



# *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, July 19, 2022**

**CITY OF ROLLING HILLS**  
**6:30 PM**

### **Executive Order N-29-20**

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

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

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

Join Zoom Meeting via [https://us02web.zoom.us/j/99343882035?](https://us02web.zoom.us/j/99343882035?pwd=MWZXaG9ISWdud3NpajYwY3dFbllFZz09)  
pwd=MWZXaG9ISWdud3NpajYwY3dFbllFZz09  
Meeting ID: 993 4388 2035    Passcode: 647943

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

#### **1. CALL TO ORDER**

#### **2. ROLL CALL**

#### **3. PLEDGE OF ALLEGIANCE**

#### **4. APPROVE ORDER OF THE AGENDA**

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

#### **5. BLUE FOLDER ITEMS (SUPPLEMENTAL)**

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

#### **6. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

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

## 7. CONSENT CALENDAR

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

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

**RECOMMENDATION: Approve as presented.**

### 7.B. APPROVE THE FOLLOWING MINUTES: JUNE 21, 2022, PLANNING COMMISSION SPECIAL FIELD TRIP MEETING; JUNE 21, 2022, PLANNING COMMISSION REGULAR MEETING

**RECOMMENDATION: Approve as presented.**

[CL\\_MIN\\_220621\\_PC\\_FieldTrip\\_F.pdf](#)

[CL\\_MIN\\_220621\\_PC\\_F.pdf](#)

## 8. EXCLUDED CONSENT CALENDAR ITEMS

## 9. PUBLIC HEARINGS ON ITEMS CONTINUED FROM PREVIOUS MEETING

## 10. NEW PUBLIC HEARINGS

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

**RECOMMENDATION:**

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

[Attachment 1 - Resolution No. 2022-09.pdf](#)

[Attachment 2 - Ordinance No. 376\\_Exhibit A.pdf](#)

[Attachment 3 - Chapter 17.28\\_Exhibit A.pdf](#)

[Attachment 4 - Chapter 17.28 \(REDLINE\).pdf](#)

[Attachment 5 - Letter from HCD dated 6-24-22.pdf](#)

## 11. OLD BUSINESS

## 12. NEW BUSINESS

## 13. SCHEDULE FIELD TRIPS

## 14. ITEMS FROM STAFF

### 14.A. [REQUIRED MATERIALS FOR SUBMITTAL OF DEVELOPMENT APPLICATIONS](#)

**RECOMMENDATION: Receive and file.**

[Site Plan Review Application rev. 2019.pdf](#)

## 15. ITEMS FROM THE PLANNING COMMISSION

## 16. ADJOURNMENT

Next meeting: Tuesday, August 16, 2022 at 6:30 p.m. virtually.

### **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: 07/19/2022**

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

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

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

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

**DATE: July 19, 2022**

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### **BACKGROUND:**

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

- 1) There continues to be a health and safety risk due to COVID-19 as a proclaimed state of emergency with recommended measures to promote social distancing; and
- 2) Meeting in person during the proclaimed state of emergency would present imminent risks to the health and safety of attendees.

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

- 1) There continues to be a health and safety risk due to COVID-19 as a proclaimed state of emergency with recommended measures to promote social distancing; and
- 2) Meeting in person during the proclaimed state of emergency would present imminent risks to the health and safety of attendees. These findings will need to be made by the City Council each month that the City opts to continue with remote meetings.

**DISCUSSION:**

None.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

None.

**ATTACHMENTS:**



## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

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**Agenda Item No.: 7.B**  
**Mtg. Date: 07/19/2022**

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

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

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

**SUBJECT:** APPROVE THE FOLLOWING MINUTES:  
JUNE 21, 2022, PLANNING COMMISSION SPECIAL FIELD TRIP MEETING;  
JUNE 21, 2022, PLANNING COMMISSION REGULAR MEETING

**DATE:** July 19, 2022

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**BACKGROUND:**

None.

**DISCUSSION:**

None.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Approve as presented.

**ATTACHMENTS:**

[CL\\_MIN\\_220621\\_PC\\_FieldTrip\\_F.pdf](#)

[CL\\_MIN\\_220621\\_PC\\_F.pdf](#)



Minutes  
Rolling Hills Planning Commission  
Tuesday, June 21, 2022  
Field Trip Meeting 7:30 a.m.  
8 Middleridge Lane South

**1. CALL MEETING TO ORDER**

The Planning Commission of the City of Rolling Hills met at 8 Middleridge Lane South on the above date at 7:32 a.m. Chair Brad Chelf presiding.

**2. ROLL CALL**

Commissioners Present: Cooley, Douglass, Vice Chair Kirkpatrick, Chair Chelf  
Commissioners Absent: Cardenas  
Staff Present: John Signo, Planning & Community Services Director  
Melissa Flores, Administrative Clerk  
Public Present: Ralph & Shari Cimmarusti, Criss Gunderson, Ron & Geri Becker,  
James Keng, James Aichele, Steven Weinstein

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

**4. FIELD TRIP**

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

Presentation by John Signo, Planning & Community Services Director.

Criss Gunderson represented the owner.

Public Comment: Ron Becker, Geri Becker, James Keng, James Aichele

**5. ADJOURNMENT: 8:09 A.M.**

The meeting was adjourned at 8:09 a.m. to the regular meeting of the Planning Commission scheduled to be held on Tuesday, June 21, 2022 beginning at 6:30 p.m. via tele-conference.

Respectfully submitted,

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Christian Horvath, City Clerk

Approved,

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Brad Chelf, Chair



Minutes  
Rolling Hills Planning Commission  
Tuesday, June 21, 2022  
Regular Meeting 6:30 p.m.  
Via tele-conference

**1. CALL MEETING TO ORDER**

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

**2. ROLL CALL**

Commissioners Present:	Cardenas, Cooley, Douglass, Vice Chair Kirkpatrick, Chair Chelf
Commissioners Absent:	None
Staff Present:	John Signo, Planning & Community Services Director Melissa Flores, Administrative Clerk Ryan Stager, Assistant City Attorney

**3. PLEDGE OF ALLEGIANCE**

John Signo, Planning & Community Services Director, led the Pledge.

**4. APPROVE ORDER OF THE AGENDA**

Chair Chelf approved the order of the agenda as is.

**5. BLUE FOLDER ITEMS (SUPPLEMENTAL)**

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

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

**6. PUBLIC COMMENTS ON NON-AGENDA ITEMS – NONE**

**7. CONSENT CALENDAR**

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

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

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



**7.B. APPROVE THE FOLLOWING MINUTES: MAY 17, 2022, PLANNING COMMISSION SPECIAL FIELD TRIP MEETING; MAY 17, 2022, PLANNING COMMISSION REGULAR MEETING**

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

AYES: Cardenas, Cooley, Douglass, Vice Chair 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. 21-02: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW TO DEMOLISH AN EXISTING RESIDENCE AND CONSTRUCT A NEW 5,215-SQUARE-FOOT SINGLE-FAMILY RESIDENCE AND RELATED IMPROVEMENTS; AND A VARIANCE TO CONSTRUCT A FIVE-FOOT-HIGH RETAINING WALL IN THE SETBACK AREA AND CONDUCT NON-EXEMPT GRADING ON A PROPERTY LOCATED AT 11 FLYING MANE ROAD (LOT 53-SF), ROLLING HILLS, CA (NEVENKA LLC)**

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

Presentation by John Signo, Planning & Community Services Director, outlining modifications to the original submittal.

Motion by Commissioner Cooley, seconded by Commissioner Douglass, to adopt Resolution No. 2022-07 approving the project as presented. Motion carried unanimously with the following roll call vote:

AYES: Cardenas, Cooley, Douglass  
NOES: None  
ABSENT: None

**10. NEW PUBLIC HEARINGS**

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

Chair Chelf resumed presiding.

Presentation by John Signo, Planning & Community Services Director.

Motion by Commissioner Cardenas, seconded by Commissioner Cooley, to adopt Resolution No. 2022-08 with the addition of the Traffic Commission requirements.

Planning & Community Services Director Signo drafted a condition and read it into the record: "The recommendations provided by the City Traffic Engineer dated May 20, 2022, shall be incorporated into the project and included in the landscape plan prior to issuance of a building permit."

Motion carried unanimously with the following roll call vote:

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

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

Presentation by John Signo, Planning & Community Services Director.

Motion by Commissioner Cardenas, seconded by Vice Chair Kirkpatrick, to adopt Resolution No. 2022-09. Motion carried unanimously with the following roll call vote:

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

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

Presentation by John Signo, Planning & Community Services Director.

Motion by Chair Chelf, seconded by Vice Chair Kirkpatrick, to adopt Resolution No. 2022-10. Motion carried unanimously with the following roll call vote:

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

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

Presentation by John Signo, Planning & Community Services Director.

Motion by Chair Chelf, seconded by Vice Chair Kirkpatrick, to adopt Resolution No. 2022-11. Motion carried unanimously with the following roll call vote:

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

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

Presentation by John Signo, Planning & Community Services Director.

Motion by Chair Chelf, seconded by Vice Chair Kirkpatrick, to adopt Resolution No. 2022-12. Motion carried unanimously with the following roll call vote:

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

**11. OLD BUSINESS – NONE**

**12. NEW BUSINESS – NONE**

**13. SCHEDULED FIELD TRIPS – NONE**

**14. ITEMS FROM STAFF**

Planning & Community Services Director Signo introduced the new Assistant City Attorney, Ryan Stager.

**15. ITEMS FROM THE PLANNING COMMISSION – NONE**

**16. ADJOURNMENT: 7:24 P.M.**

The meeting was adjourned at 7:24 p.m. to a regular meeting of the Planning Commission scheduled to be held on Tuesday, July 19, 2022 beginning at 6:30 p.m. via tele-conference.

Respectfully submitted,

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Christian Horvath, City Clerk

Approved,

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Brad Chelf, Chair



## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

**Agenda Item No.: 10.A**  
**Mtg. Date: 07/19/2022**

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

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

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

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

**DATE: July 19, 2022**

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### **BACKGROUND:**

On June 21, 2022, this item was approved by the Planning Commission. On June 24, 2022, the City received comments from the California Housing and Community Development Department (HCD) regarding its existing accessory dwelling unit (ADU) Ordinance. Staff responded to HCD that the City is in the process of amending the ADU Ordinance to be in compliance with State law, and many of the issues discussed in the letter have been addressed. However, there are a few issues mentioned by HCD that were not addressed. As such, this public hearing is meant to further refine the ADU Ordinance to meet the concerns raised by HCD.

### **Recent ADU Laws:**

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

In September 2020, the Governor signed into law Assembly Bill 3182 which, among other things, amended Government Code section 65852.2 to: (1) expand the scenarios under which the City must allow certain ADUs and JADUs with only a building permit; and (2) provide that if City does not act on a complete ADU application within 60 days (subject to limited

exceptions), the application is deemed approved. Thereafter, in September 2021, the Governor signed into law Assembly Bill 345, which requires cities to allow the separate sale or conveyance of certain ADUs that satisfy the conditions set forth in Government Code section 65852.26. Such conditions include, among other things, that the ADU or the primary dwelling was constructed by a qualified nonprofit and the ADU is sold to a qualified low-income buyer.

