Y. Storm water shall drain in accordance with the approved grading and drainage plan at the discretion of the Building Official. Drainage dissipaters shall be constructed outside of any easements. The drainage system shall be approved by the Department of Building and Safety if applicable. 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.

Z. *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.

AA. *During construction*, an Erosion Control Plan containing the elements set forth in Section 7010 of the 2023 County of Los Angeles Uniform Building Code shall be followed to minimize erosion and to protect slopes and channels to control storm water pollution.

BB. The property owner 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.

CC. 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.

DD. 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.

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

FF. 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.

GG. 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.

HH. The project shall at all times comply with the conditions set forth in Section 17.16.210(A)(2) of the RHMC in that the pool house: 1) Shall not exceed eight hundred square feet; 2) Shall not be located in the front yard or any setback; 3) A kitchenette and sanitary facility consisting of a shower, sink and toilet shall be permitted; and 4) No sleeping quarters or renting of the structure shall be permitted.

II. The applicant is required to present a Landscape Plan to the Planning Department for approval and implement the approved Landscape Plan. The Landscape Plan shall include plantings, materials, and design that will provide privacy for the adjacent property owners, and provide screening to minimize the neighbors' views of the pool house. Landscaping shall be located along the northern portion of the property line between 19 Portuguese Bend Road and 17 Portuguese Bend Road. New hedges are prohibited in the City, and the applicant shall use drought tolerant native plants, including trees, shrubs, bushes, or other plants or materials approved by the Planning Department.

PASSED, APPROVED AND ADOPTED THIS 17th DAY OF OCTOBER, 2023.

_____
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 Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2023-13 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF ZONING CASE NO. 23-049 FOR A SITE PLAN REVIEW FOR A 1,957-SQUARE-FOOT ADDITION TO AN EXISTING RESIDENCE, AND A CONDITIONAL USE PERMIT TO ADD 244 SQUARE FEET TO AN EXISTING POOL HOUSE, LOCATED AT 19 PORTUGUESE BEND ROAD (LOT 80-RH) (HTJGDB/SIU), AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT)

was approved and adopted at a regular meeting of the Planning Commission on October 17, 2023, 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

Agenda Item No.: 9.B
Mtg. Date: 10/17/2023

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

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

THRU: **DAVID H. READY**

SUBJECT: **AN ORDINANCE OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO WIRELESS FACILITIES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

DATE: **October 17, 2023**

BACKGROUND:
This item was continued by the Planning Commission on August 15, 2023 and September 12, 2023.

At the August 15th meeting, the Planning Commission directed staff to require a conditional use permit (CUP) for Type 3 facilities, which are new small wireless communication facilities ("WCF") on a new or replacement structure.

At the September 12th meeting, the Planning Commission had additional questions about wireless service, existing coverage, and potentially new wireless locations. Staff and the city attorney's office has discussed the issues and staff has reached out to Crown Castle and RHCA about existing coverage. The proposed Ordinance has been further amended.

DISCUSSION:
August 15th Planning Commission Meeting
At the direction of the Planning Commission at the August 15th meeting, the following changes were made to the Ordinance:

- Ordinance No. 384, Section 4:
  - Section 17.27.040
    - A.2 (Permit Requirements): Type 3 was added to subsection 'a' and removed from subsection 'b'.
    - D (Findings for Approval): Type 3 was added to subsection 1 and removed from subsection 2.

September 12th Planning Commission Meeting

At the September 12th Planning Commission meeting, Stephen Garcia representing Crown Castle, provided comments on the need for wireless communication facilities (WCFs). Crown Castle has a right-of-way (ROW) agreement with the Rolling Hills Community Association (RHCA) executed in 2012 and amended in 2013. Crown Castle is working with RHCA to find new locations within the City and has provided a "mock up" facility on Portuguese Bend Road just inside the guard gate to give the community an example of what these facilities could look like.

RHCA Manager Kristen Raig commented on the community's desire to have better wireless coverage. Kristen provided a letter prior to the meeting requesting the Commission consider a "Type 3A" facility which would be pre-approved by RHCA and subject to the City's administrative approval.

The Commission asked about its role in approving facilities. Staff explained the Ordinance has not been updated since 2004 and new laws warrant the need for an update. The item was continued to the October 17th meeting.

Revised Ordinance
Following the September 12th meeting, further revisions to the Ordinance were made:

1. Requires CUPs for Type 2, 3 and 4 applications (rather than just 3 & 4 as presented to the Planning Commission on August 15th). This gives the PC review authority over collocations onto existing structures (90 day shot clock), new small cells on new or replacement structures (90 day shot clock) and other facilities (150 day shot clock).
2. Zoning Clearance review by the Director for small cells on existing structures (60 day shot clock) and eligible facilities requests (60 day shot clock).
3. Slight modifications to clarify screening requirements in the design standards.
4. Addition of new location standards:
    a. Outside the right-of-way (ROW) and roadway easements: No facilities on private residential properties, except for collocations onto existing utility poles.
    b. Inside ROW and roadway easements:
        i. Preference to utilize existing poles and structures or replacement of existing structures or poles.
        ii. No facilities in the front façade of any residential primary building.
        iii. No facilities within 10 feet of a driveway.
        iv. Applicants must avoid new poles to the maximum extent technically feasible.

The revised Ordinance is included as Exhibit "A" to the proposed resolution. A redline version is also included to identify recent changes.

Existing Facilities
In March 2023, the Rolling Hills Community Association (RHCA) provided a list of existing Sprint and T-Mobile facilities in Rolling Hills. There are 20 facilities which are managed by Infinigy. The City and RHCA were able to approve upgrades to 15 of the facilities, all of which are located on existing utility poles.

At the September 12th Planning Commission meeting, the Planning Commission asked to see the locations in Rolling Hills managed by Crown Castle. Crown Castle was able to provide a map, which is attached, showing the location of its facilities. There are about 26 Crown Castle facilities in the City with several others just outside the City's borders.

Due to conflicting obligations, Crown Castle is not able to be at the October 17th Planning Commission meeting. As such, they are requesting this item be continued to the November 21st meeting.

ENVIRONMENTAL

The proposed ordinance is not a "project" within the meaning of Section 15378 of the State CEQA Guidelines, because it has no potential for resulting in direct or indirect physical change in the environment. The ordinance does not authorize any specific development or installation on any specific piece of property within the City's boundaries. Moreover, when and if an application for installation is submitted, the City will at that time conduct preliminary review of the application in accordance with CEQA. Alternatively, even if the ordinance is a "project" within the meaning of State CEQA Guidelines Section 15378, the ordinance is exempt from CEQA on multiple grounds. First, the ordinance is exempt CEQA because the City Council's adoption of the ordinance would covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3)). That is, approval of the ordinance will not result in the actual installation of any facilities in the City. In order to install a facility in accordance with this ordinance, the wireless provider would have to submit an application for installation of the wireless facility. At that time, the City would have specific and definite information regarding the facility to review in accordance with CEQA. And, in fact, the City would conduct preliminary review under CEQA at that time. Moreover, in the event that the ordinance is interpreted so as to permit installation of wireless facilities on a particular site, the installation would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land).

FISCAL IMPACT:

None.

RECOMMENDATION:

1. Open and conduct a public hearing;
2. Find that proposed Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), State CEQA Guidelines Section 15304 (minor alterations to land), or, in the alternative, Sections 15378 and 15061(b)(3); and
3. Adopt Resolution No. 2023-10 (Attachment 1), which recommends that the City Council adopt the proposed Ordinance No. 384 (Exhibit "A" to Attachment 1).

ATTACHMENTS:

ATTACHMENT1_2023-10_PCResolution_WCF_Ordinance_101723_F.pdf
ATTACHMENT2_384_WirelessOrdinance_Updated PC DRAFT 10-17-23-c1_redline.pdf
ATTACHMENT3_PL_WCF_OrdAmend2023_231002_Email_CrownCastle.pdf
ATTACHMENT4_PL_WCF_OrdAmend2023_231010_CrownCastlePresentation_2SlidesPerPa

ATTACHMENT5_CL_AGN_230912_PC_Item9B_RHCA_PublicComment.pdf
ATTACHMENT6_CL_AGN_230912_PC_Item9B_RHCA_CellAntennaMockUp.pdf
ATTACHMENT7_CL_AGN_230912_PC_Item9B_RHCA_CellSurveyResults2023.pdf
ATTACHMENT8_PL_WCF_230912_PC_StaffReport.pdf

RESOLUTION NO. 2023-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ROLLING HILLS MUNICIPAL CODE REGARDING WIRELESS COMMUNICATION FACILITIES AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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 City's zoning regulations are contained in Title 17 of the Rolling Hills Municipal Code ("RHMC"). Among other things, Title 17 includes regulations governing wireless communication facilities ("WCF"); and

WHEREAS, the City last updated the RHMC's WCF regulations in 2004. Since then, changes in federal and state law have placed significant procedural and substantive limits on the City's exercise of local control over matters involving WCFs; and

WHEREAS, the ordinance ("Ordinance") attached as Exhibit "A" will amend the RHMC's RCF regulations to comply with changes in state and federal law governing the same; and

WHEREAS, on August 15, 2023 and September 12, 2023, the Planning Commission held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning this Ordinance. Thereafter, the Planning Commission: (i) provided direction to staff regarding amendments to the Ordinance; and (ii) continued the public hearing to its October 17, 2023 meeting. Staff subsequently revised the Ordinance in accordance with the Planning Commission's instructions. The Planning Commission held a continued public hearing at its October 17, 2023 meeting.

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 this Ordinance is not a "project" within the meaning of Section 15378 of the State CEQA Guidelines, because it has no potential for resulting in direct or indirect physical change in the environment. The Ordinance does not authorize any specific development or installation on any specific piece of property within the City's boundaries. Moreover, when and if an application for installation is submitted, the City will at that time conduct preliminary review of the application in accordance with CEQA. Alternatively, even if the Ordinance is a "project"

within the meaning of State CEQA Guidelines Section 15378, the Ordinance is exempt from CEQA on multiple grounds. First, the Ordinance is exempt CEQA because the City Council's adoption of the Ordinance would covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (State CEQA Guidelines, § 15061(b)(3)). That is, approval of the Ordinance will not result in the actual installation of any facilities in the City. In order to install a facility in accordance with this Ordinance, the wireless provider would have to submit an application for installation of the wireless facility. At that time, the City would have specific and definite information regarding the facility to review in accordance with CEQA. And, in fact, the City would conduct preliminary review under CEQA at that time. Moreover, in the event that the Ordinance is interpreted so as to permit installation of wireless facilities on a particular site, the installation would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land).

Section 3. General Plan. This Ordinance's amendments to RHMC Title 17 are consistent with, and in further of, the City's adopted General Plan. Specifically, General Plan Safety Element Policy 5.10: *Support the development and further implementation of a peninsula-wide disaster plan;* and Policy 5.14: *Ensure the reliability of essential facilities such as communications towers, electrical substations, water services, and first-response buildings in the event of an emergency through promoting grid resilience and energy independence. Work to implement on-site power generation through solar photovoltaic systems and battery storage*; and Policy 5.16: *Increase access to essential resources and facilitate effective communication in the community to accelerate recovery following such a disaster*; and Land Use Goal 2: *Accommodate development which is compatible with and complements existing land uses*. This Ordinance furthers these goals, policies, and actions by updating the City's regulations to achieve consistency with federal and state law and making certain refinements to ensure that Title 17 is consistent and clear and provides for streamlined approval processes for wireless communication facilities. Therefore, the Ordinance is consistent with the General Plan.

Section 4. Recommendation. Based on the foregoing, the Planning Commission hereby recommends that the City Council approve and adopt the Ordinance attached as Exhibit "A" 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 17th DAY OF OCTOBER 2023.

_____
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. 2023-10 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ROLLING HILLS MUNICIPAL CODE REGARDING WIRELESS COMMUNICATION FACILITIES AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

was approved and adopted at a regular meeting of the Planning Commission on October 17, 2023, 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. 384

AN ORDINANCE OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO WIRELESS FACILITIES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, California Government Code, section 65800 *et seq*., authorizes the City of Rolling Hills ("City") to adopt and administer zoning laws, ordinances, rules and regulations as a means of implementing the General Plan; and

WHEREAS, the City's zoning regulations are contained in Title 17 of the Rolling Hills Municipal Code ("RHMC"). Among other things, Title 17 includes regulations governing wireless communication facilities ("WCF"); and

WHEREAS, Title 17's WCF regulations were most recently amended in 2004. Since then, changes in federal and state law—including various court decisions and Federal Communications Commission (FCC) orders and regulations—have placed significant procedural and substantive limits on the City's exercise of local control over matters involving WCFs. This ordinance ("Ordinance") amends Title 17 to comply with these changes in the law; and

WHEREAS, California Government Code sections 65854 and 65856(a) require the Planning Commission and the City Council, respectively, to conduct public hearings on proposed amendments to Title 17 (i.e., zoning code amendments). The Planning Commission's action serves as a recommendation to the City Council; and

WHEREAS, on August 4, 2023, the City gave public notice of a Planning Commission public hearing to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on August 15, 2023 and September 12, 2023, the Planning Commission held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning this Ordinance. Thereafter, the Planning Commission: (i) provided direction to staff regarding the amendments to the Ordinance; and (ii) continued the public hearing to its October 17, 2023. Staff subsequently revised the Ordinance in accordance with the Planning Commission's direction. The Planning Commission held a continued public hearing at its October 17, 2023 meeting and thereafter, recommended that the City Council adopt the Ordinance; and

WHEREAS, on [DATE], 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 [DATE], the City Council considered the staff report, recommendations by staff, and public testimony regarding this Ordinance.

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

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

SECTION 1. **Recitals**. The City Council hereby finds and determines that the Recitals above are true and correct and are incorporated herein.

SECTION 2. **California Environmental Quality Act**. The City Council finds that this Ordinance is not a "project" within the meaning of Section 15378 of the State CEQA Guidelines, because it has no potential for resulting in direct or indirect physical change in the environment. The Ordinance does not authorize any specific development or installation on any specific piece of property within the City's boundaries. Moreover, when and if an application for installation is submitted, the City will at that time conduct preliminary review of the application in accordance with CEQA. Alternatively, even if the Ordinance is a "project" within the meaning of State CEQA Guidelines Section 15378, the Ordinance is exempt from CEQA on multiple grounds. First, the Ordinance is exempt CEQA because the City Council's adoption of the Ordinance would covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3)). That is, approval of the Ordinance will not result in the actual installation of any facilities in the City. In order to install a facility in accordance with this Ordinance, the wireless provider would have to submit an application for installation of the wireless facility. At that time, the City would have specific and definite information regarding the facility to review in accordance with CEQA. And, in fact, the City would conduct preliminary review under CEQA at that time. Moreover, in the event that the Ordinance is interpreted so as to permit installation of wireless facilities on a particular site, the installation would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land).

SECTION 3. **General Plan**. The City Council hereby finds that this Ordinance's amendments to RHMC Title 17 are consistent with, and in further of, the City's adopted General Plan. Specifically, General Plan Safety Element Policy 5.10: *Support the development and further implementation of a peninsula-wide disaster plan;* and Policy 5.14: *Ensure the reliability of essential facilities such as communications towers, electrical substations, water services, and first-response buildings in the event of an emergency through promoting grid resilience and energy independence. Work to implement on-site power generation through solar photovoltaic systems and battery storage*; and Policy 5.16: *Increase access to essential resources and facilitate effective communication in the community to accelerate recovery following such a disaster*; and Land Use Goal 2: *Accommodate development which is compatible with and complements existing land*

uses. This Ordinance furthers these goals, policies, and actions by updating the City's regulations to achieve consistency with federal and state law and making certain refinements to ensure that Title 17 is consistent and clear and provides for streamlined approval processes for wireless communication facilities. Therefore, the Ordinance is consistent with the General Plan.

SECTION 4. Code Amendment. Section 17.27.040 of the Rolling Hills Municipal Code is amended to read in its entirety as follows:

"17.27.040 Wireless communication antennas and facilities.

A. **General**. This Section establishes standards and procedures for the development and operation of wireless communications facilities, including, but not limited to, personal wireless services facilities, non-exempt satellite antennas, and single pole/tower amateur radio antennas. The requirements of this Section apply to all wireless communication facilities on public and private property and within the right of way that transmit and/or receive electromagnetic signals, including, but not limited to, personal wireless services, satellite, and radio and television broadcast facilities.

1. Application Types.

a. *Type 1 – Collocation of a small wireless facility on an existing structure*. Type 1 applications shall be limited to applications wherein an applicant seeks to place a new small wireless facility upon an existing structure and either (i) the structure is not an existing tower or base station (as defined for Eligible facilities request purposes) or (ii) the structure is an existing tower or base station (as defined for Eligible facilities request purposes) but the proposed facility does not qualify as an Eligible facilities request. If the completed facility would still meet the physical limits and requirements to meet the definition of a small wireless facility after the installation of the new equipment, then the application to install such new equipment is a Type 1 application.

b. *Type 2 – Collocation on an existing structure which does not qualify as a Type 1 small wireless facility collocation or a Type 5 eligible facilities request*. Type 2 applications shall be limited to applications wherein an applicant is seeking to place a new personal wireless service facility upon an existing structure which does not meet the definition of a small wireless facility or which will not meet the definition of a small wireless facility if and when the proposed new personal wireless service equipment is installed upon the existing facility and/or structure and either (i) the structure is not an existing tower or base station (as defined for Eligible facilities request purposes) or (ii) the structure is an existing tower or base station (as defined for Eligible facilities request purposes) but the proposed facility does not qualify as an Eligible facilities request.

c. *Type 3 – New small wireless facility on a new or replacement structure*. Type 3 applications shall be limited to applications seeking to install and/or construct a new small wireless facility that involves placement of a new or replacement structure.

d. *Type 4 – New tower or any other wireless facility that is not a Type 1, 2, 3, 5, or 6 application*. Type 4 applications shall include any applications for the installation of a new personal wireless service facility which does not meet the criteria for Type 1, 2, 3, 5, or 6 applications.

e. *Type 5 – Eligible facilities requests*. Type 5 applications shall include any applications that purport to meet the criteria for an eligible facilities request under federal law and FCC regulations.

f. *Type 6 – Temporary facilities*. Type 6 applications shall include any applications for a temporary facility to provide wireless services on a temporary or emergency basis.

2. Permit Requirements. No wireless communication facility shall be constructed, erected, placed, or modified anywhere within the City without first obtaining a permit pursuant to the requirements of this Section and without obtaining all permits required under any other applicable state, federal, or local laws or regulations.

a. *Conditional Use Permit Required*. A conditional use permit shall be required for Type 2, 3 and 4 applications, which shall be reviewed and processed in accordance with Chapter 17.42 of this Code and the requirements of this Section 17.27.040.

b. *Zone Clearance Required*. A zone clearance shall be required for Type 1 and 5 applications, which shall be reviewed and processed in accordance with Chapter 17.44 of this Code and the requirements of this Section 17.27.040.

c. *Temporary Use Permit Required*. A temporary use permit shall be required for Type 6 applications, which shall be reviewed and processed in accordance with Chapter 17.48 of this Code and the requirements of this Section 17.27.040.

3. Exempt Wireless Communication Facilities. The following wireless communication facilities are exempt from the requirements of this Section:

a. Wireless facilities operated by the City for public purposes.

b. Hand-held mobile, marine, and portable radio transmitters and/or receivers which are not affixed to land or a structure.

c. Traditional terrestrial radio and television mobile broadcast facilities.

d. A single ground-mounted or building-mounted antenna not exceeding the maximum height permitted by this Section, including any mast, subject to the following restrictions: (1) *Satellite Dish 39.37 inches (one meter) or Less*. A satellite dish antenna 39.37 inches (one meter) or less in diameter and (a) intended for the sole

use of a person occupying the same parcel to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite or (b) a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services, is permitted anywhere on a lot, provided it does not exceed the height of the ridgeline of the primary structure on the same parcel. (2) *Non-Satellite Dish 39.37 inches (one meter) or Less*. A dish antenna 39.37 inches (one meter) or less in diameter or diagonal measurement and (a) intended for the sole use of a person occupying the same parcel to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, or to receive or transmit fixed wireless signals other than via satellite or (b) a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services, is permitted anywhere on a lot.

e. Amateur radio antennas meeting the following requirements: (1) That are completely enclosed within a permitted building; or (2) That consist of a single wire not exceeding one-fourth of an inch in diameter, and such wire antennas may be located in setback areas, provided the antenna does not extend above the maximum building height in the district; or (3) That consist of a single ground-mounted vertical pole or whip antenna not exceeding 50 feet in height, measured from finish grade at the base of the antenna, and not located in any required setback area. Support structures or masts for pole or whip antennas shall conform to standards set out in the California Building Standards Code. A building permit may be required for the support structure or mast.

B. **Definitions**. For the purpose of this chapter, certain words and terms are hereby defined. Words used in the singular shall be deemed to include the plural and the plural the singular; unless more specifically defined in this chapter, the word “building” is interchangeable with the word “structure,” and the word “shall” is mandatory and not discretionary. All equipment not specifically described herein shall be regulated in conformity with that equipment described herein which is most substantially similar, from a functionality standpoint. Reference to “facility” is interchangeable with “wireless communications facility,” unless otherwise noted.

1. “Antenna” shall mean any system of wires, poles, rods, reflecting discs, or similar devices used in wireless communications for the transmission or reception of electromagnetic waves when such system is operated or operating from a fixed location.

2. “Applicant” or “provider” shall mean the person or entity applying for a permit to install wireless communications facilities.

3. “Base Station” shall have the same meaning as defined by 47 C.F.R. Section 1.6100(b)(1), or any successor provision.

4. “Colocation,” “Co-location,” and “Collocation” shall mean the same as defined by the FCC in 47 C.F.R. § 1.6002(g), which means (1) Mounting or installing an antenna facility on a pre-existing structure; and/or (2) Modifying a structure for the

purpose of mounting or installing an antenna facility on that structure. For eligible facilities requests (Type 5), "Colocation," "Co-location," and "Collocation" shall mean the same as defined by the FCC in 47 C.F.R. § 1.6100(b)(2), which means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

5. "Eligible Facilities Request" shall mean any request for modification of a legally existing tower or base station that does not substantially change the physical dimensions of such tower or base station as defined in 47 C.F.R. section 1.6100(b)(3), or any successor provision.

6. "Monopole" shall mean a free-standing pole, like a slim line, flagpole, or similar structure.

7. "Personal Wireless Services" shall mean those services as defined in 47 U.S.C. section 332(c)(7)(C)(i), or any successor provision, current examples of which include, but are not limited to, commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.

8. "Roof-mounted" shall mean any type of facility in which antennas are mounted on the roof, parapet, or similar feature of a structure.

9. "Small Wireless Facility" shall mean the same as defined by the FCC in 47 C.F.R. section 1.6002(l), or any successor provision.

10. "Support structure" shall mean any structure capable of supporting a base station, as defined in 47 C.F.R. section 1.6002(m), or any successor provision.

11. "Temporary facility" shall mean any wireless communication facility intended or used to provide wireless services on a temporary or emergency basis, such as a large-scale special event in which more users than usual gather in a single location or following a duly proclaimed local or state emergency, as defined in Government Code section 8558, requiring additional service capabilities.

12. "Tower" shall mean the same as defined in 47 C.F.R. section 1.6100(b)(9), or any successor provision. This definition does not include Utility Poles.

13. "Utility pole" shall mean any structure designed to support electric, telephone, and similar utility lines. A Tower is not a utility pole.

14. "Wireless communications facilities" and "facilities" shall mean any transmitters, antenna structures, equipment cabinets, concealment, meters, switches, cabling, and other types of facilities used for the provision of wireless services at a fixed location, including, without limitation, any associated tower(s), support structure(s), and base station(s).

C. **Application Requirements**. An applicant seeking to install, construct, modify, replace, or place a wireless communications facility shall complete and submit an

application to the Planning and Community Services Department for review and processing, upon the form published by the Director of the Planning and Community Services Department, which may be updated from time to time. In addition to any requirements specified by the application form, all applications shall, at minimum, require submission of the following:

1. Name of applicant, contact information, location of proposed site, description of the application type sought, and the name and contact information of the user/ provider that will use the facility.

