



# *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

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

**AGENDA**  
**Regular Planning Meeting**

**PLANNING COMMISSION**  
**Tuesday, February 16, 2021**

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

## ***SUPPLEMENTAL AGENDA***

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

*Public Participation: City Hall will be closed to the public until further notice. A live audio of the Planning Commission meeting will be available on the City's website (<https://www.rolling-hills.org/PC%20Meeting%20Zoom%20Link.pdf>). The meeting agenda is also available on the City's website (<https://www.rolling-hills.org/government/agenda/index.php>).*

***Join Zoom Meeting via***

***<https://us02web.zoom.us/j/99343882035?pwd=MWZXaG9ISWdud3NpajYwY3dFblhFZz09>***

***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 MEETING TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF THE AGENDA**

**RECOGNITION OF COMMISSIONER MATT SEABURN FOR HIS SERVICE TO THE CITY OF ROLLING HILLS.**

4. **PUBLIC COMMENTS ON MINUTES AND ANY ITEM NOT ON THE AGENDA**
5. **APPROVAL OF MINUTES**

5.A. **DECEMBER 22, 2020, SPECIAL PLANNING COMMISSION MEETING MINUTES.**

**RECOMMENDATION: Approve as presented.**  
[12-22-20 PC Action Minutes-Special Meeting\\_v2.docx](#)

6. **RESOLUTIONS**

7. **PUBLIC HEARINGS ON ITEMS CONTINUED FROM PREVIOUS MEETING**

- 7.A. [ZONING CASE NO. 20-08: CONSIDER APPROVAL OF -Â MODIFICATION TO PREVIOUSLY APPROVED ZONING CASE NO. 918 REQUIRING SITE PLAN REVIEW FOR 1\) INCREASE TO SIZE OF THE RESIDENCE BY 1,100 SQUARE FEET, 2\) INCREASE TO THE AMOUNT OF GRADING BY 7,520 CUBIC YARDS, 3\) ADDITION OF NEW 5 FOOT MAXIMUM WALLS; AND REQUIRING CONDITIONAL USE PERMIT FOR A NEW CABANA EXCEEDING 200 SQUARE FEET FOR REVISED PROJECT LOCATED AT 20 UPPER BLACKWATER CANYON ROAD \(LOT 101-RH\), ROLLING HILLS, CA 90274 \(IANNITTI\).](#)

**RECOMMENDATION:**

**Adopt Resolution No. 2021-01 approving modification to previously approved Zoning Case No. 918 requiring Site Plan Review for 1) increase to size of the residence by 1,100 square feet, 2) increase to the amount of grading by 7,520 cubic yards, and 3) addition of new 5 foot wall; and requiring conditional use permit for a new cabana exceeding 200 square feet**

[Development Table - ZC 2020-08\\_v2.docx](#)

[ZC No. 489\\_Reso 93-2.pdf](#)

[Resolution\\_No.\\_2021-01\\_\\_ZC\\_20-08\\_\\_20\\_Upper\\_Blackwater\\_Cyn\\_Iannitti.docx](#)  
[2018-01.pdf](#)

[PLANS.pdf](#)

- 7.B. [ZONING CASE NO 20-10: CONSIDER APPROVAL OF RESOLUTION NO. 2021-02 APPROVING VARIANCE REQUEST FOR 1\) ENCROACHMENT INTO THE FRONT AND REAR YARD SETBACKS FOR THE PROPOSED 1,021 SQUARE FOOT RESIDENTIAL ADDITION, TWO-CAR GARAGE, SWIMMING POOL WITH SPA, AND PATIO DECK; 2\) EXCEEDING TOTAL LOT COVERAGE; AND 3\) EXEMPTION FROM THE STABLE AND CORRAL REQUIREMENTS; AND SITE PLAN REVIEW FOR 1\) EXCEEDING THE 999 SQUARE-FOOT MAXIMUM ADDITION ALLOWED BY RIGHT AND 2\) REMOVING AND REPLACING EXISTING 5 FOOT HIGH WALL WITH THE SAME HEIGHT WALL IN THE SAME LOCATION LOCATED AT 3 OPEN BRAND ROAD, ROLLING HILLS, CA \(ROSA\).](#)

**RECOMMENDATION: Adopt Resolution No. 2021-02 approving request for Variance to allow encroachment into the setback, exceed total lot coverage, exemption from the stable and corral requirements; Site Plan Review for exceeding 999 square feet of new addition and removal and replacement of an existing five-foot high retaining wall.**

[Development Proposal Table.docx](#)

[PC Resolution\\_2021-02.docx](#)

[Supplemental Resolution\\_2021-02.docx](#)

8. **NEW PUBLIC HEARINGS**

NONE.

**9. NEW BUSINESS**

NONE.

**10. OLD BUSINESS**

NONE.

**11. SCHEDULE FIELD TRIPS**

A. 8 UPPER BLACKWATER CANYON ROAD

B. 24 CINCHRING ROAD

**12. ITEMS FROM STAFF**

A. 5TH CYCLE HOUSING ELEMENT UPDATE (ORAL).

B. SAFETY ELEMENT UPDATE (ORAL).

C. SENATE BILL 9 AND SENATE BILL 10 (ORAL).

C. PLANNING FILES RECORDS MANAGEMENT UPDATE (ORAL).

D. PLANNING APPLICATION ONLINE SUBMITTAL (ORAL).

E. 6TH CYCLE HOUSING ELEMENT UPDATE (ORAL).

**13. ITEMS FROM THE PLANNING COMMISSION**

**14. ADJOURNMENT**

Next meeting: 16, MARCH, 2021 at 7:30 AM Field Trip at 8 Upper Blackwater Canyon Road.

**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

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**Agenda Item No.: 5.A**

**Mtg. Date: 02/16/2021**

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

**FROM:** STEPHANIE GRANT , ADMINISTRATIVE CLERK

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

**SUBJECT:** DECEMBER 22, 2020, SPECIAL PLANNING COMMISSION MEETING MINUTES.

**DATE:** February 16, 2021

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**BACKGROUND:**

NONE.

**DISCUSSION:**

NONE

**FISCAL IMPACT:**

NON

**RECOMMENDATION:**

Approve as presented.

**ATTACHMENTS:**

[12-22-20 PC Action Minutes-Special Meeting\\_v2.docx](#)

SPECIAL MEETING  
OF THE PLANNING COMMISSION  
CITY OF ROLLING HILLS  
6:30 P.M.  
TUESDAY, DECEMBER 22, 2020  
VIA TELECONFERENCE

1. CALL MEETING TO ORDER

A Special Meeting of the Planning Commission of the City of Rolling Hills was called to order by Chairman Chelf at 6:36 p.m. on Tuesday, December 22, 2020 via teleconference.

2. ROLL CALL

Commissioners Present: Cardenas, Cooley, Seaburn, Kirkpatrick, and Chairman Chelf.  
Commissioners Absent: None.  
Others Present: Meredith T. Elguira, Planning & Community Services Director.  
Jane Abzug, Assistant City Attorney.  
Stephanie Grant, Administrative Clerk.  
Barry Miller, Housing Consultant.  
Anna Choudhuri, EIR Consultant.

3. APPROVAL OF THE AGENDA

**ACTION: Commissioner Cardenas moved that the Planning Commission approve the agenda as presented. Commissioner Seaburn seconded the motion, which carried without objection and the motion was carried by voice vote.**

AYES: COMMISSIONERS: Cardenas, Cooley, Seaburn, Kirkpatrick, and Chairman Chelf.  
NOES: COMMISSIONERS: None.  
ABSENT: COMMISSIONERS: None.  
ABSTAIN: COMMISSIONERS: None.

4. PUBLIC COMMENTS ON MINUTES AND ANY ITEM NOT ON THE AGENDA

NONE.

5. APPROVAL OF MINUTES

- 5A. 1.) October 20, 2020 Field Trip Meeting of the Planning Commission.  
2.) October 20, 2020 Regular Meeting of the Planning Commission.  
3.) November 19, 2020 Adjourned Meeting of the Planning Commission.

**ACTION: Commissioner Cooley moved that the Planning Commission approve the amended minutes as presented. Commissioner Seaburn seconded the motion, which carried without objection and the motion was carried by voice vote.**

6. RESOLUTIONS

NONE.

7. PUBLIC HEARINGS ON ITEMS CONTINUED FROM PREVIOUS MEETING

NONE.

8. NEW PUBLIC HEARINGS

8.A. RECOMMENDATION TO CITY COUNCIL APPROVAL OF RESOLUTION NO 2020-08 OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 17 (ZONING) OF THE ROLLING HILLS MUNICIPAL CODE TO ADD CHAPTER 17.19 (OVERLAY ZONING DISTRICT“ RANCHO DEL MAR HOUSING OPPORTUNITY OVERLAY ZONE) ESTABLISHING AN OVERLAY ZONE TO ACCOMMODATE HOUSING AND DETERMINING THE ORDINANCE AND ADOPTION OF THE INITIAL STUDY AND NEGATIVE DECLARATION, AND APPROVAL OF RESOLUTION NO. 2020-09 OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT GENERAL PLAN AMENDMENT NO. 20-01 TO THE CITY OF ROLLING HILLS GENERAL PLAN, AN AMENDMENT TO THE GENERAL PLAN TO ADOPT THE LAND USE ELEMENT AMENDMENT AND LAND USE POLICY MAP AMENDMENT.

Planning and Community Services Director Meredith Elguira presented the proposed amendments. Resident Jim Aichele questioned the location of the multi-family residential units. It was determined that the location would be on the western edge of the current boundary of the existing transit facility.

**ACTION: Commissioner Cardenas moved that the Planning Commission approve Resolution 2020-09 as amended by the meeting discussion and legal counsel. Vice Chair Kirkpatrick seconded the motion, which carried without objection and the motion was carried by voice vote.**

AYES: COMMISSIONERS: Cardenas, Cooley, Seaburn, Kirkpatrick, and Chairman Chelf.  
NOES: COMMISSIONERS: None.  
ABSENT: COMMISSIONERS: None.  
ABSTAIN: COMMISSIONERS: None.

**ACTION: Commissioner Cardenas moved that the Planning Commission approve Resolution 2020-10. Vice Chair Kirkpatrick seconded the motion, which carried without objection and the motion was carried by voice vote.**

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AYES: COMMISSIONERS: Cardenas, Cooley, Seaburn, Kirkpatrick, and Chairman Chelf.  
NOES: COMMISSIONERS: None.  
ABSENT: COMMISSIONERS: None.  
ABSTAIN: COMMISSIONERS: None.

9. NEW BUSINESS

NONE.

10. OLD BUSINESS

NONE.

11. SCHEDULED FIELD TRIPS

NONE.

12. ITEMS FROM STAFF

NONE.

13. ITEMS FROM PLANNING COMMISSION

NONE.

14. ADJOURNMENT

Hearing no further business before the Planning Commission, Chair Chelf adjourned the meeting to January 19, 2021 at 6:30 p.m. via teleconference.

Respectfully submitted,

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Elaine Jeng  
Acting City Clerk

Approved,

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Brad Chelf  
Chairman



## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

**Agenda Item No.: 7.A**

**Mtg. Date: 02/16/2021**

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

**FROM: STEPHANIE GRANT , ADMINISTRATIVE CLERK**

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

**SUBJECT: ZONING CASE NO. 20-08: CONSIDER APPROVAL OF - MODIFICATION TO PREVIOUSLY APPROVED ZONING CASE NO. 918 REQUIRING SITE PLAN REVIEW FOR 1) INCREASE TO SIZE OF THE RESIDENCE BY 1,100 SQUARE FEET, 2) INCREASE TO THE AMOUNT OF GRADING BY 7,520 CUBIC YARDS, 3) ADDITION OF NEW 5 FOOT MAXIMUM WALLS; AND REQUIRING CONDITIONAL USE PERMIT FOR A NEW CABANA EXCEEDING 200 SQUARE FEET FOR REVISED PROJECT LOCATED AT 20 UPPER BLACKWATER CANYON ROAD (LOT 101-RH), ROLLING HILLS, CA 90274 (IANNITTI).**

**DATE: February 16, 2021**

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### **BACKGROUND:**

#### **LOCATION AND LOT DESCRIPTION**

##### **Zoning, Land Size and Existing Conditions**

The property is zoned RAS-2 and the gross lot area is 4.39 acres. The net lot area excluding the roadway easement is 3.12 acres. For development purposes, the net lot area of the lot is 135,735 square feet. The lot is developed with 4,385 square-foot house, 552 square-foot attached garage, two swimming pools collectively equal 1,328 square feet of water surface, two sheds that total 385 square feet, and 2,012 square feet of legal non-conforming guest house.

#### **REQUEST AND PLANNING COMMISSION ACTION**

##### **Applicant Request**

The applicant is requesting a Discretionary Approval Modification to previously approved Zoning Case No. 918 requiring a Site Plan Review for 1) increase to size of the residence by 1,100 square feet, 2)



increase to the amount of grading by 7,520 cubic yards, 3) addition of new 5 foot maximum walls, and a Conditional Use Permit for a new cabana exceeding 200 square feet for a revised project located at 20 Upper Blackwater Canyon Road.

### **Site Plan Review**

The applicant is requesting a modified Site Plan Review to increase size of the residence by 1,100 square feet, increase the amount of grading by 7,520 cubic yards and addition of new maximum five-foot high walls. The modified project will consist of: a 22,150 square feet new residence with basement, 450 square-foot cabana, maximum five-foot high retaining wall (2.5 foot averaging height walls along the corral/riding ring/driveway) and 41,250 cubic yards of grading.