The California Department of Housing and Community Development (“HCD”) recently issued clarifying guidance with respect to local implementation of the 2019 ADU Laws, AB 3182, and AB 345. Relatedly, as part of the City’s Housing Element update process, HCD reviewed the City’s current ADU ordinance and determined that certain aspects need to be updated to comply with changes in state law. The proposed ordinance (“Ordinance”) updates the City’s ADU and JADU regulations to comply with AB 3182 and AB 345, align with HCD’s guidance, and further increase clarity for the benefit of staff and the general public.

## **DISCUSSION:**

HCD discussed seven bullet items in its letter to the City (Attachment 5). The Planning Commission addressed five of the items when it recommended approval of the ordinance amendment to the City Council on June 21, 2022. The revised ordinance amendment (Attachment 3) for consideration tonight addresses the two remaining items as follows:

- HCD’s Comment: Section 17.28.060 (C)(1) – Front Property Line – The Ordinance states, “No part of any ADU... may be located within 30 feet of the front property line.” The City should be aware that this 30-foot front set back requirement must not prevent the creation of at least an 800 square foot ADU that is at least 16 feet in height with a four-foot side and rear yard setback to be constructed in compliance with all other local development standards per Government Code section 65852.2, subdivision (c)(1)(C). While not required, HCD recommends including such language.
  - Response: Section 17.28.060 (C)(1) has been revised so that an ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit that is no greater than sixteen feet in height.
- HCD’s Comment: Section 17.28.070 (B)(2) – Utility Fees – The Ordinance states that “All ADUs and JADUs not covered by Section 17.28.070.B.1 above require a new, separate utility connection directly between the ADU or JADU and the utility.” However, all JADUs are created out of converted space within a single-family home and would therefore be covered by Section 17.28.070 (B)(1). To promote internal consistency, the City should remove the references to JADUs in Section 17.28.070 (B)(2).
  - Response: The revised ordinance amendment removes reference to JADUs from the Utility Fees section.

For reference, the redline (Attachment 4) compares this Ordinance’s amended ADU regulations against the City’s current regulations.

## **ENVIRONMENTAL IMPACT:**

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

implements the State's ADU law.

**FISCAL IMPACT:**

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

**RECOMMENDATION:**

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

**ATTACHMENTS:**

[Attachment 1 - Resolution No. 2022-09.pdf](#)

[Attachment 2 - Ordinance No. 376\\_Exhibit A.pdf](#)

[Attachment 3 - Chapter 17.28\\_Exhibit A.pdf](#)

[Attachment 4 - Chapter 17.28 \(REDLINE\).pdf](#)

[Attachment 5 - Letter from HCD dated 6-24-22.pdf](#)

## RESOLUTION NO. 2022-09

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

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

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

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

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

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

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

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

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

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

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

**WHEREAS**, on June 21, 2022, the Planning Commission held a duly-noticed public hearing to consider the proposed ordinance, which would amend the City’s Accessory Dwelling Unit (“ADU”) and Junior Accessory Dwelling Unit (“JADU”) regulations set forth in Chapter 17.28 of the Rolling Hills Municipal Code to comply with recent changes in state law and add further clarity for the benefit of staff and the general public. Following the public hearing, the Planning Commission voted to forward the proposed ordinance to the City Council with a recommendation in favor of its adoption; and

**WHEREAS**, following the June 21<sup>st</sup> Planning Commission public hearing, the City received additional written comments from HCD regarding further necessary adjustments to the City’s regulations governing ADUs and JADUs. Thereafter, staff updated the proposed ordinance to incorporate the additional comments from HCD; and

**WHEREAS**, on July 19, 2022, the Planning Commission conducted another duly noticed public hearing to consider the proposed ordinance, wherein it considered the staff report, supporting documents, public testimony, and all appropriate information submitted with the proposed ordinance.

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

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

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

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

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



PASSED, APPROVED AND ADOPTED THIS 19<sup>th</sup> DAY OF JULY, 2022.

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BRAD CHELF, CHAIRMAN

ATTEST:

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CHRISTIAN HORVATH, CITY CLERK

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

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

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

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

was approved and adopted at a regular meeting of the Planning Commission on July  
19th, 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Administrative Offices.

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CHRISTIAN HORVATH, CITY CLERK

**ORDINANCE NO. 376**

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

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

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

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

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

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

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

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

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

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

**WHEREAS**, this Ordinance updates the City's ADU and JADU regulations to comply with AB 38182 and AB 345, align with HCD's guidance, and further increase clarity for the benefit of staff and the general public; and

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

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

**WHEREAS**, following the June 21<sup>st</sup> Planning Commission public hearing, the City received additional written comments from HCD regarding further necessary adjustments to the City's regulations governing ADUs and JADUs. Thereafter, staff updated the Ordinance to incorporate the additional comments from HCD; and

**WHEREAS**, on July 8, 2022, the City gave public notice of a Planning Commission public hearing to be held to consider the Ordinance by advertisement in a newspaper of general circulation; and

**WHEREAS**, on July 19, 2022, the Planning Commission held a duly-noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning the Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

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

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

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

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

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

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

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

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

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

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

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

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

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

**PASSED, APPROVED and ADOPTED** this **XX** day of **MONTH**, 2022.

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James Black, Mayor

**ATTEST:**

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Christian Horvath, City Clerk

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

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. 376 was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the XX day of Month, YEAR, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Christian Horvath  
City Clerk

**Chapter 17.28 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY  
DWELLING UNITS**

Sections:

**17.28.010 Purpose.**

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

**17.28.020 Effect of conforming.**

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

- A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.
- B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
- C. Considered in the application of any local ordinance, policy, or program to limit residential growth.
- D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030(G) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

**17.28.030 Definitions.**

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

- A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
  - 1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
  - 2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.
- B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.
- C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
- D. "Efficiency kitchen" means a kitchen that includes all of the following:



1. A cooking facility with appliances.
  2. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.
- E. "Junior accessory dwelling unit" or "JADU" means a residential unit that:
1. Is no more than five hundred square feet in size,
  2. Is contained entirely within an existing or proposed single-family dwelling,
  3. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling, and
  4. Includes an efficiency kitchen, as defined in subsection D above.
- F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.
- H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
- I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

#### **17.28.040 Approvals.**

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

- A. Building-permit Only. If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:
1. Converted on Single-family Lot: One ADU as described in this subsection (A)(1) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
    - (a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory structure, plus up to one hundred fifty additional square feet if the expansion is limited to accommodating ingress and egress; and
    - (b) Has exterior access that is independent of that for the single-family dwelling; and

- (c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
- 2. Limited Detached on Single-family Lot: One detached, new- construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (A)(1) above), if the detached ADU satisfies each of the following limitations:
  - (a) The side- and rear-yard setbacks are at least four-feet.
  - (b) The total floor area is eight hundred square feet or smaller.
  - (c) The peak height above grade is sixteen feet or less.
- 3. Converted on Multifamily Lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (A)(3), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.
- 4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies both of the following limitations:
  - (a) The side- and rear-yard setbacks are at least four-feet.
  - (b) The peak height above grade is sixteen feet or less.
- B. ADU Permit.
  - 1. Except as allowed under subsection (A) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.
  - 2. The City may charge an application fee, adopted by resolution of the City Council, to reimburse it for costs incurred in processing ADU permits.
- C. Process and Timing.
  - 1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.
  - 2. The City must act on an application to create an ADU or JADU within sixty days from the date that the City receives a completed application. If the City does not act upon the completed application within sixty days, the application is deemed approved unless either:
    - (a) The applicant requests a delay, in which case the sixty-day time period is tolled for the period of the requested delay, or
    - (b) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU

or JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

**17.28.050 General ADU and JADU requirements.**

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

- A. Zoning.
  - 1. An ADU or JADU subject only to a building permit under Section 17.28.040(A) may be created on a lot in a residential or mixed-use zone.
  - 2. An ADU or JADU subject to an ADU permit under Section 17.28.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- B. Fire Sprinklers. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- C. Rental Term. No ADU or JADU may be rented for a term that is shorter than thirty days. This prohibition applies regardless of when the ADU or JADU was created.
- D. No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).
- E. Owner Occupancy.
  - 1. All ADUs permitted before January 1, 2020, are subject to the owner-occupancy requirement that was in place when the ADU was created.
  - 2. An ADU that is permitted after that date but before January 1, 2025, is not subject to any owner-occupancy requirement.
  - 3. All ADUs that are permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.
  - 4. All JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.
- F. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run

with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

1. Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.
2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
3. The deed restriction runs with the land and may be enforced against future property owners.
4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.
5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

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

#### **17.28.060 Specific ADU requirements.**

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

- A. Maximum Size.

1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is eight hundred fifty square feet for a studio or one-bedroom unit and one thousand square feet for a unit with two or more bedrooms.
2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent of the floor area of the existing primary dwelling, subject to subsection (A)(3) below.

3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percentage-based size limit in subsection (A)(2) above, or of an FAR, lot coverage limit or open-space requirement may require the ADU to be smaller than eight hundred square feet.
- B. Floor Area Ratio (FAR). No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed forty-five percent, subject to Section 17.28.060(A)(3) above.
- C. Setbacks.
1. Front Yard.
    - (a) Subject to subsection (C)(1)(b) below, no part of any ADU subject to this Section 17.28.060 may be located within thirty feet of the front property line.
    - (b) An ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit that is no greater than sixteen feet in height.
  2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.
- D. Lot Coverage. No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed fifty percent, subject to Section 17.28.060(A)(3) above.
- E. Minimum Open Space. No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below fifty percent, subject to subsection Section 17.28.060(A)(3) above.
- F. Height. No ADU subject to this Section 17.28.060 may exceed sixteen feet in height above grade, measured to the peak of the structure.
- G. Passageway. No passageway, as defined by Section 17.28.030(H) above, is required for an ADU.
- H. Parking.
1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030(K) above.
  2. Exceptions. No parking under Section 17.28.060(H)(1) is required in the following situations:
    - (a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030(J) above.
    - (b) The ADU is located within an architecturally and historically significant historic district.

- (c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040(A)(1) above.
  - (d) When on-street parking permits are required but not offered to the occupant of the ADU.
  - (e) When there is an established car share vehicle stop located within one block of the ADU.
3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

I. Architectural Requirements.

- 1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.
- 2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
- 3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
- 4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.
- 5. The interior horizontal dimensions of an ADU must be at least ten feet wide in every direction, with a minimum interior wall height of seven feet.
- 6. Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.
- 7. The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the California Register of Historic Resources must comply with all applicable ministerial requirements imposed by the Secretary of Interior.

J. Landscape Requirements.

- 1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:
  - (a) At least one, fifteen-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior wall.
  - (b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.
- 2. All landscaping must be drought-tolerant.
- 3. All landscaping must be from the City's approved plant list.