2. A brief narrative accompanied by written documentation and a site plan or map together with photo simulations that explain the project.

3. A narrative and scaled map(s) that precisely disclose the geographic area(s) within the City proposed to be serviced by the proposed facility.

4. A radiofrequency (RF) environmental evaluation report certifying that the proposed wireless communications facility meets FCC regulations and standards for construction, maintenance and operations.

D. **Findings for Approval**.

1. *Findings for Approval of a Conditional Use Permit required by this section (Types 2, 3 and 4)*. Approval of any Conditional Use Permit required by this section is subject to the following findings:

a. All findings for approval required for Conditional Use Permits as specified in Section 17.42.050; and

b. The facility complies with all applicable requirements of Section 17.27.040, including all requirements for the requested permit; all application requirements; and all applicable design, location, and development standards, or has a waiver exception thereof; and

c. The facility meets applicable requirements and standards of federal and state law, including all applicable general orders of the California Public Utilities Commission; and

d. The project has received approval from the Rolling Hills Community Association.

2. *Findings for Approval of a Non-Eligible Facility Request Zone Clearance required by this section (Type 1)*. Approval of any Non-Eligible Facility Request Zone Clearance required by this section is subject to the following findings:

a. The proposed facility is consistent with the provisions of Title 17; and

b. The facility complies with all applicable requirements of Section 17.27.040, including all requirements for the requested permit; all application requirements; and all applicable design, location, and development standards, or has a waiver exception therefrom; and

c. The facility meets applicable requirements and standards of federal and state law, including all applicable general orders of the California Public Utilities Commission; and

d. The project has received approval from the Rolling Hills Community Association.

3. *Findings for Approval of a Zone Clearance for an Eligible Facilities Request required by this section (Type 5)*. No zone clearance shall be approved for an eligible facilities request unless, on the basis of the application and other materials or evidence provided in review thereof, the following findings are made:

a. The proposed collocation or modification meets each and every one of the applicable criteria for an eligible facilities request stated in 47 C.F.R. sections 1.6100(b)(3)–(9), or any successor provisions, after application of the definitions in 47 C.F.R. section 1.6100(b). The reviewing City authority shall make an express finding for each criterion; and

b. The proposed facility complies with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, except to the extent preempted by 47 C.F.R. sections 1.6100(b)(7)(i)–(iv), or any successor provisions; and

c. The proposed facility will comply with all generally applicable laws.

4. *Findings for Approval of a Temporary Use Permit required by this section (Type 6)*. Approval of any Temporary Use Permit required by this Section is subject to the following findings:

a. The proposed temporary use is allowed within the applicable zoning district with the approval of a temporary use permit and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code; and

b. The proposed temporary use would not unduly impair the integrity and character of the zoning district in which it is located; and

c. Appropriate measures have been taken to protect the public health, safety, and general welfare to minimize detrimental effects on adjacent properties; and

d. The facility complies with all applicable requirements of Section 17.27.040, including all requirements for the requested permit; all application

requirements; and all applicable design, location, and development standards, or has a waiver exception thereof; and

e. The facility meets applicable requirements and standards of federal and state law, including all applicable general orders of the California Public Utilities Commission; and

f. The project has received approval from the Rolling Hills Community Association.

E. **Design, Location, and Development Standards**.

1. This subsection E(1) establishes generally applicable design and development standards for all wireless facilities, except Type 5 eligible facilities requests.

a. The facility shall be erected, located, operated, and maintained at all times in compliance with this section and all applicable laws, regulations, and requirements of the California Building Code, as modified by the City, and every other code and regulation imposed or enforced by the City, the State of California, and the United States Federal Government. Applicants are separately required to obtain all applicable building and construction permits that may be required prior to erecting or installing the facility.

b. State-of-the-art stealth design technology shall be utilized as appropriate to the site and type of facility so that the proposed wireless facility will look like something other than a wireless facility. Wireless communications facilities that are mounted on buildings or structures shall be designed to match existing architectural features, incorporated in building design elements, camouflaged, painted, or otherwise screened to achieve a stealth design in a manner that is compatible with the architectural design of the building or structure and compatible with the appearance and character of the surrounding neighborhood. New standalone or replacement facilities shall use designs that are compatible and blend in with the surrounding area. For example, faux trees should be of the same type and size as nearby real trees. All finishes shall be non-reflective.

c. The facility shall not bear any signs or advertising devices other than certification, public safety, warning, or other legally required seals or signage.

d. Any and all accessory equipment, or other equipment associated with the operation of the facility, including but not limited to transmission cables and wires, shall be screened, located within an enclosure or underground vault in a manner that, if aboveground, is visually compatible with the surrounding area and either (1) shrouded by sufficient landscaping to screen the equipment from view, or (2) designed to match the architecture of adjacent buildings and (3) shall not interfere with equestrian activities or easements.

e. The facility exterior shall be comprised of non-reflective material(s) and painted or camouflaged to blend with surrounding materials and colors.

All exterior surfaces shall be painted, colored, and/or wrapped in flat, muted, subdued, non-reflective hues that match the underlying structure or otherwise blend in with the surrounding environment. All exterior surfaces on wireless facilities shall be constructed from, or coated with, graffiti-resistant materials. All finishes shall be subject to the reviewing City authority's prior approval.

f. All wireless facilities must be compliant with all applicable noise regulations, which includes, without limitation, any noise regulations in this code. The reviewing City authority may require the applicant to incorporate appropriate noise-baffling materials and/or noise-mitigation strategies to avoid any ambient noise from equipment reasonably likely to exceed the applicable noise regulations.

g. Wireless facilities may not include exterior lights other than as may be required under Federal Aviation Administration, FCC, other applicable federal or state governmental regulations. All exterior lights permitted or required to be installed must be installed in locations and within enclosures that mitigates illumination impacts on other properties to the maximum extent feasible. Any lights associated with the electronic equipment shall be appropriately shielded from public view. Any light beacons or lightning arresters shall be included in the overall height calculation.

h. To prevent unauthorized access, theft, vandalism, attractive nuisance or other hazards, reasonable and appropriate security measures, such as fences, walls and anti-climbing devices, may be approved. Security measures shall be designed and implemented in a manner that enhances or contributes to the overall stealth, and the reviewing City authority may condition approval on additional stealth elements to mitigate any aesthetic impacts, which may include, without limitation, additional landscape or hardscape features. Barbed wire, razor ribbon, electrified fences, or any similar security measures are prohibited. Alarm systems shall not include any audible sirens or other sounds.

i. All wireless facilities shall be designed by qualified, licensed persons to provide the maximum protection that is technically feasible to prevent electrical and fire hazards. All wireless facilities should be proactively monitored and maintained to continue and, if possible, improve the safety design.

2. This subsection E(2) establishes additional design and development standards for all wireless facilities, except Type 5 eligible facilities requests, proposed to be located upon a rooftop or attached to an existing building.

a. Any screening used in connection with a wall-mounted and/or roof-mounted facility, shall be compatible with the architecture, color, texture, and materials of the building or other structure to which it is mounted.

b. The facility shall be placed to the centermost location of the rooftop to screen it from view from the street and adjacent properties, or incorporate façades to create a stealth facility that is designed to look like something other than a wireless facility.

c. Wireless communication antennas and facilities shall not be located on roofs or walls of any structures on private residential property, but may be located on commercial buildings and properties, and on publicly owned properties or buildings.

3. Temporary facilities shall be subject only to the following design and development standards in this Section 17.27.040(E)(3). Temporary facilities include, without limitation, cells on wheels (also referred to as COWs), sites on wheels (also referred as SOWs), cells on light trucks (also referred to as COLTs), or other similar wireless facilities:

a. That will be in place for no more than six months, or such other longer time as the City may allow in light of the event or emergency;

b. For which required notice is provided to the FAA;

c. That do not require marking or lighting under FAA regulations;

d. That will not exceed fifty (50) feet in height; and

e. That will either involve no excavation or involve excavation only as required to safely anchor the facility where the depth of previous disturbance exceeds the proposed construction depth (excluding footings and other anchoring mechanisms) by at least two (2) feet.

4. All wireless communications facilities, except Type 5 eligible facilities requests, shall not be located on private residential property outside of the right-of-way or outside a roadway easement, but may be located on existing utility poles.

5. This subsection E(5) establishes generally applicable location standards for all wireless communications facilities, except Type 5 eligible facilities requests, inside of the right-of-way or inside a roadway easement:

a. Wireless communications facilities shall utilize existing poles, structures, street signs or utilize the replacement of existing structures, poles, and street signs in the right-of-way or within a roadway easement to avoid the proliferation of new poles and structures in the right-of-way and roadway easements;

b. Wireless communications facilities shall not be located in the right-of-way or within a roadway easement in the front façade of any residential primary building;

c. Wireless communications facilities shall not be located within ten (10) feet of any driveway.

d. Applicants for wireless communications facilities shall avoid to the maximum extent technically feasible the proposed use or installation of any new poles in the right-of-way or within a roadway easement.

F. **Infrastructure Controlled by City**. The City, as a matter of policy, will negotiate agreements for the use of City-owned property. The placement of wireless facilities on those structures and property shall be subject to one or more negotiated agreements. The agreements shall specify the compensation to the City for use of the structures. The person seeking an agreement shall, in addition to any consideration paid, reimburse the City for all costs the City incurs in connection with its review of and action upon that person's request for an agreement.

G. **Standard Conditions of Approval**. In addition to all other conditions adopted by the applicable approval authority, all permits issued in accordance with this section, whether approved by the approval authority or deemed approved by the operation of law, shall be automatically subject to the conditions in this section. The approval authority (or the appellate authority on appeal) shall have discretion to modify, supplement, or amend these conditions on a case-by-case basis as may be necessary or appropriate under the circumstances to protect public health and safety or allow for the proper operation of the approved facility consistent with the goals of this section.

1. *Permit Term*. For any non-eligible facilities request, this permit will automatically expire 10 years and one day from its date of issuance. Any other permits or approvals issued in connection with an application subject to this section, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law.

2. *Strict Compliance with Approved Plans*. Permittee must incorporate this permit, all conditions associated with this permit, and the approved photo simulations into the project plans (the "approved plans"). The permittee must construct, install and operate the wireless communication facility in strict compliance with the approved plans. Any alterations, modifications or other changes to the approved plans, whether requested by the permittee or required by other departments or public agencies with jurisdiction over the wireless communication facility, must be submitted in a written request subject to the Director of the Planning and Community Services Department's prior review and approval.

3. *Permit Expiration*. This permit will automatically expire if construction or installation activities authorized herein do not commence within one (1) year from the date of this permit's issuance.

4. *Maintenance Obligations – Vandalism*. The permittee shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences, and landscape features, in a neat, clean, and safe condition in accordance with the approved plans and all conditions in this permit. The permittee shall keep the site area free from all litter and debris at all times. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.

5. *Property Maintenance*. The permittee shall ensure that all equipment and other improvements to be constructed and/or installed in connection with the approved plans are maintained in a manner that is not detrimental or injurious to the public health, safety, or general welfare, and that the aesthetic appearance is continuously preserved and substantially the same as shown in the approved plans at all times relevant to this permit. The permittee further acknowledges that failure to maintain compliance with this condition may result in a code enforcement action.

6. *Compliance with Laws*. The permittee shall maintain compliance at all times with all federal, state, and local statutes, regulations, orders, or other rules that carry the force of law ("laws") applicable to the permittee, the subject property, the wireless facility, or any use or activities in connection with the use authorized by this permit, which includes without limitation any laws applicable to human exposure to RF emissions. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve, or otherwise lessen the permittee's obligations to maintain compliance with all laws. In the event that the City fails to timely notice, prompt, or enforce compliance with any applicable provision in the Rolling Hills Municipal Code, any permit, any permit condition, or any applicable law or regulation, the applicant or permittee will not be relieved from its obligation to comply in all respects with all applicable provisions in the Rolling Hills Municipal Code, any permit, any permit condition, or any applicable law or regulation.

7. *Adverse Impacts on Other Properties*. The permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal and/or other activities at the site. Impacts of radio frequency emissions on the environment, to the extent that such emissions are compliant with all applicable laws, are not "adverse impacts" for the purposes of this condition. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal, or other work that involves heavy equipment or machines, except during normal construction hours as set forth in the Rolling Hills Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City. The Director of Planning and Community Services, or the Director's designee, may issue a stop work order for any activities that violate this condition.

8. *Inspections – Emergencies*. The permittee expressly acknowledges and agrees that the City's officers, officials, staff, and other designees may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to the permittee; provided, however, that the City's officers, officials, staff, or other designees may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable, or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. The permittee will be permitted to supervise the City's officers, officials, staff, and other designees while any such inspection or emergency access occurs.

9. *Permittee's Contact Information*. The permittee shall furnish the Director of Planning and Community Services with accurate and up-to-date contact information for a person responsible for the wireless facility, which includes without limitation such person's full name, title, direct telephone number, facsimile number, mailing address, and email address. The permittee shall keep such contact information up-to-date at all times and immediately provide the Director with updated contact information in the event that either the responsible person or such person's contact information changes.

10. *Indemnification*. The permittee and, if applicable, the owner of the property upon which the wireless facility is installed shall defend, indemnify, and hold harmless the City, its agents, officers, officials, employees, and volunteers from and against any and all (1) damages, liabilities, injuries, losses, costs, and expenses and from any and all claims, demands, lawsuits, writs, and other actions or proceedings ("claims") brought against the City or its agents, officers, officials, employees, or volunteers to challenge, attack, seek to modify, set aside, void, or annul the City's approval of this permit; and (2) other claims of any kind or form, whether for personal injury, death, or property damage, that arise from or in connection with the permittee's or its agents', directors', officers', employees', contractors', subcontractors', licensees', invitees', volunteers', or customers' acts or omissions in connection with this permit or the wireless facility. In the event the City becomes aware of any third-party claims concerning this permit, the City will use best efforts to promptly notify the permittee and the private property owner and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the property owner and/or permittee (as applicable) shall promptly reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The permittee expressly acknowledges and agrees that the permittee's indemnification obligations under this condition are a material consideration that motivates the City to approve this permit, and that such indemnification obligations will survive the expiration or revocation of this permit.

11. *Performance Bond*. Prior to the issuance of any construction permit in connection with this permit, the permittee shall post a performance bond from a surety and in a form acceptable to the director in an amount reasonably necessary to cover the cost to remove the improvements and restore all affected areas based on a written estimate from a qualified contractor with experience in wireless facilities removal. The written estimate must include the cost to remove all equipment and other improvements, which include, without limitation, all antennas, radios, batteries, generators, utilities, cabinets, mounts, brackets, hardware, cables, wires, conduits, structures, shelters, towers, poles, footings, and foundations, whether above ground or below ground, constructed or installed, in connection with the wireless facility, plus the cost to completely restore any areas affected by the removal work to a standard compliant with applicable laws.

12. *Recall to Approval Authority – Permit Revocation*. The approval authority may recall this permit for review at any time due to complaints about

noncompliance with applicable laws or any approval conditions attached to this permit. At a duly noticed public hearing and in accordance with all applicable laws, the approval authority may revoke this permit or amend these conditions as the approval authority deems necessary or appropriate to correct any such noncompliance.

13. *Record Retention*. The permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the wireless facility, which include, without limitation, this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval, and any ministerial permits or approvals issued in connection with this approval. In the event that the permittee does not maintain such records as required in this condition, any ambiguities or uncertainties that would be resolved through an inspection of the missing records will be construed against the permittee. The permittee may keep electronic records; provided, however, that hard copies kept in the city's regular files will control over any conflicts between such hard copies and the permittee's electronic copies, and complete originals will control over all other copies in any form.

14. *Permit Renewal*. Any application to renew this permit must be tendered to the Director of Planning and Community Services within one (1) year prior to the expiration of this permit, and shall be accompanied by all required application materials, fees and deposits for a new application as then in effect. The approval authority shall review an application for permit renewal in accordance with the standards for new facilities as then in-effect. The Director of the Planning and Community Services Department may, but is not obligated to, grant a written temporary extension on the permit term to allow sufficient time to review a timely submitted permit renewal application.

15. *Eligible facilities requests conditions of approval*. In addition to compliance with the requirements of this Section, all facilities shall be subject to each of the following conditions of approval, as well as any modification of these conditions or additional conditions of approval deemed necessary by the decision-making authority:

a. Permit subject to conditions of underlying permit. Any permit granted in response to an application qualifying as an eligible facilities request shall be subject to the terms and conditions of the underlying permit.

b. No permit term extension. The City's grant or deemed grant by operation of law of an eligible facilities request permit constitutes a federally-mandated modification to the underlying permit or approval for the subject tower or base station. Notwithstanding any permit duration established in another permit condition, the Town's grant or grant by operation of law of an eligible facilities request permit will not extend the permit term for the underlying permit or any other underlying regulatory approval, and its term shall be coterminous with the underlying permit or other regulatory approval for the subject tower or base station.

H. **Limited Exceptions for Personal Wireless Service Facilities**.

1. The applicable review authority may grant waivers of the design and

location standards for wireless communications facilities subject to this section if it is determined that the applicant has established that denial of an application or strict adherence to the location and design standards would:

a. Prohibit, or effectively prohibit, the provision of personal wireless services, within the meaning of federal law; or

b. Otherwise violate applicable laws or regulations; or

c. Require a technically infeasible location, design, or installation of a wireless facility.

2. If that determination is made, said requirements may be waived, but only to the minimum extent required to avoid the prohibition, violation, or technically infeasible location, design, or installation."

SECTION 5. **Code Amendment**. Section 17.44.020 of the Rolling Hills Municipal Code is hereby amended to add a new subsection (G), which shall read in its entirety as follows:

"17.44.020 Applicability.

. . .

G. The installation, construction, modification, replacement, or placement certain wireless communications facilities requiring a zone clearance, as specified by Section 17.27.040."

SECTION 6. **Code Amendment**. Section 17.48.040 the of Rolling Hills Municipal Code is hereby amended to add a new subsection (B)(4), which shall read in its entirety as follows:

"17.48.040 Allowed Temporary Uses.

. . .

B. Temporary Structures for Non-Active Construction Sites and Time Periods.

. . .

4. Temporary Wireless Facilities. The installation, construction, modification, replacement, or placement certain temporary wireless communications facilities requiring a temporary use permit, as specified by Section 17.27.040."

SECTION 7. **Code Amendment**. Subsections "C" and "F" of Section 17.16.200 of the Rolling Hills Municipal Code are hereby amended in their entirety to both state the following: "Reserved".

SECTION 8. **Severability**. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance or any part hereof is for any reason held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Rolling Hills hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid.

SECTION 9. **Effective Date**. This Ordinance takes effect 30 days after its adoption.

SECTION 10. **Certification**. The City Clerk is hereby directed to certify to the passage of this Ordinance and cause the same, or a summary thereof, to be published or posted in the manner required by law.

PASSED, APPROVED and ADOPTED this __ day of _____, 2023.

_____
Patrick Wilson, Mayor

ATTEST:

_____
Christian Horvath, City Clerk

APPROVED AS TO FORM:

_____
Patrick Donegan, City Attorney

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

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. _____ was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the ___ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

EXHIBIT "A"

REDLINE VERSION
INCLUDES CHANGES SINCE
SEPTEMBER 12TH MEETING

ORDINANCE NO. 384

AN ORDINANCE OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO WIRELESS FACILITIES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, California Government Code, section 65800 *et seq*., authorizes the City of Rolling Hills ("City") to adopt and administer zoning laws, ordinances, rules and regulations as a means of implementing the General Plan; and

WHEREAS, the City's zoning regulations are contained in Title 17 of the Rolling Hills Municipal Code ("RHMC"). Among other things, Title 17 includes regulations governing wireless communication facilities ("WCF"); and

WHEREAS, Title 17's WCF regulations were most recently amended in 2004. Since then, changes in federal and state law—including various court decisions and Federal Communications Commission (FCC) orders and regulations—have placed significant procedural and substantive limits on the City's exercise of local control over matters involving WCFs. This ordinance ("Ordinance") amends Title 17 to comply with these changes in the law; and

WHEREAS, California Government Code sections 65854 and 65856(a) require the Planning Commission and the City Council, respectively, to conduct public hearings on proposed amendments to Title 17 (i.e., zoning code amendments). The Planning Commission's action serves as a recommendation to the City Council; and

WHEREAS, on August 4, 2023, the City gave public notice of a Planning Commission public hearing to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on August 15, 2023 and September 12, 2023, the Planning Commission held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning this Ordinance. ~~Following the public hearing~~Thereafter, the Planning Commission: (i) provided direction to staff regarding the amendments to the Ordinance; and (ii) continued the public hearing to its October 17, 2023. Staff subsequently revised the Ordinance in accordance with the Planning Commission's direction. The Planning Commission held a continued public hearing at its October 17, 2023 meeting and thereafter, recommended that the City Council adopt the Ordinance; and

WHEREAS, on [DATE], 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 [DATE], the City Council considered the staff report, recommendations by staff, and public testimony regarding this Ordinance.

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

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

SECTION 1. **Recitals**. The City Council hereby finds and determines that the Recitals above are true and correct and are incorporated herein.

SECTION 2. **California Environmental Quality Act**. The City Council finds that this Ordinance is not a "project" within the meaning of Section 15378 of the State CEQA Guidelines, because it has no potential for resulting in direct or indirect physical change in the environment. The Ordinance does not authorize any specific development or installation on any specific piece of property within the City's boundaries. Moreover, when and if an application for installation is submitted, the City will at that time conduct preliminary review of the application in accordance with CEQA. Alternatively, even if the Ordinance is a "project" within the meaning of State CEQA Guidelines Section 15378, the Ordinance is exempt from CEQA on multiple grounds. First, the Ordinance is exempt CEQA because the City Council's adoption of the Ordinance would covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3)). That is, approval of the Ordinance will not result in the actual installation of any facilities in the City. In order to install a facility in accordance with this Ordinance, the wireless provider would have to submit an application for installation of the wireless facility. At that time, the City would have specific and definite information regarding the facility to review in accordance with CEQA. And, in fact, the City would conduct preliminary review under CEQA at that time. Moreover, in the event that the Ordinance is interpreted so as to permit installation of wireless facilities on a particular site, the installation would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land).

SECTION 3. **General Plan**. The City Council hereby finds that this Ordinance's amendments to RHMC Title 17 are consistent with, and in further of, the City's adopted General Plan. Specifically, General Plan Safety Element Policy 5.10: *Support the development and further implementation of a peninsula-wide disaster plan;* and Policy 5.14: *Ensure the reliability of essential facilities such as communications towers, electrical substations, water services, and first-response buildings in the event of an emergency through promoting grid resilience and energy independence. Work to implement on-site power generation through solar photovoltaic systems and battery storage*; and Policy 5.16: *Increase access to essential resources and facilitate effective communication in the community to accelerate recovery following such a disaster*; and Land Use Goal 2: *Accommodate development which is compatible with and complements existing land*

uses. This Ordinance furthers these goals, policies, and actions by updating the City's regulations to achieve consistency with federal and state law and making certain refinements to ensure that Title 17 is consistent and clear and provides for streamlined approval processes for wireless communication facilities. Therefore, the Ordinance is consistent with the General Plan.

SECTION 4. Code Amendment. Section 17.27.040 of the Rolling Hills Municipal Code is amended to read in its entirety as follows:

"17.27.040 Wireless communication antennas and facilities.

A. **General**. This Section establishes standards and procedures for the development and operation of wireless communications facilities, including, but not limited to, personal wireless services facilities, non-exempt satellite antennas, and single pole/tower amateur radio antennas. The requirements of this Section apply to all wireless communication facilities on public and private property and within the right of way that transmit and/or receive electromagnetic signals, including, but not limited to, personal wireless services, satellite, and radio and television broadcast facilities.