The previously approved Site Plan Review was for the construction of a 9,975 square-foot residence with a 7,750 square-foot basement, 1,675 square-foot attached garage, 1,360 square-foot covered porches, 100 square-foot outdoor kitchen, 1,055 square-foot pool/spa, new retaining walls of varying heights, all three feet or under and averaging less than two and one-half feet in height, and grading of 33,730 total cubic yards of dirt.

### **Conditional Use Permit**

The applicant is requesting a modified Conditional Use Permit for the construction of a new 450 square-foot cabana. The corral has been decreased by 600 square feet and is now 10,200 square feet. The 7,500 square-foot riding ring will remain the same size, but will be slightly shifted to the east. The size of the proposed stable will remain at 2,775 square feet. The proposed riding ring and stable were previously approved under Zoning Case No. 918

The previously approved Conditional Use Permit was for a 10,800 square-foot corral, 2,775 square-foot stable and 7,500 square-foot riding ring.

### **Planning Commission Review**

The field trip will occur on the same day of the public hearing and additional discussions will take place at the public hearing in the evening via teleconference.

## **DISCUSSION:**

### **Demolition**

The proposed demolition has not changed from the previous approval under Zoning Case No. 918. The existing 4,385 square foot residence, 552 square foot garage, 505 square foot stable, 194 & 191 square-foot shed structures, and pools will be demolished to accommodate the proposed project. The existing 2,012 square foot guest house will remain on the project site.

### **Lot Coverage**

Structural coverage on the existing lot is 10,619 square feet or 7.82%, which includes all of the existing structures. The proposed project will add 9,429 square feet, bringing the total proposed structural coverage to 20,048 square feet or 14.77% (20% maximum permitted). The total proposed structural and flatwork coverage will be 38,198 square feet (35% maximum permitted).

The existing building pad coverage of Building Pad 1 with the main house is 6,803 square feet or 21.63% and the applicant is proposing 7,633 square feet or 19.57% with deductions. The total proposed building pad coverage is 14,436 square feet or 37.02% with deductions.

The existing building pad coverage of Building Pad 2 with the guesthouse is 2,286 square feet or 80.20%. The building pad coverage of Building Pad 3 is 2,775 square feet or 14.80% with deductions.

### **Neighbor Concerns**

No public comments were received on the date of publication of this Agenda item.

### **Past Approvals for the Property**

In 2020, the applicant was granted an approval for an extension to Zoning Case No. 918 for a Site Plan Review, Conditional Use Permit, and Variance.

In 2018, approval for driveway and pathway apron for stable were granted to the applicant by the Traffic Commission.

In 2018, the applicant was granted an approval for a Site Plan Review for construction of 9,975 square-foot residence with 7,750 square feet of basement, 1,675 square-foot attached garage, 1,360 square feet of covered porches, 100 square-foot outdoor kitchen, 1,055 square-foot pool/spa, retaining walls 3 feet maximum height, and for grading of 33,730 total cubic yards of dirt. A Conditional Use Permit was approved for the construction of a new 2,775 square-foot stable, 10,800 square-foot corral, and 7,500 square-foot riding ring. A Variance was approved to exceed the maximum permitted lot disturbance of 40%. The applicant was granted a Variance for 79.20% lot disturbance for equestrian uses.

In 2008, approval was granted to the previous owners for a subdivision of a previously larger parcel that included the subject property. The existing improvements on the lot were constructed prior to the subdivision of the property. This includes the existing 1,362 square-foot guesthouse with attached 650 square-foot garage, parking and driveway access to the guesthouse and garage. This explains the existing condition of lot disturbance above the 40% allowable maximum and why the guesthouse and parking are nonconforming with the zoning code.

In 1993, an approval was granted for a Site Plan Review for a stable addition and the future construction of a new barn in Zoning Case No. 489 and Resolution No. 93-2.

## **MUNICIPAL CODE COMPLIANCE**

### **Grading, Structural and Total Lot Coverage**

The project was previously approved for a total of 33,730 cubic yards, and the applicant is proposing a total 41,250 cubic yards, an increase of 7,520 cubic yards of dirt. The increase of grading was due to unfavorable soils conditions. After a soils investigation on the main pad, it was determined that the soils needed to be over excavated and re-compacted to maintain the same grade.

### **Height**

The proposed finished ridge height of the residence is 20 feet.

The previously approved finished roof height of the proposed stable was to be 20 feet. The highest ridgeline of the proposed residence was also 20 feet. It will remain the same.

### **Walls**

The proposed main residence will be shifted 5 feet east closer to the proposed stable. The shift required the proposed secondary wall located east of the stable and closer to the residence to be extended; it was previously approved at 2.5 feet in height and 51 feet in length. The 51-foot long secondary wall is proposed to be raised to 4.25 feet in height and extended to 180 feet in length to maintain the 2:1 slope. The east wall closer to the stable has been shifted 3 feet west towards the stable to maintain a 4.25 foot maximum height averaging 2.5 feet in height. The proposed retaining walls will have a 5-foot maximum wall height along the corral, riding ring, and driveway.

The previously approved walls averaged 2.5 feet in height or less. Most of the higher portions of the walls were located near the stable.

## **COMPARISON APPROVED PROJECT AND PROPOSED PROJECT**

### **Development Table (attached)**

### **Environmental Review**

The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA).

## **CRITERIA FOR SITE PLAN REVIEW**

17.46.050 - Required findings.

A. The Commission shall be required to make findings in acting to approve, conditionally approve, or deny a site plan review application.

B. No project which requires site plan review approval shall be approved by the Commission, or by the City Council on appeal, unless the following findings can be made:

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

## **CRITERIA FOR CONDITIONAL USE PERMIT APPROVAL**

17.42.050 - Basis for approval or denial of conditional use permit.

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

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

**FISCAL IMPACT:**

NONE.

**RECOMMENDATION:**

Adopt Resolution No. 2021-01 approving modification to previously approved Zoning Case No. 918 requiring Site Plan Review for 1) increase to size of the residence by 1,100 square feet, 2) increase to the amount of grading by 7,520 cubic yards, and 3) addition of new 5 foot wall; and requiring Conditional Use Permit for a new cabana exceeding 200 square feet.

**ATTACHMENTS:**

[Development Table - ZC 2020-08\\_v2.docx](#)

[ZC No. 489\\_Reso 93-2.pdf](#)

[Resolution\\_No.\\_2021-01\\_\\_ZC\\_20-08\\_\\_20\\_Upper\\_Blackwater\\_Cyn\\_Iannitti.docx](#)

[2018-01.pdf](#)

[PLANS.pdf](#)

## Development Table Zoning Case No. 2020-08 (20 Upper Blackwater Canyon Road)

Modification to Site Plan Review, Conditional Use Permit	EXISTING	PROPOSED	TOTAL
RA-S- 2 Zone Setbacks Front: 50 ft. from front easement line Side: 35 ft. from side property line Rear: 50 ft. from rear easement line	SINGLE FAMILY RESIDENCE WITH GARAGE, GUEST HOUSE, 2 POOLS, STABLE, 2 SHEDS	SITE PLAN REVIEW FOR 1) INCREASE TO SIZE OF THE RESIDENCE BY 1,100 SQUARE FEET, 2) INCREASE TO THE AMOUNT OF GRADING BY 7,520 CUBIC YARDS, 3) ADDITION OF NEW 5 FOOT MAXIMUM WALLS; AND REQUIRING CONDITIONAL USE PERMIT FOR A NEW CABANA EXCEEDING 200 SQUARE	
Net Lot Area	135,735 SF	0 SF	135,735 SF
Residence	4,385 SF	6,690 SF	11,075 SF
Garage	552 SF	923 SF	1,475 SF
Swimming Pool/Spa	1,328 SF	-464 SF	864 SF
Pool Equipment	121	--25 SF	96 SF
Guest House	2,012 SF	0 SF	2,012 SF
Cabana	0 SF	450 SF	450 SF
Stable	0 SF	0 SF	0 SF
Recreation Court	0 SF	0 SF	0 SF
Attached Covered Porches, Entryway, Porte Cochere, Breezeways	1,235 SF	-760 SF	475 SF
Attached Trellis	0 SF	0 SF	0 SF
2 Sheds	385 SF	-385 SF	0 SF
Lightwell	0 SF	80 SF	80 SF
Service Yard	96 SF	0 SF	96 SF
Basement Area	0 SF	11,075 SF	11,075 SF
Total Structure Area	10,619 SF	9,429 SF	20,048 SF
Structural Coverage	7.82%	6.95%	14.77%
Total Structures Excluding: up to 5 legal and up to 800 SF detached structures that are not higher than 12 ft (no more than 120 SF per structure per deduction, except for trellis)	10,619 SF	9,429 SF	20,048 SF
Structural Coverage (20% maximum)	7.82%	6.95%	14.77%
Grading (balanced on site)	Unknown	41,250 CY	41,250 CY
Total Lot Coverage (35% maximum)	26.03%	2.11%	28.14%

Building Pad Coverage 1 (30%maximum)	21.36 %	19.57%	37.02%
Building Pad Coverage 2 (30%maximum)	38.00%	0%	80.20%
Building Pad Coverage 3 (30%maximum)	14.80%	10.14%	14.93%
Disturbed Area (40% maximum)	(58.94%) 80,000 CY	(20.26%) 27,500 CY	(79.20%) 107,500 CY
Stable min. 450 S.F. & Corral min. 550 S.F.	505 SF	2,270 SF	2,775 SF
Retaining/Garden Wall	Maximum 3 ft high	Max high 5 ft high	Max 5 ft high
Roadway Access	Existing driveway approach	No change	No change



# City of Rolling Hills

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD  
ROLLING HILLS, CALIF. 90274

(310) 377-1521

FAX: (310) 377-7288

## AGENDA ITEM

MEETING DATE 1/25/93

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

ATTENTION: CRAIG R. NEALIS, CITY MANAGER

FROM: LOLA M. UNGAR, PRINCIPAL PLANNER

SUBJECT: ZONING CASE NO. 489  
Mr. and Mrs. Ben Kazarian, Jr., 20 Upper Blackwater Canyon Road (Lot 101-RH)  
RESOLUTION NO. 93-2: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING SITE PLAN REVIEW APPROVAL FOR A STABLE ADDITION AND THE FUTURE CONSTRUCTION OF A NEW BARN IN ZONING CASE NO. 489.

## BACKGROUND

1. The Planning Commission approved the subject resolution on January 19, 1993.
2. The applicants propose a two-stage project. They are requesting Site Plan Review to construct an addition of a 111.75 square foot stall to be added to the existing 324 square foot stable in the first phase. The addition is more than 25% of the existing stable.  
  
The second phase of the proposal is a request for Site Plan Review for the replacement of the stable with a 3,528 square foot barn. The barn will be constructed in the same area as the existing stable, at the easterly portion of the lot. The barn will be located 50 feet from the rear property line, and 40 feet from the western edge of the existing Pine Tree Lane. The new barn will not be any closer to Pine Tree Lane than the existing stable.
3. Trail access to the stable and barn will be from an existing trail off Upper Blackwater Canyon Road. The trail will be improved for phase two.
4. Grading will not be required for phase one. Grading for phase two will require 700 cubic yards of cut soil and 700 cubic yards of fill soil.
5. The structural lot coverage proposed is 2.9% in phase one and 3.9% in phase two. The total lot coverage proposed in phase one is 10% and the total lot coverage proposed in phase two is 12.1%.







ZONING CASE NO. 489.

PAGE 2

6. Overall building pad coverage proposed is 15.9% in phase one and 20% in phase two. In phase two, three separate building pad coverages will be: Residential, 17.5%; guest house, 19.5%; and stable area, 30%.

RECOMMENDATION

It is recommended that the City Council receive and file Resolution No. 93-2.



**RESOLUTION NO. 93-2**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING SITE PLAN REVIEW APPROVAL FOR A STABLE ADDITION AND THE FUTURE CONSTRUCTION OF A NEW BARN IN ZONING CASE NO. 489.**

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

**Section 1.** An application was duly filed by Mr. and Mrs. Ben Kazarian, Jr. with respect to real property located at 20 Upper Blackwater Canyon Road, Rolling Hills (Lot 101-RH) requesting Site Plan Review for a stable addition and the future construction of a new barn.

**Section 2.** The Planning Commission conducted a duly noticed public hearing to consider the application for Site Plan Review on November 17, 1992 and December 15, 1992, and at a field trip on November 21, 1992.

**Section 3.** The Planning Commission finds that the project is categorically exempt from environmental review under the California Environmental Quality Act pursuant to a Class 3 exemption provided by Section 15303 of the State CEQA Guidelines.

**Section 4.** Section 17.34.010 requires a development plan to be submitted for site plan review and approval before any building or structure may be constructed or any expansion, addition, alteration or repair to existing buildings may be made which involve changes to grading or an increase to the size of the building or structure by more than twenty-five percent (25%) in any thirty-six month period.

**Section 5.** The Planning Commission makes the following findings of fact:

**A.** The proposed development is compatible with the General Plan, the Zoning Ordinance and surrounding uses because the proposed structure complies with the General Plan requirement of low profile, low density residential development with sufficient open space between surrounding structures. The proposed development complies with the General Plan requirement of encouraging stables, barns, and horsekeeping. The project conforms to Zoning Code setback and lot coverage requirements. The lot has a net square foot area of 315,560 square feet. The residence (4,130 sq.ft.), garage (552 sq.ft.), swimming pool and spa (1,763 sq.ft.), guest house (2,363 sq.ft.), and proposed stable (435.75 sq.ft.), will have 9,243.75 square feet which constitutes 2.92% of the lot which is within the maximum 20% structural lot coverage requirement. The future barn, which is proposed to replace the stable, will have 3,528 square feet which constitutes 3.9% of the lot which is within the maximum 20% structural lot coverage. The total lot coverage including paved areas and driveway will be



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31,435.75 square feet for the stable addition and 38,220 square feet for the future barn. The percentages of total lot coverage for the proposed stable phase equals 10% of the lot and for the future barn phase equals 12.1%, each of which is within the 35% maximum overall lot coverage requirement. The proposed project is on a relatively large lot with most of the proposed additions located away from the road so as to reduce the visual impact of the development and is similar and compatible with several neighboring developments.