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

#### **17.28.070 Fees.**

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

A. Impact Fees.

1. No impact fee is required for an ADU that is less than seven hundred fifty square feet in size. For purposes of this Section 17.28.070, “impact fee” means a “fee” under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.
2. Any impact fee that is required for an ADU that is seven hundred fifty square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

B. Utility Fees.

1. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.
2. Except as described in subsection 17.28.070(B)(1), converted ADUs on a single-family lot that are created under Section 17.28.040(A)(1) above are not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.
3. Except as described in Section 17.28.070(B)(1), all ADUs not covered by Section 17.28.070(B)(2) above require a new, separate utility connection directly between the ADU and the utility.
  - (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixtures units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
  - (b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

**17.28.080 Nonconforming ADUs and discretionary approval.**

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



## **Chapter 17.28 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS**

### Sections:

#### **17.28.010 Purpose.**

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

#### **17.28.020 Effect of conforming.**

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

- A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.
- B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
- C. Considered in the application of any local ordinance, policy, or program to limit residential growth.
- D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030(G) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

#### **17.28.030 Definitions.**

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

- A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
  - 1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
  - 2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.
- B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.
- C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
- D. "Efficiency kitchen" means a kitchen that includes ~~each~~all of the following:

1. A cooking facility with appliances.
  2. A food preparation counter ~~or counters that total at least fifteen square feet in area~~ and storage cabinets that are of a reasonable size in relation to the size of the JADU.
  - ~~3. Food storage cabinets that total at least thirty square feet of shelf space.~~
- E. "Junior accessory dwelling unit" or "JADU" means a residential unit that:
1. Is no more than five hundred square feet in size,
  2. Is contained entirely within an existing or proposed single-family dwelling,
  3. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling, and
  4. Includes an efficiency kitchen, as defined in subsection D above.
- F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.
- H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
- I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

#### 17.28.040 Approvals.

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

- A. Building-permit Only. If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:
1. Converted on Single-family Lot: ~~Only one~~ One ADU ~~or as described in this subsection (A)(1) and one~~ JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
    - (a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory structure, plus up to one hundred fifty additional square feet if the expansion is limited to accommodating ingress and egress; and

- (b) Has exterior access that is independent of that for the single-family dwelling; and
  - (c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
- 2. Limited Detached on Single-family Lot: One detached, new- construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (A)(1) above), if the detached ADU satisfies each of the following limitations:
  - (a) The side- and rear-yard setbacks are at least four-feet.
  - (b) The total floor area is eight hundred square feet or smaller.
  - (c) The peak height above grade is sixteen feet or less.
- 3. Converted on Multifamily Lot: ~~Multiple~~One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. ~~At~~Under this subsection (A)(3), at least one converted ADU is allowed within an existing multifamily dwelling. ~~The maximum number of converted ADUs allowed within an existing multifamily dwelling structure is equal to twenty-five, up to a quantity equal to 25~~ percent of the existing multifamily dwelling units.
- 4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies both of the following limitations:
  - (a) The side- and rear-yard setbacks are at least four-feet.
  - (b) The peak height above grade is sixteen feet or less.

B. ADU Permit.

- 1. Except as allowed under subsection (A) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.
- 2. The City may charge ~~a~~an application fee, adopted by resolution of the City Council, to reimburse it for costs incurred in processing ADU permits; ~~including the costs of adopting or amending the City's ADU ordinance. The ADU permit processing fee is determined by the Director of Planning and Community Services and approved by the City Council by resolution.~~

C. Process and Timing.

- 1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.
- 2. The City must act on an application to create an ADU or JADU within sixty days from the date that the City receives a completed application; If the

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

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

#### **17.28.050 General ADU and JADU requirements.**

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

- A. Zoning.
  - 1. An ADU or JADU subject only to a building permit under Section 17.28.040(A) may be created on a lot in a residential or mixed-use zone.
  - 2. An ADU or JADU subject to an ADU permit under Section 17.28.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- B. Fire Sprinklers. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- C. Rental Term. No ADU or JADU may be rented for a term that is shorter than thirty days. This prohibition applies regardless of when the ADU or JADU was created.
- D. No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).
- E. Owner Occupancy.
  - 1. All ADUs ~~created~~ permitted before January 1, 2020, are subject to the owner-occupancy requirement that was in place when the ADU was created.
  - 2. An ADU that is ~~created~~ permitted after that date but before January 1, 2025, is not subject to any owner-occupancy requirement.
  - 3. All ADUs that are ~~created~~ permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.

4. All JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.
- F. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:
1. ~~The~~Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.
  2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
  3. The deed restriction runs with the land and may be enforced against future property owners.
  4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.
  5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

G. [Building & Safety. All ADUs and JADUs must comply with all local building code requirements.](#)

#### **17.28.060 Specific ADU requirements.**

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

- A. Maximum Size.
1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is eight hundred fifty square feet for a studio or one-bedroom unit and one thousand square feet for a unit with two or more bedrooms. ~~No more than two bedrooms are allowed.~~
  2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent of the floor area of the existing primary dwelling, subject to ~~Section 17.28.060~~subsection (A)(3) below.
  3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of ~~at the~~ percentage-based size ~~restriction, limit in subsection~~ (A)(2) above, or of an FAR, lot coverage, limit or open-space requirement may require the ADU to be smaller than eight hundred square feet.
- B. Floor Area Ratio (FAR). No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed forty-five percent, subject to Section 17.28.060(A)(3) above.
- C. Setbacks.
1. Front Yard.
- (a) ~~1. No~~ Subject to subsection (C)(1)(b) below, no part of any ADU subject to this Section 17.28.060 may be located within thirty feet of the front property line.
- (b) An ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit that is no greater than sixteen feet in height.
2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.
- D. Lot Coverage. No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed fifty percent, subject to Section 17.28.060(A)(3) above.
- E. Minimum Open Space. No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below fifty percent, subject to subsection Section 17.28.060(A)(3) above.
- F. Height. No ADU subject to this Section 17.28.060 may exceed sixteen feet in height above grade, measured to the peak of the structure.
- G. Passageway. No passageway, as defined by Section 17.28.030(H) above, is required for an ADU.
- H. Parking.
1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030(K) above.

2. Exceptions. No parking under Section 17.28.060(H)(1) is required in the following situations:
  - (a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030(J) above.
  - (b) The ADU is located within an architecturally and historically significant historic district.
  - (c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040(A)(1) above.
  - (d) When on-street parking permits are required but not offered to the occupant of the ADU.
  - (e) When there is an established car share vehicle stop located within one block of the ADU.
3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

I. Architectural Requirements.

1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.
2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling. ~~The ADU entrance must be located on the side or rear building façade, not facing a public right-of-way.~~
5. The interior horizontal dimensions of an ADU must be at least ten feet wide in every direction, with a minimum interior wall height of seven feet.
6. ~~Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property.~~ Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.
- ~~7. All windows and doors that are less than thirty feet from a property line that is not a right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, (for windows and for doors) utilize frosted or obscure glass, or (for doors) opaque.~~
7. ~~8.~~ The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the ~~federal, state, or local register of historic places~~ California Register of Historic Resources must comply



with all applicable ministerial requirements imposed by the Secretary of Interior.

J. Landscape Requirements.

1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:
  - (a) At least one, fifteen-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior wall.
  - (b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.
2. All landscaping must be drought-tolerant.
3. All landscaping must be from the City's approved plant list.

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

**17.28.070 Fees.**

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

A. Impact Fees.

1. No impact fee is required for an ADU ~~or JADU~~ that is less than seven hundred fifty square feet in size. For purposes of this Section 17.28.070, "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.
2. Any impact fee that is required for an ADU that is seven hundred fifty square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ~~primary dwelling~~, ADU divided by the floor area of the ADU primary dwelling, times the typical fee amount charged for a new dwelling.) ~~"Impact fee" here does not include any connection fee or capacity charge for water or sewer service.~~

B. Utility Fees.

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



2. ~~1. Converted~~ Except as described in subsection 17.28.070(B)(1), converted ADUs and JADUs on a single-family lot, that are created under Section 17.28.040(A)(1) above, are not required to have a new or separate utility connection directly between the ADU or JADU and the utility. Nor is a connection fee or capacity charge required ~~unless the ADU or JADU is constructed with a new single-family home.~~
- ~~2. All~~ Except as described in Section 17.28.070(B)(1), all ADUs and JADUs not covered by Section 17.28.070(B)(~~1~~2) above require a new, separate utility connection directly between the ADU or JADU and the utility.
- (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU or JADU, based on either the floor area or the number of drainage-fixtured units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
- (b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

#### **17.28.080 Nonconforming ADUs and discretionary approval.**

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

<b>Summary report:</b> <b>Litera Compare for Word 11.1.0.69 Document comparison done on</b> <b>7/11/2022 3:11:43 PM</b>	
<b>Style name:</b> Default Style	
<b>Intelligent Table Comparison:</b> Active	
<b>Original filename:</b> Exhibit A - Updated ADU Ordinance (May 2022).docx	
<b>Modified filename:</b> Exhibit A - Updated ADU Ordinance (July 2022).docx	
<b>Changes:</b>	
<u>Add</u>	104
<del>Delete</del>	74
<del>Move From</del>	0
<u>Move To</u>	0
<u>Table Insert</u>	0
<del>Table Delete</del>	0
<u>Table moves to</u>	0
<del>Table moves from</del>	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
<b>Total Changes:</b>	178

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



June 24, 2022

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

Dear John F Signo:

**RE: Review of Rolling Hills' Accessory Dwelling Unit (ADU) Ordinance under  
State ADU Law (Gov. Code, § 65852.2)**

Thank you for submitting the City of Rolling Hills' (City) accessory dwelling unit (ADU) Ordinance No. 364 (Ordinance) adopted February 24, 2020, to the California Department of Housing and Community Development (HCD). HCD has reviewed the Ordinance and submits these written findings pursuant to Government Code section 65852.2, subdivision (h). HCD finds that the Ordinance does not comply with section 65852.2 in the manner noted below. Under that statute, the City has up to 30 days to respond to these findings. Accordingly, the City must provide a written response to these findings no later than July 24, 2022.

The adopted ADU Ordinance addresses many statutory requirements; however, HCD finds that the Ordinance does not comply with State ADU Law in the following respects:

- Section 17.28.030 (D)(2) and (3) – *Efficiency Kitchen* – The Ordinance defines an efficiency kitchen to include “A food preparation counter or counters that total at least 15 square feet in area” and “Food storage cabinets that total at least 30 square feet of shelf space.” However, Government Code section 65852.22, subdivision (a)(6)(B) only requires that an efficiency kitchen include a food preparation counter and storage cabinets that are “of reasonable size in relation to the size of the junior accessory dwelling unit.” As there is no specific size requirement in statute, the size requirements as written in the Ordinance could act as a constraint on junior accessory dwelling units (JADUs). Therefore, the City must remove the size references. To provide clarity, HCD recommends that the City includes language per Government Code section 65852.22, subdivision (a)(6)(B).
- Section 17.28.040 (A)(1) – *Unit Combination* – The Ordinance permits “[o]nly one ADU or JADU on a lot with a proposed or existing single-family dwelling on it.”