1. Application Types.

a. *Type 1 – Collocation of a small wireless facility on an existing structure*. Type 1 applications shall be limited to applications wherein an applicant seeks to place a new small wireless facility upon an existing structure and either (i) the structure is not an existing tower or base station (as defined for Eligible facilities request purposes) or (ii) the structure is an existing tower or base station (as defined for Eligible facilities request purposes) but the proposed facility does not qualify as an Eligible facilities request. If the completed facility would still meet the physical limits and requirements to meet the definition of a small wireless facility after the installation of the new equipment, then the application to install such new equipment is a Type 1 application.

b. *Type 2 – Collocation on an existing structure which does not qualify as a Type 1 small wireless facility collocation or a Type 5 eligible facilities request*. Type 2 applications shall be limited to applications wherein an applicant is seeking to place a new personal wireless service facility upon an existing structure which does not meet the definition of a small wireless facility or which will not meet the definition of a small wireless facility if and when the proposed new personal wireless service equipment is installed upon the existing facility and/or structure and either (i) the structure is not an existing tower or base station (as defined for Eligible facilities request purposes) or (ii) the structure is an existing tower or base station (as defined for Eligible facilities request purposes) but the proposed facility does not qualify as an Eligible facilities request.

c. *Type 3 – New small wireless facility on a new or replacement structure*. Type 3 applications shall be limited to applications seeking to install and/or construct a new small wireless facility that involves placement of a new or replacement structure.

d. *Type 4 – New tower or any other wireless facility that is not a Type 1, 2, 3, 5, or 6 application*. Type 4 applications shall include any applications for the installation of a new personal wireless service facility which does not meet the criteria for Type 1, 2, 3, 5, or 6 applications.

e. *Type 5 – Eligible facilities requests*. Type 5 applications shall include any applications that purport to meet the criteria for an eligible facilities request under federal law and FCC regulations.

f. *Type 6 – Temporary facilities*. Type 6 applications shall include any applications for a temporary facility to provide wireless services on a temporary or emergency basis.

2. Permit Requirements. No wireless communication facility shall be constructed, erected, placed, or modified anywhere within the City without first obtaining a permit pursuant to the requirements of this Section and without obtaining all permits required under any other applicable state, federal, or local laws or regulations.

a. *Conditional Use Permit Required*. A conditional use permit shall be required for Type 2, 3 and 4 applications, which shall be reviewed and processed in accordance with Chapter 17.42 of this Code and the requirements of this Section 17.27.040.

b. *Zone Clearance Required*. A zone clearance shall be required for Type 1~~, 2, 3,~~ and 5 applications, which shall be reviewed and processed in accordance with Chapter 17.44 of this Code and the requirements of this Section 17.27.040.

c. *Temporary Use Permit Required*. A temporary use permit shall be required for Type 6 applications, which shall be reviewed and processed in accordance with Chapter 17.48 of this Code and the requirements of this Section 17.27.040.

3. Exempt Wireless Communication Facilities. The following wireless communication facilities are exempt from the requirements of this Section:

a. Wireless facilities operated by the City for public purposes.

b. Hand-held mobile, marine, and portable radio transmitters and/or receivers which are not affixed to land or a structure.

c. Traditional terrestrial radio and television mobile broadcast facilities.

d. A single ground-mounted or building-mounted antenna not exceeding the maximum height permitted by this Section, including any mast, subject to the following restrictions: (1) *Satellite Dish 39.37 inches (one meter) or Less*. A satellite dish antenna 39.37 inches (one meter) or less in diameter and (a) intended for the sole

use of a person occupying the same parcel to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite or (b) a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services, is permitted anywhere on a lot, provided it does not exceed the height of the ridgeline of the primary structure on the same parcel. (2) *Non-Satellite Dish 39.37 inches (one meter) or Less*. A dish antenna 39.37 inches (one meter) or less in diameter or diagonal measurement and (a) intended for the sole use of a person occupying the same parcel to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, or to receive or transmit fixed wireless signals other than via satellite or (b) a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services, is permitted anywhere on a lot.

e. Amateur radio antennas meeting the following requirements: (1) That are completely enclosed within a permitted building; or (2) That consist of a single wire not exceeding one-fourth of an inch in diameter, and such wire antennas may be located in setback areas, provided the antenna does not extend above the maximum building height in the district; or (3) That consist of a single ground-mounted vertical pole or whip antenna not exceeding 50 feet in height, measured from finish grade at the base of the antenna, and not located in any required setback area. Support structures or masts for pole or whip antennas shall conform to standards set out in the California Building Standards Code. A building permit may be required for the support structure or mast.

B. **Definitions**. For the purpose of this chapter, certain words and terms are hereby defined. Words used in the singular shall be deemed to include the plural and the plural the singular; unless more specifically defined in this chapter, the word “building” is interchangeable with the word “structure,” and the word “shall” is mandatory and not discretionary. All equipment not specifically described herein shall be regulated in conformity with that equipment described herein which is most substantially similar, from a functionality standpoint. Reference to “facility” is interchangeable with “wireless communications facility,” unless otherwise noted.

1. “Antenna” shall mean any system of wires, poles, rods, reflecting discs, or similar devices used in wireless communications for the transmission or reception of electromagnetic waves when such system is operated or operating from a fixed location.

2. “Applicant” or “provider” shall mean the person or entity applying for a permit to install wireless communications facilities.

3. “Base Station” shall have the same meaning as defined by 47 C.F.R. Section 1.6100(b)(1), or any successor provision.

4. “Colocation,” “Co-location,” and “Collocation” shall mean the same as defined by the FCC in 47 C.F.R. § 1.6002(g), which means (1) Mounting or installing an antenna facility on a pre-existing structure; and/or (2) Modifying a structure for the

purpose of mounting or installing an antenna facility on that structure. For eligible facilities requests (Type 5), "Colocation," "Co-location," and "Collocation" shall mean the same as defined by the FCC in 47 C.F.R. § 1.6100(b)(2), which means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

5. "Eligible Facilities Request" shall mean any request for modification of a legally existing tower or base station that does not substantially change the physical dimensions of such tower or base station as defined in 47 C.F.R. section 1.6100(b)(3), or any successor provision.

6. "Monopole" shall mean a free-standing pole, like a slim line, flagpole, or similar structure.

7. "Personal Wireless Services" shall mean those services as defined in 47 U.S.C. section 332(c)(7)(C)(i), or any successor provision, current examples of which include, but are not limited to, commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.

8. "Roof-mounted" shall mean any type of facility in which antennas are mounted on the roof, parapet, or similar feature of a structure.

9. "Small Wireless Facility" shall mean the same as defined by the FCC in 47 C.F.R. section 1.6002(l), or any successor provision.

10. "Support structure" shall mean any structure capable of supporting a base station, as defined in 47 C.F.R. section 1.6002(m), or any successor provision.

11. "Temporary facility" shall mean any wireless communication facility intended or used to provide wireless services on a temporary or emergency basis, such as a large-scale special event in which more users than usual gather in a single location or following a duly proclaimed local or state emergency, as defined in Government Code section 8558, requiring additional service capabilities.

12. "Tower" shall mean the same as defined in 47 C.F.R. section 1.6100(b)(9), or any successor provision. This definition does not include Utility Poles.

13. "Utility pole" shall mean any structure designed to support electric, telephone, and similar utility lines. A Tower is not a utility pole.

14. "Wireless communications facilities" and "facilities" shall mean any transmitters, antenna structures, equipment cabinets, concealment, meters, switches, cabling, and other types of facilities used for the provision of wireless services at a fixed location, including, without limitation, any associated tower(s), support structure(s), and base station(s).

C. **Application Requirements**. An applicant seeking to install, construct, modify, replace, or place a wireless communications facility shall complete and submit an

application to the Planning and Community Services Department for review and processing, upon the form published by the Director of the Planning and Community Services Department, which may be updated from time to time. In addition to any requirements specified by the application form, all applications shall, at minimum, require submission of the following:

1. Name of applicant, contact information, location of proposed site, description of the application type sought, and the name and contact information of the user/ provider that will use the facility.

2. A brief narrative accompanied by written documentation and a site plan or map together with photo simulations that explain the project.

3. A narrative and scaled map(s) that precisely disclose the geographic area(s) within the City proposed to be serviced by the proposed facility.

4. A radiofrequency (RF) environmental evaluation report certifying that the proposed wireless communications facility meets FCC regulations and standards for construction, maintenance and operations.

D. **Findings for Approval**.

1. *Findings for Approval of a Conditional Use Permit required by this section (Types 2, 3 and 4)*. Approval of any Conditional Use Permit required by this section is subject to the following findings:

a. All findings for approval required for Conditional Use Permits as specified in Section 17.42.050; and

b. The facility complies with all applicable requirements of Section 17.27.040, including all requirements for the requested permit; all application requirements; and all applicable design, location, and development standards, or has a waiver exception thereof; and

c. The facility meets applicable requirements and standards of federal and state law, including all applicable general orders of the California Public Utilities Commission; and

d. The project has received approval from the Rolling Hills Community Association.

2. *Findings for Approval of a Non-Eligible Facility Request Zone Clearance required by this section (Types 1~~, 2, and 3~~)*. Approval of any Non-Eligible Facility Request Zone Clearance required by this section is subject to the following findings:

a. The proposed facility is consistent with the provisions of Title 17; and

b. The facility complies with all applicable requirements of Section 17.27.040, including all requirements for the requested permit; all application requirements; and all applicable design, location, and development standards, or has a waiver exception therefrom; and

c. The facility meets applicable requirements and standards of federal and state law, including all applicable general orders of the California Public Utilities Commission; and

d. The project has received approval from the Rolling Hills Community Association.

3. *Findings for Approval of a Zone Clearance for an Eligible Facilities Request required by this section (Type 5)*. No zone clearance shall be approved for an eligible facilities request unless, on the basis of the application and other materials or evidence provided in review thereof, the following findings are made:

a. The proposed collocation or modification meets each and every one of the applicable criteria for an eligible facilities request stated in 47 C.F.R. sections 1.6100(b)(3)–(9), or any successor provisions, after application of the definitions in 47 C.F.R. section 1.6100(b). The reviewing City authority shall make an express finding for each criterion; and

b. The proposed facility complies with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, except to the extent preempted by 47 C.F.R. sections 1.6100(b)(7)(i)–(iv), or any successor provisions; and

c. The proposed facility will comply with all generally applicable laws.

4. *Findings for Approval of a Temporary Use Permit required by this section (Type 6)*. Approval of any Temporary Use Permit required by this Section is subject to the following findings:

a. The proposed temporary use is allowed within the applicable zoning district with the approval of a temporary use permit and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code; and

b. The proposed temporary use would not unduly impair the integrity and character of the zoning district in which it is located; and

c. Appropriate measures have been taken to protect the public health, safety, and general welfare to minimize detrimental effects on adjacent properties; and

d. The facility complies with all applicable requirements of Section 17.27.040, including all requirements for the requested permit; all application

requirements; and all applicable design, location, and development standards, or has a waiver exception thereof; and

e. The facility meets applicable requirements and standards of federal and state law, including all applicable general orders of the California Public Utilities Commission; and

f. The project has received approval from the Rolling Hills Community Association.

E. **Design, Location, and Development Standards**.

1. This subsection E(1) establishes generally applicable design and development standards for all wireless facilities, except Type 5 eligible facilities requests.

a. The facility shall be erected, located, operated, and maintained at all times in compliance with this section and all applicable laws, regulations, and requirements of the California Building Code, as modified by the City, and every other code and regulation imposed or enforced by the City, the State of California, and the United States Federal Government. Applicants are separately required to obtain all applicable building and construction permits that may be required prior to erecting or installing the facility.

b. State-of-the-art stealth design technology shall be utilized as appropriate to the site and type of facility so that the proposed wireless facility will look like something other than a wireless facility. Wireless communications facilities that are mounted on buildings or structures shall be designed to match existing architectural features, incorporated in building design elements, camouflaged, painted, or otherwise screened to achieve a stealth design in a manner that is compatible with the architectural design of the building or structure and compatible with the appearance and character of the surrounding neighborhood. New standalone or replacement facilities shall use designs that are compatible and blend in with the surrounding area. For example, faux trees should be of the same type and size as nearby real trees. All finishes shall be non-reflective.

c. The facility shall not bear any signs or advertising devices other than certification, public safety, warning, or other legally required seals or signage.

d. Any and all accessory equipment, or other equipment associated with the operation of the facility, including but not limited to transmission cables and wires, shall be screened, located within an enclosure or underground vault in a manner that, if aboveground, is visually compatible with the surrounding area and either (1) shrouded by sufficient landscaping to screen the equipment from view, or (2) designed to match the architecture of adjacent buildings and (3) shall not interfere with equestrian activities or easements.

e. The facility exterior shall be comprised of non-reflective material(s) and painted or camouflaged to blend with surrounding materials and colors.

All exterior surfaces shall be painted, colored, and/or wrapped in flat, muted, subdued, non-reflective hues that match the underlying structure or otherwise blend in with the surrounding environment. All exterior surfaces on wireless facilities shall be constructed from, or coated with, graffiti-resistant materials. All finishes shall be subject to the reviewing City authority's prior approval.

f. All wireless facilities must be compliant with all applicable noise regulations, which includes, without limitation, any noise regulations in this code. The reviewing City authority may require the applicant to incorporate appropriate noise-baffling materials and/or noise-mitigation strategies to avoid any ambient noise from equipment reasonably likely to exceed the applicable noise regulations.

g. Wireless facilities may not include exterior lights other than as may be required under Federal Aviation Administration, FCC, other applicable federal or state governmental regulations. All exterior lights permitted or required to be installed must be installed in locations and within enclosures that mitigates illumination impacts on other properties to the maximum extent feasible. Any lights associated with the electronic equipment shall be appropriately shielded from public view. Any light beacons or lightning arresters shall be included in the overall height calculation.

h. To prevent unauthorized access, theft, vandalism, attractive nuisance or other hazards, reasonable and appropriate security measures, such as fences, walls and anti-climbing devices, may be approved. Security measures shall be designed and implemented in a manner that enhances or contributes to the overall stealth, and the reviewing City authority may condition approval on additional stealth elements to mitigate any aesthetic impacts, which may include, without limitation, additional landscape or hardscape features. Barbed wire, razor ribbon, electrified fences, or any similar security measures are prohibited. Alarm systems shall not include any audible sirens or other sounds.

i. All wireless facilities shall be designed by qualified, licensed persons to provide the maximum protection that is technically feasible to prevent electrical and fire hazards. All wireless facilities should be proactively monitored and maintained to continue and, if possible, improve the safety design.

2. This subsection E(2) establishes additional design and development standards for all wireless facilities, except Type 5 eligible facilities requests, proposed to be located upon a rooftop or attached to an existing building.

a. Any screening used in connection with a wall-mounted and/or roof-mounted facility, shall be compatible with the architecture, color, texture, and materials of the building or other structure to which it is mounted.

b. The facility shall be placed to the centermost location of the rooftop to screen it from view from the street and adjacent properties, or incorporate façades to create a stealth facility that is designed to look like something other than a wireless facility.

c. Wireless communication antennas and facilities shall not be located on roofs or walls of any structures on private residential property, but may be located on ~~existing utility poles,~~ commercial buildings and properties, and on publicly owned properties or buildings.

3. Temporary facilities shall be subject only to the following design and development standards in this Section 17.27.040(E)(3). Temporary facilities include, without limitation, cells on wheels (also referred to as COWs), sites on wheels (also referred as SOWs), cells on light trucks (also referred to as COLTs), or other similar wireless facilities:

a. That will be in place for no more than six months, or such other longer time as the City may allow in light of the event or emergency;

b. For which required notice is provided to the FAA;

c. That do not require marking or lighting under FAA regulations;

d. That will not exceed fifty (50) feet in height; and

e. That will either involve no excavation or involve excavation only as required to safely anchor the facility where the depth of previous disturbance exceeds the proposed construction depth (excluding footings and other anchoring mechanisms) by at least two (2) feet.

4. All wireless communications facilities, except Type 5 eligible facilities requests, shall not be located on private residential property outside of the right-of-way or outside a roadway easement, but may be located on existing utility poles.

5. This subsection E(5) establishes generally applicable location standards for all wireless communications facilities, except Type 5 eligible facilities requests, inside of the right-of-way or inside a roadway easement:

a. Wireless communications facilities shall utilize existing poles, structures, street signs or utilize the replacement of existing structures, poles, and street signs in the right-of-way or within a roadway easement to avoid the proliferation of new poles and structures in the right-of-way and roadway easements;

b. Wireless communications facilities shall not be located in the right-of-way or within a roadway easement in the front façade of any residential primary building;

c. Wireless communications facilities shall not be located within ten (10) feet of any driveway.

d. Applicants for wireless communications facilities shall avoid to the maximum extent technically feasible the proposed use or installation of any new poles in the right-of-way or within a roadway easement.

F. **Infrastructure Controlled by City**. The City, as a matter of policy, will negotiate agreements for the use of City-owned property. The placement of wireless facilities on those structures and property shall be subject to one or more negotiated agreements. The agreements shall specify the compensation to the City for use of the structures. The person seeking an agreement shall, in addition to any consideration paid, reimburse the City for all costs the City incurs in connection with its review of and action upon that person's request for an agreement.

G. **Standard Conditions of Approval**. In addition to all other conditions adopted by the applicable approval authority, all permits issued in accordance with this section, whether approved by the approval authority or deemed approved by the operation of law, shall be automatically subject to the conditions in this section. The approval authority (or the appellate authority on appeal) shall have discretion to modify, supplement, or amend these conditions on a case-by-case basis as may be necessary or appropriate under the circumstances to protect public health and safety or allow for the proper operation of the approved facility consistent with the goals of this section.

1. *Permit Term*. For any non-eligible facilities request, this permit will automatically expire 10 years and one day from its date of issuance. Any other permits or approvals issued in connection with an application subject to this section, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law.

2. *Strict Compliance with Approved Plans*. Permittee must incorporate this permit, all conditions associated with this permit, and the approved photo simulations into the project plans (the "approved plans"). The permittee must construct, install and operate the wireless communication facility in strict compliance with the approved plans. Any alterations, modifications or other changes to the approved plans, whether requested by the permittee or required by other departments or public agencies with jurisdiction over the wireless communication facility, must be submitted in a written request subject to the Director of the Planning and Community Services Department's prior review and approval.

3. *Permit Expiration*. This permit will automatically expire if construction or installation activities authorized herein do not commence within one (1) year from the date of this permit's issuance.

4. *Maintenance Obligations – Vandalism*. The permittee shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences, and landscape features, in a neat, clean, and safe condition in accordance with the approved plans and all conditions in this permit. The permittee shall keep the site area free from all litter and debris at all times. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after the permittee receives notice or otherwise becomes aware that such graffiti or

other vandalism occurred.

5. *Property Maintenance*. The permittee shall ensure that all equipment and other improvements to be constructed and/or installed in connection with the approved plans are maintained in a manner that is not detrimental or injurious to the public health, safety, or general welfare, and that the aesthetic appearance is continuously preserved and substantially the same as shown in the approved plans at all times relevant to this permit. The permittee further acknowledges that failure to maintain compliance with this condition may result in a code enforcement action.

6. *Compliance with Laws*. The permittee shall maintain compliance at all times with all federal, state, and local statutes, regulations, orders, or other rules that carry the force of law ("laws") applicable to the permittee, the subject property, the wireless facility, or any use or activities in connection with the use authorized by this permit, which includes without limitation any laws applicable to human exposure to RF emissions. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve, or otherwise lessen the permittee's obligations to maintain compliance with all laws. In the event that the City fails to timely notice, prompt, or enforce compliance with any applicable provision in the Rolling Hills Municipal Code, any permit, any permit condition, or any applicable law or regulation, the applicant or permittee will not be relieved from its obligation to comply in all respects with all applicable provisions in the Rolling Hills Municipal Code, any permit, any permit condition, or any applicable law or regulation.

7. *Adverse Impacts on Other Properties*. The permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal and/or other activities at the site. Impacts of radio frequency emissions on the environment, to the extent that such emissions are compliant with all applicable laws, are not "adverse impacts" for the purposes of this condition. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal, or other work that involves heavy equipment or machines, except during normal construction hours as set forth in the Rolling Hills Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City. The Director of Planning and Community Services, or the Director's designee, may issue a stop work order for any activities that violate this condition.

8. *Inspections – Emergencies*. The permittee expressly acknowledges and agrees that the City's officers, officials, staff, and other designees may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to the permittee; provided, however, that the City's officers, officials, staff, or other designees may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable, or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. The

permittee will be permitted to supervise the City's officers, officials, staff, and other designees while any such inspection or emergency access occurs.

9. *Permittee's Contact Information*. The permittee shall furnish the Director of Planning and Community Services with accurate and up-to-date contact information for a person responsible for the wireless facility, which includes without limitation such person's full name, title, direct telephone number, facsimile number, mailing address, and email address. The permittee shall keep such contact information up-to-date at all times and immediately provide the Director with updated contact information in the event that either the responsible person or such person's contact information changes.

10. *Indemnification*. The permittee and, if applicable, the owner of the property upon which the wireless facility is installed shall defend, indemnify, and hold harmless the City, its agents, officers, officials, employees, and volunteers from and against any and all (1) damages, liabilities, injuries, losses, costs, and expenses and from any and all claims, demands, lawsuits, writs, and other actions or proceedings ("claims") brought against the City or its agents, officers, officials, employees, or volunteers to challenge, attack, seek to modify, set aside, void, or annul the City's approval of this permit; and (2) other claims of any kind or form, whether for personal injury, death, or property damage, that arise from or in connection with the permittee's or its agents', directors', officers', employees', contractors', subcontractors', licensees', invitees', volunteers', or customers' acts or omissions in connection with this permit or the wireless facility. In the event the City becomes aware of any third-party claims concerning this permit, the City will use best efforts to promptly notify the permittee and the private property owner and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the property owner and/or permittee (as applicable) shall promptly reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The permittee expressly acknowledges and agrees that the permittee's indemnification obligations under this condition are a material consideration that motivates the City to approve this permit, and that such indemnification obligations will survive the expiration or revocation of this permit.

11. *Performance Bond*. Prior to the issuance of any construction permit in connection with this permit, the permittee shall post a performance bond from a surety and in a form acceptable to the director in an amount reasonably necessary to cover the cost to remove the improvements and restore all affected areas based on a written estimate from a qualified contractor with experience in wireless facilities removal. The written estimate must include the cost to remove all equipment and other improvements, which include, without limitation, all antennas, radios, batteries, generators, utilities, cabinets, mounts, brackets, hardware, cables, wires, conduits, structures, shelters, towers, poles, footings, and foundations, whether above ground or below ground, constructed or installed, in connection with the wireless facility, plus the cost to completely restore any areas affected by the removal work to a standard compliant with applicable laws.

12. *Recall to Approval Authority – Permit Revocation*. The approval authority may recall this permit for review at any time due to complaints about noncompliance with applicable laws or any approval conditions attached to this permit. At a duly noticed public hearing and in accordance with all applicable laws, the approval authority may revoke this permit or amend these conditions as the approval authority deems necessary or appropriate to correct any such noncompliance.

13. *Record Retention*. The permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the wireless facility, which include, without limitation, this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval, and any ministerial permits or approvals issued in connection with this approval. In the event that the permittee does not maintain such records as required in this condition, any ambiguities or uncertainties that would be resolved through an inspection of the missing records will be construed against the permittee. The permittee may keep electronic records; provided, however, that hard copies kept in the city's regular files will control over any conflicts between such hard copies and the permittee's electronic copies, and complete originals will control over all other copies in any form.

14. *Permit Renewal*. Any application to renew this permit must be tendered to the Director of Planning and Community Services within one (1) year prior to the expiration of this permit, and shall be accompanied by all required application materials, fees and deposits for a new application as then in effect. The approval authority shall review an application for permit renewal in accordance with the standards for new facilities as then in-effect. The Director of the Planning and Community Services Department may, but is not obligated to, grant a written temporary extension on the permit term to allow sufficient time to review a timely submitted permit renewal application.