B. The proposed development preserves and integrates 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) and grading will be minimal to minimize building coverage on the building pad itself.

C. The development plan follows natural contours of the site to minimize grading and the natural drainage courses will continue to the canyons at the rear of this lot.

D. The development plan incorporates existing large trees and native vegetation to the maximum extent feasible and supplements it with landscaping that is compatible with and enhances the rural character of the community.

E. The development plan substantially preserves the natural and undeveloped state of the lot by minimizing building coverage because the new structures will not cause the structural and total lot coverage to be exceeded. Significant portions of the lot, will be left undeveloped so as to minimize the impact of development.

F. The proposed development is harmonious in scale and mass with the site, the natural terrain and surrounding residences because as indicated in Paragraph A, lot coverage maximums will not be exceeded and the proposed project is of consistent scale with the neighborhood, thereby grading will be required only to restore the natural slope of the property. The ratio of the proposed structure to lot coverage is similar to the ratio found on several properties in the vicinity.

G. The proposed development is sensitive and not detrimental to convenience and safety of circulation for pedestrians and vehicles because the proposed project will utilize the existing vehicular access, thereby having no further impact on the roadway.

H. The project conforms with the requirements of the California Environmental Quality Act and is categorically exempt from environmental review.



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PAGE 3

Section 6. Based upon the foregoing findings, the Planning Commission hereby approves the Site Plan Review for a stable addition and a future barn as indicated on the Development Plans attached hereto as Exhibit A & B subject to the conditions contained in Section 7.

Section 7. The Site Plan Review for a stable addition and a future barn approved in Section 6 as indicated on the Development Plans attached hereto and incorporated herein as Exhibit A & B, is subject to the following conditions:

A. The Site Plan Review approval shall expire within one year from the effective date of approval as defined in Section 17.34.080.A.

B. It is declared and made a condition of the Site Plan Review approval, that if any conditions thereof are violated, the approval shall be suspended and the privileges granted thereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.

C. All requirements of the Building and Construction Ordinance, the Zoning Ordinance, and of the zone in which the subject property is located must be complied with unless otherwise approved by Variance.

D. The lot shall be developed and maintained in substantial conformance with the site plans on file marked Exhibit A & B except as otherwise provided in these conditions.

E. Existing shrubs and trees along the east side of the proposed stable and future barn along Pine Tree Lane shall be retained and maintained during each of the construction phases.

F. Prior to the submittal of an applicable final grading plan to the County of Los Angeles for plan check, a detailed grading and drainage plan with related geology, soils and hydrology reports that conform to the development plan as approved by the Planning Commission must be submitted to the Rolling Hills Planning Department staff for their review. Cut and fill slopes must conform to the City of Rolling Hills standard of 2 to 1 slope ratio.

G. The project must be reviewed and approved by the Rolling Hills Community Association Architectural Review Committee prior to the issuance of any building or grading permit.

H. The horsekeeping pad coverage shall not exceed 4.7% for the proposed stable and shall not exceed 30% for the future barn.





RESOLUTION NO. 93-2  
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I. The applicant shall execute an Affidavit of Acceptance of all conditions of this Site Plan Review, pursuant to Section 17.32.087, or the approval shall not be effective.

J. Conditions A, C, D, E, F, G, H, and I of this Site Plan Review approval must be complied with prior to the issuance of a building or grading permit from the County of Los Angeles.

PASSED, APPROVED AND ADOPTED THIS 19TH DAY OF JANUARY, 1993.

  
ALLAN ROBERTS, CHAIRMAN

ATTEST:

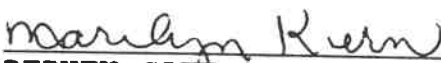
  
MARILYN KERN, DEPUTY CITY CLERK

The foregoing Resolution No. 93-2 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY  
OF ROLLING HILLS GRANTING SITE PLAN REVIEW APPROVAL  
FOR A STABLE ADDITION AND THE FUTURE CONSTRUCTION OF  
A NEW BARN IN ZONING CASE NO. 489.

was approved and adopted at a regular meeting of the Planning Commission on January 19, 1993 by the following roll call vote:

AYES: Commissioners Frost, Hankins, Lay, Raine and  
Chairman Roberts  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
DEPUTY CITY CLERK



## RESOLUTION NO. 2021-01

ZONING CASE NO. 20-08: CONSIDER APPROVAL OF MODIFICATION TO PREVIOUSLY APPROVED ZONING CASE NO. 918 REQUIRING SITE PLAN REVIEW FOR 1) INCREASE TO SIZE OF THE RESIDENCE BY 1,100 SQUARE FEET, 2) INCREASE TO THE AMOUNT OF GRADING BY 7,520 CUBIC YARDS, 3) ADDITION OF NEW 5 FOOT MAXIMUM WALLS; AND REQUIRING CONDITIONAL USE PERMIT FOR A NEW CABANA EXCEEDING 200 SQUARE FEET FOR REVISED PROJECT LOCATED AT 20 UPPER BLACKWATER CANYON ROAD (LOT 101-RH), ROLLING HILLS, CA 90274 (IANNITTI).

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

Section 1. A request was duly filed by Mr. Dominic Iannitti, on September 2, 2020, for a Discretionary Approval Modification to previously approved Zoning Case No. 918 requiring a Site Plan Review for 1) increase to size of the residence by 1,100 square feet, 2) increase to the amount of grading by 7,520 cubic yards, 3) addition of new 5-foot high maximum walls, and a Conditional Use Permit for a new cabana exceeding 200 square feet for a revised project located at 20 Upper Blackwater Canyon Road.

Section 2. The Planning Commission conducted duly noticed public hearings to consider the application at an onsite meeting on February 16, 2021 at 7:30 AM and at their regular meeting on February 16 at 6:30 PM. Neighbors within 1,000-foot radius were notified of the public hearings in writing by first class mail and a notice was published in the Daily Breeze on February 5, 2021. The applicants and their agents were notified of the public hearings in writing by first class mail.

Section 3. The property is zoned RAS-2 and the lot area excluding the roadway easement is 3.12 acres. For development purposes the net lot area of the lot is 135,735 square feet. There is an existing 4,385 square-foot house with 552 square-foot garage, two swimming pools collectively with 1,328 square feet of water surface, two accessory structure sheds totaling 385 square feet, and 505 square-foot stable on the property site. The guesthouse was originally used as the principal residence. The legal non-conforming 2,012 square foot guest house is proposed to remain. The lot currently contains three building pads; main residence pad, guest house pad, and stable pad.

Section 4. The Planning Commission finds that the project is categorically exempt pursuant to Section 15303, Class 3 of the California Environmental Quality Act (CEQA). The project consists of the demolition of an existing 4,385 square-foot residence, 552 square-foot garage, 2 swimming pools, and 2 sheds totaling 395 square feet. The existing 2,012 square-foot guesthouse will remain on the site. The project has been previously

approved but the applicant is requesting a modification to the Site Plan Reviews to increase the size of the residence by 1,100 square feet, increase grading by 7,520 cubic yards, and addition of new 5 foot maximum height walls. A modification to Conditional Use Permit for a new cabana exceeding 200 square feet. The proposed cabana will be 450 square feet.

Section 5. Section 17.16.040.A.3 of the Rolling Hills Municipal Code Permits approval of a cabana exceeds 200 square feet with a Conditional Use Permit. With respect to this request for a Conditional Use Permit, the Planning Commission finds as follows:

A. Conditionally permitted uses are not outright permitted by the Rolling Hills Municipal Code. The Commission must consider applications for conditional use permits and may, with such conditions as are deemed necessary, approve a conditional use which will not jeopardize, adversely affect, endanger or to otherwise constitute a menace to the public health, safety or general welfare or be materially detrimental to the property of other persons located in the vicinity of such use.

B. The granting of the Conditional Use Permit for the 450 square foot cabana will be consistent with the purposes and objectives of the Zoning Ordinance and General Plan because the use is consistent with similar uses in the community. The cabana meets all the applicable code development standards and is located in an area on the property that is adequately sized to accommodate the use.

C. The nature, condition, and development of adjacent structures have been considered, and the project will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures because the proposed cabana orientation is not towards neighbors and its general location is of sufficient distance from nearby residences so as to not impact the view or privacy of surrounding neighbors.

D. The project is harmonious in scale and mass with the site, the natural terrain, and surrounding residences because the cabana complies with the low profile residential development pattern of the community and will not give the property an over-built look. The lot is 3.11 net lot acres in size and is sufficiently large to accommodate the proposed use.

E. The proposed accessory structure use complies with all applicable development standards of the zone district and requires a Conditional Use Permit pursuant to Sections 17.16.210.A(2) of the Zoning Ordinance.

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

Section 6. Section 17.46.030 of the Rolling Hills Municipal Code requires a development plan to be submitted for Site Plan Review and approval before any grading requiring a grading permit or any new building or structure may be constructed. Section 17.46.020 requires a Site Plan Review for the expansion, modification, alteration or repair of any existing building or structure which requires grading and increases the size of the building or structure by more than 999 square feet. Section 17.16.190 states a wall above three feet shall be subject to site plan review. The application is for a modification to a Site Plan Review for an increase in size of 1,100 square feet to a proposed residence, increase in grading by 7,520 cubic yards, and new 5-foot high walls. With respect to the aforementioned request for a Discretionary Approval Modification for a Site Plan Review, the Planning Commission finds as follows:

A. The proposed development is compatible with the General Plan, the Zoning Ordinance and surrounding uses. The proposed 22,150 square foot residence will be constructed on the main building pad. The 5-foot in height maximum retaining walls averaging 2.5 feet in height will be located along the east and north portion of the main building pad along the corral, riding ring, and driveway. Although the disturbed area exceeds the maximum permitted amount of 40%, the proposed 7,520 cubic yards of grading will not have any impact on the approved 79.2% lot disturbance. The granting of a Site Plan Review for the proposed project is consistent with the purposes and objectives of the General Plan because it is consistent with uses in the community, meets all the applicable code development standards, with the exception of the disturbance, and is located within areas on the property that are adequately sized to accommodate the proposed project.

B. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. The topography and the configuration of the lot have been considered, and it was determined that the proposed development will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures, because the proposed residence will be constructed on an existing building pad of the currently developed lot. The lot is 3.11 net lot acres in size will accommodate the proposed the 22,150 square foot residence, 450 square-foot cabana and 5-foot maximum high retaining walls.

C. The proposed modifications to the development are harmonious in scale and mass with the site, and is consistent with the scale of the neighborhood when compared to new residences in the City. It poses no adverse impacts to the surrounding residences. The proposed project will be orderly, attractive, and will not affect the rural character of the community.

D. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls) will remain undisturbed. There will be no significant changes to the site design, as the

proposed project will be constructed in an already disturbed area and the proposed grading will not exceed 41,250 cubic yards. There will be no change to the drainage course.

E. Grading will not modify existing drainage channels nor redirect drainage flow. No drainage channels will be affected by the proposed grading. The proposed grading is already located in a disturbed area for the construction of the proposed residence, walls, and cabana.

F. The development will introduce additional landscaping for vegetated slopes, which is compatible with and enhances the rural character of the community, and will provide a transition area between private and public areas. The proposed project is designed to enhance the natural contours of the site.

G. The proposed development is sensitive and not detrimental to the convenience and safety of circulation for pedestrians and vehicles because the applicants will continue to utilize the existing driveway to the residence.

Section 7. Based upon the foregoing findings, the Planning Commission hereby approves Zoning Case No. 2020-08 for a Site Plan Review to add 1,100 square feet to the proposed residence, the total square footage will be 22,150 square feet with a basement and four-car garage. A Conditional use permit for a 450 square foot cabana. Grading for this project is proposed to be increased by 7,520 cubic yards for a total combined of 41,250 cubic yards of cut and fill, over-excavation and recompaction. Construction activities will include grading of 8,225 cubic yards of cut, 4,925 cubic yards of fill, 12,400 cubic yards of over-excavation, and 15,700 cubic yards of recompaction. The dirt will be balanced on site 0 cubic yards exported. With the proposed grading, the disturbed area of the lot would be 79.2% subject to the following conditions:

A. The Site Plan Review and Conditional Use approvals shall expire within two years from the effective date of approval as defined in Sections 17.46.080 and 17.42.070, unless otherwise extended pursuant to the requirements of this section.

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

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

C. All requirements of the Building and Construction Ordinance, the Zoning ordinance, and of the zone in which the subject property is located must be complied with unless otherwise set forth in this permit, or shown otherwise on an approved plan.

D. The lot shall be developed and maintained in substantial conformance with the site plan on file dated February 12, 2021 except as otherwise provided in these conditions. The working drawings submitted to the Department of Building and Safety for plan check review shall conform to the approved development plan. All conditions of the Site Plan Review Conditional Use Permit approvals shall be incorporated into the building permit working drawings, and where applicable complied with prior to issuance of a grading or building permit from the building department.

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

Any modifications and/or changes to the approved project, including resulting from field conditions, shall be discussed and approved by staff prior to implementing the changes. A modification may require a public hearing before the Planning Commission if the modification represents a major modification to the project.

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

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

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

G. Structural lot coverage of the lot shall not exceed 19,252 square feet or 14.18% of the net lot area with deductions, in conformance with lot coverage limitations (20% maximum).