This reference is outdated. Current Government Code section 65852.2, subdivision (e)(1)(A), provides for “One accessory dwelling unit **and** one junior accessory dwelling unit per lot” (emphasis added), and the ADU on a lot that also has a JADU may be either attached or detached. Therefore, the City must change “or” to “and” or make a similar correction that brings the Ordinance into compliance with State ADU Law.

- Section 17.28.050 (D) – *Separate Conveyance* – The Ordinance currently prohibits the separate sale of an ADU or JADU. However, Government Code section 65852.26 creates a narrow exception to allow separate conveyance of an ADU to a qualified buyer if the property was built or developed by a qualified nonprofit corporation, among other things. The City should revise the Ordinance to allow for such an exception.
- Section 17.28.060 (A)(1) – *Bedroom Limitation* – The Ordinance states that “no more than two bedrooms are allowed.” Limiting the number of bedrooms within an ADU may constrain housing choice and result in discriminatory effects on families with children, people with disabilities, and other protected groups in violation of state and federal fair housing laws, including but not limited to Government Code section 65008, subdivisions (a)(1)(A) and (b)(1)(B)(i). Therefore, the City must revise this section to avoid limiting the occupancy of housing units based on familial status or other protected characteristics.
- Section 17.28.060 (C)(1) – *Front Property Line* – The Ordinance states, “No part of any ADU... may be located within 30 feet of the front property line.” The City should be aware that this 30-foot front set back requirement must not prevent the creation of at least an 800 square foot ADU that is at least 16 feet in height with a four-foot side and rear yard setback to be constructed in compliance with all other local development standards per Government Code section 65852.2, subdivision (c)(1)(C). While not required, HCD recommends including such language.
- Section 17.28.060 (I)(4), (I)(6), (I)(7) – *Architectural Requirements* – The Ordinance requires that “the ADU entrance must be located on the side or rear building façade, not facing a public-right-of-way.... windows and doors of the ADU may not have a direct line of sight to an adjoining residential property.... [and] all windows and doors that are less than 30 feet from a property line that is not a right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, (for windows and for doors) utilize frosted or obscure glass, or (for doors) opaque.” Government Code section 65852.150, subdivision (b), requires that “provisions... relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units.” Statute for both ADUs (Gov. Code, § 65852.2, subd. (e)(1)(A)(ii)), and JADUs (Gov. Code, § 65852.22, subd. (a)(5)), require independent entry into the unit, and a constraint on the location of

an entry door may prohibit the creation of an additional housing unit. In addition, the window placement restriction and clerestory window requirements could make it infeasible to meet standard building code regulations for egress, thus potentially limiting the creation of an ADU at all, depending on the lot configuration. As a result, HCD considers the above requirements to be potentially excessive and burdensome. Furthermore, local development standards provided by the Ordinance pursuant to Government Code section 65852.2, subdivisions (a) through (d), do not apply to ADUs created under subdivision (e). Therefore, the City should remove these design requirements.

- Section 17.28.070 (B)(2) – *Utility Fees* – The Ordinance states that “All ADUs and JADUs not covered by Section 17.28.070.B.1 above require a new, separate utility connection directly between the ADU or JADU and the utility.” However, all JADUs are created out of converted space within a single-family home and would therefore be covered by Section 17.28.070 (B)(1). To promote internal consistency, the City should remove the references to JADUs in Section 17.28.070 (B)(2).

In response to the findings in this letter, and pursuant to Government Code section 65852.2, subdivision (h)(2)(B), the City must either amend the Ordinance to comply with State ADU Law or adopt the Ordinance without changes. Should the City choose to adopt the Ordinance without the changes specified by HCD, the City must include findings in its resolution that explain the reasons the City finds that the Ordinance complies with State ADU Law despite the findings made by HCD. Accordingly, the City’s response should provide a plan and timeline to bring the Ordinance into compliance.

Please note that, pursuant to Government Code section 65852.2, subdivision (h)(3)(A), if the City fails to take either course of action and bring the Ordinance into compliance with State ADU Law, HCD may notify the City and the California Office of the Attorney General that the City is in violation of State ADU Law.

HCD appreciates the City’s efforts in the preparation and adoption of the Ordinance and welcomes the opportunity to assist the City in fully complying with State ADU Law. Please feel free to contact Mike Van Gorder, of our staff, at (916) 776 - 7541 or at [mike.vangorder@hcd.ca.gov](mailto:mike.vangorder@hcd.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Zisser', with a stylized flourish extending to the right.

David Zisser  
Assistant Deputy Director  
Local Government Relations and Accountability



## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

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**Agenda Item No.: 14.A**

**Mtg. Date: 07/19/2022**

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

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

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

**SUBJECT: REQUIRED MATERIALS FOR SUBMITTAL OF DEVELOPMENT APPLICATIONS**

**DATE: July 19, 2022**

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**BACKGROUND:**

The City's development applications are in need of an update.

**DISCUSSION:**

Discuss updating the development applications and materials needed to submit.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Receive and file.

**ATTACHMENTS:**

[Site Plan Review Application rev. 2019.pdf](#)



*City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD  
ROLLING HILLS, CA 90274  
(310) 377-1521  
FAX (310) 377-7288

## **SITE PLAN REVIEW**

**NOTE:** According to Section 17.24.020 of the Rolling Hills Municipal Code, illegal uses or structures are required to be made conforming or shall be removed. Therefore, you may be required to modify or remove any unauthorized or unlawful use or structure on your property prior to or in conjunction with this application, (regardless of when or by whom they were constructed). In addition, pursuant to Resolution No. 900 of the City Council, any use or structure which would require a discretionary permit but which is conducted without the acquisition of said permit, shall be subject to retroactive discretionary permit process, and is subject to higher application fee.

\_\_\_\_\_  
Property owner (s) signature

### **SITE PLAN REVIEW PURPOSE**

The site plan review process is established to provide discretionary review of certain development projects in the City for the purposes of ensuring that the proposed project is consistent with the City's General Plan and Municipal Codes. A site plan review is a form of permit which is required of any property owner who plans any grading or who seeks to construct, with certain exceptions, a new building, structure, swimming pool, above grade deck, or expand, add to, alter or repair an existing residence, which involves changes to grading or an increase in the size of the residence by more than 999 square feet.

In order to obtain a site plan review permit, the applicant must be able to demonstrate the proposed site development can comply with the criteria set forth in Section 17.46.050 of the Rolling Hills Municipal Code.

Site plan review permits are considered and decided upon by the Planning Commission following the submittal of appropriate application, reports and studies; and public hearings and site investigation are held.

### **APPLICATION AND REQUEST FOR HEARING**

In order to obtain a site plan review, a property owner or his or her agent must submit an application and request a hearing before the Planning Commission. To do so, the applicant should complete the requirements enumerated herein, assemble the necessary application documents and call to make an appointment with Planning staff at (310) 377-1521. Making an appointment will assure that someone is available to explain the necessary procedures and review the case material for completeness and accuracy.

## **PLAN SUBMITTAL INFORMATION**

Complete and submit with each application:

1. "Request for Hearing" application. Seven copies of **currently surveyed** plan **MUST** accompany the final application. Plans must be **FOLDED** to approximately 8 1/2" x 11" with title block visible. Additional plans will be required prior to City Council meeting.
2. Owner's Declaration.
3. Plan submittal using the "**Checklist**" as guide. Each plan must have a vicinity map, computation of lot coverage, building pad sizes, cut and fill totals, and the percentage of lot disturbance **printed** on the plot plan **and be stamped by a licensed civil engineer or land surveyor**.
4. Property owner's radius map and property owner's labels. A map is required showing the existing properties, within or partially within a 1,000 foot radius of the exterior boundaries of the property under consideration, including the subject property. Prepare three complete lists of property owners of each parcel with mailing address on mailing labels. Assign a number to each name on the list to correspond with a number of the lot on the map.
5. Certified Property Owners List Affidavit.
6. Filing fee made payable to **City of Rolling Hills**

## **PLAN SUBMITTAL PROCESS**

Applications must be submitted to the Planning Department as shown on the "Planning Application Filing Deadline Schedule". Applications shall be deemed complete only after all required information is submitted and the application fees are paid. The Planning staff will meet with the applicant to discuss the proposal.

Once an application has been accepted as complete by the City, a hearing will be set before the Planning Commission. Applications are considered at the regular meetings of the Planning Commission, which are held the third Tuesday of each month. Provide sufficient time in your schedule to attend at least four meetings to allow the Planning Commission to study the facts presented and to make a field trip to review the physical conditions. Prior to the field trip a silhouette of the project will have to be erected. The silhouette must be certified. The applicant or a representative must appear at all meetings. The City's review process takes a minimum of 3-4 months from submittal. City Council reviews the project following Planning Commission action.

## **AUTHORITY AND RESPONSIBILITY**

In reviewing a request, the Planning Commission must consider the following:

1. The Planning Commission shall consider all matters presented to it fairly and impartially, recognizing the rights of the applicant as well as its obligation to enforce all zoning ordinances and resolutions adopted by the City Council of the City of Rolling Hills. The site plan review process is intended to assist in the orderly development of property, in conformance with objectives of the General Plan and other ordinances and codes.



2. The development and use of all land within the City of Rolling Hills should be directed to the continuation of the existing rural open areas surrounding the existing residences in the City, and each new improvement or use of land should be carefully examined to determine what effect the proposed improvement or use of land will have on the natural slopes, terrain, trees and natural flora in the City.
3. The granting of site plan review permits shall be carefully scrutinized utilizing the criteria set forth in Section 17.46.050.

### **DECISION OF PLANNING COMMISSION**

The decision of the Planning Commission will be final unless, within thirty (30) days following the adoption of the resolution, a written appeal is filed with the City Clerk by:

1. The applicant.
2. Any person who protested, either orally or in writing, as a matter of record prior to the final vote of the Planning Commission on the matter and who, in addition, received or was entitled to receive the written notice specified in Subdivision 2 of Subsection A of Section 17.34.030 of the Zoning Ordinance.
3. The City Council, (within 45 days) upon the affirmative vote of three members of the City Council.

### **AFFIDAVIT OF ACCEPTANCE AND BUILDING PERMITS**

In order to obtain building permits, it will be necessary for the applicant to record an affidavit with a resolution of the findings and the conditions of approval. Building and/or grading permit shall not be issued unless the resolution and affidavit are recorded.