15. *Eligible facilities requests conditions of approval*. In addition to compliance with the requirements of this Section, all facilities shall be subject to each of the following conditions of approval, as well as any modification of these conditions or additional conditions of approval deemed necessary by the decision-making authority:

a. Permit subject to conditions of underlying permit. Any permit granted in response to an application qualifying as an eligible facilities request shall be subject to the terms and conditions of the underlying permit.

b. No permit term extension. The City's grant or deemed grant by operation of law of an eligible facilities request permit constitutes a federally-mandated modification to the underlying permit or approval for the subject tower or base station. Notwithstanding any permit duration established in another permit condition, the Town's grant or grant by operation of law of an eligible facilities request permit will not extend the permit term for the underlying permit or any other underlying regulatory approval, and its term shall be coterminous with the underlying permit or other regulatory approval for the subject tower or base station.

H. **Limited Exceptions for Personal Wireless Service Facilities**.

1. The applicable review authority may grant waivers of the design and location standards for wireless communications facilities subject to this section if it is determined that the applicant has established that denial of an application or strict adherence to the location and design standards would:

a. Prohibit, or effectively prohibit, the provision of personal wireless services, within the meaning of federal law; or

b. Otherwise violate applicable laws or regulations; or

c. Require a technically infeasible location, design, or installation of a wireless facility.

2. If that determination is made, said requirements may be waived, but only to the minimum extent required to avoid the prohibition, violation, or technically infeasible location, design, or installation."

SECTION 5. **Code Amendment**. Section 17.44.020 of the Rolling Hills Municipal Code is hereby amended to add a new subsection (G), which shall read in its entirety as follows:

"17.44.020 Applicability.

. . .

G. The installation, construction, modification, replacement, or placement certain wireless communications facilities requiring a zone clearance, as specified by Section 17.27.040."

SECTION 6. **Code Amendment**. Section 17.48.040 the of Rolling Hills Municipal Code is hereby amended to add a new subsection (B)(4), which shall read in its entirety as follows:

"17.48.040 Allowed Temporary Uses.

. . .

B. Temporary Structures for Non-Active Construction Sites and Time Periods.

. . .

4. Temporary Wireless Facilities. The installation, construction, modification, replacement, or placement certain temporary wireless communications facilities requiring a temporary use permit, as specified by Section 17.27.040."

SECTION 7. **Code Amendment**. Subsections "C" and "F" of Section 17.16.200 of the Rolling Hills Municipal Code are hereby amended in their entirety to both state the following: "Reserved".

SECTION 8. **Severability**. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance or any part hereof is for any reason held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Rolling Hills hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid.

SECTION 9. **Effective Date**. This Ordinance takes effect 30 days after its adoption.

SECTION 10. **Certification**. The City Clerk is hereby directed to certify to the passage of this Ordinance and cause the same, or a summary thereof, to be published or posted in the manner required by law.

PASSED, APPROVED and ADOPTED this __ day of _____, 2023.

_____
Patrick Wilson, Mayor

ATTEST:

_____
Christian Horvath, City Clerk

APPROVED AS TO FORM:

_____
Patrick Donegan, City Attorney

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

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. _____ was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the ___ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Signo

From: Garcia, Stephen <Stephen.Garcia@crowncastle.com>
Sent: Monday, October 2, 2023 8:19 AM
To: John Signo
Cc: Garcia, Stephen
Subject: RE: Planning Commission Agendas for Tuesday, March 21, 2023

External (stephen.garcia@crowncastle.com)

Report This Email FAQ Protection by INKY

Hi John, Re: Planning Commission – October 17th

I have corporate all hands meeting on the 17th in Austin, TX, so, I am asking if you can postpone the hearing for the wireless matter until the 31st or the 1st hearing in November. I will have a slides to share with you prior to the hearing and for your staff report, but let me know if you can reschedule it.

Thank you,

Stephen

Stephen Garcia
External Affairs Manager – Los Angeles County
949 676-4766 tel

CROWN CASTLE
www.CrownCastle.com

From: John Signo <jsigno@cityofrh.net>
Sent: Friday, September 8, 2023 1:47 PM
To: Garcia, Stephen <Stephen.Garcia@crowncastle.com>
Subject: RE: Planning Commission Agendas for Tuesday, March 21, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We have an old ordinance that is in need of updating. This will be updating that ordinance.

John F. Signo, AICP
Director of Planning and Community Services

City of Rolling Hills
2 Portuguese Bend Road, Rolling Hills CA 90274
310.377.1521
jsigno@cityofrh.net

From: Garcia, Stephen <Stephen.Garcia@crowncastle.com>
Sent: Friday, September 8, 2023 12:12 PM
To: John Signo <jsigno@cityofrh.net>
Cc: Garcia, Stephen <Stephen.Garcia@crowncastle.com>
Subject: RE: Planning Commission Agendas for Tuesday, March 21, 2023

Hi John,

I have a few questions, but my first question is simple. Is this the old Ordinance that the City intends to amend or is it a new ordinance?

Stephen

Stephen Garcia
External Affairs Manager
Southern California
T: (562) 665-9421

CROWN CASTLE
200 Spectrum Center Drive, Suite 1700, Irvine, CA 92618
www.CrownCastle.com

From: John Signo <jsigno@cityofrh.net>
Sent: Thursday, September 7, 2023 4:36 PM
Subject: Planning Commission Agendas for Tuesday, March 21, 2023

You don't often get email from jsigno@cityofrh.net. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings! I am including you in this message since you have been involved in the City's Wireless Ordinance Update. Attached is the Planning Commission agenda for **Tuesday, September 12, 2023**.

The complete packet is on the City's website: https://www.rolling-hills.org/government/agenda/index.php

The evening meeting will be in-person at City Hall and starts at 6:30 p.m.

Let me know if you have any questions.

Regards,

John F. Signo, AICP
Director of Planning and Community Services

CITY OF ROLLING HILLS – CITY HALL
2 Portuguese Bend Road, Rolling Hills CA 90274
O: 310.377.1521

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Crown Castle

Rolling Hills

October 10, 2023

The pathway to possible.

CC & RHCA - History

'94 Crown Castle founded

'02 Small cell solutions business established

'12 Applications for PV38 modifications & new sites submitted to **RHCA**

RHCA and CC execute ROW agreement

'13 **RHCA and CC** execute 1st Amendment to ROW agreement

'14 **RHCA** approved 1 new site (ASP09) and modifications, but rejects new PV80 sites, aerial fiber, meters and JPA sites due to proximity of sites to homes. Residents question demand.

RHCA request Master Plan and multi-carrier design solution

'15 RHCA's advises CC and fellow utilities about their Rule 20 plans

'16 **RHCA** request meeting with CC to address complaints about aerial fiber

'17

'18 **RHCA and Crown Castle** reviewed concepts and locations for new sites at trail- heads. Locations were not ideal, and no carrier showed interest in the trailhead locations.

'23 **RHCA** considering street sign replacement poles in low coverage areas. RHCA request mock-up and additional information. Crown Castle is seeking level of interest by residents if RHCA agrees on a design standard, pole height(s) and identifies location(s) or streets for new sites.

Who is Crown Castle?

Technology is changing the way we live, work and interact with the world around us. We don't go online anymore. We exist there. Our smartphones and tablets are connected, of course, but soon things like traffic lights, machines, appliances and autonomous cars will all be online.

These connections are all made possible by our unique network of communications infrastructure—towers, small cells and fiber. They all work together to set the stage for new innovation—to bring the world's biggest ideas and possibilities to people and businesses who need them.

New advancements like **5G**, **edge computing**, **CBRS** and more are on the horizon—and in some cases, already here. As businesses and communities move into the future, we're a reliable partner they can count on to help them stay connected and take advantage of this digital transformation.

25+
years of experience owning and operating network assets

4000+
employees

$91.9B
enterprise value as of Q1 2022

40K+
towers

~85K
route miles of fiber

~120K
small cells on air or under contract

Why Crown Castle?

We know you have choices when it comes to your network planning. When you work with us, you get a partner who is dedicated to understanding your needs and delivering a custom solution for your precise requirements. Our fiber networks are designed and built to help you run your organization today, while setting the stage for opportunities ahead—5G, IoT, CBRS and edge solutions.

And with our unique portfolio of towers, small cells and fiber we're not like other providers—here's what else makes us different.

We're a reliable partner.

- Offer 99.999%[1] network availability
- The nation's largest provider of shared communications infrastructure
- Customer portal for network monitoring and account information

We have a national network, backed by the strength of local resources.

- Act as in-house engineering support team
- Dedicated client service manager for each account
- Four geographically diverse Network Operations Centers (NOCs)
- 90% of issues resolved within NOC (no further escalation needed)

We're in it for the long haul.

- More than 25 years of expertise designing fiber solutions for >10,000 customers
- We're an S&P 500 company and the last owner of our networks, with $71.5B enterprise value
- ~$13B invested in fiber
- More than 4,000 employees spread across approximately 50 US offices

Our industry expertise

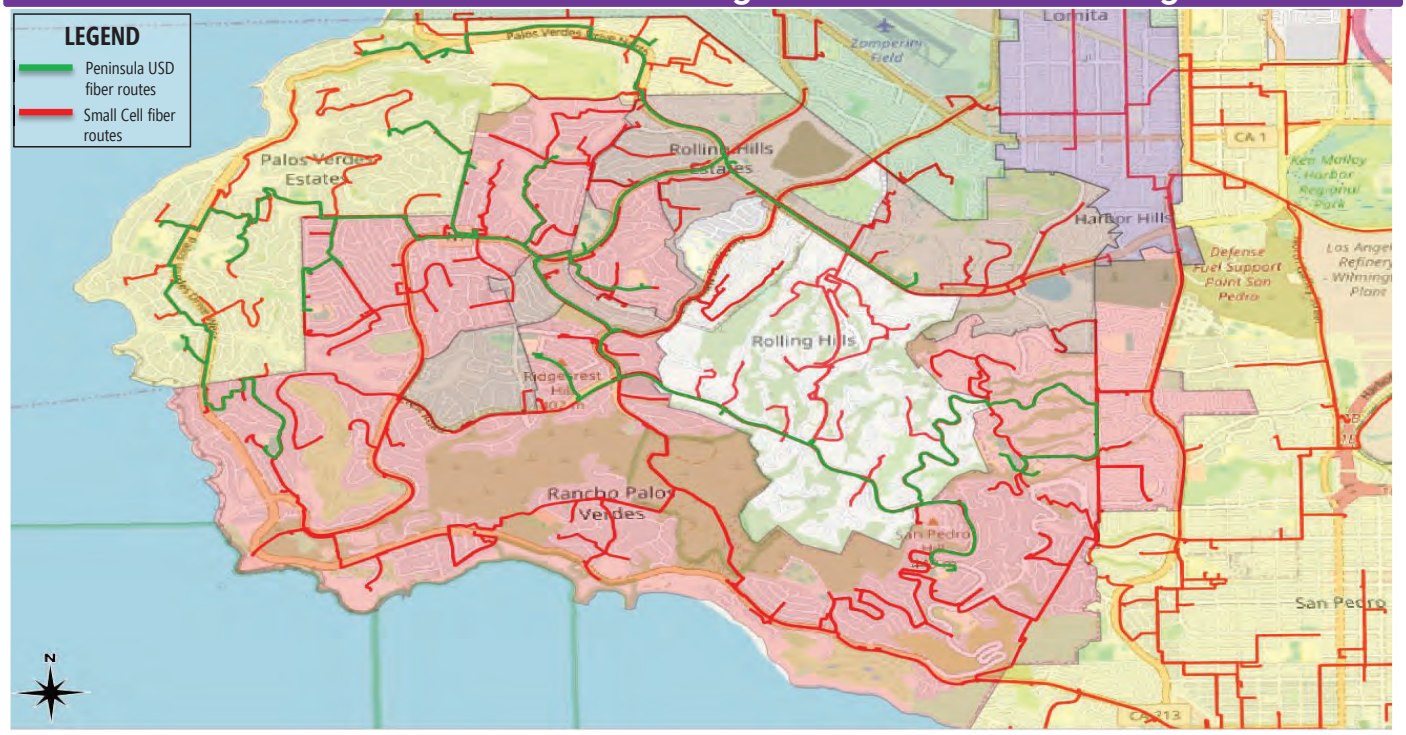
- Financial Services
- Professional Services
- Healthcare
- Media & Entertainment
- School Districts, Libraries & Higher Education
- Government
- Energy & Utilities
- Content Distribution
- Wholesale

Our solutions

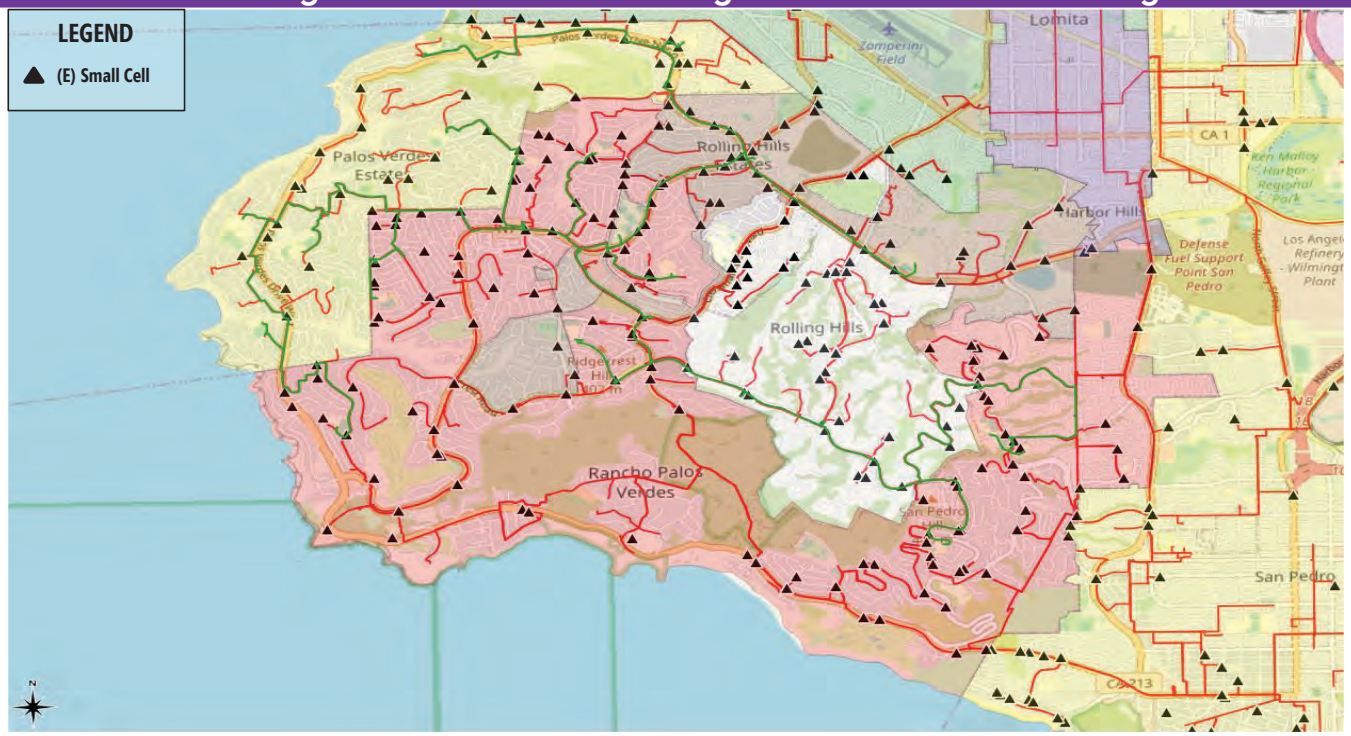
- Towers
- Small cells
- Dark Fiber
- Ethernet
- Wavelength
- Managed SD-WAN
- Internet Access
- Private Networks
- Colocation
- Cloud Connect
- Optical Encryption
- DDoS Defense
- Bandwidth on Demand
- Fixed Wireless
- Ultra-Low Latency
- Video Transport

Network Overview

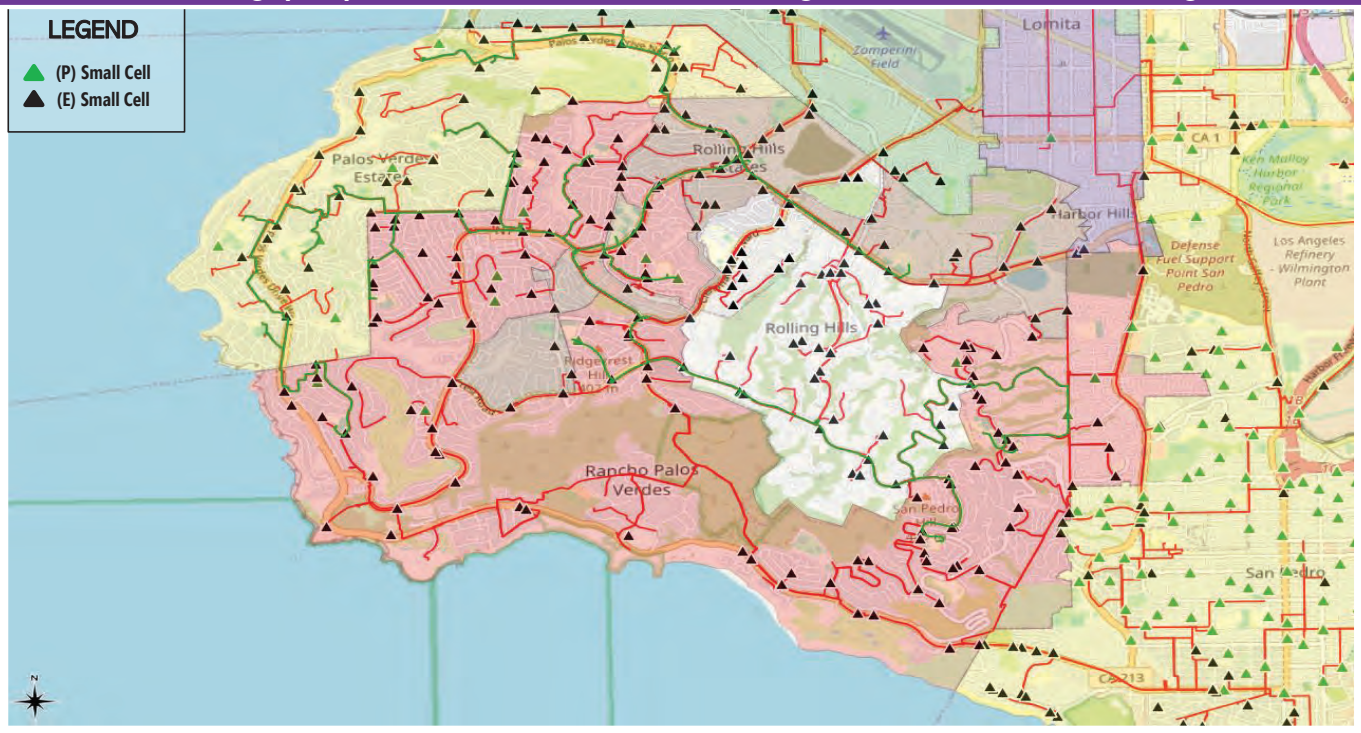
Crown Castle fiber in Rolling Hills and surroundings



Existing small cells in Rolling Hills and surroundings



Existing/proposed small cells in Rolling Hills and surroundings



Network Service Levels

Carrier 1

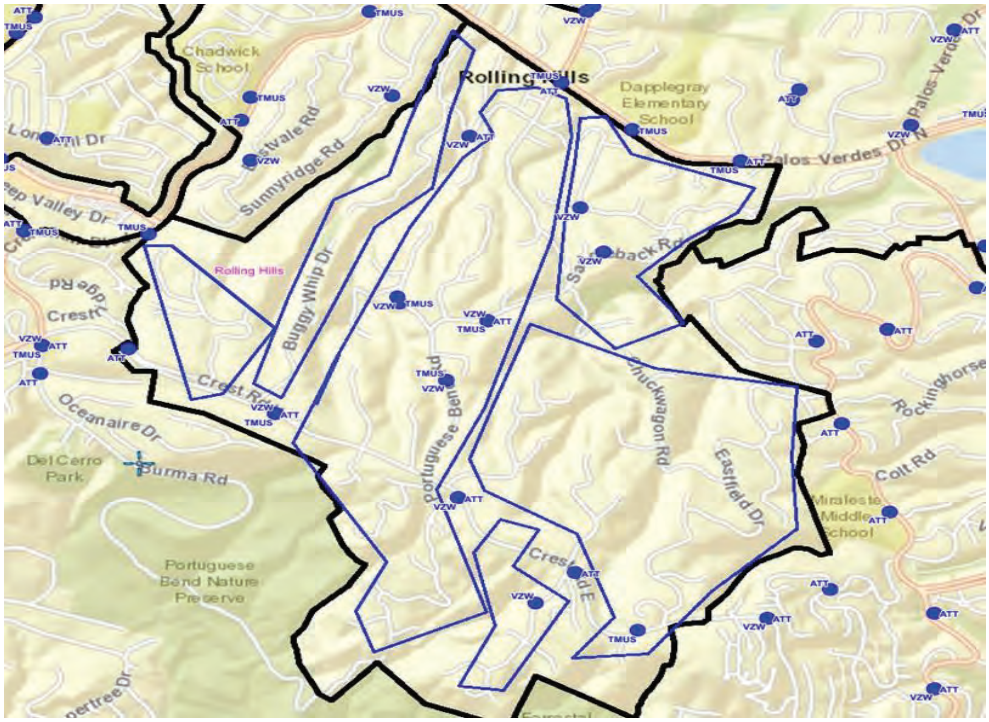
Existing Service Levels
– 95dbm or worse in polygons

Legend: RSRP

RSRP Level
RSRP Level (DL) (dBm) >=-75
RSRP Level (DL) (dBm) >=-85
RSRP Level (DL) (dBm) >=-95
RSRP Level (DL) (dBm) >=-100
RSRP Level (DL) (dBm) >=-120

Legend: data throughput speeds

Application Throughput
Application Throughput per User (DL) (kbps) >=30,000
Application Throughput per User (DL) (kbps) >=20,000
Application Throughput per User (DL) (kbps) >=15,000
Application Throughput per User (DL) (kbps) >=10,000
Application Throughput per User (DL) (kbps) >=5,000
Application Throughput per User (DL) (kbps) >=0



Carrier 2

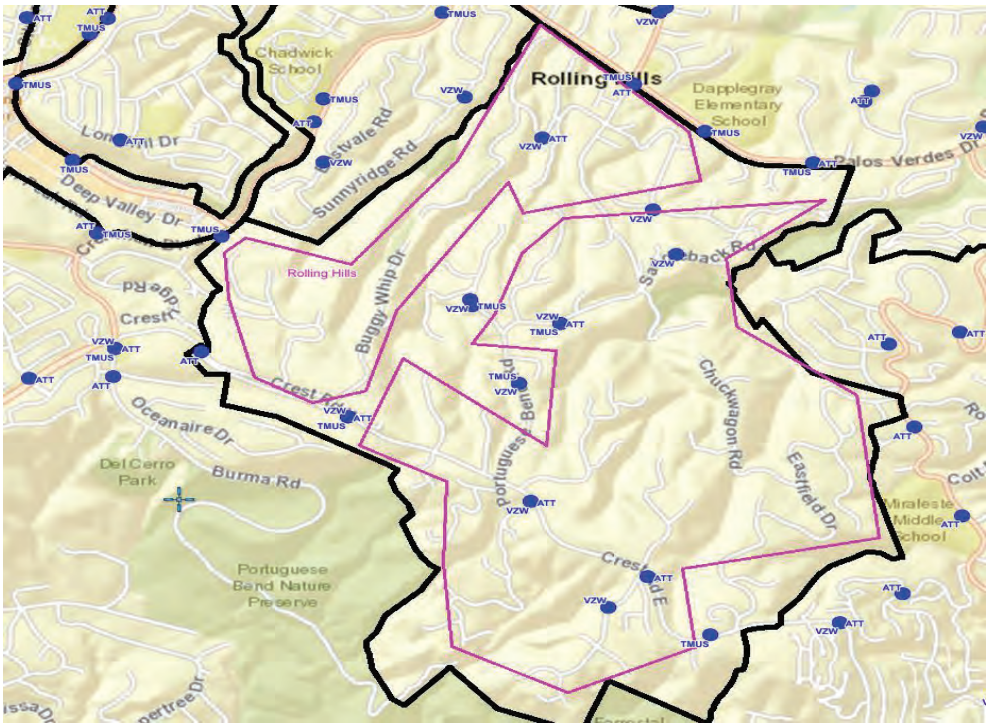
Existing Service Level
– 95dbm or worse in polygons