The total lot coverage proposed, including structures and flatwork, shall not exceed 39,202 square feet or 28.88%, of the net lot area, with deductions, in conformance with lot coverage limitations (35% maximum).

H. The disturbed area of the lot, including the approved stable and corral, shall not exceed 79.2%; over a 107,500 square foot surface area. Grading for this project shall not exceed a total of 41,250 cubic yards of which up to 5,180 c.y. is allowed to be exported, with 0 c.y. proposed for export all dirt will be balanced on site.

I. The residential building pad is proposed at 13,468 square feet and coverage shall not exceed 38.12% with allowed deductions. The stable pad is proposed at 2,775 square feet and coverage shall not exceed 14.80% with allowed deductions.

J. Ridge heights of the residence and garage, shall be a maximum of 20 foot ridgelines from finished grade.

K The proposed basement shall not exceed 11,075 square feet and shall meet all requirements of the Los Angeles County Building Code for basements, including exit doors and provision for light and ventilation. The entire project and the basement access shall be approved by the Rolling Hills Community Association and shall not appear as a second story from any roadway easement vantage point.

L. The proposed walls shall not exceed 5 feet in height (averaging 2.5 feet) along the corral, riding ring, and driveway.

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

N. At any time there are horses on the property, Best Management Practices (BMPs) shall be applied for manure control, including but not be limited to removal of the manure on a daily basis or provision of a receptacle with a tight closing lid that is constructed of brick, stone, concrete, metal or wood lined with metal or other sound material and that is safeguarded against access by flies. The contents of said receptacles shall be removed once a week. It is prohibited to dispose of manure or any animal waste



into the Municipal Separate Storm Sewer System (MS4), into natural drainage course or spread on the property

O. The applicant shall comply with all requirements of the Lighting Ordinance of the City of Rolling Hills (RHMC 17.16.190 E), pertaining to lighting on said property; roofing and material requirements of properties in the Very High Fire Hazard Severity Zone, and all other ordinances and laws of the City of Rolling Hills and the LA County Building Code.

P. All utility lines to the residence and stable shall be placed underground, subject to all applicable standards and requirements.

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

R. The project shall be landscaped, and continually maintained in substantial conformance with the landscaping plan on file date stamped on February 12, 2021. Prior to issuance of a final construction or grading approval of the project, all graded slopes shall be landscaped.

Prior to issuance of building permit, a detailed landscaping plan shall be submitted to the City in conformance with Fire Department Fuel Modification requirements and requirements for graded slopes.

The detailed landscaping plan shall provide that any trees and shrubs used in the landscaping scheme for this project shall be planted in a way that screens the project development from adjacent streets and neighbors, such that shrubs and trees as they grow do not grow into a hedge or impede any neighbors significant views and the plan shall provide that all landscaping be maintained at a height no higher than the roof line of the highest roof ridgeline on the property. The landscaping plan shall utilize to the maximum extent feasible, plants that are native to the area, are water-wise and are consistent with the rural character of the community.

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

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

T. During construction, if required by the building official, protection of slopes shall be provided in a form of a jute mesh or suitable geofabrics or other erosion control methods implemented.

U. The setback lines and roadway easement lines in the vicinity of the construction for this project shall remain staked throughout the construction.

The silhouette (story poles) shall be taken down and removed from the property immediately upon completion of the review process of the project.

The City or the Building Department staff may require that a construction fence be erected for the duration of the construction of this project. Such fence shall not be located in any easement or cross over trails or natural drainage course and shall be removed immediately upon substantial completion of the project, or as required by staff.

V. Perimeter easements, including roadway easements and trails, if any, shall remain free and clear of any improvements including, but not be limited to fences-including construction fences, any hardscape, driveways, landscaping, irrigation and drainage devices, except as otherwise approved by the Rolling Hills Community Association.

In addition, any construction facility, such as a construction trailer/office or portable toilets, to a maximum extent practicable, shall be located in a manner not visible from the street, and be in a location satisfactory to City staff.

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

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

Y. Construction vehicles or equipment, employees vehicles, delivery trucks shall not impede any traffic lanes to the maximum extend practical; and if necessary to block traffic in order to aid in the construction, no more than a single lane may be blocked for a short period of time and flagmen utilized on both sides of the impeded area to direct traffic.

Z. During construction, all parking shall take place on the project site, and, if necessary, any overflow parking may take place within the unimproved roadway easements and shall not obstruct neighboring driveways or pedestrian and equestrian

passage. During construction, to the maximum extent feasible, employees of the contractor shall car-pool into the City. A minimum of 4' wide path, from the edge of the roadway pavement, for pedestrian and equestrian passage shall be available and clear at all times wherever possible.

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

AB. The contractor shall not use tools that could produce a spark, including for clearing and grubbing, during red flag warning conditions. Weather conditions can be found at:

[http://www.wrh.noaa.gov/lox/main.pho?suite=safety&page=hazard\\_definitions#FIRE](http://www.wrh.noaa.gov/lox/main.pho?suite=safety&page=hazard_definitions#FIRE)

It is the sole responsibility of the property owner and/or his/her contractor to monitor the red flag warning conditions. Should a red flag warning be declared and if work is to be conducted on the property, the contractor shall have readily available fire extinguisher.

AC. The property owners shall be required to conform with the Regional Water Quality Control Board and County Public Works Department Best Management Practices (BMP's) requirements related to solid waste, drainage, cistern construction and maintenance (if applicable), septic tank construction and maintenance in conformance with the County Health Department, storm water drainage facilities management, and to the City's Low Impact development Ordinance (LID).

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

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

AF. Prior to demolition of the existing structures, an investigation shall be conducted for the presence of hazardous chemicals, lead-based paints or products, mercury and asbestos-containing materials (ACMs). If hazardous chemicals, lead-based

paints or products, mercury or ACMs are identified, remediation shall be undertaken in compliance with California environmental regulations and policies.

PASSED, APPROVED AND ADOPTED THIS 16TH DAY OF FEBRUARY 2021.

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BRAD CHELF, CHAIRMAN

ATTEST:

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ELAINE JENG, P.E., ACTING CITY CLERK

ANY ACTION CHALLENGING THE FINAL DECISION OF THE CITY MADE AS A RESULT OF THE PUBLIC HEARING ON THIS APPLICATION MUST BE FILED WITHIN THE TIME LIMITS SET FORTH IN SECTION 17.54.070 OF THE ROLLING HILLS MUNICIPAL CODE AND CODE OF CIVIL PROCEDURE SECTION 1094.6.

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

I certify that the foregoing Resolution No. 2021-01 entitled:

ZONING CASE NO. 20-08: CONSIDER APPROVAL OF MODIFICATION TO PREVIOUSLY APPROVED ZONING CASE NO. 918 REQUIRING SITE PLAN REVIEW FOR 1) INCREASE TO SIZE OF THE RESIDENCE BY 1,100 SQUARE FEET, 2) INCREASE TO THE AMOUNT OF GRADING BY 7,520 CUBIC YARDS, 3) ADDITION OF NEW 5 FOOT MAXIMUM WALLS; AND REQUIRING CONDITIONAL USE PERMIT FOR A NEW CABANA EXCEEDING 200 SQUARE FEET FOR REVISED PROJECT LOCATED AT 20 UPPER BLACKWATER CANYON ROAD (LOT 101-RH), ROLLING HILLS, CA 90274 (IANNITTI).

was approved and adopted at regular meeting of the Planning Commission on February 16, 2021 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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ELAINE JENG, P.E., ACTING CITY CLERK

## RESOLUTION NO. 2018-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR SITE PLAN REVIEW, A CONDITIONAL USE PERMIT, AND VARIANCES FOR GRADING AND CONSTRUCTION OF A NEW RESIDENCE, NEW FOUR-CAR GARAGE, STABLE, CORRAL, RIDING RING, ALTERED FLATWORK AND ACCESS PATHWAY TO THE CORRAL, AND VARIOUS OUTDOOR AMENITIES INCLUDING A NEW POOL IN ZONING CASE NO. 918 AT 20 UPPER BLACKWATER CANYON ROAD, (IANNITTI).

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

Section 1. An application was duly filed by Mr. Dominic Iannitti, to request a Site Plan Review, Conditional Use Permits and Variances to construct a new 9,975 square foot residence with a 7,750 square foot basement, new 1,675 square foot, attached, four-car garage, a 2,775 square foot single story, stable, a 10,800 square foot corral, a 7,500 square foot riding ring, widen the existing driveway apron, altered access pathway to the corral via a 15 foot wide driveway, and various outdoor amenities including a new 1,055 square foot infinity pool. A new decomposed granite pathway to the stable, primarily for horses, is also proposed from Pine Tree Lane. Grading for this project is proposed to be total combined 33,730 cubic yards of cut and fill, over-excavation and recompaction. Construction activities will include grading of 8,150 cubic yards of cut, 3,430 cubic yards of fill, 9,500 cubic yards of over-excavation, and 12,650 cubic yards of recompaction. 1,570 cubic yards of dirt is proposed to be exported from the property. With the proposed grading, the disturbed area of the lot would be 79.2%.

Section 2. The Planning Commission conducted duly noticed public hearings to consider the application beginning at their regular meeting on August 15, 2017. The hearing was continued and a field trip was conducted for the project on September 19, 2017 with additional review and discussion at the evening Planning Commission meeting held on that same date. The applicant has made extensive modifications to the proposal based on feedback from the owner and the Planning Commission. Thus, a second field visit that illustrated the modifications was duly noticed and held on November 21, 2017. The public hearing for the project was continued and heard on December 19, 2017. After review and discussion of revisions to the project, the Planning Commission, at the December meeting, directed staff to prepare a Resolution of approval. Three Planning Commissioners were absent over the course of the two field visits but made special trips to the property with City staff and applicant representatives to review the project.

Section 3. The property is zoned RAS-2 and the lot area excluding the roadway easement is 3.12 acres. For development purposes the net lot area of the lot is

135,735 square feet. Records show that the existing 4,385 square foot house with 552 square foot garage was completed in 1958, and several additions were made since. The two swimming pools, collectively 1,328 square feet of water surface, were constructed in 1964. The guesthouse was originally constructed in 1948 and in 1957 when 1,000 square feet was added, prior to the construction of the existing main residence (and incorporation of the City). Portions of the guesthouse and garage encroach into the side and rear yard setbacks. The guesthouse was originally used as the principal residence. There is an existing legal, non-conforming driveway that leads to the guesthouse garage. The drive leading up to this driveway is proposed to be shifted and narrowed and will replace impervious pavement with permeable paving. The legal non-conforming 2,012 sq.ft. guest house is proposed to remain.

Section 4. The Planning Commission finds that the project is categorically exempt pursuant to Section 15303, Class 3 of the California Environmental Quality Act (CEQA).

Section 5. Section 17.18.040E of the Rolling Hills Municipal Code permits approval of a stable over 200 square feet, corral and riding arena with a Conditional Use Permit provided the uses are not located in the front yard or in any setbacks. No portion of the stable, corral or riding ring are proposed to be in any setback. With respect to this request for a Conditional Use Permit, the Planning Commission finds as follows:

A. Conditionally permitted uses are not outright permitted by the Rolling Hills Municipal Code. The Commission must consider applications for conditional use permits and may, with such conditions as are deemed necessary, approve a conditional use which will not jeopardize, adversely affect, endanger or to otherwise constitute a menace to the public health, safety or general welfare or be materially detrimental to the property of other persons located in the vicinity of such use.

B. The granting of a Conditional Use Permit for the new stable, corral, and riding ring would be consistent with the purposes and objectives of the Zoning Ordinance and General Plan because the uses are consistent with similar uses in the community, and meet all the applicable code development standards for a stable, corral, and riding ring, and they are located in an area on the property that is adequately sized to accommodate such uses. The proposed uses are appropriately located in that they will be sufficiently separated from nearby structures used for habitation or containing sleeping quarters. The development would be constructed in furtherance of the General Plan goal of promoting and encouraging equestrian uses.

C. The nature, condition, and development of adjacent structures have been considered, and the project will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures because the proposed stable orientation is not towards neighbors and its general location is of sufficient distance from nearby residences so as to not impact the view or privacy of surrounding neighbors. The proposed stable, corral, and riding ring are to be located separate from all living areas on the property.

D. The project is harmonious in scale and mass with the site, the natural terrain, and surrounding residences because the stable, corral, and riding ring comply with the low profile residential development pattern of the community and will not give the property an over-built look. The lot is 3.11 net lot acres in size and is sufficiently large to accommodate the proposed uses.

E. The proposed equestrian conditional uses comply with all applicable development standards of the zone district and require a Conditional Use Permit pursuant to Sections 17.18.090 and 17.18.100 of the Zoning Ordinance.

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

Section 6. Section 17.46.030 requires a development plan to be submitted for Site Plan Review and approval before any grading requiring a grading permit or any new building or structure may be constructed.

With respect to the Site Plan grading and the proposed structures, the Planning Commission makes the following findings of fact:

A. The proposed development is compatible with the General Plan, the Zoning Ordinance and surrounding uses because the proposed structures comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures and maintaining sufficient setbacks to provide buffers between residential uses. Although the disturbed area exceeds the maximum permitted amount of 40%, the existing disturbance already exceeds the allowable limit and all additional disturbance is for equestrian purposes only. The equestrian uses promotes the rural, equestrian aesthetic of Rolling Hills. The existing paved driveway leading to the stable will be reduced and have the portion leading to the existing guesthouse replaced with decomposed granite, which also promotes a feeling of open space. Retaining walls are proposed to be located primarily between the proposed residence and stable and are the result of modifications to the stable plan recommended by the Planning Commission.