*Initial* \_\_\_\_\_  
*Property Owner*

*Date:* \_\_\_\_\_

*Public:PLANNING MASTERS:City of Rolling Hills Site Plan Review Application rev. 2019.doc*

## CHECKLIST FOR PLAN SUBMITTAL

The following information must be included on any plan submitted for checking to the Rolling Hills Planning Commission for:

1. **Conditional Use Permit (including grading requirements).**
2. **Variance (including grading requirements).**
3. **Site Plan Review (including grading requirements).**
4. **Subdivisions and Lot Line Adjustments**

-Provide seven (7) sets of plans (folded) that show the following:  
(Additional sets will be required before the City Council meeting)

- Provide electronic copy of the plans
  - Provide electronic copy of the application including calculations and all other submittals
- 
- ☐ Name, address and telephone number of applicant, and name, address and telephone number of architect and civil engineer.
  - ☐ Currently surveyed plot plan showing the entire property. (More than one plan may be submitted).
  - ☐ Plot plans must be stamped by a licensed civil engineer or land surveyor. License number and expiration date must be clearly shown.
  - ☐ Architectural elevation plans showing the height of proposed structures from finished grade and basement wells – all sides must be shown.
  - ☐ Vicinity map drawn to scale with requested improvements dimensioned to property line and to structures of all contiguous properties.
  - ☐ North arrow and scale of plans.
  - ☐ Existing contours of the entire lot, in maximum 5' intervals.
  - ☐ Proposed contours, in maximum 5' intervals.
  - ☐ Setbacks, easements, fences and horse trails, if any, on the entire lot.
  - ☐ Note distances from the centerline of all existing and proposed streets adjacent to the subject property.
  - ☐ Outline and show square footage of building pads not in setbacks (existing and proposed) in accordance with Municipal Code Title 17. [Buildable area is that portion of a lot **NOT IN SETBACKS** that constitutes the existing building pad and any contiguous portion of the lot **NOT IN SETBACKS** that has an average slope of ten percent (10%) or less]. If there is not an existing building pad, the buildable area shall mean that portion of a lot not in setbacks

which will be created through grading and which will have an average slope of ten percent (10%) or less. A lot may have more than one buildable area.

- ☐ Outline and show distance from building footprint to any projections and architectural features including porches, entryways, porte cocheres, trellises, chimneys, eaves, and bay windows. Show roof chimneys.
- ☐ Computation of structural and total lot coverage, disturbed area and building pad coverage in accordance with Municipal Code Title 17 (form attached).
- ☐ All slopes shall not be steeper in slope than two horizontal to one vertical, or exceed a vertical height of thirty feet (30') below or above the natural grade. Shallower slopes are strongly encouraged. All slopes shall be marked with grade. (Municipal Code Title 17). Cut and fill must be balanced on site. Export of dirt is allowed from excavation activities, incl. basements.
- ☐ Show cut and fill slopes by separate shadings or patterns. Show shaded area square footage, cut and fill totals in cubic yards, and the percentage of lot to be disturbed. (Title 17).
- ☐ Show all existing and proposed retaining walls and sections through walls, including height and elevations. Show stairs, walkways and height of decks above grade.
- ☐ Show proposed drainage pattern and design and indicate whether the drainage design is above or below ground. Show drainage devices and method of drainage; ie. show cisterns, biofiltration/bioretenion units and similar.
- ☐ Designate the area(s) for which the Site Plan Review is requested.
- ☐ Show outline of residence, any additional structures, and any basement areas. Indicate depth of basement. All structures must be physically measured and square footage of each structure must be shown on the drawing. **PLEASE NOTE:** "Floor area" means the total horizontal area of all floors of a structure, **measured in square feet from the exterior surface of the outside walls**, including basements, storage areas, and the like, but excluding unenclosed areas.
- ☐ Show all other existing and proposed structures on the lot, including pool, spa, pool equipment, porches, shelters, entryways, trellises, barbecues, fire places, fire pits, sheds, gazebos, children play houses/forts, trash yard and others.
- ☐ Show width and length of basement wells and location of stairs. Show windows and doors in basement.
- ☐ Show an area of not less than 450 square feet for the construction of a stable, 550 square feet for a corral (35' from any residence and 25' from rear property line, and not in front yard or side setback), and access road of not more than 25% grade for vehicular access to the stable site on each lot. If grading would be required indicate the quantity.
- ☐ Show cross sections of slopes before and after grading. Show the variance of the existing slope and proposed slope. Sections should be through the highest cut and fill and through other areas where ground is steep, and as many additional sections as necessary to clearly delineate the proposed change in land contours from the existing terrain. Whenever possible, align the cross sections along the proposed development on the plot plan.

- ☐ Soils, geology, hydrology/drainage reports, showing all structures on the property, with their distance from property lines delineated, may be required in applications where the requested project is close to easements, close to other properties, and/or where there is to be significant grading on the property.
- ☐ Show location of utility pole(s) serving the property and indicate the direction of the utility lines.
- ☐ Show the slope (in %) and square footage of the driveway and separately of any uncovered parking area or motor court. Calculate the coverage (in %) of the driveway and motor court of the yard area in which they are located. Motor court may not be closer than 30' to roadway easement. (Yard –Section 17.12.250).
- ☐ Show any other driveways/roads/easements and paved areas on the property that are existing, currently proposed or planned for the future.
- ☐ Show trails within the property and adjacent thereto.
- ☐ If a stable is being constructed, delineate the loft area, if any. Show the size of the stable, the size of porch and separately the size of the loft. Show cupolas or other projections. Show paddock area and corral area.
- ☐ If known, show the location of septic tank.
- ☐ If a new driveway approach is proposed it must be reviewed by the Traffic Commission.
- ☐ Pictures of the entire property.
- ☐ Submit one copy of the plan delineating in different color markers the following:
  - ☐ Residential Building Pad (not in setbacks)
  - ☐ Additional Building Pads (not in setbacks)
  - ☐ Disturbed Areas
  - ☐ Net Lot boundary
  - ☐ Setback lines
  - ☐ Cut and fill areas for grading (shaded)

## **INSTRUCTIONS FOR COMPLETING THE LOT COVERAGE FORMS**

### **TOTAL STRUCTURES AND TOTAL FLATWORK**

In the TOTAL STRUCTURES column, in addition to those structures listed on the form, include all structures that exist on the lot and those that are proposed, including: cabana, recreation room, hobby shop, guest-house, covered porches, covered entryways, trellis/latticework, gazebo, sheds, pool equipment, service yard, playground equipment, forts, barbecue, fire pits, decks, (for deck-see definition in Section 17.12.040 "D" words, terms and phrases of the Zoning Code), and similar structures.

In the TOTAL FLATWORK column include all of the "impervious" surfaces existing and proposed, including all walkways around the residence and accessory uses, walkways from house to other structures, uncovered patios, uncovered parking areas, walkways/decks around the pool, paved access to a stable and all other "impervious" surfaces. When designing a house or addition, check with the Fire Department on the required width of the walkways and driveways. Show any future potential flatwork.

**NOTE:** As required by the Los Angeles County Building Code, when designing a basement with "livable area(s)" you may have to provide for natural light and ingress/ingress. Window wells may be acceptable. Check with the County Building and Safety Department for requirements.

### **COMPUTATION OF LOT COVERAGE**

#### **LOT COVERAGE (TITLE 17)**

Main buildings, accessory buildings, structures including, but not limited to gazebos, porches, entryways, porte cochere, trellises and similar structures, tennis courts, swimming pools, spa, pool equipment, outdoor bar, barbecue, sheds, shelters, service yards (enclosed or unenclosed), stables, or an area of not less than 450 square feet for the construction of a stable shall not cover more than twenty percent (20%) of the net lot area, provided further that in addition to the above described improvements, the areas included within driveways, paved access to stables, parking spaces, walks, patios, decks and asphalt or concrete paving of any kind excepting roads maintained by the Rolling Hills Community Association, shall not cover more than thirty-five percent (35%) of the net lot area (see Section 17.16.200 "J" for exceptions).

For the purposes of this Section "net area" shall exclude: a) the entire area within a recorded roadway easement plus the area within ten (10) feet measured perpendicular to the edge of the roadway easement; (b) the ten (10) foot perimeter of the lot perpendicular to the property lines; (c) any private drive or driveway that provides access to any other lot or parcel; and (d) the access strip portion of a flag lot.

### **COMPUTATION OF BUILDABLE AREA AND COVERAGE THEREON**

A policy of the City is to address coverage of an identified "EXISTING AND/OR PROPOSED BUILDABLE AREA". Coverage thereon is based upon the calculation of the footprint square footage of the residence, garage, stable (barn), other accessory structures proposed and/or developed on said "buildable area," and all projecting structures such as entryways, porte cochere, covered porches and breezeways. (Covered porches that are 10% or less in size of the footprint of the residence or accessory structure and attached trellises are not counted).

For the purpose of this calculation, "buildable area" shall be defined as stated in Section 17.12.020 of the Rolling Hills Municipal Code which declares "buildable area" as the portion of a lot that constitutes the existing or proposed building pad and any other contiguous portion of the lot **NOT IN THE SETBACKS THAT HAS AN AVERAGE SLOPE OF TEN PERCENT (10%) OR LESS**. If there is no existing building pad, it shall mean that portion of a lot not in the setbacks that will be created through grading and that will have an average slope of ten percent (10%) or less. A lot may have more than one "buildable area."

## **SUMMARY OF ACCESSORY STRUCTURES COUNTED/NOT COUNTED TOWARDS LOT COVERAGE:**

**BUILDING PAD COVERAGE:** (guideline – 30% maximum pad coverage).

All structures, including porte cochere, breezeway and entryway, shall be counted towards building pad coverage, **except** for the following:

### **ATTACHED STRUCTURES:**

- Attached covered porch having an area of 10% or less of the size of the structure that it is attached to, (primary or accessory)
- Attached trellises (open roof)

**DETACHED STRUCTURES:** (not to exceed a total of 5 such structure on a lot that are legal and conforming, not to exceed 12 feet in height, not to exceed 120 sq.ft. each, (see exceptions below), and not to exceed a combined total of 800 sq.ft.)

- Storage sheds; max. 2 on a lot,
- Trellis and freestanding covered patio w/solid roof, (may exceed 120 sq.ft.),
- Outdoor bar, barbecue, fire place, gazebo,
- Roofed playground fort, (may be max. 15 ft.),
- fountain, pond and similar structures.

These structures may not be located in the front yard area or any setback, except for a fountain, decorative pond or low water feature.

## **STRUCTURAL AND TOTAL LOT COVERAGE AND DISTURBANCE:**

(Zoning Code requirement: max. - 20% structural coverage; max. - 35% total lot coverage; max. – 40 % lot disturbance).

All attached structures, including porches, trellises, porte cochere, breezeway, and entryway shall be counted towards coverage.

All detached structures shall be counted towards coverage, **except** for the following:

**DETACHED STRUCTURES:** (not to exceed a total of 5 such structure on a lot that are legal and conforming, not to exceed 12 feet in height, not to exceed 120 sq.ft. each, (see exceptions below), and not to exceed a combined total of 800 sq.ft.)

- Storage sheds; max. 2 on a lot,
- Trellis and freestanding covered patio w/solid roof, (may exceed 120 sq.ft.),
- Outdoor bar, barbecue, fire place, gazebo,
- Roofed playground fort, (may be max. 15 ft.),

- fountain, pond and similar structures.

These structures may not be located in the front yard area or any setback, except for a fountain, decorative pond or low water feature.