Legend: RSRP

RSRP Level
- RSRP Level (DL) (dBm) >=-75
- RSRP Level (DL) (dBm) >=-85
- RSRP Level (DL) (dBm) >=-95
- RSRP Level (DL) (dBm) >=-100
- RSRP Level (DL) (dBm) >=-120

Legend: Throughput

Application Throughput
- Application Throughput per User (DL) (kbps) >=30,000
- Application Throughput per User (DL) (kbps) >=20,000
- Application Throughput per User (DL) (kbps) >=15,000
- Application Throughput per User (DL) (kbps) >=10,000
- Application Throughput per User (DL) (kbps) >=5,000
- Application Throughput per User (DL) (kbps) >=0



CROWN CASTLE

PROPRIETARY & CONFIDENTIAL

Carrier 3

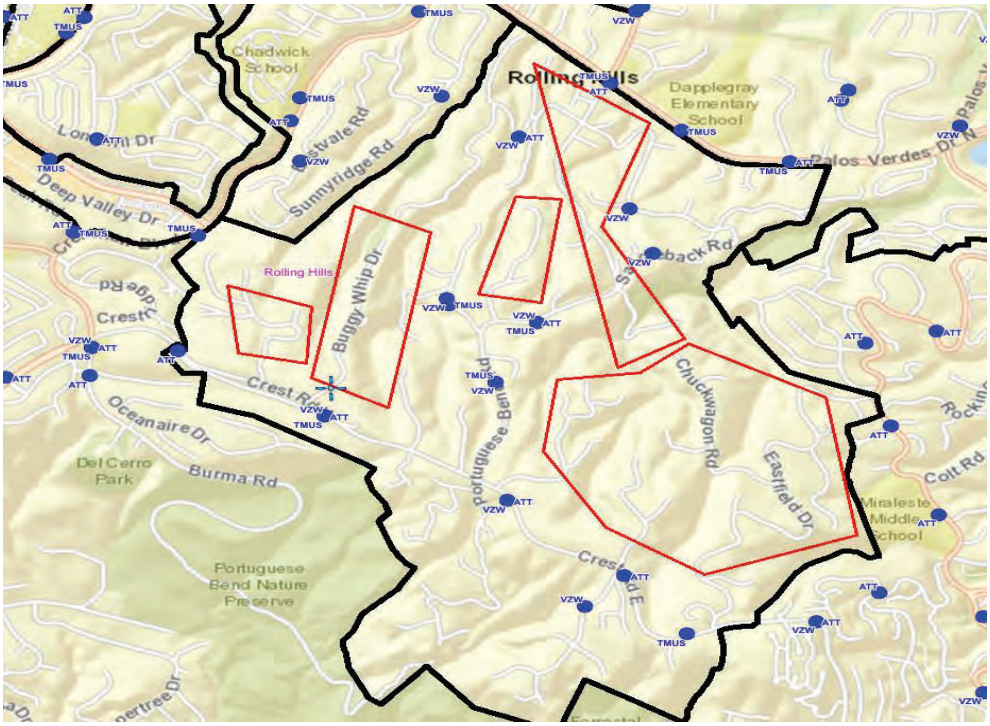
Existing Service Levels
– 95dbm or worse in polygons

Legend: RSRP

RSRP Level
- RSRP Level (DL) (dBm) >=-75
- RSRP Level (DL) (dBm) >=-85
- RSRP Level (DL) (dBm) >=-95
- RSRP Level (DL) (dBm) >=-100
- RSRP Level (DL) (dBm) >=-120

Legend: data throughput speeds

Application Throughput
- Application Throughput per User (DL) (kbps) >=30,000
- Application Throughput per User (DL) (kbps) >=20,000
- Application Throughput per User (DL) (kbps) >=15,000
- Application Throughput per User (DL) (kbps) >=10,000
- Application Throughput per User (DL) (kbps) >=5,000
- Application Throughput per User (DL) (kbps) >=0



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All carriers

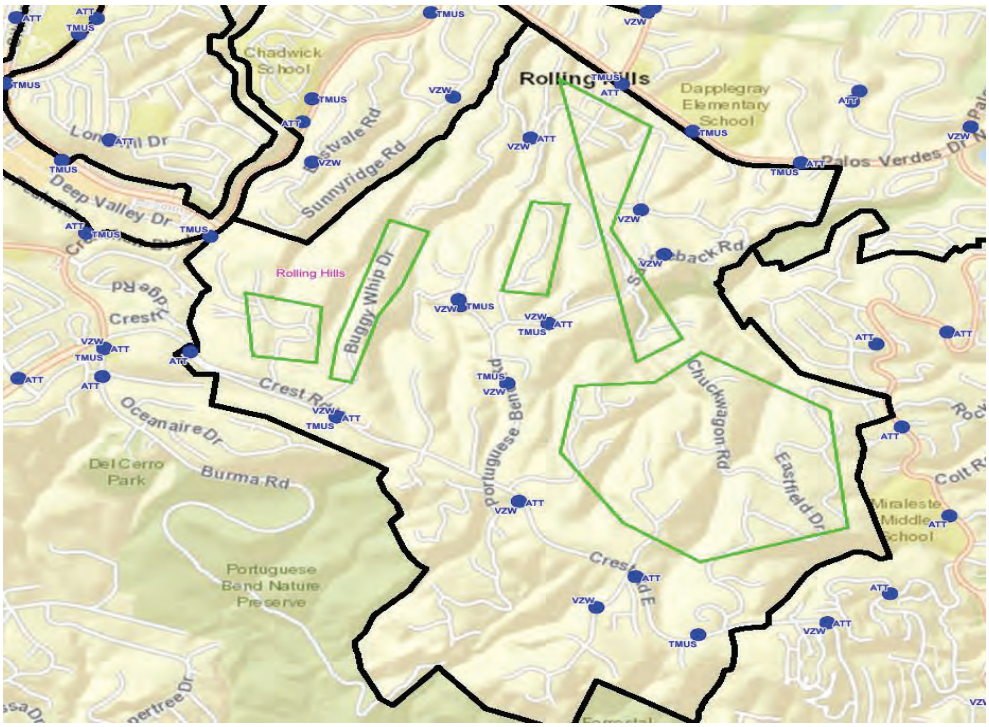
Existing Service Level
– 95dbm or worse in polygons

Legend: RSRP

RSRP Level
RSRP Level (DL) (dBm) >=-75
RSRP Level (DL) (dBm) >=-85
RSRP Level (DL) (dBm) >=-95
RSRP Level (DL) (dBm) >=-100
RSRP Level (DL) (dBm) >=-120

Legend: data throughput speeds

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Application Throughput per User (DL) (kbps) >=5,000
Application Throughput per User (DL) (kbps) >=0



CROWN CASTLE

PROPRIETARY & CONFIDENTIAL

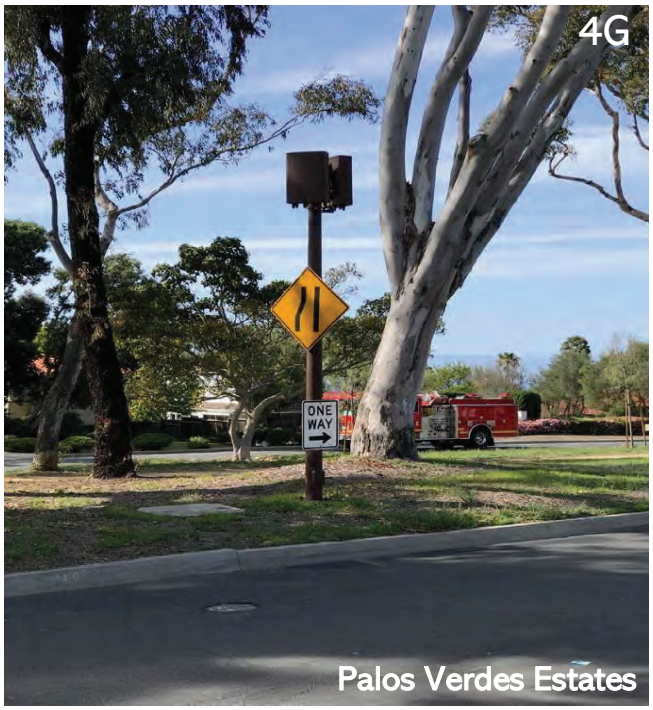
Small Cell Design Examples

Street signs
Streetlights and traffic signals for urban settings
Pedestrian light pole

CROWN CASTLE

Small cells on replacement street signs





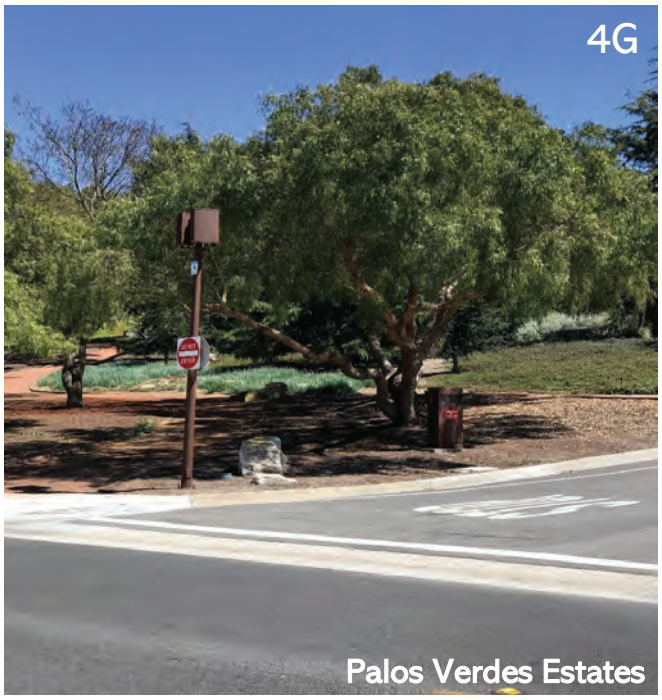
CROWN CASTLE

Small cells on wood utility pole



CROWN CASTLE

Small cells on replacement street sign





CROWN CASTLE

Small cells on wood utility pole



CROWN CASTLE

Small cells on wood utility pole



CROWN CASTLE

Small cells on wood utility pole



CROWN CASTLE

Small cells on wood utility pole



CROWN CASTLE

Small cells on replacement light pole



CROWN CASTLE

Small cells on replacement streetlights

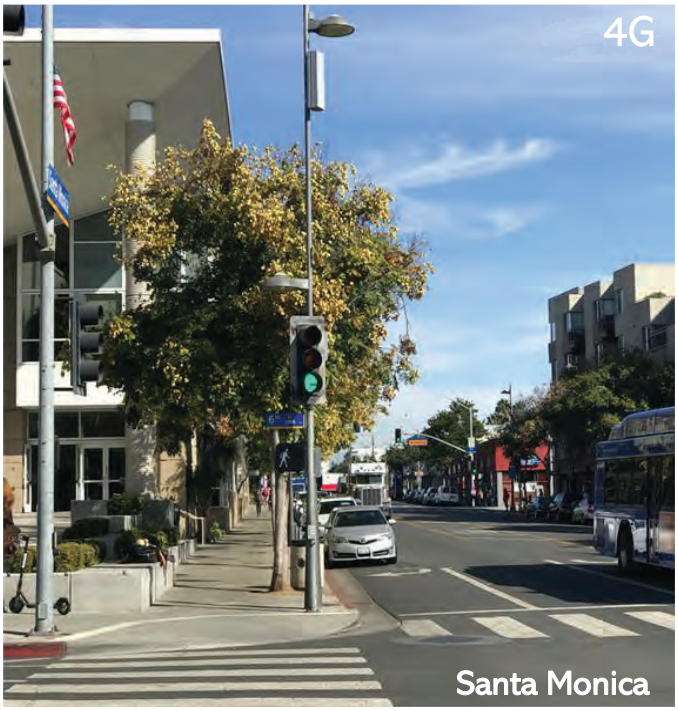




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23

Small cells on existing traffic signals

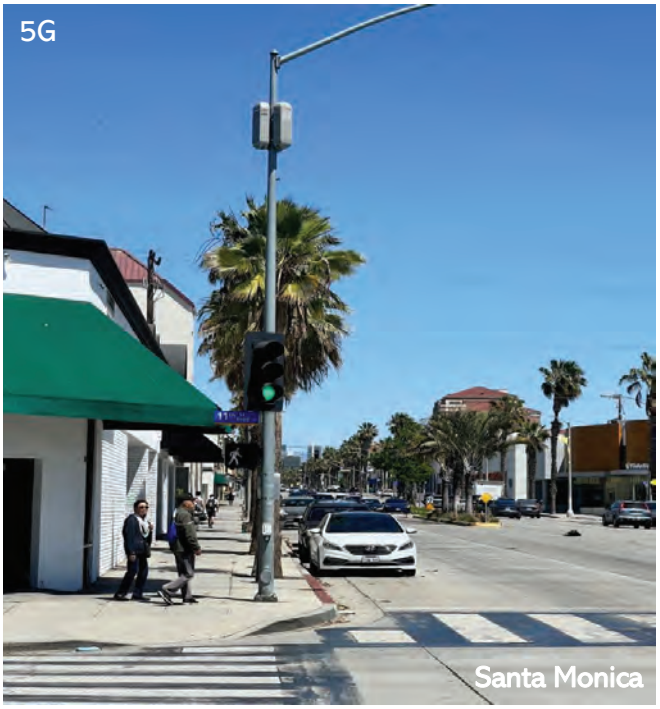




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24

Small cells on existing traffic signals





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25

*Small cell on new pedestrian light



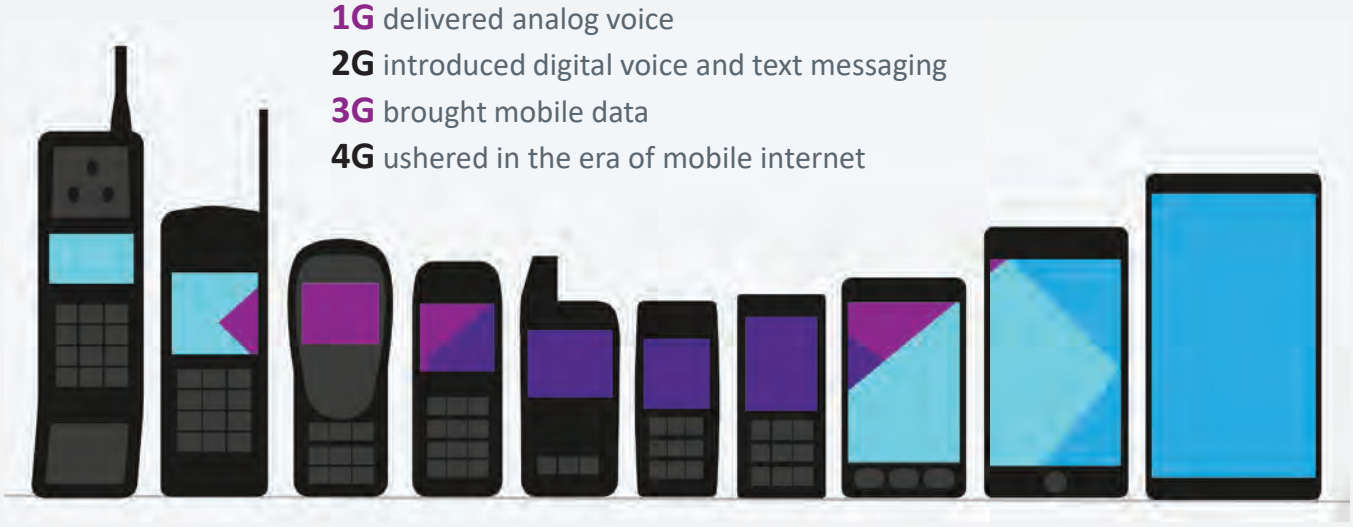
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* Design inspiration for Rolling Hills

4G/5G Technology

The evolution to 5G

1G delivered analog voice
2G introduced digital voice and text messaging
3G brought mobile data
4G ushered in the era of mobile internet



5G versus 4G: speed, latency, connections.

100X 1gb/sec

Speeds that are as much as 100x faster than 4G, delivering data rates as high as 1 gigabit per second.

10,000X capacity/efficiency

Speeds support a 10,000x increase in traffic capacity and network efficiency.

10X decrease

10x decrease in end-to-end latency—as low as 1 millisecond—delivering more instantaneous and real-time access.

More spectrum and small cells will create significantly more network capacity

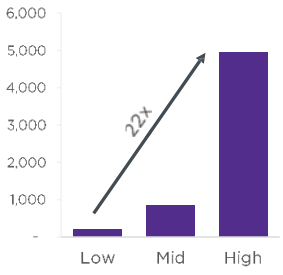
Key Takeaways

More spectrum is needed to supply ~30% growth in mobile data demand

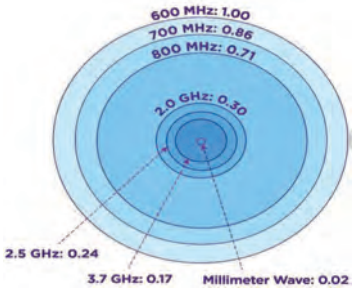
Mid- and high- band frequencies provide significantly more spectrum capacity, but travel over shorter distances

Therefore, the combination of more mid- and high-band spectrum deployed across more cell sites will add significant network capacity

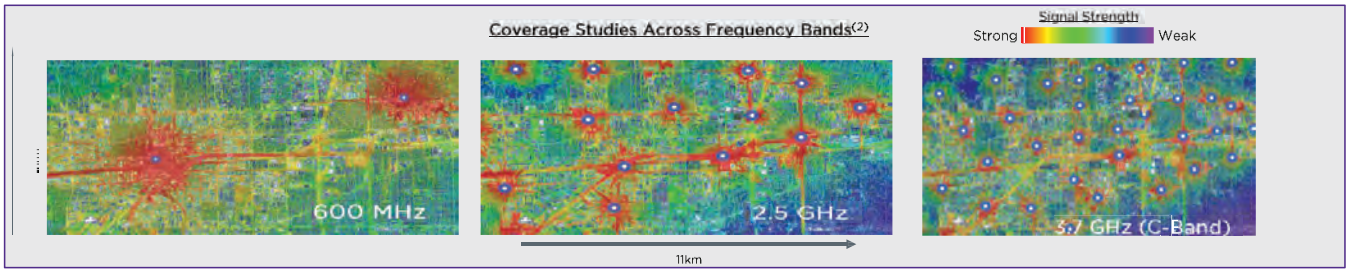
Available Licensed Spectrum (MHz)(1)



Relative Propagation Distance in Free Space for Common Bands



Coverage Studies Across Frequency Bands(2)

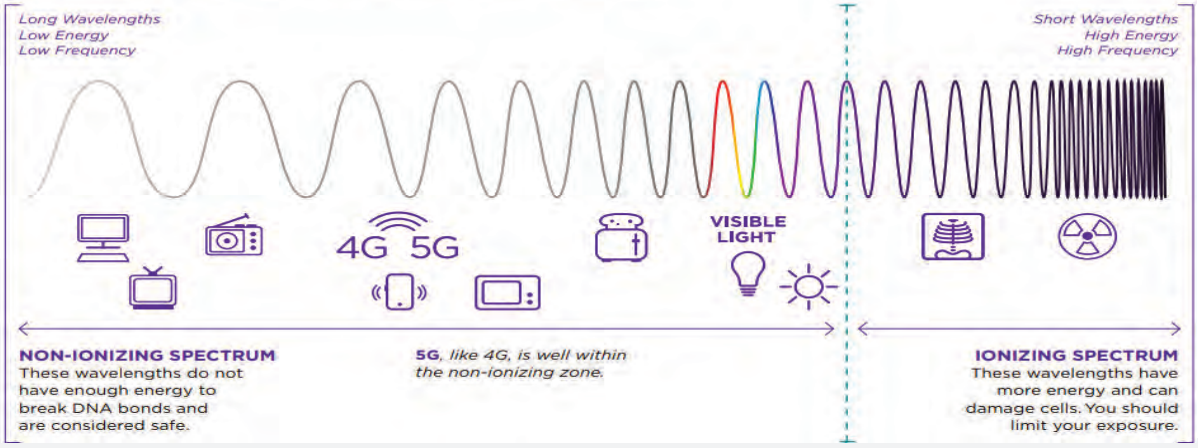


1. Only includes commercially allocated and licensed spectrum. Low-band defined as 600 to 800 MHz, mid-band defined as 1,700 to 3,700 MHz, and high-band defined as 24 to 47 GHz. Source: FCC public disclosures.
2. Assumes constant scale and geography across scenarios. For illustrative purpose only.

Understanding the safety of 5G.

You've probably heard a lot about new 5G networks, and it's only natural to wonder about their safety. Much like the signals for your TV, radio or wi-fi router, 5G travels to your device using electromagnetic energy—one of the most ubiquitous and well-studied phenomena in the universe.

Where 5G fits on the electromagnetic spectrum.



NON-IONIZING SPECTRUM
These wavelengths do not have enough energy to break DNA bonds and are considered safe.

5G, like 4G, is well within the non-ionizing zone.

IONIZING SPECTRUM
These wavelengths have more energy and can damage cells. You should limit your exposure.

Rancho Palos Verdes, CA

5G builds on 4G.

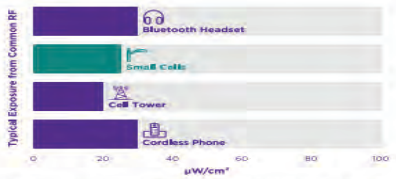
5G is the next generation of wireless technology, but it works pretty much the same as current 4G networks. To expand 5G throughout the country, carriers are working hard to expand small cells and fiber. The good news is that over **154,000 small cells are already deployed**[1] throughout the US—powering many of the 4G and LTE networks in use today.



Small cells are low-powered, fiber-connected nodes that are usually located on existing structures like streetlights and utility poles. Read More →

Low power minimizes exposure.

We're constantly surrounded by electromagnetic energy. Whether you're talking about 5G, 4G or your Bluetooth headset, the physics are the same, and the body's response is essentially identical. You can see in this chart how emission levels from small cells compare to other common radio frequencies (RF)—all many times below what the FCC considers safe.



Source: © 2018 Andrew H. Thatcher, Board Certified Health Physicist.

The research is clear.

The consensus of seven decades of research by worldwide health and safety organizations is that electromagnetic emissions at the levels allowed by FCC regulations are safe.

We encourage you to take a deeper dive if you'd like to know more.

The 5G Health Hazard That Isn't.
The ***New York Times*** shows how misinformation about wireless technologies has spread. Read More →

Research on Cell Signals and Cancer.
The **American Cancer Society** provides a good summary of the available research and findings. Read More →

Key takeaways.

1. Studies show that cellular signals—including 5G—are safe.
2. 5G is the next generation of cellular networks and builds on 4G.
3. 5G emissions are similar to those from everyday technologies like TV, radio, wi-fi—even your toaster.

"The light produced by a light bulb is a form of electromagnetic radiation with energy and frequency that is approximately 17,000 greater than that of the highest frequencies used by 5G."

Dr. Jerrold Bushberg,
Vice Chair of COMAR and Clinical Professor, Radiology & Radiation Oncology, University of California, Davis School of Medicine

[1] https://www.ctia.org/infrastructure-channel

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Thank You

For further information please contact:

Stephen Garcia
Stephen.Garcia@CrownCastle.com
949-676-4766 tel

CROWN CASTLE
200 Spectrum Center Dr, Suite 1700, Irvine, CA 92618
CrownCastle.com

CROWN CASTLE

Rolling Hills Community Association
of Rancho Palos Verdes
No. 1 Portuguese Bend Rd. • Rolling Hills, Calif. 90274

(310) 544-6222 ROLLING HILLS CALIFORNIA (310) 544-6766 Fax

September 12, 2023

Rolling Hills Planning Commission
2 Portuguese Bend Road
Rolling Hills, CA 90274

Re: September 12, 2023 Planning Commission meeting item 9.B. An Ordinance Amending Various Sections of Rolling Hills Municipal Code Relating to Wireless Facilities

Dear Members of the Planning Commission:

The Board of Directors of the Rolling Hills Community Association thanks you for your work on updating the wireless portion of the Municipal Code. This is a much needed and appreciated effort on your part.

