



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

2 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274
(310) 377-1521
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AGENDA
Regular Planning Meeting

PLANNING COMMISSION
Tuesday, July 21, 2020

CITY OF ROLLING HILLS
6:30 PM

This meeting is held pursuant to Executive Order N-29-20 issued by Governor Newsom on March 17, 2020. All Councilmembers will participate by teleconference.

Public Participation: City Hall will be closed to the public until further notice. A live audio of the City Council meeting will be available on the City's website (<https://www.rolling-hills.org/government/agenda/index.php>). The meeting agenda is also available on the City's website (<https://www.rolling-hills.org/government/agenda/index.php>).

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

1. **CALL MEETING TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF THE AGENDA**
4. **PUBLIC COMMENTS ON MINUTES AND ANY ITEM NOT ON THE AGENDA**
5. **APPROVAL OF MINUTES**
None.
6. **RESOLUTIONS**
RESOLUTION 2020-04: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A VARIANCE REQUEST TO ENCROACH INTO THE FRONT SETBACK FOR A 162 SQUARE FOOT ADDITION TO AN EXISTING GARAGE, IN ZONING CASE NO. 20-03 AT 3 POPPY TRAIL, (LOT 8-PT), ROLLING HILLS, CA (JONAS).
7. **PUBLIC HEARINGS ON ITEMS CONTINUED FROM PREVIOUS MEETING**
 - 7.A. **VARIANCE REQUEST TO ALLOW A PROPOSED 162 SQUARE-FOOT ADDITION TO AN EXISTING TWO-CAR GARAGE TO ENCROACH INTO THE FRONT YARD SETBACK LOCATED AT 3 POPPY TRAIL ROAD (ZONING CASE NO. 20-03 AND RESOLUTION NO. 2020-04/JONAS).**

RECOMMENDATION: Staff recommends that the Planning Commission consider

the variance request and approve the proposed 162 square-foot addition to an existing two-car garage encroaching into the front yard setback.

[2020-04 3 Poppytrail_VAR.docx](#)

RESOLUTION 2020-04: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A VARIANCE REQUEST TO ENCROACH INTO THE FRONT SETBACK FOR A 162 SQUARE FOOT ADDITION TO AN EXISTING GARAGE, IN ZONING CASE NO. 20-03 AT 3 POPPY TRAIL, (LOT 8-PT), ROLLING HILLS, CA (JONAS).

THIS ITEM IS NOT NEW, BUT MERELY MOVED FROM THE WRONG HEADING TO THE CORRECT HEADING ON THE AGENDA.

8. NEW PUBLIC HEARING

None.

9. NEW BUSINESS

None.

10. OLD BUSINESS

None.

11. SCHEDULE FIELD TRIPS

None.

12. ITEMS FROM STAFF

None.

13. ITEMS FROM THE PLANNING COMMISSION

None.

14. ADJOURNMENT

Next meeting: 18, August, 2020 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.

**REVISED
RESOLUTION NO. 2020-04**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A VARIANCE REQUEST TO ENCROACH INTO THE FRONT SETBACK FOR A 162 SQUARE FOOT ADDITION TO AN EXISTING GARAGE, IN ZONING CASE NO. 20-03 AT 3 POPPY TRAIL, (LOT 8-PT), ROLLING HILLS, CA (JONAS).

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

Section 1. An application was duly filed by Mr. Robert Jonas requesting a Variance to locate a 162 square foot addition to an existing two-car garage within the front yard setback.

Section 2. The Planning Commission conducted duly noticed public hearings to consider the application on July 21, 2020 including a morning field trip and an evening meeting. The applicants were notified of the public hearings in writing by first class mail. Evidence was heard and presented from all persons interested in affecting said proposal and from members of the City staff and the Planning Commission having reviewed, analyzed and studied said proposal. The applicants' representative was in attendance at the public hearings.

Section 3. The property is zoned RAS-2 and the gross lot area is 2.7 acres. The net lot area is 2.18 acres or 95,160 square feet. The lot, with the exception of three graded building pads (main home, stable and accessory recreation room) has a steep descending slope, rear to front. Due to the location of the residential pad within the front setback, over 40% of the residence is nonconforming in that it lies within the front setback.