### **WATER EFFICIENT LANDSCAPE REQUIREMENTS (Chapter 13.18 of the RH Municipal Code)**

Effective June 13, 2019, in addition to all other City submittal requirements, a Conceptual Landscape Plan is required for all **Site Plan Review**, **Conditional Use Permit**, or **Variance** applications if the proposed construction project includes any new or altered existing landscaped area(s) of 500 sq.ft. or more.

All applicants please note the following:

1. The Conceptual Landscape Plan must provide general summary information including square footage calculations for new landscaped areas and existing landscaped areas to be altered or re-landscaped (see separate worksheet for requirements).
2. The Conceptual Landscape Plan shall be incorporated into the project Site Plan submitted with the planning application.
3. For more information regarding final (detailed) landscape plan requirements See Chapter 13.18 of the Rolling Hills Municipal Code. Final landscape packet shall be submitted to the City prior to obtaining grading or building permit. A fee and a compliance deposit will be collected at that time.

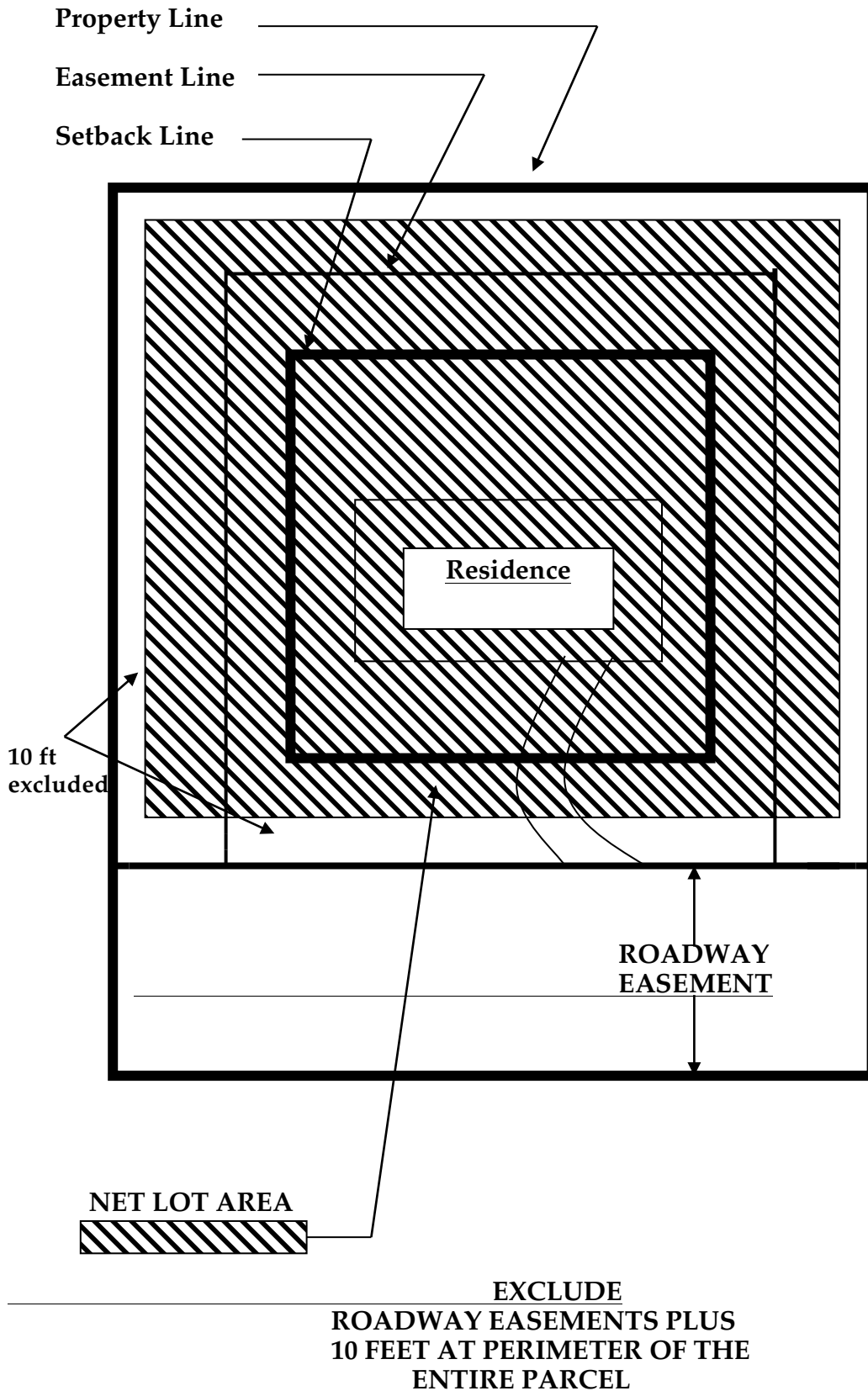
### **DRIVEWAY(S) AND MOTOR COURT(S)**

Information regarding driveways, parking pads and motor courts is required for all new developments, garage addition, modification or relocation and for any modification to existing driveway(s) and motor court(s). If no changes are proposed to the existing driveway or motor court, except for reconstruction/repaving, within existing footprint, provide information for the total pervious and impervious surfaces.

Pursuant to Sections 17.16.160 and 17.16.150 of the Rolling Hills Zoning Code, only one driveway is allowed (except with a conditional use permit under certain conditions); driveways may not cover more than 20% of the setback area in which they are located and uncovered parking areas/motor courts may not cover more than 10% of the front or side yard setback. Uncovered parking areas shall be located no closer than 30-feet from any roadway easement line. For properties that qualify for reduced setbacks (Sec. 17.17 and 17.24.045) min. of 40% of the front yard area shall be landscaped & only one driveway is allowed.

A not to exceed 3-foot high wall may be permitted along a driveway or stairway in any setback. If any of these improvements are in easements, RHCA approval is required prior to City's review.

## NET LOT AREA CALCULATIONS





# **REQUEST FOR HEARING** **FOR SITE PLAN REVIEW**

**NOTE:** According to Section 17.24.020 of the Rolling Hills Municipal Code, illegal uses or structures are required to be made conforming or shall be removed. Therefore, you may be required to modify or remove any unauthorized or unlawful use or structure on your property prior to or in conjunction with this application. In addition, pursuant to Resolution No. 900 of the City Council, any use or structure which would require a discretionary permit but which is conducted without the acquisition of said permit, shall be subject to retroactive discretionary permit process, and is subject to higher application fee.

**PROPERTY OWNER:** \_\_\_\_\_

**OWNER'S ADDRESS:** \_\_\_\_\_

**TELEPHONE NO:** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

**PROPERTY'S ADDRESS:** \_\_\_\_\_

**LEGAL DESCRIPTION: LOT NO.** \_\_\_\_\_

**ASSESSORS BOOK NO. \_\_\_\_\_ PAGE \_\_\_\_\_ PARCEL \_\_\_\_\_**

**AGENT'S NAME:** \_\_\_\_\_

**AGENT'S ADDRESS:** \_\_\_\_\_

**TELEPHONE NO:** \_\_\_\_\_

## NATURE OF PROPOSED PROJECT

Describe in detail the nature of the proposed project, including what aspects of the project require a Site Plan Review:

[illegible]

Describe and delineate on plans any new basement area square footage \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### **SITE PLAN REVIEW CRITERIA**

Site Plan Review criteria upon which the Planning Commission must make an affirmative finding. Describe in detail the project's conformance with the criteria below:

- A. *Is the project compatible with the General Plan, the Zoning Ordinance and surrounding uses?* Explain how it compares to the sizes, setbacks and other characteristics of neighboring houses.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- B. *How does the project preserve and integrate into the site design, to the maximum extent feasible, existing natural topographic features of the lot including surrounding native vegetation, mature trees, drainage courses, and land forms (such as hillsides and knolls)?* Explain how the project preserves and integrates existing natural features.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- C. *How does the site development plan follow natural contours of the site to minimize grading?* Extensive grading and recontouring of existing terrain to maximize buildable area shall not be approved. Graded slopes shall be rounded and contoured so as to blend with existing terrain. Grading shall not modify existing drainage or redirect drainage flow unless into an existing drainage course. Explain the nature and extent of the impact of grading and proposed minimization on lots.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- D. *To what extent does the site development plan preserve surrounding native vegetation and supplement it with landscaping that is compatible with and enhances the rural character of the community?* Landscaping should provide a buffer and transition zone between private and public areas. Explain how the project preserves native vegetation, integrates landscaping and creates buffers.

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- E. *How does the site development plan preserve the natural and undeveloped state of the lot by minimizing building coverage?* Lot coverage requirements shall be regarded as maximums and the actual amount of lot coverage permitted should depend upon the existing buildable area of the lot.

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- F. *Is the site development plan harmonious in scale and mass with the site, the natural terrain and surrounding residences?* Setbacks shall be regarded as minimums and more restrictive setbacks shall be imposed where necessary to assure proportionality and openness. Explain how the proposed project setbacks compare with the existing setbacks of neighboring properties.

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- G. *Is the site development plan sensitive and not detrimental to convenience and safety of circulation for pedestrians and vehicles?* Explain how the number and types of vehicles relate to the driveway location, design, landscaping and other on-site parking or storage areas.

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- H. *Does the site development plan conform with the requirements of the California Environmental Quality Act?* Explain how the project impacts the environment, e.g. significant impact, proposed mitigation measures.

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I hereby certify that the statements furnished above, and in attached exhibits, presents the data and information required for the site plan review criteria evaluation to the best of my ability; and, that the facts, statements and other information presented are true and correct to the best of my knowledge and belief.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

For: \_\_\_\_\_  
Applicant

**FILING FEE**

A filing fee must accompany the application. Make check payable to: **CITY OF ROLLING HILLS**

DATE \_\_\_\_\_ ZONING CASE NO. \_\_\_\_\_ ADDRESS \_\_\_\_\_

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

<u>AREA AND STRUCTURES</u>	<u>EXISTING</u>	<u>PROPOSED</u>	<u>TOTAL</u>
NET LOT AREA	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
RESIDENCE	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
GARAGE	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
SWIMMING POOL/SPA	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
POOL EQUIPMENT	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
GUEST HOUSE	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
CABANA	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
STABLE (dirt volume to be included in grading quantities)	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
RECREATION COURT	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
ATTACHED COVERED PORCHES	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
ENTRYWAY/ PORTE COCHERE, BREEZEWAYS	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
ATTACHED TRELLISES	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
<b>*DETACHED STRUCTURES:</b>			
(circle all that applies)			
SHEDS, TRELLISES, GAZEBO,	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
BARBECUE, OUTDOOR KITCHEN,	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
ROOFED PLAY EQUIP.- over 15 ft.	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
high and over 120 sq. ft. in area,	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
WATER FEATURES, ETC.	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
SERVICE YARD	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
OTHER _____	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
BASEMENT AREA (volume to be included in grading quantities)	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
DEPTH OF BASEMENT	_____	_____	_____
<hr/>			
TOTAL STRUCTURES	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
% STRUCTURAL COVERAGE	_____ %	_____ %	_____ %
<hr/>			
<b>TOTAL STRUCTURES</b>			
<i>EXCLUDING: up to 5 (legal) &amp; up to 800 sq. ft. detached structures that are not higher than 12 ft. (no more _____ sq.ft. _____ sq.ft. _____ sq.ft.) than 120 sq.ft. per structure per deduction, except for trellis)</i>			
% STRUCTURAL COVERAGE	_____ %	_____ %	_____ %