As you know, your constituents who are also our Association members have been subjected to increasingly inadequate wireless service available for years. Earlier this year, the Association conducted a community-wide survey of interest in having small cells deployed throughout the community to bring much needed public safety and modern communication to the City. A copy of our January 2023 survey is attached as Exhibit 1 and shows tremendous support for the deployment of small cells.

Based on the January community needs survey, the Association worked closely with Crown Castle to propose and protype a standardized small cell pole that might be deployed in various locations inside the Association gates. That non-working prototype was installed south of the Main Gate on Portuguese Bend Road. For a period of weeks after the temporary installation, we sought and received very vocal input from the community regarding the proposed small wireless facility design. That proposed design was overwhelmingly supported by the respondents to our second community survey, which was just completed about a week ago (attached here as Exhibit 2).

The Association Board has reviewed the proposed Code Amendment regarding wireless facilities to be heard by the Planning Commission this evening. To help more rapidly bring the entire Rolling Hills community into an era of modern wireless communications while balancing community aesthetics, and consistent with the wide community support for the proposed small wireless facility prototype design, the Board requests and recommends the following changes to the Ordinance draft before you this evening:

1. Creation of a new "Type 3A" Small Wireless Facility;

A Type 3A Small Wireless Facility would be one of a standardized design pre-approved and location approved by the RHCA Board of Directors, including the prototype design shown in Exhibit 2.

2. Exemption of Type 3A Small Wireless Facility permits from a CUP Requirement;

For Type 3A designs, where the RHCA Board has considered and approved a standardized pole design at a proposed location, those permits would be subject to over-the-counter approval by the City. The RHCA specifically requests the Planning Commission recommend to the City Council the following changes to the proposed Code Amendment:

1. In proposed Section 17.27.040(A)(1), insert between (c) and (d) a new subsection (d) that reads:

> d. "Type 3A– New small wireless facility on a new or replacement Structure of a Pre-Approved Design. Type 3A applications shall be limited to applications seeking to install and/or construct a new small wireless facility that involves placement of a new or replacement structure of a standardized design and at a location approved by Rolling Hills Community Association."

2. Renumber current subsection (d) to (e) and amend it to read:

> "e. Type 4 – New tower or any other wireless facility that is not a Type 1, 2, 3, 5, or 6 application. Type 4 applications shall include any applications for the installation of a new personal wireless service facility which does not meet the criteria for Type 1, 2, 3, 3A, 5, or 6 applications."

3. Renumber the remaining subsections (e) and (f) to (f) and (g) respectively.

4. In proposed Section 17.27.040(A)(2)(b), change it to read:

> "b. Zone Clearance Required. A zone clearance shall be required for Type 1, 2, 3A, and 5 applications, which shall be reviewed and processed in accordance with Chapter 17.44 of this Code and the requirements of this Section 17.27.040."

With the straightforward and minor changes proposed above, the Planning Commission and the City will have an important guiding hand in helping our community enter the era of modern wireless communications, and more importantly to help improve community-wide safety by better access to much-needed E911 services.

On behalf of the Board of Directors of the Rolling Hills Community Association,

Kristen Raig,
RHCA Manager

Attachments: RHCA Community Surveys (January, August 2023)

Date: September 1, 2023
To: RHCA Board of Directors
From: Kristen Raig
Re: Community Survey Results - Survey About Small Cell Design

The RHCA Board directed Telecom Law Firm to prepare an online survey on an opt-in basis of RHCA residents to solicit and understand community perceptions regarding the proposed design for future small cell deployments in the community.
The web-accessible survey link using the Survey Monkey tool was posted on the RHCA DwellingLive website and was open for responses August 8, 2023 through September 1, 2023.
During that period, a total of 191 responses were received.

1. Summary

Nearly 90% (n=171) of the survey respondents had actually visited small cell mockup in advance of responding to the survey questions. None of the respondents skipped over this question, identified as Q1 in the survey.

Of the 191 survey respondents, all of them had an opinion regarding the proposed design of the mockup small cell pole. The breakdown of responses is as follows:

Choice offered In the Survey tool	***Percentage of total responses and Number of responses (n)***
I **SUPPORT** the proposed design if it will improve cell service inside RHCA. (5 points.)	72.77% n=139
I think the proposed design is **ACCEPTABLE** if it will improve cell service inside RHCA. (4 points.)	17.28% n=33
I have **NO OPINION** pro or con about the proposed design. (3 points.)	1.57% n=3
I **DO NOT LIKE** this design, even if it is needed to improve cell service inside RHCA. (2 points.)	4.71% n=9
I really **STRONGLY OPPOSE** this design, even if it is needed to improve cell service inside RHCA. (1 point.)	3.66% n=7
Other (please specify)	0.00% n=0

None of the respondents skipped providing an opinion regarding the design of the mockup small cell pole.

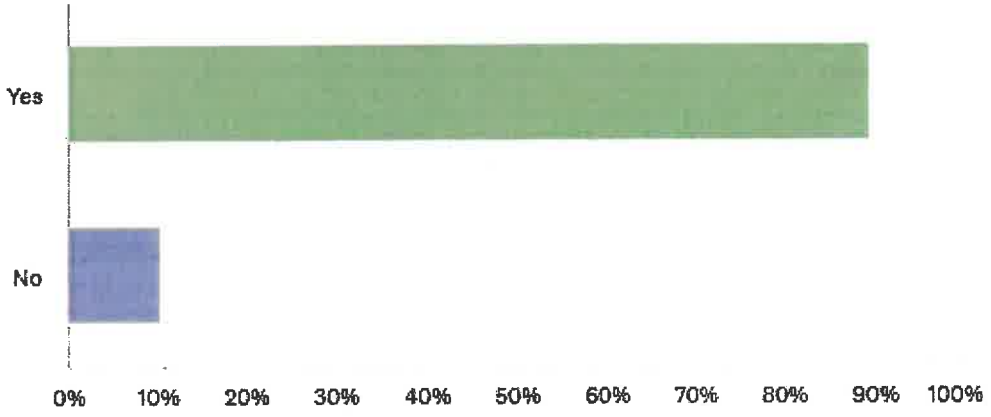
Respondents were also offered the opportunity to provide narrative input to the Board of Directors. Of the total of 191 responses to the survey, 45.5% of the survey respondents (n=87) provided comments. The individual de-identified but otherwise verbatim comments, along with a response Word Cloud are provided below in Section 3 of this letter.

1. Charted Responses to Questions 1 and 2

Question 1:

Have you already personally visited the mock up?

Answered: 191 Skipped: 0

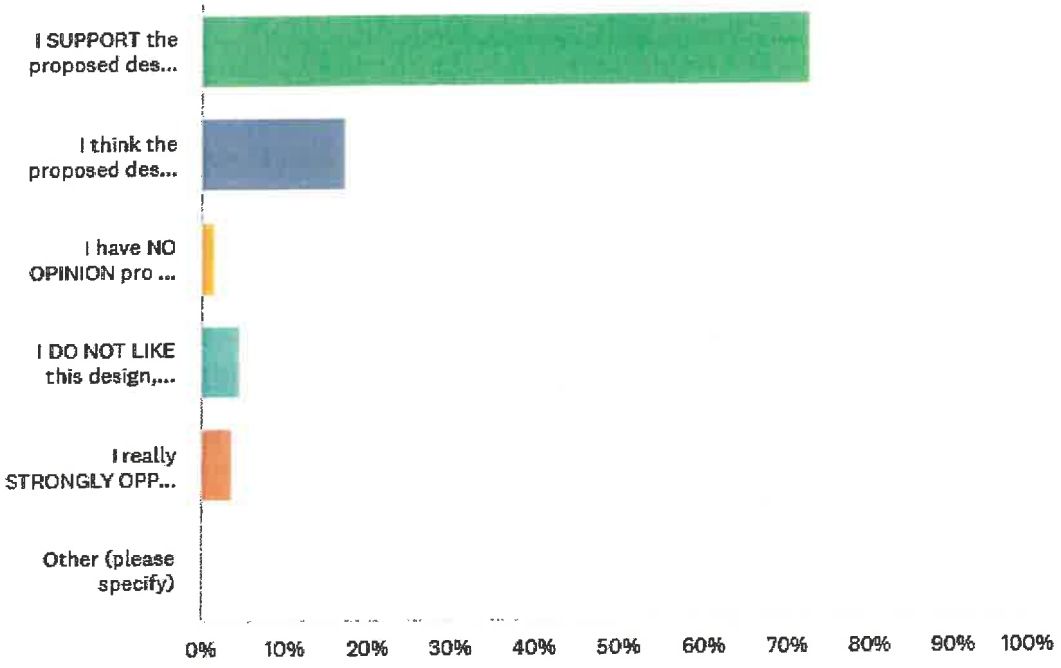


ANSWER CHOICES	RESPONSES	
Yes	89.53%	171
No	10.47%	20
TOTAL		191

Question 2:

What is your opinion regarding the design mock-up shown in the photo?

Answered: 191 Skipped: 0



ANSWER CHOICES		RESPONSES	
I SUPPORT the proposed design if it will improve cell service inside RHCA. (5 points.)		72.77%	139
I think the proposed design is ACCEPTABLE if it will improve cell service inside RHCA. (4 points.)		17.28%	33
I have NO OPINION pro or con about the proposed design. (3 points.)		1.57%	3
I DO NOT LIKE this design, even if it is needed to improve cell service inside RHCA. (2 points.)		4.71%	9
I really STRONGLY OPPOSE this design, even if it is needed to improve cell service inside RHCA. (1 point.)		3.66%	7
Other (please specify)	Responses	0.00%	0
TOTAL			191

2. Comments to the Board of Directors (Survey Question 3)

Q3 asked, "If you would like to share any comments with the Board regarding the proposed design of the small cells, please do so here...". Of the 191 respondents, 45.5% (n=87) provided input, while 54.5% (n=104) did not provide a response. The comments are de-identified by otherwise unedited.

#	RESPONSES
1	Please let's do this
2	The current pole is placed immediately adjacent to the road --- why not place in closer to the edge of the easment or on places where they wont stand out so badly.
3	I strongly oppose any 5G cell towers near or around my property at 0poppy Trail.
4	I would not have even noticed the mock-up if I hadn't been specifically looking for it. The coloring is great and it blends right in.
5	I strongly object to the cell phone antenna design based on: (1) aesthetics; and (2) potential health risks. With two telephone poles, a fire hydrant and overhead power lines already in front of my house, I do not want an antenna anywhere near my property. Based on this position, I can't logically ask any of my Rollings Hills neighbors to tolerate antennas near their homes, so I object to this effort. If certain residents and their neighbors are willing to volunteer to have these antennas on or near their properties, then perhaps this design could be workable. My comments are based on the assumption that dozens of these antennas will need to be built throughout our city to provide cell coverage. Thanks to the Board for all of their work and dedication to RH! -
6	I think it looks great and hardly noticeable once you are used to it!
7	The pole should be somehow disguised in a shape of a palm, etc. I have seen disguised poles that were much more acceptable. My cell service did not improve in any event.
8	Having poor cell reception in Rolling Hills is a safety problem. We need to improve the cell reception so I'm in favor of it.
9	It is important for homeowners to have safe connectivity.
10	too close to road -- also, no signs on poles (draws attention to poles)
11	I support any structure that will improve/provide a cellular signal in

RH. It is 2023 and it's time.

12 We need cell service. This tower is fine - this is a life or death issue and we cannot afford to spend another second debating what the tower looks like.

13 I live on the Rolling Hills on and hope this will provide better Cell service. I am fully supportive if it improves our cell service. If not, then I would want to see if it is possible to add a tower on the Eastfield side

14 I don't even notice it anymore. In fact I forgot about it until you sent me this email.

15 Some of the artificial tree cell tower designs are also ok

16 Could there be an additional cell tower closer to . Service on is absolutely nonexistent!

17 We really hope that the community will come together and support the proposed cell service.

18 I am just concerned about 5G and related health issues.

19 The current design and placement is terrific - it blends in nicely - I didn't even notice it til it was pointed out to me. Thank you to the Board and Staff for all their efforts to improve our service!

20 argh, it activated the chip in my vaccine! (just kidding.) I stand in strong support of towers like this if it means I have better cell service. I depend completely on wifi to make calls and receive messages--my home regularly only has the "SOS" level of service, which can't make calls at all. I don't know if it would even receive emergency alerts. PLEASE help us get better service!

21 have the towers that look like trees been researched?

22 In our opinion- cell service is important in our community as it relates to safety. The ability to conduct calls if needed while on trails in the case of an emergency is lacking in our beautiful community.

23 Pole is really UGLY! Downgrades the City!

24 I would like to see the design blend in more with our environment. Possibly have it look like a tree or placed in a more hidden location so it's not visible. Also,where will the cell towers be placed? If they are in an easement or on home owners property, then the home owner should be reimbursed possibly with reduced/eliminated home association dues.

25	Can't wait for better cell service inside RHCA! Thank you for making this happen.
26	I think this is a very suitable solution for our coverage issues. However we will need an additional tower on o provide coverage for those of us who live down below (ocean side). If only one tower is available then please place it at the top of the hill.
27	If they can be hidden and not so obvious it would be much better.
28	I'm thinking this is for the whole RH community not just RHCA? Rolling hills community association?
29	I do think that the green color could be improved a bit to complement the warmer, yellower undertones of the surrounding trees and greenery. The proposed green is a bit cool with blue undertones. That being said, the current paint color is good enough if we will finally get reliable cell service on our properties and my comments in this regard are supportive and in no way aimed at derailing the proposal.
30	RH desperately needs better cell phone reception coverage. Not having coverage is a safety risk!
31	No problem, if they work.
32	I support this design, but I don't think it should be visible on the street!!
33	We absolutely need better cell service - for emergencies as well as every day living!!!
34	I'm wondering if this is the smallest potential design we can utilize.
35	This is excellent and much needed!!
36	The design is fine, The question is where will it be placed. I don't like where it is located. Can it be placed permanently in a less obvious location?
37	We probably need more cell towers throughout the city. I'd like the pole to be designed more like a tree with small branches to give it a better look. I like the height because it's not very tall. These towers are no longer a matter of preference but a matter of necessity and security.
38	We desperately need improved cell service. My phone drops call all the time and I am worried if I had an emergency I would not be able to reach someone for help.
39	It would be more pleasing if the tower could be camouflaged within trees. Thanks!

40	The design is fine. I am more interested in where you are going to put them. For example, where the prototype is does us no good. We need them at the corner of and at the corner of and maybe one halfway up . And possible a 4th one on . Very curious as to why this has taken so long. Hope you start placing them next week.
41	We need improved cell phone coverage to support day-to-day and emergencies. This design is much better than what has been used in the past.
42	Looks great, with the pole being used for signage, it's not noticeable at all. Great idea!
43	How many of these will there be? I wouldn't want this on my street and wouldn't want to see a lot of these.
44	Better service as soon as possible
45	Looks fine. We need better cell service in RH, if only for safety reasons. More and more people do not have land lines, and we are one of them. Having bad service is very scary from a safety perspective.
46	Location of poles must be carefully considered- must be unobtrusive and shrouded by trees. Recommend make poles useful by attaching signs of "slow for horses" on both sides.
47	We are in favor of the cell design.
48	Anything is better than what we have now. As there isn't a comparison this one will be fine.
49	I'm for ANYTHING that will improve our Cell service... it's probably the single most important safety device we could install.
50	will the polls go close to the road like the mock-up one?
51	Rains, power outages, fires, etc make it increasingly difficult to live without cell service for residents of RH
52	Are we able to look at different options? Maybe one that looks less industrial and more I keeping with our community aesthetic
53	This is desperately need in RH. Please getit goign ASAP
54	This is fantastic. The design is great and it's absolutely needed, thank you for doing this. Based on this design, we would be open to having one of these on our property at 17 Bowie if it helps cell coverage for the community.

55	I would like to understand the strength and reach of this cell, and would be in favor of more or stronger cell coverage.
56	Being able to have cell service is of utmost importance. I also have no problem with this design. It's no different from existing street signs. Thanks to the team for their work on this!
57	This is way past due and should be implemented throughout the city, for convenience and public safety.
58	I think if you want white fences and a limited set of colors for everything else it would seem you would have these be less conspicuous - try again.
59	The design is fine but the placement of the cell towers must be in more discrete locations. They should not be the first thing people see when entering Rolling Hills from any of the gates. Nor should they impact anyone's view.
60	This is so important to complete ASAP. We do not have a landline because when power or COX internet goes down, the landline didn't work. Neither of our cell phones work well at home and if we have an emergency - we have no way to call for help. I can't believe we live in an area without reliable phone service. Please make this project a priority. Thank you.
61	Please inform the community as to where the cell tower proposed locations are
62	Please don't install these things in places visible from roads. I moved here because I (mostly) see anything but trees and three tail fencing when I drive home. This looks too urban.
63	The existing cell signal is very weak, therefore any improvement is much needed.
64	We desperately need better cell service in RH
65	Please do anything to improve service in RHCA.
66	PLEASE move forward with the small cells. They look nice. More importantly, we need improved cell service, not only for our convenience but for our safety living in Rolling Hills. Sincerely,
67	A "tree" structure would be more aesthetically appealing, i have seen "tree" looking poles/what i assumed was an antennae.
68	It's fine! Get it up!!

70	It should be moved by tennis courts or other location where it isn't so unsightly for everyone to see.
71	This design is ugly and does not go with rolling hills. It needs to blend in and be hidden. Moved behind the fire station.
72	The current design is acceptable but if there are other designs, we would like to consider it. Thank you.
73	this tower design is and fancy. good match to our community. anyway this tower support my cell reception very well. Now my cell has 4 bars instead of 0-1 bar.
74	How many small cell sites would need to be installed to improve overall service in community? Am concerned about the design depending on quantity installed and locations.
75	Built and install as many as possible. It's 2023. Thank you for doing this!
76	The mock-up seems too close to the edge of the road. It would be less dangerous and obtrusive 1-2 feet back from its current placement
77	Love the board, you guys are doing a great job. Great first concept but not ideal. Would like to see disguised versions instead of the green pole. Check out Cell Tower Flag Pole in College Station, Texas for a good example of a pole installation if you want to stick to a pole concept. Most of the tree disguised versions are not great and seem more like visual pollution than the green pole you guys put up. Best versions I see are disguised on the exterior of tall building structures like a windmill or church steeple. Also, unclear - Is there only one green cell phone tower under consideration or many? Are they all going to be installed 2 feet off the road or in less obvious areas? Thanks,
78	Will this location improve cell service in all areas of RH? Will all nooks and crannies of RH be tested before & after for improvement?
79	These are so beautiful. I have never seen anything that would enhance our community like these poles. Stellar. Let's get them on every block today, if not sooner.
80	It is an eyesore and very distracting every time I drive by the tower. Is it possible to hide it behind a tree or make it look more "natural"?
81	It is so important that we improve our cell phone reception especially for seniors thank you for putting this up.

82	What cell carriers will this support and will it cover the entire city from that proposed location.
83	We just want to make sure this helps the whole city, even at the top of the hill. What carrier is using this?
84	I think the City drastically needs better cell service. I am very much opposed to the current location of the cell tower. If possible this should be placed out of sight, perhaps near City Hall in a place where people won't notice it.
85	Seems like it could be better hidden. We need better cell service, but that is ugly and sticks out.
86	This is great! We really are in need of better cell service back here. We had another incident last week where our WiFi went out and we couldn't make any phone calls for work etc. In an emergency, this would be so terrible
87	We think it blends in as much as it can. As designed to be part of signs, it doesn't appear to be a stand alone structure.

Rolling Hills Community Association- Public Participation Survey About Cellular Services

Conducted at the direction of the
Board of Directors
of the
Rolling Hills Community Association

Survey Period:
January 4, 2023 – January 16, 2023

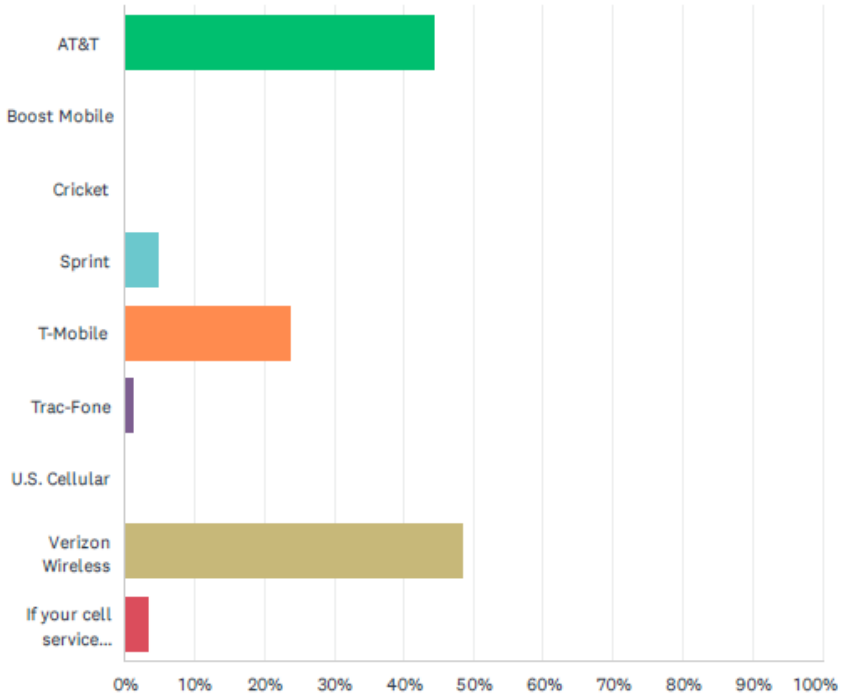
Responses:
292 total responses
266 unique responses
(26 responses from same Internet Protocol address)

Questions 1 and 2 not displayed; those two questions focused on respondent locational issues by street name and closest cross street.

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Q3 Which of the following mobile or cell phone service providers are used in your household? (Please CHECK ALL THAT APPLY.)

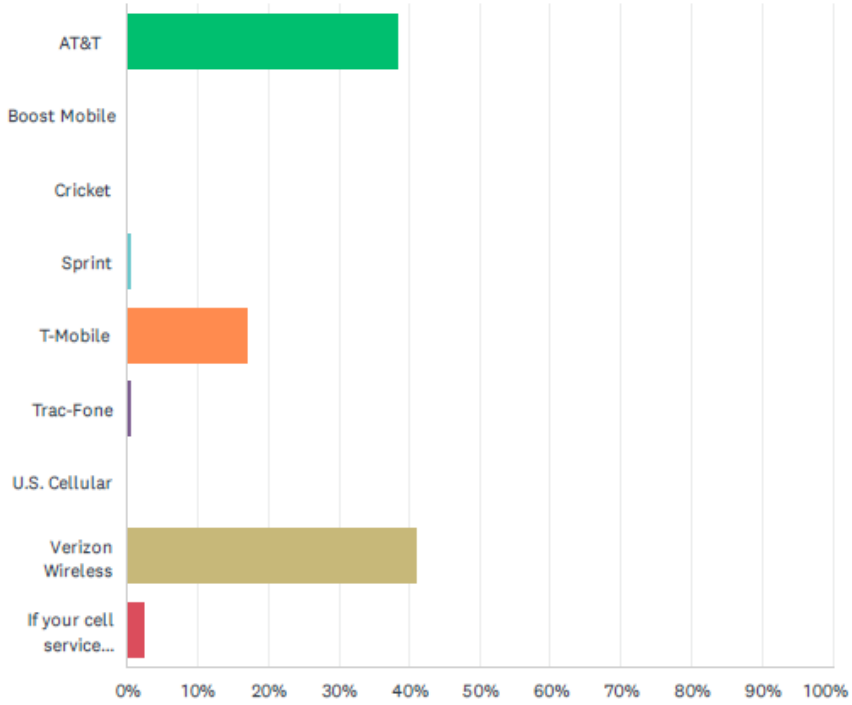
Answered: 289 Skipped: 3



ANSWER CHOICES	RESPONSES	
AT&T	44.29%	128
Boost Mobile	0.00%	0
Cricket	0.00%	0
Sprint	4.84%	14
T-Mobile	23.88%	69
Trac-Fone	1.38%	4
U.S. Cellular	0.00%	0
Verizon Wireless	48.44%	140
If your cell service provider is not listed above, please enter it here. (Please specify.)	3.46%	10
Total Respondents: 289		

Q4 Which of the following mobile or cell phone service providers is YOUR PRIMARY provider? (Please ONLY CHECK ONE.)