The project conforms with Zoning Code lot coverage requirements, except for disturbance. The net lot area of the lot is 135,735 square feet. The structural net lot coverage is proposed at 19,252 or 14.18% (with deductions), (20% max. permitted); and the total lot coverage proposed, is proposed to be 39,202 square feet or 28.88% (with deductions), (35% max. permitted). The disturbed area of the lot is proposed to increase from 58.94% to 79.2% due entirely to equestrian uses for the proposed project.



B. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. The topography and the configuration of the lot, have been considered, and it was determined that the proposed development will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures, because the proposed residence will be constructed on an existing building pad of the currently developed lot, will be the least intrusive to surrounding properties, will be screened and landscaped with trees and shrubs, is of sufficient distance from nearby residences so that it will not impact the view or privacy of surrounding neighbors, and will permit the owners to enjoy their property without deleterious infringement on the rights of surrounding property owners. The lot is 3.11 net lot acres in size and will feature a stable, corral, and riding ring. The corral and riding ring will be developed on the currently vacant portion of the lot and will remain open space.

C. The proposed development, as conditioned, is harmonious in scale and mass with the site, and is consistent with the scale of the neighborhood when compared to new residences in the City. Portions of the lot will be left undeveloped. The residence and stable will be screened from the road and neighbors.

D. The development will introduce additional landscaping for vegetated slopes, which is compatible with and enhances the rural character of the community, and will provide a transition area between private and public areas. Further, the stable pad has been reduced from the original proposal received by City staff to lower the height of the stable by 14 feet (11 feet lower plus 3 feet taken from the ridgeline of the stable structure). This helps allow the design to follow more of the natural contours of the site.

E. The proposed development is sensitive and not detrimental to the convenience and safety of circulation for pedestrians and vehicles because the applicants will continue to utilize the existing driveway to the residence and the stable, and the stable and corral will be accessed from the main driveway for heavier vehicles ingress/egress.

Section 7. Sections 17.38.010 through 17.38.050 of the Code permit approval of a variance from the standards and requirements of the Zoning Ordinance when, due to exceptional or extraordinary circumstances applicable to the property and not applicable to other similar properties in the same zone, strict application of the Code would deny the property owner substantial property rights enjoyed by other properties in the same vicinity and zone. The applicant seeks a variance from the requirement from 17.16.070B. that disturbance be limited to 40% of the net lot area. With respect to this request for a Variance, the Planning Commission finds as follows:

A. There are exceptional and extraordinary circumstances and conditions applicable to the property or to the intended use that do not apply generally to the other property or class of use in the same zone because at 58.94%, the disturbance already

exceeds the 40% maximum and is proposed to increase to 79.2% to accommodate the proposed equestrian uses for the project.

B. The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the property in question because the property was previously subdivided which substantially increases the existing disturbance for the lot. The residential building pad are existing and developed already, and the proposed garage is not easily seen from the road.

The exceedance of the disturbance is due entirely to the new stable, corral, and riding ring, all equestrian uses. The other structures (pool and outdoor kitchen) on the residence building pad are located fairly close to one another and make best use of the existing residential pad.

C. The granting of the Variance would not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located because the proposed stable and open equestrian space is not in any setbacks. The stable will be compatible with desired rural aesthetic of Rolling Hills and therefore would not affect property values. The corral and riding ring will remain as open space.

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

E. The variance request is consistent with the General Plan. The proposed project, together with the variance, will be compatible with the objectives, policies, general land uses and programs specified in the General Plan and will uphold the City's goals to protect and promote construction that is rural in nature.

Section 8. Based upon the foregoing findings, the Planning Commission hereby approves Zoning Case No. 918 a Site Plan Review, Conditional Use Permits and Variance to construct a new 9,975 square foot residence with a 7,750 square foot basement, new 1,675 square foot, attached, four-car garage, a 2,775 square foot single story, stable, a 10,800 square foot corral, a 7,500 square foot riding ring, altered access pathway to the corral via a 15 foot wide driveway and a new D.G. pathway to the stable from Pine Tree Lane, and various outdoor amenities including a new 1,055 square foot infinity pool. Grading for this project is proposed to be total combined 33,730 cubic yards of cut and fill, over-excavation and recompaction. Construction activities will include grading of 8,150 cubic yards of cut, 3,430 cubic yards of fill, 9,500 cubic yards of over-excavation, and 12,650 cubic yards of recompaction. 1,570 cubic yards of dirt is proposed to be exported from the property. With the proposed grading, the disturbed area of the lot would be 79.2% subject to the following conditions:

A. The Conditional Use Permit, Site Plan and Variance approvals shall expire within two years from the effective date of approval as defined in Sections 17.46.080, 17.42.070 and 17.38.070, unless otherwise extended pursuant to the requirements of this section.

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

C. All requirements of the Building and Construction Ordinance, the Zoning ordinance, and of the zone in which the subject property is located must be complied with unless otherwise set forth in this permit, or shown otherwise on an approved plan.

D. The lot shall be developed and maintained in substantial conformance with the site plan on file dated November 14, 2017, except as otherwise provided in these conditions. The working drawings submitted to the Department of Building and Safety for plan check review shall conform to the approved development plan. All conditions of the Site Plan Review, Variance, and Conditional Use Permit approvals shall be incorporated into the building permit working drawings, and where applicable complied with prior to issuance of a grading or building permit from the building department.

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

Any modifications and/or changes to the approved project, including resulting from field conditions, shall be discussed and approved by staff prior to implementing the changes. A modification may require a public hearing before the Planning Commission if the modification represents a major modification to the project.

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

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

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

G. Structural lot coverage of the lot shall not exceed 19,252 square feet or 14.18% of the net lot area with deductions, in conformance with lot coverage limitations (20% maximum).

The total lot coverage proposed, including structures and flatwork, shall not exceed 39,202 square feet or 28.88%, of the net lot area, with deductions, in conformance with lot coverage limitations (35% maximum).

H. The disturbed area of the lot, including the approved stable and corral shall not exceed 79.2%; over a 107,500 square foot surface area. Grading for this project shall not exceed a total of 33,730 cubic yards of which up to 3,750 c.y from the basement is allowed to be exported, with 1,570 c.y. proposed to be exported.

I. The residential building pad is proposed at 13,468 square feet and coverage shall not exceed 38.12% with allowed deductions. The stable pad is proposed at 2,775 square feet and coverage shall not exceed 14.8% with allowed deductions.

J. Ridge heights of the residence, garage, and stable shall be a maximum of 20 foot ridgelines from finished grade.

K The proposed basement shall not exceed 7,750 square feet and shall meet all requirements of the Los Angeles County Building Code for basements, including exit doors and provision for light and ventilation. The entire project and the basement access shall be approved by the Rolling Hills Community Association and shall not appear as a second story from any roadway easement vantage point.

L. Direct access to the stable and to the corral shall be decomposed granite or like, 100% pervious roughened material.

The alteration of the apron at the main driveway shall comply with the Traffic Commissions recommendations; the access to the stable from Pine Tree lane shall be subject to Traffic Commision's approval. This includes any recommendations related to landscaping adjacent to the apron and/or pathway so long as it is approved by the Rolling Hills Community Association.

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

N. At any time there are horses on the property, Best Management Practices (BMPs) shall be applied for manure control, including but not be limited to removal of the manure on a daily basis or provision of a receptacle with a tight closing lid that is constructed of brick, stone, concrete, metal or wood lined with metal or other sound material and that is safeguarded against access by flies. The contents of said receptacles shall be removed once a week. It is prohibited to dispose of manure or any animal waste into the Municipal Separate Storm Sewer System (MS4), into natural drainage course or spread on the property

O. The pool equipment shall be screened; if by a solid wall, the wall shall not exceed 5 feet in height at any point from finished grade. Sound attenuating equipment shall be installed to dampen the sound. The swimming pool and the spillway shall utilize the most quiet and technologically advanced equipment to dampen the sound. Landscaping shall be utilized to screen the wall, so that it is not visible from the neighbor's property. Per LA County Building Code, a pool barrier/fencing shall be required.

P The on-site dissipaters shall be screened with landscaping, in a manner as to not impede the flow of the run-off.

Q. The applicant shall comply with all requirements of the Lighting Ordinance of the City of Rolling Hills (RHMC 17.16.190 E), pertaining to lighting on said property; roofing and material requirements of properties in the Very High Fire Hazard Severity Zone, and all other ordinances and laws of the City of Rolling Hills and the LA County Building Code.

R. All utility lines to the residence and stable shall be placed underground, subject to all applicable standards and requirements.

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

T. The project shall be landscaped, and continually maintained in substantial conformance with the landscaping plan on file date stamped on November 14, 2017. Prior to issuance of a final construction or grading approval of the project, all graded slopes shall be landscaped.

Prior to issuance of building permit, a detailed landscaping plan shall be submitted to the City in conformance with Fire Department Fuel Modification requirements and requirements for graded slopes.

The detailed landscaping plan shall provide that any trees and shrubs used in the landscaping scheme for this project shall be planted in a way that screens the project development from adjacent streets and neighbors, such that shrubs and trees as they grow do not grow into a hedge or impede any neighbors significant views and the plan shall provide that all landscaping be maintained at a height no higher than the roof line of the highest structure on the property. The landscaping plan shall utilize to the maximum extent feasible, plants that are native to the area, are water-wise and are consistent with the rural character of the community.

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

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

V. During construction, if required by the building official, protection of slopes shall be provided in a form of a jute mesh or suitable geofabrics or other erosion control methods implemented.

W. The setback lines and roadway easement lines in the vicinity of the construction for this project shall remain staked throughout the construction.

The silhouette (story poles) shall be taken down and removed from the property immediately upon completion of the review process of the project.

The City or the Building Department staff may require that a construction fence be erected for the duration of the construction of this project. Such fence shall not be located in any easement or cross over trails or natural drainage course and shall be

removed immediately upon substantial completion of the project, or as required by staff.

Y. Perimeter easements, including roadway easements and trails, if any, shall remain free and clear of any improvements including, but not be limited to fences-including construction fences, any hardscape, driveways, landscaping, irrigation and drainage devices, except as otherwise approved by the Rolling Hills Community Association.

In addition, any construction facility, such as a construction trailer/office or portable toilets, to a maximum extent practicable, shall be located in a manner not visible from the street, and be in a location satisfactory to City staff.

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

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

AB. Construction vehicles or equipment, employees vehicles, delivery trucks shall not impede any traffic lanes to the maximum extend practical; and if necessary to block traffic in order to aid in the construction, no more than a single lane may be blocked for a short period of time and flagmen utilized on both sides of the impeded area to direct traffic.

AC. *During construction*, all parking shall take place on the project site, and, if necessary, any overflow parking may take place within the unimproved roadway easements and shall not obstruct neighboring driveways or pedestrian and equestrian passage. During construction, to the maximum extent feasible, employees of the contractor shall car-pool into the City. A minimum of 4' wide path, from the edge of the roadway pavement, for pedestrian and equestrian passage shall be available and clear at all times wherever possible.

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

AE. The contractor shall not use tools that could produce a spark, including for clearing and grubbing, during red flag warning conditions. Weather conditions can be found at:

[http://www.wrh.noaa.gov/lox/main.pho?suite=safety&page=hazard\\_definitions#FIRE](http://www.wrh.noaa.gov/lox/main.pho?suite=safety&page=hazard_definitions#FIRE)

It is the sole responsibility of the property owner and/or his/her contractor to monitor the red flag warning conditions. Should a red flag warning be declared and if work is to be conducted on the property, the contractor shall have readily available fire extinguisher.

AF. The property owners shall be required to conform with the Regional Water Quality Control Board and County Public Works Department Best Management Practices (BMP's) requirements related to solid waste, drainage, cistern construction and maintenance (if applicable), septic tank construction and maintenance in conformance with the County Health Department, storm water drainage facilities management, and to the City's Low Impact development Ordinance (LID).

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

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

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

PASSED, APPROVED AND ADOPTED THIS 16TH DAY OF JANUARY, 2018.



BRAD CHELF, CHAIRMAN

ATTEST:



  
YVETTE HALL, CITY CLERK

ANY ACTION CHALLENGING THE FINAL DECISION OF THE CITY MADE AS A RESULT OF THE PUBLIC HEARING ON THIS APPLICATION MUST BE FILED WITHIN THE TIME LIMITS SET FORTH IN SECTION 17.54.070 OF THE ROLLING HILLS MUNICIPAL CODE AND CODE OF CIVIL PROCEDURE SECTION 1094.6.

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

I certify that the foregoing Resolution No. 2018-01 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR SITE PLAN REVIEW, A CONDITIONAL USE PERMIT, AND VARIANCES FOR GRADING AND CONSTRUCTION OF A NEW RESIDENCE, NEW FOUR-CAR GARAGE, STABLE, CORRAL, RIDING RING, ALTERED FLATWORK AND ACCESS PATHWAY TO THE CORRAL, AND VARIOUS OUTDOOR AMENITIES INCLUDING A NEW POOL IN ZONING CASE NO. 918 AT 20 UPPER BLACKWATER CANYON ROAD, (IANNITTI).

was approved and adopted at regular meeting of the Planning Commission on January 16, 2018, by the following roll call vote:

AYES: Commissioners Cardenas, Cooley, Kirkpatrick, Seaburn and Chair Chelf.

NOES: None.

ABSENT: None.