**ALL FLATWORK MUST BE SHOWN ON THE PLAN**

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>TOTAL</u>
PRIMARY DRIVEWAY(S)	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
PAVED WALKS, PATIO AREAS, COURTYARDS	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
POOL DECKING	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
OTHER PAVED DRIVEWAYS, ROAD EASEMENTS, PARKING PADS	_____ sq.ft.	_____ sq.ft.	_____ sq. ft.
<hr/>			
TOTAL FLATWORK	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
% TOTAL FLATWORK COVERAGE	_____ %	_____ %	_____ %
<hr/>			
TOTAL STRUCTURAL & FLATWORK COVERAGE	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
% TOTAL COVERAGE	_____ %	_____ %	_____ %
<hr/>			
TOTAL STRUCTURAL & <b>structural</b> FLATWORK COVERAGE <b>flat work</b>	_____ sq.ft. _____ sq.ft.	_____ sq.ft. _____ sq.ft.	_____ sq.ft. _____ sq.ft.
<i>Excl. the allowance of up to 5 – 800 sq. ft. structures from previous page.</i>			
% TOTAL COVERAGE	_____ %	_____ %	_____ %
<hr/>			
TOTAL DISTURBED AREA	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.
% DISTURBED AREA	_____ %	_____ %	_____ %
GRADING QUANTITY <i>(include future stable, corral and access way; basement and all other areas to be graded/excavated)</i>			_____ cubic yards
<hr/>			

All structures (attached and detached) must be listed.

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

DATE \_\_\_\_\_ Z.C. NO. \_\_\_\_\_ ADDRESS \_\_\_\_\_

**CALCULATION OF BUILDING PAD COVERAGE**

**PAD NO. 1**

<b><u>BUILDABLE PAD AREA AND STRUCTURES</u></b>	<b><u>EXISTING</u></b>	<b><u>PROPOSED</u></b>	<b><u>TOTAL</u></b>
BUILDING PAD	_____sq.ft.	_____sq.ft.	_____sq.ft.
RESIDENCE	_____sq.ft.	_____sq.ft.	_____sq.ft.
GARAGE	_____sq.ft.	_____sq.ft.	_____sq.ft.
POOL/SPA	_____sq.ft.	_____sq.ft.	_____sq.ft.
POOL EQUIPMENT	_____sq.ft.	_____sq.ft.	_____sq.ft.
CABANA/REC.RM	_____sq.ft.	_____sq.ft.	_____sq.ft.
GUEST HOUSE	_____sq.ft.	_____sq.ft.	_____sq.ft.
STABLE	_____sq.ft.	_____sq.ft.	_____sq.ft.
SPORTS COURT	_____sq.ft.	_____sq.ft.	_____sq.ft.
SERVICE YARD	_____sq.ft.	_____sq.ft.	_____sq.ft.
ATTACHED COVERED PORCHES			
Primary residence	_____sq.ft.	_____sq.ft.	_____sq.ft.
Accessory structures	_____sq.ft.	_____sq.ft.	_____sq.ft.
AREA OF ATTACHED COVERED PORCHES THAT EXCEED 10% OF THE SIZE OF RESIDENCE/ACCS. STRUCTURE	_____sq.ft.	_____sq.ft.	_____sq.ft.
ENTRYWAY/PORTE COCHERE/ BREEZEWAY	_____sq.ft.	_____sq.ft.	_____sq.ft.
ATTACHED TRELLISES	_____sq.ft.	_____sq.ft.	_____sq.ft.
ALL DETACHED STRUCTURES (from previous pages)	_____sq.ft.	_____sq.ft.	_____sq.ft.
ALL DETACHED STRUCTURES (from previous pages after excluding allowed deductions)	_____sq.ft.	_____sq.ft.	_____sq.ft.
OTHER	_____sq.ft.	_____sq.ft.	_____sq.ft.
<hr/>			
TOTAL STRUCTURES ON PAD NO. 1	_____sq.ft.	_____sq.ft.	_____sq.ft.
% BUILDING PAD COVERAGE	_____%	_____%	_____%
TOTAL STRUCTURES ON PAD NO. 1	_____sq.ft.	_____sq.ft.	_____sq.ft.
<i>Excluding attached trellises, excluding allowed deductions, and including the area of covered porches that exceed 10% of the size of the residence/accessory structures.</i>			
% BUILDING PAD COVERAGE	_____%	_____%	_____%

DATE\_\_\_\_\_ Z.C. NO. \_\_\_\_\_ ADDRESS\_\_\_\_\_

## CALCULATION OF BUILDING PAD COVERAGE

### **PAD NO. 2**

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



DATE \_\_\_\_\_ Z.C. NO. \_\_\_\_\_ ADDRESS \_\_\_\_\_

### **GRADING AND EXCAVATION INFORMATION**

<u>Grading Quantities:</u>	<u>Cubic Yds.</u>	<u>Max. Depth</u>	<u>Max. Depth Location</u>
----------------------------	-------------------	-------------------	----------------------------

**CUT/EXCAVATION**

For house/addition	_____	_____	_____
--------------------	-------	-------	-------

For other structures (i.e. walls)	_____	_____	_____
-----------------------------------	-------	-------	-------

List _____	_____	_____	_____
------------	-------	-------	-------

_____	_____	_____	_____
-------	-------	-------	-------

For driveway(s)	_____	_____	_____
-----------------	-------	-------	-------

For yard areas	_____	_____	_____
----------------	-------	-------	-------

For basement excavation	_____	_____	_____
-------------------------	-------	-------	-------

For pool/spa excavation	_____	_____	_____
-------------------------	-------	-------	-------

Overexcavation	_____	_____	_____
----------------	-------	-------	-------

TOTAL CUT	_____		
-----------	-------	--	--

TOTAL EXPORT			_____
--------------	--	--	-------

**FILL**

For house/addition	_____	_____	_____
--------------------	-------	-------	-------

For other structures (i.e.walls)	_____	_____	_____
----------------------------------	-------	-------	-------

List _____	_____	_____	_____
------------	-------	-------	-------

_____	_____	_____	_____
-------	-------	-------	-------

For driveway(s)	_____	_____	_____
-----------------	-------	-------	-------

For yard areas	_____	_____	_____
----------------	-------	-------	-------

For basements	_____	_____	_____
---------------	-------	-------	-------

For basement wells	_____	_____	_____
--------------------	-------	-------	-------

For pool/spa	_____	_____	_____
--------------	-------	-------	-------

Recompaction	_____		
--------------	-------	--	--

TOTAL FILL	_____		
------------	-------	--	--

TOTAL GRADING (Sum of total cut and total fill) \_\_\_\_\_

### **PAD/FLOOR ELEVATIONS**

<u>Existing pad elevations</u>	<u>Residential pad</u>	<u>Other pad</u> _____
--------------------------------	------------------------	------------------------

Finished floor	_____	_____
----------------	-------	-------

Finished grade	_____	_____
----------------	-------	-------

<u>Proposed pad elevations</u>		
--------------------------------	--	--

Finished floor	_____	_____
----------------	-------	-------

Finished grade	_____	_____
----------------	-------	-------

Basement-finished floor	_____	
-------------------------	-------	--

Basement-finished well wall	_____	
-----------------------------	-------	--

DATE \_\_\_\_\_ ZONING CASE NO. \_\_\_\_\_ ADDRESS \_\_\_\_\_

### **CONCEPTUAL LANDSCAPE PLAN REQUIREMENTS**

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

#### **PLANTING AREA**

1. NEW AREA(S) TO BE LANDSCAPED \_\_\_\_\_ sq. ft
  2. EXISTING LANDSCAPING TO BE ALTERED (RE-LANDSCAPED) \_\_\_\_\_ sq. ft
  3. TOTAL LANDSCAPING: NEW AND ALTERED AREAS \_\_\_\_\_ sq. ft.
- 

#### **OTHER LANDSCAPE ELEMENTS**

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

WATER FEATURE:	<input type="checkbox"/>
GARDEN WALL (less than 3-Ft tall)	<input type="checkbox"/>
SITTING WALL / BENCH	<input type="checkbox"/>
WALKWAY OR PATIO	<input type="checkbox"/>
TRELLIS, CANOPY OR SIMILAR STRUCTURE	<input type="checkbox"/>

DATE \_\_\_\_\_ ZONING CASE NO. \_\_\_\_\_ ADDRESS \_\_\_\_\_

**CALCULATION OF DRIVEWAY(S) AND MOTOR COURT(S) COVERAGE;**  
**IMPERVIOUS/PERVIOUS SURFACES AND**  
**INCLUDING FIRE DEPARTMENT TURN AROUND, IF REQUIRED**

	<u>EXISTING</u>	<u>TOTAL PROPOSED</u>
TOTAL DRIVEWAY(S)	_____ s.f.	_____ s.f.
TOTAL MOTOR COURT(S) & PARKING PAD(S)	_____ s.f.	_____ s.f.
AREA OF FRONT SETBACK		_____ s.f.
AREA OF SIDE SETBACK		_____ s.f.
AREA OF DRIVEWAY(S) IN SIDE SETBACK	_____ s.f.	_____ s.f.
% OF SIDE SETBACK COVERED BY DRIVEWAY(S)	_____ %	_____ %
AREA OF MOTOR COURT(S) & PARKING PADS IN SIDE SETBACK	_____ s.f.	_____ s.f.
% OF SIDE SETBACK COVERED BY MOTOR COURT(S) & PARKING PAD(S)	_____ %	_____ %
AREA OF DRIVEWAY(S) IN FRONT SETBACK	_____ s.f.	_____ s.f.
% OF FRONT SETBACK COVERED BY DRIVEWAY(S)	_____ %	_____ %
AREA OF MOTOR COURT(S) & PARKING PADS IN FRONT SETBACK	_____ s.f.	_____ s.f.
% OF FRONT SETBACK COVERED BY MOTOR COURT(S) & PARKING PAD(S)	_____ %	_____ %
IMPERVIOUS SURFACE	_____ s.f.	_____ s.f.
PERVIOUS SURFACE	_____ s.f.	_____ s.f.