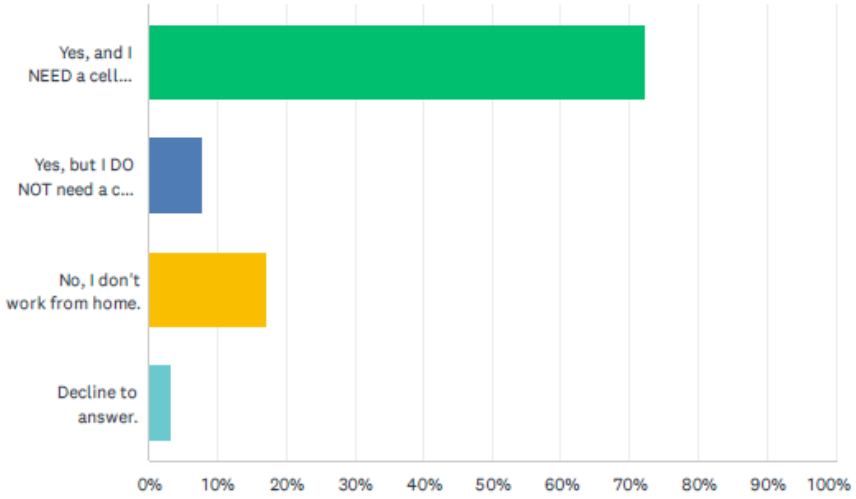
Answered: 289 Skipped: 3



ANSWER CHOICES	RESPONSES	
AT&T	38.41%	111
Boost Mobile	0.00%	0
Cricket	0.00%	0
Sprint	0.69%	2
T-Mobile	16.96%	49
Trac-Fone	0.35%	1
U.S. Cellular	0.00%	0
Verizon Wireless	41.18%	119
If your cell service provider is not listed above, please enter it here. (Please specify.)	2.42%	7
Total Respondents: 289		

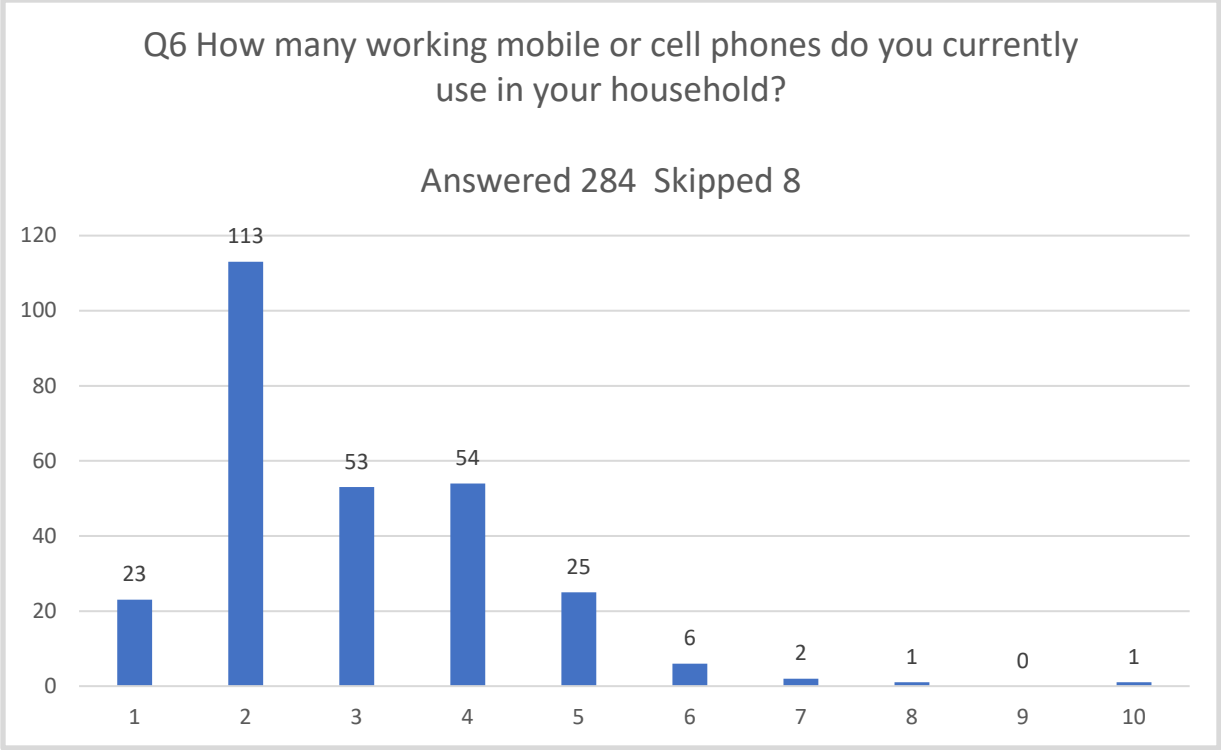
Q5 Do you work from home?

Answered: 288 Skipped: 4



ANSWER CHOICES	RESPONSES	
Yes, and I NEED a cell phone to conduct my work from home.	72.22%	208
Yes, but I DO NOT need a cell phone to conduct my work from home.	7.64%	22
No, I don't work from home.	17.01%	49
Decline to answer.	3.13%	9
TOTAL		288

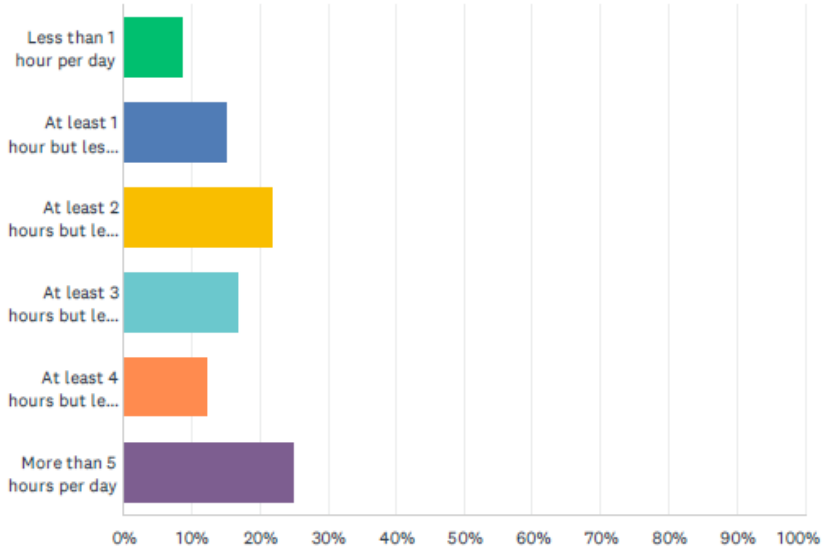
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Q7 How many hours per day on average do you use your cell phone? (PULL DOWN TO SELECT)

Answered: 284 Skipped: 8



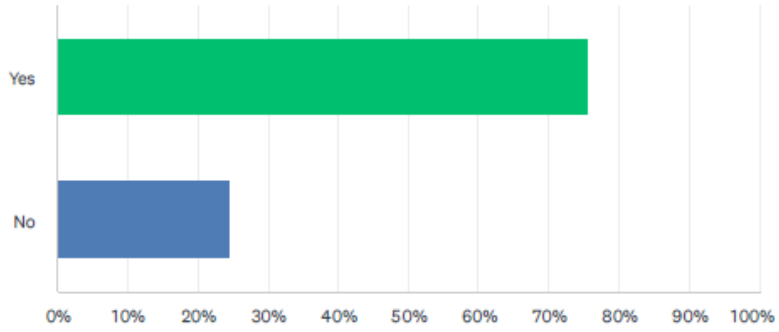
QUIZ STATISTICS			
Percent Correct 24%	Average Score 3.8/6.0 (64%)	Standard Deviation 1.65	Difficulty 1/1

ANSWER CHOICES	SCORE	RESPONSES	
Less than 1 hour per day	1/6	8.80%	25
At least 1 hour but less than 2 hours per day	2/6	15.14%	43
At least 2 hours but less than 3 hours per day	3/6	21.83%	62
At least 3 hours but less than 4 hours per day	4/6	16.90%	48
At least 4 hours but less than 5 hours per day	5/6	12.32%	35
✓ More than 5 hours per day	6/6	25.00%	71
TOTAL			284

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Q8 If cell service is improved inside the gates, would you use your cell phone longer each day?

Answered: 278 Skipped: 14

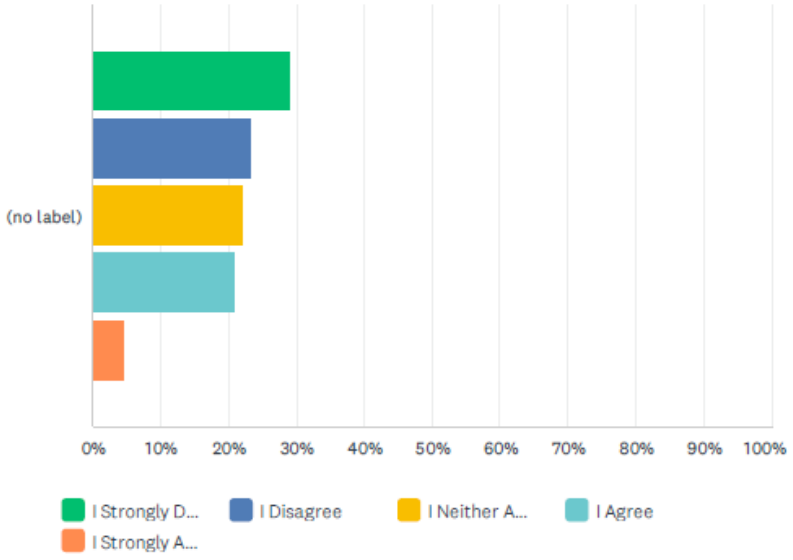


ANSWER CHOICES	RESPONSES	
Yes	75.54%	210
No	24.46%	68
Total Respondents: 278		

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Q9 Please indicate your level of Agreement or Disagreement with the following statement:I have adequate access to E911 (Emergency) service AT MY HOME using my cell phone.

Answered: 283 Skipped: 9

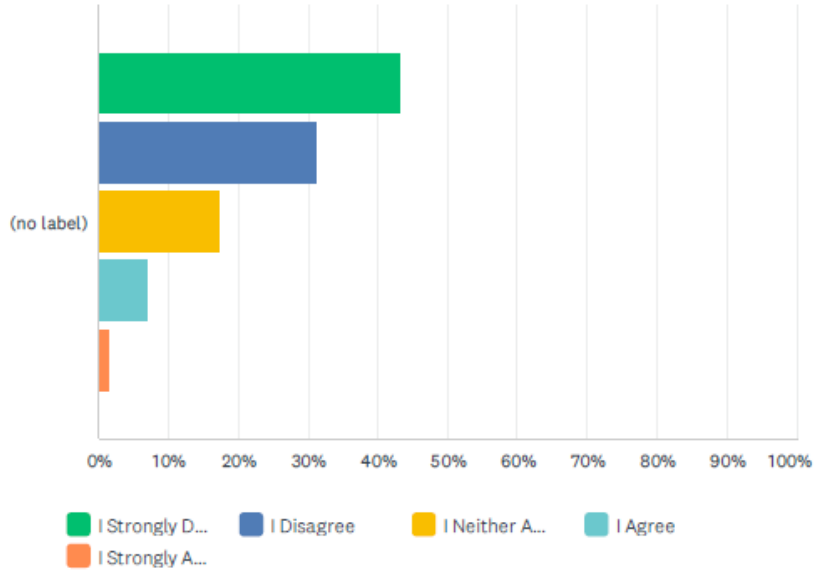


	I STRONGLY DISAGREE	I DISAGREE	I NEITHER AGREE NOR DISAGREE	I AGREE	I STRONGLY AGREE	TOTAL	WEIGHTED AVERAGE
(no label)	28.98% 82	23.32% 66	22.26% 63	20.85% 59	4.59% 13	283	2.49

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Q10 Please indicate your level of Agreement or Disagreement with the following statement:I have adequate access to E911 (Emergency) service ALONG RHCA ROADWAYS using my cell phone.

Answered: 283 Skipped: 9

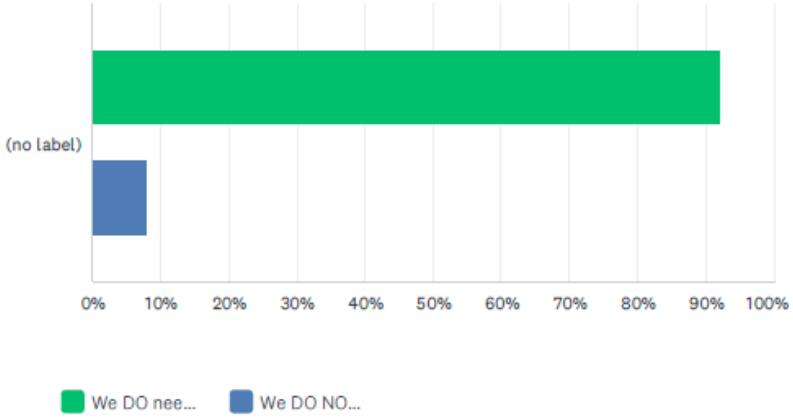


	I STRONGLY DISAGREE	I DISAGREE	I NEITHER AGREE NOR DISAGREE	I AGREE	I STRONGLY AGREE	TOTAL	WEIGHTED AVERAGE
(no label)	43.11% 122	31.10% 88	17.31% 49	7.07% 20	1.41% 4	283	1.93

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Q11 As a homeowner, do you feel there is a need to improve Cell Services within the Rolling Hills Community Association?

Answered: 282 Skipped: 10

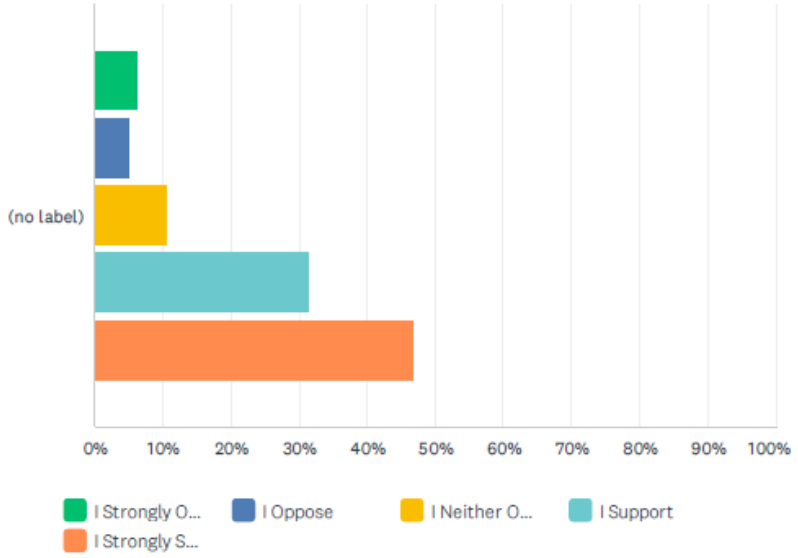


	WE DO NEED TO IMPROVE CELL SERVICE IN RHCA	WE DO NOT NEED TO IMPROVE CELL SERVICE IN RHCA	TOTAL	WEIGHTED AVERAGE
(no label)	92.20% 260	7.80% 22	282	1.92

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Q12 Please indicate your level of Agreement or Disagreement with the following statement:If necessary to improve cell service AT MY HOME, how willing are you to support adding more small cell sites along the RHCA roads?

Answered: 279 Skipped: 13

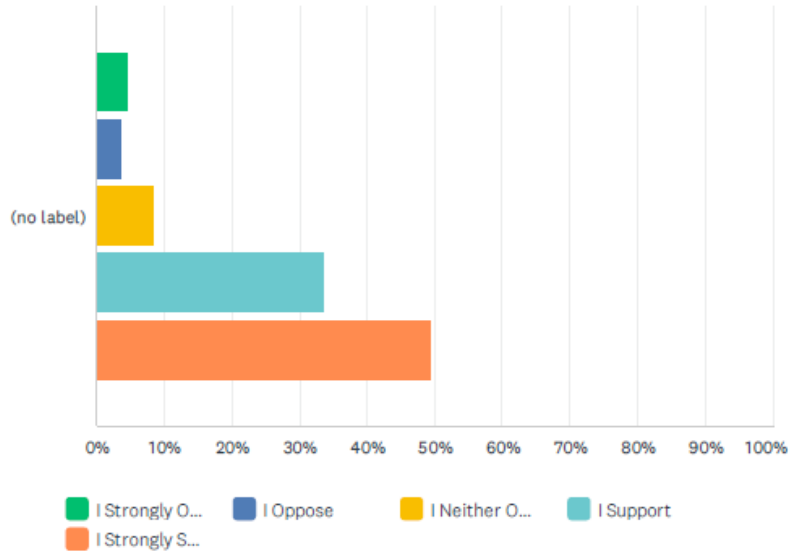


	I STRONGLY OPPOSE	I OPPOSE	I NEITHER OPPOSE NOR SUPPORT	I SUPPORT	I STRONGLY STRONGLY	TOTAL	WEIGHTED AVERAGE
(no label)	6.09% 17	5.02% 14	10.75% 30	31.54% 88	46.59% 130	279	4.08

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Q13 Please indicate your level of Agreement or Disagreement with the following statement:If necessary to improve cell service ALONG RHCA ROADWAYS, how willing are you to support adding more small cell sites along the RHCA roads?

Answered: 279 Skipped: 13



	I STRONGLY OPPOSE	I OPPOSE	I NEITHER OPPOSE NOR SUPPORT	I SUPPORT	I STRONGLY STRONGLY	TOTAL	WEIGHTED AVERAGE
(no label)	4.66% 13	3.58% 10	8.60% 24	33.69% 94	49.46% 138	279	4.20

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WORD CLOUD OF RESPONSES TO QUESTION 14:

Answered: 136 Skipped: 156

Q14 If you would like to provide your Board of Directors with any comments on this topic, please type them here. (Optional.)



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DE-IDENTIFIED, VERBATIM FULL RESPONSES TO QUESTION 14:

Answered: 136 Skipped: 156

Verbatim; de-identification indicated by brackets [ ]

Q14 If you would like to provide your Board of Directors with any comments on this topic, please type them here. (Optional.)

Should small cells be installed they should be camouflaged and the residents should never be charged for these cells.

Our public utility services in our community is unacceptable. Our landlines were out for 5 days this week! Power outages have been unacceptably frequent, although they have improved lately. It's time to get to work with the "authorities."

I have poor quality cell phone service inside my home because I only get Moble service through cox internet boosters. If my internet gos off, I get NO cell NO house phone line and NO way of contacting anyone.

With a 5G phone and T-Mobile I now get cell phone coverage at my home and on Crest Road but not on Eastfield. Verizon told me they had coverage in RH but I never could get more than 1 or 2 bars thus no reception.

How about internet service?

Thanks for considering improving the service

We really desperately need better cell service.

Please improve cell service in our city. We don't get good signals within our property.

It's incredibly frustrating to not have adequate cell phone access. Is that the price we pay for living in these amazing hills? Then maybe that's ok!? (Yet, it would be wonderful to be able to rely on our cells phones!!!)

Given how much work we are doing remotely I feel it is absolutely imperative to improve cell service in Rolling Hills. It is also a safety issue

Why you are not trying to have one company in the entire gate. May be AT&T. It’s so ridiculous that from one street to other the carriers are changing

thank you for taking consideration in this much needed matter

Don't ruin this beautiful city. It feels calm here. Don't add static by introducing more towers.

Please improve cell service. It's dangerous to not have good coverage in many areas.
The question re do you “support vs oppose” is so vague as to be unanswerable. What does that mean, or entail?

It is a safety issue. If there is an emergency, one needs the ability of having a working cell phone.

We would like to have cell service throughout the city. There are too many dead zones. You are asking us if we oppose or support with no pro/con information. Is the only pro better service, or is there another? Is the only con the appearance of towers, or is there cost involved? Educate us a bit on the issues briefly in the blue newsletter, please.

We need better cell service in Rolling Hills. I need to stay with Verizon Wireless for work reasons.

It is dangerous not to be able to have any means to contact outside in case of emergence when power down or loss of internet

We have figured out how to navigate through the terrible cell coverage in RH. However guests, family members, contractors and workers have tremendous issues with coverage and safety is an issue for these people behind the gates

This is one of the most important issues in the city. From both a quality of life and a safety issue on the trails while hiking and riding. Cell service is critical!!!!

Please help us. We have been suffering unnecessarily for years without proper cell phone capability-ridiculous!

I have both T mobile and ATT. Got rid if Verizon. All three are near useless. Regarding 911, would be safer to call with a smoke signal!

All cities in LA County have better daily cell coverage than RH. Poor coverage affects us DAILY. The City's Emergency Notification is Alert Southbay. Everyone is the community is at risk in the event of an emergency. We keep a landline, which is outdated and an additional cost, to communicate daily and in the event of an emergency. But many folks do not. We have tried all sorts of signal booster products with minimal success. We DRIVE somewhere when we have to count on a call not dropping.

This is a top priority for us. We have given up our landline and our cell service is very unreliable. I do not feel safe knowing my phone might not work when we have an emergency. Please proceed with any means to improve service.

I get virtually no cell service at my location. This is dangerous when there is an emergency and makes completing necessary tasks very difficult. I would support cell towers in any location that would help.

The cell coverage is beyond terrible throughout our City and certainly near our home on Johns Canyon Rd. It's not just a question of convenience or business need but also safety, security, visitors having a connection for GPS or communication, etc. Let's please get this addressed

The members of my household are strongly opposed to additional cell sites and the implementation of 5G in Rolling Hills. Thank you.

I strongly oppose additional cell sites and the implementation of 5G in Rolling Hills. Thanks
We need cell service improved particularly along main roads like Portuguese Bend Road from Crest down to the gate.

It's ridiculous that everyone has to pull over at Acacia because any further is a dead zone. Same thing on Crest, there is only service by the fire station.

No cell towers please

No cell towers.

Thank you for your efforts to improve our cell service - hopefully the community will support some additional, camouflaged sites to allow for improvements

We can barely have a conversation on our wireless home phones. The cell phone service stinks and I need it for work!

Both TMobile and Verizon are offering 5G internet service for around $50 a month. Currently my address is not covered but I assume that good 5G service will be needed to provide this internet service. I am tired of having to pay over $300 a month to COX for internet service (and cable).

At home we have cell service, but mostly use Wi-Fi if using cell phone at home. Plus, we also have Land Lines at home.

At home we actually mostly use WIFI not the cellular connection which is a bit weak on our property and in most of the house - except when during our rather frequent power outages - need rely on the cellular network. TMOBILE has no coverage holes here and there inside the gates - particularly the middle of Crest and most of PB. It would be nice to have solid 5G coverage - then we'd have something other than Cox for internet connections.
It's long overdue. Cell service is essentially to daily life. We can't function for 5 minutes without a cell phone. We need to get cell service upgraded to first world country. Some remote villages in Asia have better cell service when I'm there to call home than using cell phone in Rolling Hills to call Asia. IT'S TIME. NO FURTHER DEBATE ON THIS MATTER. IT'S THE NUMBER ONE COMPLAINT IN ROLLING HILLS.