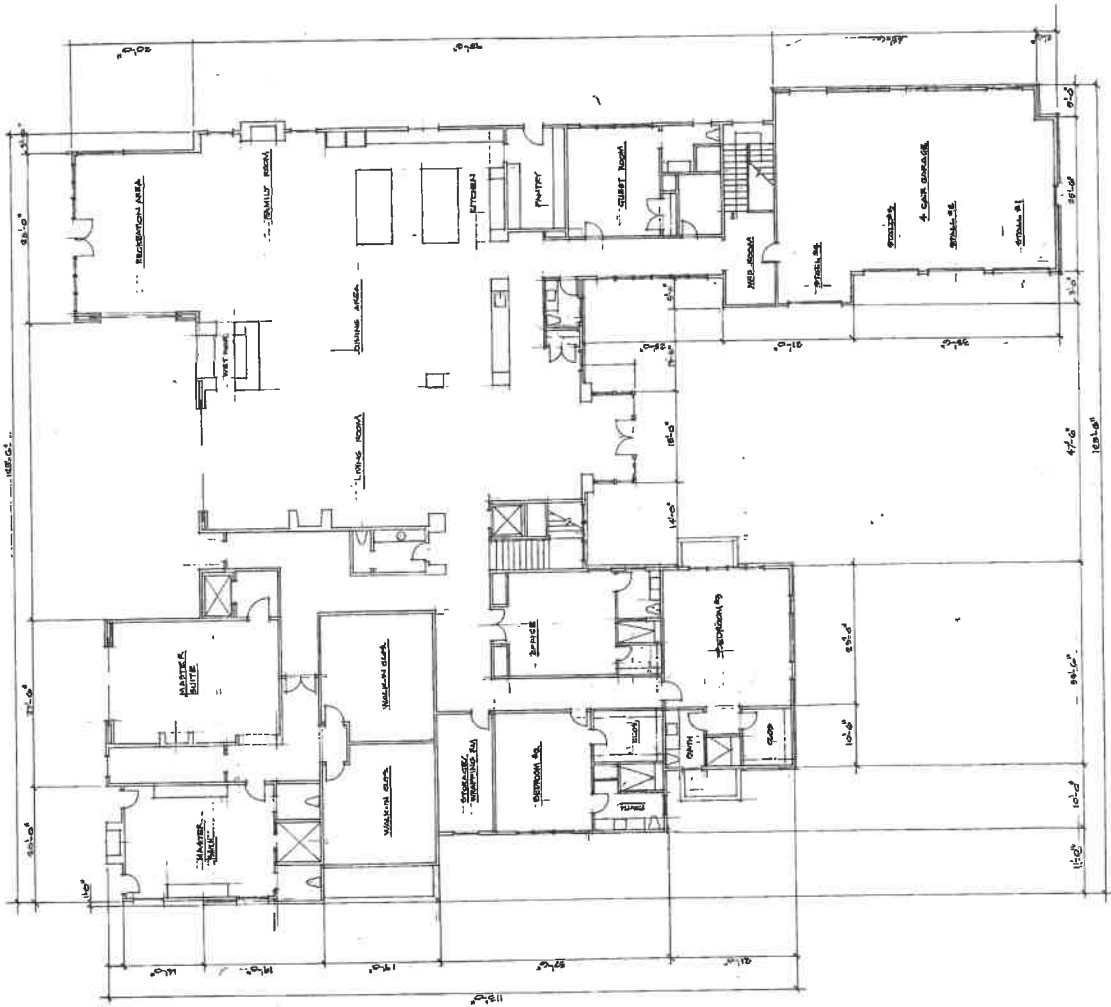
ABSTAIN: None.

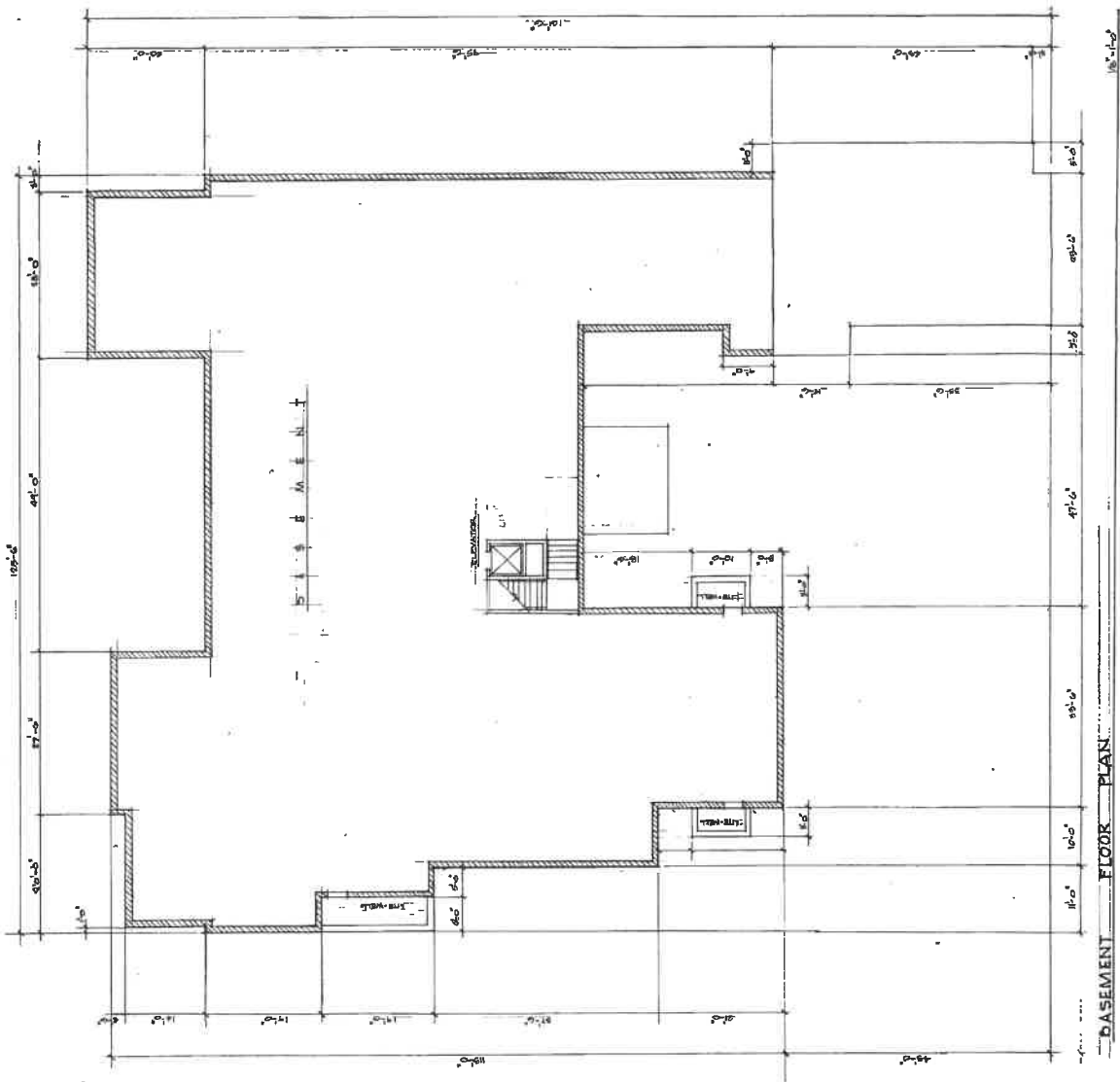
and in compliance with the laws of California was posted at the following:

Administrative Offices

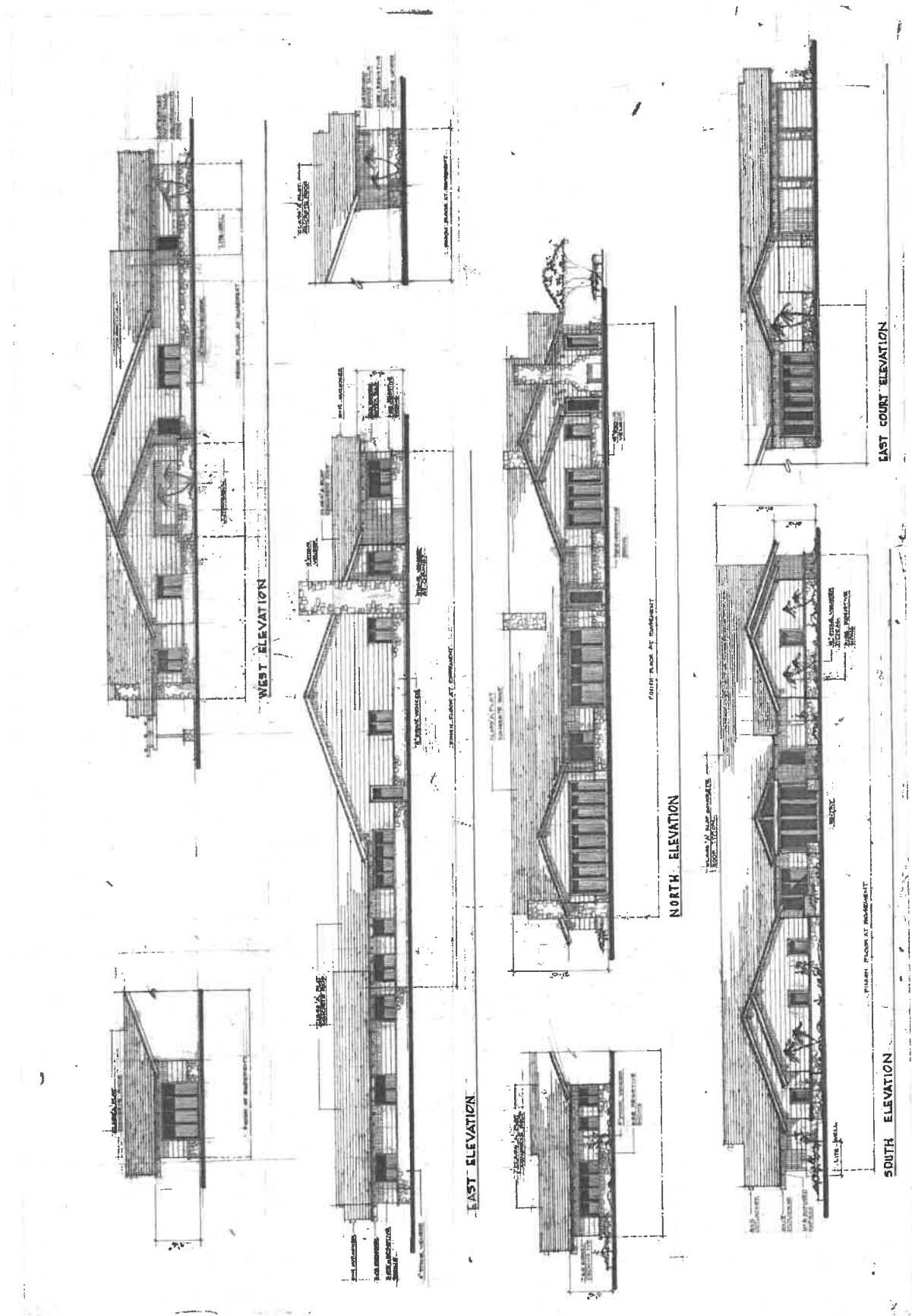
  
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YVETTE HALL, INTERIM CITY CLERK

MAIN - LEVEL	FLOOR	PLAN
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## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

**Agenda Item No.: 7.B**

**Mtg. Date: 02/16/2021**

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

**FROM: MEREDITH ELGUIRA, PLANNING DIRECTOR**

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

**SUBJECT: ZONING CASE NO 20-10: CONSIDER APPROVAL OF RESOLUTION NO. 2021-02 APPROVING VARIANCE REQUEST FOR 1) ENCROACHMENT INTO THE FRONT AND REAR YARD SETBACKS FOR THE PROPOSED 1,021 SQUARE FOOT RESIDENTIAL ADDITION, TWO-CAR GARAGE, SWIMMING POOL WITH SPA, AND PATIO DECK; 2) EXCEEDING TOTAL LOT COVERAGE; AND 3) EXEMPTION FROM THE STABLE AND CORRAL REQUIREMENTS; AND SITE PLAN REVIEW FOR 1) EXCEEDING THE 999 SQUARE-FOOT MAXIMUM ADDITION ALLOWED BY RIGHT AND 2) REMOVING AND REPLACING EXISTING 5 FOOT HIGH WALL WITH THE SAME HEIGHT WALL IN THE SAME LOCATION LOCATED AT 3 OPEN BRAND ROAD, ROLLING HILLS, CA (ROSA).**

**DATE: February 16, 2021**

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### **BACKGROUND:**

#### **LOCATION AND LOT DESCRIPTION**

##### **Zoning and Land Size**

The property is zoned RAS-1 and has a net lot area of 19,569 square feet. The lot is currently developed with a 2,373 square-foot single family residence and a 586 square-foot attached two-car garage. There are two existing building pads on site with an eight-foot difference in elevation. The existing residence and garage are located on the lower pad (12,542 square feet) towards the front portion of the property and the secondary building pad (2,934 square feet) is on the upper, rear level of the property adjacent to a hillside. The secondary building pad is an open lawn area currently reserved for future equestrian use. The lot size, easements and existing topography limit the size and location of any proposed improvements on site.

#### **REQUEST AND PLANNING COMMISSION ACTION**

##### **Applicant Request**

The applicant is proposing to demolish an existing attached two-car garage and 117 square feet of the existing residence. The proposed project will consist of: 1,134 square-foot addition to the house, 489

square-foot attached two-car garage, a new pool with spa, pool patio and a request for an exemption for the requirement to provide an area for future stable and corral. The proposed improvements require variances due to location, coverage, and exemption; and Site Plan Review for the proposed size and replacement of a five-foot high wall.