Section 4. In 2009 the applicant was granted a Conditional Use Permit and a Site Plan Review that allowed the construction of an 800 square foot recreation room and access thereto. A "No further development" restriction was imposed on the property, requiring any future structural modifications to be reviewed by the Planning Commission in a Site Plan Review public hearing.

Section 5. In 2016 Planning Commission granted a Site Plan Review for 375 square feet as-built living area, three covered porches totaling 705 square feet, and 5-foot maximum height wall to accommodate a 4-foot wide walkway along the rear of the home and a Variance request to allow a new porch to encroach into the front yard setback.

Section 6. In 2018, a subsequent Site Plan Review was approved for two as-built retaining walls that exceeds 3 feet in height and a Variance for a wall that exceeds the maximum 5-foot height.

Section 7. This project is also categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) because it involves minor alteration of or addition to an existing private structure. The project consists of a 162 square foot addition to an existing 462 square foot two-car garage.”

Section 8. Sections 17.38.010 through 17.38.050 of the Rolling Hills Municipal Code permit approval of a Variance granting relief from the standards and requirements of the Zoning Ordinance when exceptional or extraordinary circumstances applicable to the property prevent the owner from making use of a parcel of property to the same extent enjoyed by similar properties in the same vicinity or zone. In proposing to encroach in the front setback with 162 square feet of addition to an existing garage, a Variance is required to grant relief from Section 17.12.190 of the Zoning Ordinance (setback definitions requiring that setbacks be free of structures).

With respect to the aforementioned request for a Variance from Zoning Ordinance Section 17.16.110, the Planning Commission finds as follows:

A. There are exceptional circumstances and conditions on the subject property, including the natural slope, location of the building pad and the shape of the lot, all of which constrain development. The lot has a relatively steep natural downward slope from rear to front. Due to this constraint, the main building pad was originally created at the front of the lot, with a considerable portion of the pad (and 40% of the existing residence) located within the 50-foot wide front yard setback. This leaves little area to build outside of the setback area which is exacerbated by its relatively long frontage (435.5 lineal feet) along Poppy Trail.

B. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same vicinity and zone but which is denied to the property in question by strict application of the code. Three car garages are common amenities to residences in Rolling Hills and this approval permits the applicants to enjoy the same amenity. The proposed addition, although in the setback is not intrusive or massive.

C. The granting of the Variance would not be materially detrimental to the public welfare or injurious to the properties or improvements in such vicinity and zone in which the property is located in that the increase in nonconformity for the front setback will be relatively minor, being a further encroachment of only five feet.

D. In granting of the Variance the spirit and intent of the Zoning Ordinance will be observed in that the proposed addition will be orderly, attractive, and will not detrimentally affect the rural character of the community.

E. The variance does not grant special privilege to the applicant in that three car garages are common amenities in the City of Rolling Hills enjoyed by many of its residents.

F. The Variance request is consistent with the General Plan of the City of Rolling Hills because the proposed structures comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures. The proposed addition to the garage does not further exceed the encroachment of leading edge of the existing structure and will not alter the existing configuration of the lot, including existing sloped conditions and large amount of open space between structures.

G. The Variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities. The proposed addition is located in a developed residential lot and will not impact any hazardous waste facilities.

Section 9. Based upon the foregoing findings, the Planning Commission hereby approves the Variance in Zoning Case No. 20-03 for 162 square foot addition to an existing garage, subject to the following conditions:

A. This approval shall expire within two years from the effective date of approval if construction pursuant to this approval has not commenced within that time period, as required by Sections 17.38.070 and 17.46.080 of the Rolling Hills Municipal Code, or the approval granted is otherwise extended pursuant to the requirements of this section.