One of the most important issue that needs to be improved in our city!

Need to enter 21st century and have cell phones service available at all times and places in Rolling Hills

We keep loosing calls made with our cell phones.

Cell service is very spotty on different parts of my property. Using either T Mobile or ATT there is no coverage in many areas. My children cannot get a hold of me on their cellular device in case of emergency. This is a big problem.

Cell service at home is VERY POOR and when at home we use cell phone wi-fi calling (Cox internet). Cell service is unreliable when out of wi-fi range.

The RHCA, should consider providing wi-fi throughout the city to avoid blind spots and also accommodate the residents.

Wi-Fi access is more critical than more cell phone antennas.
My assumption is that most of the residents in RH are working professionals. At least half the people I interact with outside of RH solely use their mobile devices for primary source of communication. Here we are in 2023 and I cannot make or receive a phone call via my mobile device as if it were 1980. God forbid I find myself in a situation where a 911 call is necessary while I am on my own property away from my desktop phone. I have been in the middle of Montana in the middle of nowhere and had unrestricted cellular service. Lack of cellular service in my neighborhood has become comical.

Although I'd love better service in RH, I'd be curious of any possible physical health dangers of having multiple small cell sites along our roads, particularly anywhere near my home. I have no idea if these devices emit harmful waves or if there's a negative, synergistic effect if there are multiple units around a small area.

As strongly as we feel about improving cell service, we feel far stronger about improving access to competitively priced high-speed internet in the neighborhood. This would include bringing in FIOS as an option as well as competitors to Cox.

We need better cell service for the safety of our children and families.

I am highly sensitive to the EMF. It has caused me alot of Medical problems and have spent alot of money trying to reduce the EMF in and around my home I dont. want anything near my residence [ ]

making use of stop sign posts or other existing elements seems attractive; I don't like the idea of introducing new towers that will impact the rural and natural atmosphere of our community; I don't see why we would need to address cell service in my home when we have existing choices with telephone and cable service

Cell service for Verizon is not available on large portions of Portuguese Bend Road and Crest Road

Cell service coverage in our community parallels that which one might see in a Third World country. I strongly support the efforts of the board to improve our cell service coverage. I further encouraged the improvement of cell coverage using currently available aesthetically pleasing options.

Cell phone service is generally fine in most places in the community. Each provider has different coverage holes. The trails are particularly uncovered because of the steep hills, so cell phones are often useless without moving to high ground in emergencies but not sure there is a cost effective solution to cover all the trails. Recommend priority be to get widespread 5G coverage enabling high speed wireless Internet acres for as much of the community as possible. This will eliminate the Cox cable monopoly and should lead to competition and better service for all.

This is a MUST for safety of our Residents, for the attractiveness of our community and the livelihood of our residents. An absolute MUST!

Must not adversely impact aesthetics

When power/internet lines are down, we're isolated as it stands. Cell service would make us feel safer and better prepared for emergencies.

I like the fact i cant be reached while i am out walking so in that case its nice but if i ever needed help on some of the trails id have an issue. At home my coverage is fine but when i visit friends in the neighborhood its spotty. So im sort of ambivalent on this whole topic.
I'm not sure what you are referring to when you say small cell sites so I can't make a decision on that matter.

I believe I am with every other resident to say that I would like improved cell service but refuse to have a cell tower near my house. I had adequate coverage and if the choice is between current service or having a cell tower on my property, I would choice current service. I will never support having a cell tower on or near my property.

I have had to maintain a land line since cell service is poor at my home. Also lower Eastfield has poor cell service so calls cannot be made or are dropped

Thank you this is critical to us

We have good service in our home but the service is not good on the roads, specially on Crest road. Please do not consider adding the cell sites in Rolling Hills as there are health issues associated with such towers, specially 5G. Thank you.
Aesthetics must be considered. I would not appreciate tall unsightly structures on our major streets.
My cell phone stops working at least once in about one call out of

three. I have too redial. Sometimes redialing doesn't work.

I sometimes get the message No Service.Often get only one small bar.

I can only make calls and hear caller in two rooms of my home.
At home both ATT and T mobile are USELESS! NO signal.

Once I drive out of the gates, signal.

Our family would feel much safer with cell service.

This is much needed and we have been waiting for it for a long time. Happy to see this is prioritized at the beginning of the year!

With further reliance on cell phones only over land lines, it is extremely important to have access to service. Wifi can only cover so much around the home. We also have potentially hazardous roads and in the event of a crash, cell service is a necessity.

Our cell phones only work at our home if they are connected to wifi. Our phones don't work when the wifi is down or power is out. It is a huge safety concern for us and our neighbors.

Really depends on what the cell sites look like and how they match the surroundings before I can express a real opinion on this matter. Please show us what the new ones would look like in our area.

Why was this not done 10-15 years ago?

would be really wonderful to have better cell reception. thanks for working on this.
small boosters should suffice. Should be agnostic like Crown Castle rather than just a single provider

When our internet service provider junction box went down, we bought a booster for cell service. The booster was of no use because we have zero to minimal cell service in our home and only if we stand outside towards the canyon. "Landline" also does not work if there is no internet (Frontier).

I believe access to reliable cell service is an expectation for safety and to accommodate necessary work to be done effectively. The addition of small cell sites can also be done in a very aesthetically pleasing manner.

Service at the Crest road entrance - near St. John Fisher is terrible. Any improvement in that area would be much appreciated

Not only do our cell phones not work dependably in Rolling Hills but our land line also drops frequently.

I canNOT continue a phone call while driving from my home to main gate, or while driving from the main gate to my house without significant interruption and/or complete dropout.
We have ZERO cell service at our home with ATT and Verizon.

It is untenable, dangerous, and thoroughly baffling why this is the case.

Thank you for putting this survey together.

Cell phone service in RH is worse than any community I've visited or lived in even with WIFIAsist. .

Thank you for addressing this!!

Both my wife and I work from home using our cell phones exclusively, and outside of using wifi calling inside the home, we get almost no cell phone reception with either AT&T or Sprint. We support improving cell service inside the gates.

We need good cell phone service within our city for everyday convenience and for all emergency services - 911 and catastrophe notifications. It's time to provide residents with the available technology that will help keep us safe.

Time to come to grips with the need to make tradeoffs if we want high tech lifestyle. But we do not really need to go all the way to 5G if that requires much more and much taller poles. Just better coverage throughout the city is what we want.

We would appreciate having uninterrupted cell service from the gates to our home. It is difficult for medical professionals like doctors to be answering or returning calls that come in during driving. Likewise, cell service is non existent at our home on Maverick Lane other than wifi which can sometimes have issues.

We need better cell service inside gate and at our home.

Please address this quickly.Thank you.

we have kept a land line simply because we do not use the cell phones for an important call. While wifi calling works well, when our internet goes down, we are truly on an island. Zero cell service.

We are relying on our wifi for our mobile phone to work. Recent years, the landline also becomes inoperable during power failure.

For medical emergency during an outage, we have no way to connect to outside for help. We get service at our house but walking on Crest or driving through Rolling Hills we loose service.
When I'm at home, I use wifi (for calling, texting, internet) so cell service doesn't matter. It's only on the roads that it's an issue. But seriously... I can be outside the gate within excellent cell range within 5 minutes. To say we all need immediate/constant cell service is a bit dramatic. I see this as a non-issue. Perhaps boosting self importance with the idea we need to be constantly connected or available. I'm likely in the minority but cell service is a luxury... not a necessity.

Cell service is more important that ever as land lines disappear. Also, Cell towers are a source of income for the RHOA. The cell providers should be willing to pay monthly rents for providing the cell towers. This could be a significant source of income opportunity. The right to provide RH with towers should not be given for free. Towers, like the sirens, can be hidden, and may be able to be placed on the SAME towers.

The current lack of cell service requires that we have multiple work-arounds that are less secure and less robust to disruption (e.g., connecting calls from cell phones to routers and internet service providers). More importantly, it is a significant safety concern every day - whenever we leave the range of our routers, like when we are on roads or trails with no reliable coverage.

We need better cell service!

Reliable & consistent cell phone service is an absolute necessity in our community for our safety & sanity.

Cell service is non-existent at our home. We had to purchase an AT&T Cell booster that works with Wifi, and it is spotty. All improvements in Cell Service would be welcome with one caveat - I would not want a new Cell tower too close to my house. I would hope that it would be placed in a location that provides enough cell service without dealing with the health consequences that a cell tower in close proximity would create.
Just make the cell towers look like trees so no one fusses

There is certain roadways that you know cell service will disappear. Choosing locations could cause a tower to not be appreciated if in their view of a homeowner.

We also need better internet. Fiber optic is what we need for more robust internet.
taking too long to get this done

Compared to the eyesores of numerous large electrical posts, a few more phone towers is trivial.

Very frustrating when calls kept on being dropped

The cell service at my home is completely unreliable and I need to keep a landline active to support my business and life. People call on the cell and I tell them I will call you back on the land line when we get disconnected

I recently did an extensive renovation of an old home, everything is new. Cell reception at the home was terrible, my contractor installed a "cell phone booster", it works great, I paid extra to make sure it would it is barely visible. If the decision is made to install a booster type system, pay the extra money so it is not an eye sore. I don't mind contributing.

Cell service is essentially non existent driving around, and at our house. If wifi goes out, our phones do not work, and we won't be able to emergency call 911. Also, we have to reset our phones constantly to reconnect to a signal. It's terrible. Please fix.

Enough is enough, the BOARD should make the decision, this has been a issue for too long! Good Cell Communications is more important than spending funds on Emergency Alert System

When our power goes out we have no Wi-Fi which means no cell at all. Cannot call 911 if power goes out! We have a land line because cell service is non existent in RH. When power is out landline is also out. We have ATT and verizon and neither works!

Recently had a real world example of limited access to emergency service. [ ] we had trouble calling 911 until someone in the group that stopped to help her was able to get a call through. Service is terrible. Often completely unavailable. Zero bars or SOS status much of the time. Calls initiated drop frequently.

It seems to have gotten worse since the start of summer.

I don't know about access to 911 as I haven't called 911 from my cell phone

We desperately need better cell service - not just for work from home, but also for safety, risk, and security. We cannot even alert the city from our homes if incidental need to do so might occur. This is a great attention and I thank you as a [ ] year resident for any improvement to our ability to enjoy this community with safety and confidence. Thank you, so much.
Improve home and road cell service please

I use WiFi calling and get excellent reception. If you have internet service, there is no need for more towers. Tower service will soon be obsolete and all that will be left is expense and

ugliness. If residences learned how to use the tools that are available to all, this debate would be over

At my house I use a landline or enable Wifi calling to use my cellphone. When hiking or when riding horses, or when my children are riding horses, we do not have cell services and it safety concern of ours.

Thank you for helping cell coverage— we need it for safety

I have Verizon cell service and from [ ] Johns Canyon, I have no service until I reach PV Dr. North and Portuguese Bend or until I reach Deep Valley Drive to the west. (With the exception of about 300 feet by the fire station on Crest.)

I can be sitting right next to my phone, and get a message for a missed call. My calls drop all the time, and some days it is impossible to make calls from my cell phone. WE absolutely

need something to be done immediately.
reception at my house is spotty at best, and once I leave my driveway, I'm in a roughly 8 minute void before I have reception again. It's unacceptable from a safety standpoint.

I am so happy you are working on improving the cell service in RH. It is worse than the cell service in a 3rd world country we recently visited. It's embarrassing to be on important work calls and always lose cell service or an important dr call and lose touch and have to wait days to hear back again, or to be on hold with an airline for an hour and then have cell service dropped and need to start all over again, or need to leave for an appointment but have to disconnect because you know you'll lose the connection driving, or not be able to get through to 911 in an emergency, etc. For all of our safety and well being, much better cell service is needed.

I feel like I live in a 3rd world country

I use Cox Communications for a land line, internet and TV. When that service goes out, I then have no ability to use a mobile phone from my house in the case of an emergency because can't get a good signal. It's scary to think about.

We need more towers.

I think that the need for improved cell service is the most important issue before the RHCA and City. I witnessed a near accident caused by a truck without a flag person. I could not report this dangerous and continuing danger because I had no cell service.

Cell phone service always drops after entering any gate in the RH. There are know areas where residents or guests can pull over to finish a cell phone call. These areas are typically near residents front yards which is surely frustrating for those property owners. In addition delivery drivers and shuttle services would have better gps routing to residents homes.

Safety should be a concern and having improved cell service would be prudent!
We have very little if any cell service at our home. If we need it we have to go down to the office.

My main issue is the circumstance where internet goes down eliminating voice over IP calls. In that event mobile is all I would have and the signal is very poor at my home.
Let's get into the nineties!

Forget the fifties solution, air raid sirens.

By adding additional cell sites on roadways, does this have any effect to residents health ? Please provide residents with pros and cons of the side effects of adding additional cell sites along roadways! How does it affect us and our families personally based on proximity?

There are serious personal harms associated with 5G in particular. We would be better served with fiber optic underground cabling.

If you're going to add cell sites they need to be very hard to find/see. The large fake tree cell sites are hideous.

oOo

Agenda Item No.: 9.B
Mtg. Date: 09/12/2023

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

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

THRU: **DAVID H. READY**

SUBJECT: **AN ORDINANCE OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO WIRELESS FACILITIES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

DATE: **September 12, 2023**

BACKGROUND:
This item was continued by the Planning Commission on August 15, 2023. At that meeting, the Planning Commission directed staff to require a conditional use permit (CUP) for Type 3 facilities, which are new small wireless communication facilities ("WCF") on a new or replacement structure. The proposed Ordinance has been amended to incorporate the Commission's direction.

The City Council last updated the RHMC's WCF regulations in 2004. Numerous federal and state laws and regulations have since taken effect, which (among other things) significantly restricted local control over the permitting and placement of wireless communication facilities ("WCF"). Noteworthy features of these regulations include the following:

1. **Ban on Moratoria**

On August 2, 2018, the Federal Communications Commission ("FCC") adopted a Third Report & Order and Declaratory Ruling, 33 FCC Rcd. 7705 (rel. Aug. 3, 2018) ("**Moratoria Order**"), that, among other things, contained a declaratory ruling prohibiting express and *de facto* moratoria for all personal wireless services, telecommunications services and their related facilities under 47 U.S.C. § 253(a) and directed the Wireless Telecommunications Bureau and Wireline Competition Bureau to hear and resolve all complaints on an expedited basis. The declaratory ruling in the Moratoria Order was made effective upon release. This means that there can be no pause in accepting or processing applications to allow a city to study and address potential issues.

2. **Shot Clocks and Enhanced Remedies**

The FCC has adopted shot clocks (i.e., timelines) within which a local government must act on WCF applications. The most recent shot clocks have focused on applications for small WCFs and modifications to existing WCFs.

2009 Shot Clocks: In 2009, the FCC adopted a Declaratory Ruling, 24 FCC Rcd. 18994 (rel. Nov. 18, 2009), to clarify existing federal law requiring local governments to act on WCF applications within a reasonable period of time. In that Declaratory Ruling, the FCC established two shot clocks for local action on wireless facilities applications:(1) a 60-day shot clock for collocations; and (2) a 150-day shot clock for all other types of WCF applications.

The State of California later adopted AB 57 (Gov. Code 65964.1), which that took effect on January 1, 2016, and created a "deemed granted" remedy (effective January 1, 2016 for collocations and "other" applications; effective January 1, 2022 for small cells) if the local government failed to act on an application during the time period allowed under the applicable FCC shot-clocks. This "deemed granted" remedy is available for any application under these shot clocks other than those proposed for placement on fire department facilities.

Eligible Facilities Requests: In 2012, Congress adopted a law (codified as 47 CFR Sec. 1455) requiring that certain applications to modify or add to existing WCFs must be approved at the local level. In 2014, the FCC adopted an implementing Order, including height and size criteria and a 60-day shot clock to process these "eligible facilities requests" (29 FCC Rcd. 12865). More recently, the FCC adopted clarifications and changes to its rules to further facilitate these types of deployments. A failure to act within this FCC shot clock period can result in the application being deemed approved under federal law.

Small Wireless Facilities Shot Clocks: On September 26, 2018, the FCC adopted a Declaratory Ruling and Third Report and Order, 33 FCC Rcd. 9088 (rel. Sep. 27, 2018) ("**Small Cell Order**"), which, among other things:

- Created new shorter (60-day and 90-day) shot clocks for small WCFs (as defined in the Small Cell Order);
- Interpreted existing shot clock regulations to require local public agencies to issue all relevant permits and authorizations within this period;
- Established a national standard for an effective prohibition related to small WCFs that replaced the existing "significant gap" test adopted by the United States Court of Appeals for the Ninth Circuit; and
- Provided that a failure to act within the applicable timeframe presumptively constitutes an effective prohibition.

The Small Cell Order took effect went into effect in part on January 14, 2019, and in part on April 15, 2019. On August 12, 2020, a three-judge panel of the Ninth Circuit Court of Appeals upheld the Moratoria Order and significant portions of the Small Cell Order, including the shorter shot clocks and remedies for failing to meet a shot clock. (*City of Portland v. United States*, 969 F.3d 1020 (9th Cir. 2020) (" *City of Portland*")). On October 22, 2020, the Ninth Circuit Court of Appeals denied a petition for en banc review of the above-referenced panel's decision.

In 2021, the California legislature enacted AB 537 (Gov. Code 65964.1), which further expanded the reach of AB 57's deemed granted remedy to apply to all WCF applications

subject to FCC shot clocks. Following AB 537, a deemed approved remedy is available for each and every WCF application type—which is triggered when the local government fails to render a final decision on a WCF application and issue all necessary approvals by the applicable FCC shot clock deadline.

3. **Limits on Design Standards**

In addition to the foregoing, the Small Cell Order placed limits on aesthetic regulations for small WCFs, including undergrounding. Under the Small Cell Order, local aesthetic regulations are permissible so long as they are reasonable, no more burdensome than those applied to other types of infrastructure deployments, objective, and published in advance (so that applicants know the applicable WCF aesthetic requirements).

In *City of Portland* discussed above, the Court invalidated certain portions of the FCC's Small Cell Order that imposed new rules for aesthetic standards for small wireless facilities. Now, a city's aesthetic regulations for small wireless facilities will not be preempted if they are (1) reasonable (technically feasible); and (2) published in advance.

4. **Limits on Fees**

The Small Cell Order declared that all WCF-related fees (including permit fees and rental fees for use of government-owned infrastructure, such as streetlights) must be based on a reasonable approximation of the local government's costs, such that only objectively reasonable costs are factored into those fees, and fees are no higher than the fees charged to similarly situated competitors in similar situations. The FCC established presumptively reasonable fee levels (called "safe harbors") that include: non-recurring fees equal to $500 for a single application for up to five collocations, plus $100 for each additional collocation, and $1,000 for each new pole. Recurring fees for attachment to a local government's poles are presumed reasonable if equal to $270 per facility/per year, including the fee for attachment to the infrastructure and use of the public right-of-way.

DISCUSSION:

At the direction of the Planning Commission at the August 15th meeting, the following changes were made to the Ordinance:

- Ordinance No. 384, Section 4:
  - Section 17.27.040
    - A.2 (Permit Requirements): Type 3 was added to subsection a and removed from subsection b.
    - D (Findings for Approval): Type 3 was added to subsection 1 and removed from subsection 2.

Additionally, a recital was amended in Resolution 2023-10 and Ordinance No. 384 to reflect the Commission's action at the August 15th meeting. A redlined version of the Ordinance is included as Attachment 2.

Wireless Ordinance

Staff and the City Attorney's Office reviewed the RHMC's processes and regulations governing WCFs. From this review, it was determined that various amendments to the RHMC are warranted in order to comply with the changes in federal and state law profiled above. The attached ordinance so amends the RHMC.

A. *Repealing and replacing Section 17.27.040, ""*Wireless communication antennas and facilities"*:*
    a. Clarifies which facilities are exempt from the location, permit requirements, and other provisions of Section 17.27.040;
    b. Specifies that either a temporary use permit, zone clearance approval, or a conditional use permit is required all wireless communications facilities subject to Section 17.27.040 and establishes which types of facilities are subject to which type of approval and the procedures for such review;
    c. Establishes general standards for wireless communications facilities, such as aesthetics, landscaping, setbacks and lighting;
    d. Creates an application process with documentation requirements and a list of standard conditions of approval; and
    e. Provides for instances where the requirements provided for in Section 17.27040 may be waived or modified.
B. *Amending Section 17.44.020, "Applicability," to add a new subsection (G), requiring zone clearance for the installation, construction, modification, replacement, or placement of certain wireless communications facilities.*
C. *Amending Section 17.48.040, "Allowed Temporary Uses," to add a new subsection (B) (4) related to temporary wireless facilities via a temporary use permit.*

Findings

Section 9-2.1601 of the RHMC provides that the City's Zoning Chapter "may be amended to reclassify zones, to alter the boundaries of districts, to impose regulations not heretofore imposed, and to remove or modify any regulation heretofore imposed pursuant to provisions of Title 7 of the Government Code of the State." RHMC Section 9-2.1602 allows City staff to initiate a Zoning Code amendment. Finally, state law provides that city zoning ordinances must be consistent with the general plan of the city, pursuant to Government Code section 65860. Here, the proposed Zoning Code amendments are consistent with the City's General Plan as follows:

1. General Plan Safety Element Policy 5.10: *Support the development and further implementation of a peninsula-wide disaster plan;*
2. General Plan Safety Element Policy 5.14: *Ensure the reliability of essential facilities such as communications towers, electrical substations, water services, and first-response buildings in the event of an emergency through promoting grid resilience and energy independence. Work to implement on-site power generation through solar photovoltaic systems and battery storage*;
3. General Plan Safety Element Policy 5.16: *Increase access to essential resources and facilitate effective communication in the community to accelerate recovery following such a disaster*; and
4. Land Use Goal 2: *Accommodate development which is compatible with and complements existing land uses*.

Wireless Application

A draft Wireless Application is included as Attachment 3 and has been updated since the August 15th meeting. No substantive changes were made; only formatting and spacing issues. The Wireless Application includes a checklist of information needed to deem an application complete. It is meant to guide applicants and ensure proposals meets the City's wireless

requirements. Section 17.27.040 (C) of the draft ordinance permits the Director of Planning and Community Services to generate and update the form from time to time as necessary. No action by the Planning Commission is required on the Wireless Application.

ENVIRONMENTAL

The proposed ordinance is not a "project" within the meaning of Section 15378 of the State CEQA Guidelines, because it has no potential for resulting in direct or indirect physical change in the environment. The ordinance does not authorize any specific development or installation on any specific piece of property within the City's boundaries. Moreover, when and if an application for installation is submitted, the City will at that time conduct preliminary review of the application in accordance with CEQA. Alternatively, even if the ordinance is a "project" within the meaning of State CEQA Guidelines Section 15378, the ordinance is exempt from CEQA on multiple grounds. First, the ordinance is exempt CEQA because the City Council's adoption of the ordinance would covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3)). That is, approval of the ordinance will not result in the actual installation of any facilities in the City. In order to install a facility in accordance with this ordinance, the wireless provider would have to submit an application for installation of the wireless facility. At that time, the City would have specific and definite information regarding the facility to review in accordance with CEQA. And, in fact, the City would conduct preliminary review under CEQA at that time. Moreover, in the event that the ordinance is interpreted so as to permit installation of wireless facilities on a particular site, the installation would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land).

FISCAL IMPACT:

None.

RECOMMENDATION:

1. Open and conduct a public hearing;
2. Find that proposed Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), State CEQA Guidelines Section 15304 (minor alterations to land), or, in the alternative, Sections 15378 and 15061(b)(3); and
3. Adopt Resolution No. 2023-10 (Attachment 1), which recommends that the City Council adopt the proposed Ordinance No. 384 (Exhibit "A" to Attachment 1).

ATTACHMENTS:

ATTACHMENT1_2023-10_PCResolution_WCF_Ordinance_091223-c1_F2.pdf
ATTACHMENT2_384_WirelessOrdinance_D4_redline.pdf
ATTACHMENT3_PL_WCF_OrdAmend2023_WirelessApplicationDraft_8-29-23.pdf