### **Variances**

The applicant is requesting Variances for: encroaching into the front yard setback for the proposed residential addition and two-car garage; encroaching into the rear yard setback for the proposed swimming pool and spa addition; exceeding the total allowable lot coverage; and an exemption from the requirement to provide an equestrian area on site in order to accommodate the proposed swimming pool and spa on the secondary building pad.

### **Site Plan Review**

The applicant is requesting a Site Plan Review (SPR) for exceeding the 999 square-foot new addition size limit and for replacing an existing five-foot high retaining wall.

## **DISCUSSION:**

### **MUNICIPAL CODE COMPLIANCE**

#### **Encroachment into the required setbacks**

The proposed addition to the residence and two-car garage encroach into the required 50-foot front yard setback. The proposed development encroaches into the required setback by 13.5 feet while the existing residence encroaches 12 feet into the required front yard setback. The 1'-6" additional encroachment into the front yard is not noticeable due to the multiple offsets of the building facade and multiple roof pitches incorporated to the building design. The proposed addition has also been sited to parallel the existing disturbed topography of the hillside and thus, limit grading to the minimum required for the parking turnaround radius.

#### **Exceeds maximum lot coverage**

The subject lot is one of the smaller lots in the City of Rolling Hills with a net area of 19,569 square feet. It is further constrained by the adjacent hillside, bordered by streets along the front and rear and RHCA's easements along the sides. The proposed project increases the total lot coverage to 49.9% which exceeds the maximum allowable lot coverage of 35% and exceeds the structural coverage of 20% by almost 3%. As mentioned earlier the net lot area of the site is 19,569 square feet and has a total building pad of 15,485 square feet which limits allowable building area without grading the hillside. The proposed vertical and horizontal structures, less detached outdoor kitchen which is less than 120 square feet, is 4,470 square feet.

#### **Waive stable (450SF) and corral (550 SF) requirements**

The applicant is requesting a waiver from the requirements to allocate space for future stable and corral. The buildable and accessible areas of the site are limited due its small size, adjacency to the hillside and easements. Therefore, the applicant is asking for a relief to allocate 1,000 SF of space for future equestrian use, which is currently located on the secondary building pad, for the proposed swimming pool/spa and patio deck.

#### **Allow exceedance of the 999 square foot limit for additions**

The applicant is proposing to add 1,021 square feet to the existing 2,373 square-foot existing residence. This would add two bedrooms, family room, laundry room and a new bathroom making the total house size 3,394 square feet. An attached 489 square-foot garage is also replacing a previously attached 586 square-foot garage.

**Removal and replacement of a five-foot high retaining wall in the same location**

The applicant is proposing to remove an existing retaining wall in the same location and same height.

**Environmental Review**

The project has been determined to be Categorically Exempt pursuant to the California Environmental Quality Act (CEQA) under Class 3, Section 15303.

**Public Participation**

No comments were received at the time of publication of the Agenda.

**17.38.050 - Required Variance findings.**

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

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

**17.46.050 - Required Site Plan Review findings.**

- A. The Commission shall be required to make findings in acting to approve, conditionally approve, or deny a site plan review application.
- B. No project which requires site plan review approval shall be approved by the Commission, or by the City Council on appeal, unless the following findings can be made:
  - 1. The project complies with and is consistent with the goals and policies of the general plan and all requirements of the zoning ordinance;
  - 2. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. Lot coverage requirements are regarded as maximums, and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot;
  - 3. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences;
  - 4. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls);
  - 5. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area;
  - 6. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course;
  - 7. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas;
  - 8. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and

vehicles; and

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

C. If all of the above findings cannot be made with regard to the proposed project, or cannot be made even with changes to the project through project conditions imposed by City staff and/or the Planning Commission, the site plan review application shall be denied.

**FISCAL IMPACT:**

NONE.

**RECOMMENDATION:**

Adopt Resolution No. 2021-02 approving request for Variance to allow encroachment into the setback, exceed total lot coverage, exemption from the stable and corral requirements; Site Plan Review for exceeding 999 square feet of new addition and removal and replacement of an existing five foot high retaining walls.

**ATTACHMENTS:**

[Development Proposal Table.docx](#)

[PC Resolution\\_2021-02.docx](#)

[Supplemental Resolution\\_2021-02.docx](#)

Site Plan Review and Variance	EXISTING	PROPOSED	TOTAL
RA-S- 1 Zone Setbacks Front: 50 ft. from front easement line Side: 20 ft. from side property line Rear: 50 ft. from rear easement line	SINGLE FAMILY RESIDENCE, 2-CAR GARAGE	DEMOLITION OF 2-CAR GARAGE AND 117 SF EXISTING RESIDENCE, NEW 1,134 SF ADDITION, 489 SF 2-CAR GARAGE, POOL WITH SPA AND PATIO	
Net Lot Area	19, 569 SF	0 SF	19,569 SF
Residence	2,373 SF	1,021 SF	3,394 SF
Garage	586 SF	-97 SF	489 SF
Swimming Pool/Spa	0 SF	510 SF	510 SF
Pool Equipment	0 SF	48 SF	48 SF
Guest House	0 SF	0 SF	0 SF
Cabana	0 SF	0 SF	0 SF
Stable	0 SF	0 SF	0 SF
Recreation Court	0 SF	0 SF	0 SF
Attached Covered Porches, Entryway, Porte Cochere, Breezeways	29 SF	0 SF	29 SF
Attached Trellis	0 SF	0 SF	0 SF
Detached Structures: Outdoor Kitchen	70 SF	0 SF	70 SF
Water Features	0 SF	0 SF	0 SF
Service Yard	257 SF	-257 SF	0 SF
Basement Area	0 SF	0 SF	0 SF
Total Structure Area	3,315 SF	1,225 SF	4,540 SF
Structural Coverage	16.9%	6.3%	23.2%
Total Structures Excluding: up to 5 legal and up to 800 SF detached structures that are not higher than 12 ft (no more than 120 SF per structure per deduction, except for trellis)	3,245	1,225 SF	4,470 SF
Structural Coverage (20% maximum)	16.6%	6.3%	22.9%
Grading (balanced on site)	Unknown	28 cubic yards	28 cubic yards
Total Lot Coverage (35% maximum)	40.3%	9.5%	49.9%
Building Pad Coverage (30%maximum)	25.9 %	5.3%	29%
Disturbed Area (40% maximum)	97.3%	0%	97.3%
Stable min. 450 S.F. & Corral min. 550 S.F.	0 SF	0 SF	0 SF
Retaining/ Garden Wall	Maximum 5 ft high	Remove/replace high 5 ft high	Max 5 ft high
Roadway Access	Existing driveway approach	No change	No change
Views	No impact	No impact	No impact

## **RESOLUTION NO. 2021-02**

**A RESOLUTION APPROVING VARIANCE REQUEST FOR 1) ENCROACHMENT INTO THE FRONT AND REAR YARD SETBACKS FOR THE PROPOSED 1,021 SQUARE FOOT RESIDENTIAL ADDITION, TWO-CAR GARAGE, POOL WITH SPA, AND PATIO; 2) EXCEEDING TOTAL LOT COVERAGE; AND 3) EXEMPTION FROM THE STABLE AND CORRAL REQUIREMENTS; AND SITE PLAN REVIEW FOR 1) EXCEEDING THE 999 SQUARE-FOOT MAXIMUM ADDITION ALLOWED BY RIGHT AND 2) REMOVING AND REPLACING EXISTING 5 FOOT HIGH WALL WITH THE SAME HEIGHT WALL IN THE SAME LOCATION LOCATED AT 3 OPEN BRAND ROAD, ROLLING HILLS, CA (ROSA).**

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

Section 1. An application was duly filed by Mr. Michael and Mrs. Ashley Rosa requesting Variance request for 1) encroachment into the front and rear yard setbacks for the proposed 1,021 square foot residential addition, two-car garage, pool with spa, and patio; 2) exceeding total lot coverage; and 3) exemption from the stable and corral requirements; and Site Plan Review for 1) exceeding the 999 square-foot maximum addition allowed by right and 2) removing and replacing existing 5 foot-high wall with the same height wall in the same location located at 3 Open Brand Road.

Section 2. The Planning Commission conducted duly noticed public hearings to consider the application on February 16, 2021 including a morning field trip and an evening meeting. The applicants were notified of the public hearings in writing by first class mail. Evidence was heard and presented from all persons interested in affecting said proposal and from members of the City staff and the Planning Commission having reviewed, analyzed and studied said proposal.

Section 3. The property is zoned RAS-1 and has a net lot area of 19,569 square feet. The lot is currently developed with a 2,373 square-foot single family residence and a 586 square-foot attached two-car garage. There are two existing building pads on site with an eight-foot difference in elevation. The existing residence and garage are located on the lower pad (12,542 square feet) towards the front portion of the property and the secondary building pad (2,934 square feet) is on the upper, rear level of the property adjacent to a hillside.

Section 4. This project is also categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) because it involves minor alteration of or addition to an existing private structure. The project consists of partial demolition of a portion of the house, demolition of the two-car attached garage and addition of 1,134 square feet to the house, new 489 square-foot attached two car garage, new swimming pool with spa, patio deck and retaining wall replacement.

Section 5. Sections 17.38.010 through 17.38.050 of the Rolling Hills Municipal Code permit approval of a Variance granting relief from the standards and requirements of the Zoning Ordinance when

exceptional or extraordinary circumstances applicable to the property prevent the owner from making use of a parcel of property to the same extent enjoyed by similar properties in the same vicinity or zone. In proposing to encroach into the front setback for the house and garage addition and into the rear setback for the pool and spa addition, exceeding the lot coverage and exemption from providing equestrian facilities, Variances are required to grant relief from Section 17.16.110, 17.16.130, 17.16.070 and Section 17.18.020 of the Zoning Ordinance.

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

A. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone in that the property is less than one acre, the front and rear property lines are bordered by streets and the sides are bordered by RHCA easements and a portion of the parcel is on a hillside which limit the site's buildable space and increase lot coverage ratio;

B. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question due to the limited size and existing topography that make it difficult to comply with the City of Rolling Hills Municipal Code's development standards;

C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity in that the proposed development will comply with the required building code, will not have adverse visual impact to adjacent properties and is in keeping with the character and scale of the community;

D. That in granting the variance, the spirit and intent of this title will be observed in that the proposed development does not prevent anyone from enjoying their property rights, the improvements are visually harmonious with adjacent properties and in scale with adjacent residential development;

E. That the variance does not grant special privilege to the applicant in that the proposed addition is in character and similar in scale with existing residential development and the applicant will have the opportunity to enjoy the same amenities enjoyed by other residents in the community;

F. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities. The proposed location of the project will not be sited near hazardous waste facilities and is surrounded by residential land use;

G. That the variance request is consistent with the general plan of the City of Rolling Hills in that the applicant will enjoy the same rights that residents in the community enjoy, the proposed improvements are in character and scale as the existing neighborhood, it preserves the rural character of the City even with the elimination of the equestrian use.

Section 6. Sections 17.46.010 through 17.46.050 of the Rolling Hills Municipal Code permit approval of a Site Plan Review granting relief from the standards and requirements of the Zoning

Ordinance when exceptional or extraordinary circumstances applicable to the property prevent the owner from making use of a parcel of property to the same extent enjoyed by similar properties in the same vicinity or zone. In proposing to exceed the maximum 999 square foot addition and replacing a five-foot retaining wall, a Site Plan Review approval is required to grant relief from Section 17.43.010 and 17.16.190 of the Zoning Ordinance.

With respect to the aforementioned request for Site Plan Review from Zoning Ordinance Section 17.46.050, the Planning Commission finds as follows:

A. The project complies with and is consistent with the goals and policies of the general plan and all requirements of the zoning ordinance in that the proposed addition is sensitive to the surrounding uses and will not cause adverse impact on views or harm to surrounding residences;

B. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. Lot coverage requirements are regarded as maximums, and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot. The proposed development is located on a parcel less than one acre in size, surrounded by road and trail easements and a hillside to its rear. The size and existing topography constraints make it difficult to comply with lot coverage requirements however, the proposed development is well screened from adjacent neighbors and maintains adequate setbacks from the easements and adjacent properties;

C. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences. The proposed improvements are of similar scale with existing houses in the neighborhood and the proposed roof ridge will not break the existing height envelope of the highest ridge of the existing house;

D. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls). The site is developed with single family residence with two-car garage and landscaped throughout the entire site. The proposed addition will not further increase disturbance of the site and the grading is limited to 28 cubic yards;

E. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area. The grading proposed is limited to the driveway turnaround radius requirements and the proposed cut and fill will be balanced on site. The proposed pool location has been previously accommodated a flat open lawn area;

F. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course. The proposed excavation for the pool will occur on a flat surface previously disturbed to create a flat lawn for outdoor activities. The proposed pool will not have any impacts on drainage;

G. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas. The proposed improvements will be constructed on previously disturbed lot and the only landscaping that will be affected is the existing sod where the pool and spa will be located;



H. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles in that the project will not encroach into trails or road easements; and

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

Section 7. Based upon the foregoing findings, the Planning Commission hereby approves the Variance and Site Plan Review request in Zoning Case No. 20-10 for 1) encroachment into the front and rear yard setbacks for the proposed 1,021 square foot residential addition, two-car garage, swimming pool with spa, and patio deck; 2) exceeding total lot coverage; and 3) exemption from the stable and corral requirements; and Site Plan Review for 1) exceeding the 999 square-foot maximum addition allowed by right and 2) removing and replacing existing 5 foot-high wall with the same height wall in the same location, subject to the following conditions:

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

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

C. All requirements of the Building and Construction Ordinance, the Zoning Ordinance, LA County Building Code and of the zone in which the subject property is located must be complied with unless otherwise set forth in the Permit, or shown otherwise on an approved plan.