## OWNER'S DECLARATION

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

Executed at \_\_\_\_\_, California,

this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

**NOTE:** *The Owner's Declaration can only be used if this application is signed in California. If this application is signed outside of California, the applicant should acknowledge before a Notary Public of the State where the signature is fixed, or before another officer of that State authorized by its laws to take acknowledgements, that he (it) owns the property described herein, and that the information accompanying this application is true to the best of his (its) knowledge and belief. Attach appropriate acknowledgment here.*

---

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APPLICANT: \_\_\_\_\_

DATE FILED \_\_\_\_\_

REPRESENTATIVE: \_\_\_\_\_

FEE: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

RECEIPT NO: \_\_\_\_\_

COMPANY ADDRESS:

BY: \_\_\_\_\_

\_\_\_\_\_

ZONING CASE NO \_\_\_\_\_

\_\_\_\_\_

TENTATIVE HEARING DATE:

COMPANY PHONE NO. (\_\_\_\_\_) \_\_\_\_\_

\_\_\_\_\_

PROJECT ADDRESS: \_\_\_\_\_

\_\_\_\_\_

**OWNER'S ACKNOWLEDGEMENT**  
**(PLEASE READ)**

Property development in Rolling Hills is governed by ordinances of the CITY OF ROLLING HILLS ("City") and by private deed restrictions enforced by the ROLLING HILLS COMMUNITY ASSOCIATION ("RHCA").

The land development permit process of the City and the RHCA are completely independent and separate. Both must be satisfied and approval given by both the City and the RHCA to develop property in Rolling Hills. An approval by either the City or the RHCA does not mean, imply or ensure approval by the other. Separate building permit(s) from the City's contracted Building and Safety Department shall be required prior to commencement of any work.

The suggested sequence of property development is to obtain City approvals first.

I, (We), the undersigned, acknowledge that the above statement has been fully read and its admonition is completely understood.

Executed at \_\_\_\_\_, California this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

**CITY OF ROLLING HILLS**

**ZONING CASE**

**CERTIFIED PROPERTY OWNER'S LIST**

**AFFIDAVIT**

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

I, \_\_\_\_\_, declare under penalty of perjury that the attached list contains the names and addresses of all persons to whom all property is assessed as they appear on the latest available assessment roll of the County within the area described and for a distance of one thousand (1,000) feet from the exterior boundaries of property legally described as:

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Executed at \_\_\_\_\_, California, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Signature

*Public:PLANNING MASTERS:City of Rolling Hills Site Plan Review Application rev. 2019.doc*



## GUIDE TO DEVELOPER TECHNICAL INFORMATION FOR PROJECTS IN ROLLING HILLS (MS4 PERMIT)

THIS GUIDE PERTAINS TO DEVELOPMENT AND REDEVELOPMENT PROJECT STANDARDS PER THE LOS ANGELES COUNTY MUNICIPAL NPDES PERMIT (MS4 PERMIT), INCLUDING LOW IMPACT DEVELOPMENT REQUIREMENTS (CHAPTER 8.32 OF THE ROLLING HILLS MUNICIPAL CODE).

Chapter 8.32 Storm Water Management and Pollution Control Ordinance of the Rolling Hills Municipal Code prescribe the requirements of the Municipal NPDES Permit authorized by the Federal Clean Water Act.

The new regulations have replaced the previously required Standard Urban Stormwater Mitigation Plan (SUSMP), but are more restrictive and apply to ALL projects, regardless of size. All projects must implement an effective combination of erosion and sediment control BMPs from the Municipal NPDES Permit to prevent erosion and sediment loss, and the discharge of construction wastes.

However, some projects are subject also to the Low Impact Development, (LID), requirements. **LID means building or landscape features designed to retain or filter storm water runoff.**

Developer Technical Information for Projects subject to the requirements of the Storm Water Management Ordinance and LID criteria is posted on the City's Website at:

[www.Rolling-Hills.org/index.aspx?nid=95](http://www.Rolling-Hills.org/index.aspx?nid=95)

[www.Rolling-Hills.org/DocumentCenter/View/768](http://www.Rolling-Hills.org/DocumentCenter/View/768)

[www.Rolling-Hills.org/DocumentCenter/View/769](http://www.Rolling-Hills.org/DocumentCenter/View/769) - (P. 2 of Appendix B -  
Rainfall depth information)

Chapter 8.32 of the Rolling Hills Municipal Code is provided as Attachment A to the Technical Information document above.

The development community must adhere to these regulations, keep track and provide all the necessary information and documents to the City and/or City's Building Officials in a timely manner. LID designs, if applicable, must be shown on all plans submitted to the City and be implemented in an approved manner.

**ALL** Development and Redevelopment Projects are subject to the Municipal NPDES Permit, but some are also subject to the LID regulations. In summary, the following single-family residential and accessory structures construction is subject to the new LID regulations, (see Section 8.32.090 and 8.32.095 of Chapter 8.32):

1. Construction of new single family residential homes, equal to one acre or greater of disturbed area and adding more than ten thousand square feet of impervious area (including the house);
2. Single family hillside residential developments or redevelopments;

3. Redevelopment projects which include:
  - (a) Land-disturbing activities which create, add, or replace ten thousand square feet or more of impervious surface area; and
  - (b) Where Redevelopment results in an alteration to more than fifty percent of impervious surfaces of a previously existing development;
  - (c) Where Redevelopment results in an alteration to less than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post-development storm water quality control requirements, only the alteration must be mitigated, and not the entire development.
4. Roadway construction with ten thousand square feet or more of impervious surface area;
5. Any New Development or Redevelopment project located in or directly adjacent to or discharging directly into a Significant Ecological Area, where the development will:
  - (a) Discharge storm water that is likely to impact a sensitive biological species or habitat; and
  - (b) Create two thousand five hundred square feet or more of impervious surface area.

The County of Los Angeles Low Impact Development (LID) Standards Manual along with the County's Stormwater BMP Design and Maintenance Manual should serve as the primary design manual for developers.

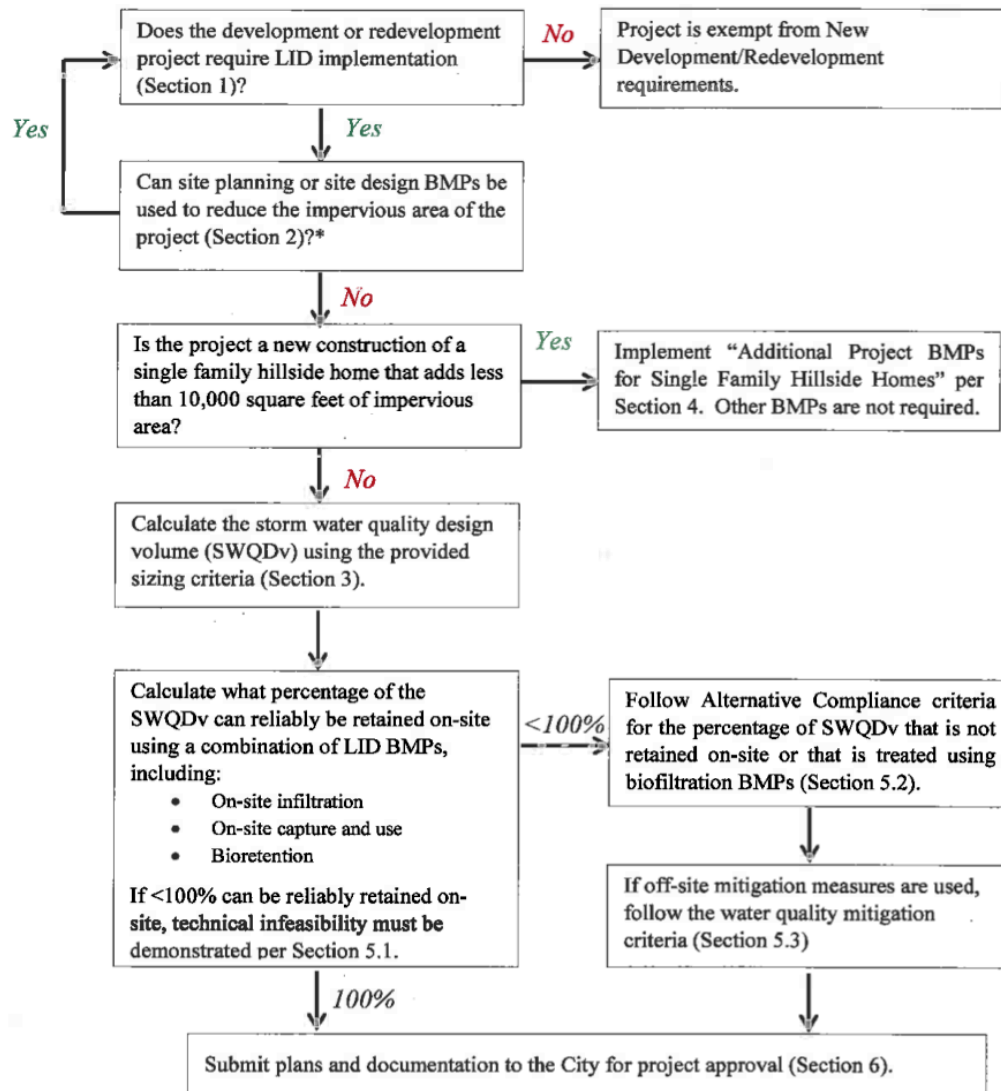
The attached flow chart contains the general steps for developers to walk through to determine which, if any, section of the Developer Technical Information manual is relevant to their project.

In addition, the Developer Planning Checklist form is to be submitted with all applications to the Planning Department.





**Figure 1: New Development and Redevelopment Project Guidance  
Flow Chart for Project Planning**



\*If the final impervious area is near the qualifying threshold, consider site planning or site design BMPs (Section 2), e.g., porous pavement, to decrease the final impervious area and to exempt the project from the requirement to retain the SWQDv

Project Address		
Parcel ID		
Zoning/Use Code		
Project Developer		
Project Owner		
Owner Phone		
Owner address		
Owner email		
Site acreage		
Project acreage/disturbed area (may be less than site acreage for redevelopment projects)		
Existing hydrologically connected1 impervious area (ft2)		
Planned impervious surface area for the project (ft2) (includes building footprint as well as impervious driveways, patios, sport courts, etc.)		
Planned hydrologically connected1 impervious surface area for the project (ft2)		
Planned pervious surface area for the project (ft2)		
State WDID No. (if subject to Construction General Permit)		
85th percentile, 24-hour storm (inches)		
Project design storm (inches ) (Greater of 85th percentile, 24-hour storm and 0.75)		
Storm Water Quality Design volume (ft3)		
Percent of design storm to be retained on site		
Biofiltration BMPs being used ? (Yes/No)		
Biofiltration BMP Treatment Volume (1.5 times the SWQDv not reliably retained on site)		
Design volume for water quality mitigation treatment BMPs (ft3)		
If flow-through water quality treatment BMPs are approved, provide the 1-year, 1-hour storm intensity (inches per hour)		
Percent of design storm volume to be infiltrated at off-site mitigation site		
Percent of design storm to be treated with biofiltration at off-site retrofit		
Name/address of off-site mitigation or retrofit sites		
GIS coordinates for off-site mitigation project		
Permanent Structural BMP ID [provide additional columns for BMPs as necessary]	BMP A	BMP B (if necessary)
Structural BMP Type and Description		
BMP Location on Site (Coordinates)		
BMP Location Description (or attach map)		
BMP Design Capture Volume (ft3)		

\*Attach BMP design plans/specs