B. If any condition of this resolution is violated, the entitlement granted by this resolution shall be suspended and the privileges granted hereunder shall lapse and upon receipt of written notice from the City, all construction work being performed on the subject property shall immediately cease, other than work determined by the City Manager or his/her designee required to cure the violation. The suspension and stop work order will be lifted once the Applicant cures the violation to the satisfaction of the City Manager or his/her designee. In the event that the Applicant disputes the City Manager or his/her designee's determination that a violation exists or disputes how the violation must be cured, the Applicant may request a hearing before the City Council. The hearing shall be scheduled at the next regular meeting of the City Council for which the agenda has not yet been posted, the Applicant shall be provided written notice of the hearing. The stop work order shall

remain in effect during the pendency of the hearing. The City Council shall make a determination as to whether a violation of this Resolution has occurred. If the Council determines that a violation has not occurred or has been cured by the time of the hearing, the Council will lift the suspension and the stop work order. If the Council determines that a violation has occurred and has not yet been cured, the Council shall provide the Applicant with a deadline to cure the violation; no construction work shall be performed on the property until and unless the violation is cured by the deadline, other than work designated by the Council to accomplish the cure. If the violation is not cured by the deadline, the Council may either extend the deadline at the Applicant's request or schedule a hearing for the revocation of the entitlements granted by this Resolution pursuant to Chapter 17.58 of the Rolling Hills Municipal Code (RHMC).

C. All requirements of the Building and Construction Ordinance, the Zoning Ordinance, 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 July 15, 2020 except as otherwise provided in these conditions.

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

F. The working drawings submitted to the Department of Building and Safety for plan check review must conform to the development plan approved with this application. A copy of the conditions of this Resolution shall be printed on plans approved when a building permit is issued and a copy of such approved plans, including conditions of approval, shall be available on the building site at all times.

G. 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 including conformance with all of the conditions set forth therein and the City's Building Code and Zoning Ordinance.

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.

H. Structural lot coverage shall not exceed 7,777 square feet, or 8.2% (with allowable deductions). Total lot coverage shall not exceed 13.1% or 12,456 square feet.

I. The disturbed area of the lot shall not exceed 32% (of net lot area), which includes the existing stable and corral area. No further disturbance is proposed.

J. A minimum of four-foot level path and/or walkway, which does not have to be paved, shall be provided along the rear of the home, to allow passage around the home. A retaining wall is permitted with a maximum of 3 feet height.

K. 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.

L. *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.

M. *During and after construction*, all parking shall take place on the project site. During construction, to maximum extent feasible, employees of the contractor shall car-pool into the City.

N. *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.

O. The property owners shall be required to conform with the Regional Water Quality Control Board and County Public Works Department Best Management Practices (BMP's) requirements related to solid waste, drainage and storm water management.

P. During construction, all parking shall take place on the project site and, If necessary, any overflow parking shall take place within nearby unimproved roadway easement adjacent to subject site. There shall be no blocking of adjacent driveways or of the roadway easement for passage of pedestrians and equestrians. During construction a flagmen shall be present to direct traffic when it is anticipated that a lane may be impeded.

Q. A minimum of 65% of the construction material spoils shall be recycled and diverted. The hauler shall secure a "Construction and Demolition Permit" from the City of Rolling Hills, and provide the required documentation.

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 finaling of the project, "as constructed" plans, electronic copy and certifications shall be provided to the Planning Department and the Building Department to ascertain that the completed project is in compliance with the approved plans. In addition, any modifications made to the project during construction, shall be depicted "as built/as graded".

T. Until the applicants 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.

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF JULY, 2020.

BRAD CHELF, CHAIRMAN

ATTEST:

CITY CLERK

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

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

I certify that the foregoing Resolution No. 2020-04 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A VARIANCE REQUEST TO ENCROACH INTO THE FRONT SETBACK FOR A 162 SQUARE FOOT ADDITION TO AN EXISTING GARAGE, IN ZONING CASE NO. 20-03 AT 3 POPPY TRAIL, (LOT 8-PT), ROLLING HILLS, CA (JONAS).

was approved and adopted at a regular meeting of the Planning Commission on July 21, 2020 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Administrative Offices.

CITY CLERK