D. The lot shall be developed and maintained in substantial conformance with the site plan on file dated January 14, 2021 except as otherwise provided in these conditions.

E. Prior to submittal of final working drawings to the Building and Safety Department for issuance of building permits, the plans for the project shall be submitted to City staff for verification that

the final plans are in compliance with the plans approved by the Planning Commission.

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

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

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

H. Structural lot coverage shall not exceed 4,540 square feet, or 23.2% (with allowable deductions). Total lot coverage shall not exceed 49.9% or 9,764 square feet.

I. The disturbed area of the lot shall not exceed 97.3% (of net lot area). No further disturbance is proposed.

J. A minimum of four-foot level path and/or walkway, which does not have to be paved, shall be provided along the rear of the home, to allow passage around the home. A retaining wall is permitted with a maximum height of 5 feet.

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

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

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

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

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

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

Q. A minimum of 65% of the construction material spoils shall be recycled and diverted. The hauler shall secure a “Construction and Demolition Permit” from the City of Rolling Hills, and provide the required documentation. The permit shall be pulled prior to issuance of the final Planning Approval.

R. The contractor shall not use tools that could produce a spark, including for clearing and grubbing, during red flag warning conditions. Weather conditions can be found at: [http://www.wrh.noaa.gov/lox/main.php?suite=safety&page=hazard\\_definitions#FIRE](http://www.wrh.noaa.gov/lox/main.php?suite=safety&page=hazard_definitions#FIRE). It is the sole responsibility of the property owner and/or his/her contractor to monitor the red flag warning conditions. Should a red flag warning be declared and if work is to be conducted on the property, the contractor shall have readily available fire extinguisher.

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

T. Until the applicants execute an Affidavit of Acceptance of all conditions of this approval, the approvals shall not be effective. Such affidavit shall be recorded together with the resolution.

PASSED, APPROVED AND ADOPTED THIS 16<sup>th</sup> DAY OF FEBRUARY, 2021.

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BRAD CHELF, CHAIRMAN

ATTEST:

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CITY CLERK

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

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

I certify that the foregoing Resolution No. 2021-02 entitled:

**A RESOLUTION APPROVING VARIANCE REQUEST FOR 1) ENCROACHMENT INTO THE FRONT AND REAR YARD SETBACKS FOR THE PROPOSED 1,021 SQUARE FOOT RESIDENTIAL ADDITION, TWO-CAR GARAGE, POOL WITH SPA, AND PATIO; 2) EXCEEDING TOTAL LOT COVERAGE; AND 3) EXEMPTION FROM THE STABLE AND CORRAL REQUIREMENTS; AND SITE PLAN REVIEW FOR 1) EXCEEDING THE 999 SQUARE-FOOT MAXIMUM ADDITION ALLOWED BY RIGHT AND 2) REMOVING AND REPLACING EXISTING 5 FOOT HIGH WALL WITH THE SAME HEIGHT WALL IN THE SAME LOCATION LOCATED AT 3 OPEN BRAND ROAD, ROLLING HILLS, CA (ROSA).**

was approved and adopted at a regular meeting of the Planning Commission on February 16, 2021 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

\_\_\_\_\_  
CITY CLERK

## **RESOLUTION NO. 2021-02**

**A RESOLUTION APPROVING VARIANCES FOR 1) ENCROACHMENT INTO THE FRONT YARD SETBACK FOR THE PROPOSED 1,021 SQUARE FOOT RESIDENTIAL ADDITION AND TWO-CAR GARAGE; 2) ENCROACHMENT INTO THE REAR YARD SETBACK FOR THE POOL WITH SPA AND PATIO; 3) EXCEEDING TOTAL LOT COVERAGE; AND 4) EXEMPTION FROM THE STABLE AND CORRAL REQUIREMENTS; AND SITE PLAN REVIEW FOR 1) AN ADDITION IN EXCESS OF 999 SQUARE-FEET AND 2) REMOVING AND REPLACING EXISTING 5 FOOT-HIGH WALL WITH THE SAME HEIGHT WALL IN THE SAME LOCATION LOCATED AT 3 OPEN BRAND ROAD, ROLLING HILLS, CA (ROSA).**

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

Section 1. An application was duly filed by Mr. Michael and Mrs. Ashley Rosa requesting Variances for 1) encroachment into the front yard setback for the proposed 1,021 square foot residential addition and two-car garage; 2) encroachment into the rear yard setback for the pool with spa and patio; 3) exceeding total lot coverage; and 4) exemption from the stable and corral requirements; and Site Plan Review for 1) an addition in excess of 999 square-feet and 2) removing and replacing existing 5 foot-high wall with the same height wall in the same location located at 3 Open Brand Road.

Section 2. The Planning Commission conducted duly noticed public hearings to consider the application on February 16, 2021 including a morning field trip and an evening meeting. The applicants and residents within 1,000 feet of the subject property were notified of the public hearings in writing by first class mail. Evidence was heard and presented from all persons interested in affecting said proposal and from members of the City staff. The Planning Commission has reviewed, analyzed, and studied said proposal.

Section 3. The property is zoned RAS-1 and has a net lot area of 19,569 square feet. The lot is currently developed with a 2,373 square-foot single family residence and a 586 square-foot attached two-car garage. There are two existing building pads on site with an eight-foot difference in elevations. The existing residence and garage are located on the lower pad (12,542 square feet) towards the front portion of the property and the secondary building pad (2,934 square feet) is on the upper, rear level of the property adjacent to a hillside.

Section 4. This project is determined to be categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) because it involves minor alteration of or addition to an existing private structure. The project consists partial demolition of a portion of the house and two-car attached garage and addition of 1,134 square foot addition to the house, 489 square-foot attached two car garage, a new pool with spa, patio and retaining wall replacement.

Section 5. Sections 17.38.010 through 17.38.050 of the Rolling Hills Municipal Code permit approval of a Variance granting relief from the standards and requirements of the Zoning Ordinance when

exceptional or extraordinary circumstances applicable to the property prevent the owner from making use of a parcel of property to the same extent enjoyed by similar properties in the same vicinity or zone. In proposing to encroach into the front setback for the house and garage addition and into the rear setback for the pool and spa addition, exceeding the lot coverage and exemption from providing equestrian facilities, Variances are required to grant relief from Section 17.16.110, 17.16.130, 17.16.070 and Section 17.18.020 of the Zoning Ordinance.

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

A. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone in that the property is less than one acre, the front and rear property lines are bordered by streets and the sides are bordered by RHCA easements and a portion of the parcel is hillside. The lot size and the road easement in front of the property make it difficult to comply with the City's development standards. The shallow building pad does not allow adequate space to accommodate the proposed house and garage addition. The rear setback is also bordered by an adjacent street easement that makes it difficult to avoid encroaching into the rear setback. The pad is elevated and the flat surface is limited making it difficult to build the pool in a different location. The buildable pad is approximately 12,000 SF which makes the results in a much larger coverage ratio unlike other lots of similar size but with a flatter topography. The size and existing topography of the site make it difficult to accommodate the required 1,000 SF area for equestrian use. Equestrian use is also not allowed within 35 feet of the existing residence; the secondary pad is less than 35 feet away from the existing residential structure;

B. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question due to the limited size and existing topography that make it difficult to comply with the City of Rolling Hills Municipal Code development standards. The shallowness of the lot and eight-foot difference in pad elevation make it difficult for the applicants to add to their residence without requesting for relief from the development standards for the front setback requirements. The 50-foot setback requirement in the rear yard makes it difficult to avoid encroaching into the rear yard setback because the pool pad is already at the proposed edge of the secondary pad. Expanding the pad would require additional grading and it would encroach into the required emergency access around the house. Unlike most parcels in the City, the subject lot has very limited buildable area. The limited buildable area creates a hardship for the applicant that most parcels in the City do not encounter. The request to waive the required equestrian use would allow the applicant the same amenities others in the community enjoy because it would allow them the adequate space to construct the proposed pool, spa and deck.

C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity in that the proposed development will comply with the required building, will not have adverse visual impact to adjacent properties and is in keeping of the character of the community. The proposed encroachment of the addition and the pool, spa and deck into the required yards will not cause visual impacts to the adjacent neighbors. There will be adequate space for access to the surrounding residences and easements. The lot coverage will not occur on disturbed portions of the parcel. The exemption request for the stable will prevent additional structures from encroaching into the required setback and limit further disturbance into the hillside;

D. That in granting the variance, the spirit and intent of this title will be observed in that the proposed development does not prevent anyone from enjoying their property rights, the improvements are visually harmonious and in scale with adjacent residential development. The proposed addition maintains the character of the existing neighborhood. The proposed pool, spa and deck are enjoyed by numerous residents in the City. Exceeding the lot coverage will not have any impacts to the adjacent neighbors in that no additional disturbance to the lot is proposed. The exemption from the stable/corral requirements will have no adverse impacts to the adjacent properties;

E. That the variance does not grant special privilege to the applicant in the proposed addition is in character and in scale with existing residential development and will enjoy the same amenities enjoyed by other residents in the community. The proposed house addition, pool and deck will not have any adverse impact to the character of the neighborhood. The proposed additions are harmonious with the existing land use. Exceeding the lot coverage and waiving the requirements for stable/corral would allow the applicants the same amenities enjoyed by their neighbors and other residents in the community;

F. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities. The proposed location of the project will not be sited near hazardous waste facilities and is surrounded by residential land use; and

G. That the variance request is consistent with the general plan of the City of Rolling Hills in that the applicant will enjoy the same rights that residents in the community enjoy, the proposed improvements are in character and scale as the existing neighborhood, it preserves the rural character of the City even with the elimination of the equestrian use. The proposed project maintains the existing land use. The encroachment into the front and rear setback will allow the applicants to enjoy their property to the fullest extent feasible. The proposed lot coverage will not cause any further land disturbance, change topography or drainage. The proposed size of the addition maintains the rural character of the community. The exemption from the stable/corral requirement will allow for the construction of a pool, spa and deck amenities that are commonly enjoyed by most residents in the City.

Section 6. Sections 17.46.010 through 17.46.050 of the Rolling Hills Municipal Code require Site Plan Review for a project that proposes development that exceeds a 999 square foot addition and includes a wall over 3 feet high under Section 17.46.020(A)(3) and 17.16.190(F) of the Zoning Ordinance.

With respect to the aforementioned request for Site Plan Review, the Planning Commission finds as follows:

A. The project complies with and is consistent with the goals and policies of the general plan and all requirements of the zoning ordinance in that the proposed addition is sensitive to the surrounding uses and will not cause adverse impact on views or harm to surrounding residences. The proposed addition maintains the existing scale and character of the neighborhood. The proposed wall will be screened by the proposed development and will hardly be visible from public views;

B. The project substantially preserves the natural and undeveloped state of the lot by minimizing

building coverage. Lot coverage requirements are regarded as maximums, and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot.

The proposed development is located on a parcel less than one acre in size, surrounded by road and trail easements and a hillside to its rear. Although a variance from the lot coverage requirements is granted, the proposed addition is still well screened from adjacent neighbors. The addition matches the scale of the adjacent residences in the area. The maximum height of the proposed development is lower than the highest roof ridge of the existing structure. The proposed wall will be screened by the higher pad and the proposed addition;

C. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences. The proposed improvements are of similar scale of existing houses in the neighborhood and the proposed roof ridge will not break the existing height envelope of the highest ridge of the house. The house is setback from the street 36.5'. The house blends in with current house in that the walls are well articulated and roof has multiple pitches;

D. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls). The site is developed with single family residence with two-car garage and landscaped throughout the entire site. The proposed addition will not further increase disturbance of the site and the grading is limited to 28 cubic yards which is exempt from Site Plan Review. The proposed addition is setback from the street and built as close to the middle of the property as possible. The wall will hardly be seen from the road in front of the house and behind the house;

E. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area. The grading proposed is limited to the driveway turnaround radius requirements and the proposed cut and fill will be balanced on site. The proposed grading is limited in that the proposed addition and wall will be built on an existing pad;

F. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course. The proposed excavation for the pool will occur on a flat surface previously disturbed to create a flat lawn. The proposed pool will not have any impacts on drainage. The proposed addition and wall will be built on an existing flat pad and will cause no additional disturbance to the land;

G. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas. The proposed house addition and wall will be constructed on previously disturbed lot and the only landscaping that will be affected is the existing sod where the pool and spa will be located. ;

H. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles in that the project will not encroach into trail or road easements. The proposed addition and wall will be setback from adjacent easements and will not impede safe movement of pedestrians or vehicles; and

I. The project conforms to the requirements of the California Environmental Quality Act. The  
Resolution 2021-02  
3 Open Brand Road (Rosa)



proposed addition and wall will not create any adverse impacts to the environment.

Section 7. Based upon the foregoing findings, the Planning Commission hereby approves the requests in Zoning Case No. 20-10 for Variances for 1) encroachment into the front yard setback for the proposed 1,021 square foot residential addition and two-car garage; 2) encroachment into the rear yard setback for the pool with spa and patio; 3) exceeding total lot coverage; and 4) exemption from the stable and corral requirements; and Site Plan Review for 1) an addition in excess of 999 square-feet and 2) removing and replacing existing 5 foot-high wall with the same height wall in the same location, subject to the following conditions:

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

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

C. All requirements of the Building and Construction Ordinance, the Zoning Ordinance, LA County Building Code and of the zone in which the subject property is located must be complied with unless otherwise set forth in the Permit, or shown otherwise on an approved plan.

D. The lot shall be developed and maintained in substantial conformance with the site plan on file dated January 14, 2021 except as otherwise provided in these conditions.

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

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

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

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

H. Structural lot coverage shall not exceed 4,540 square feet, or 23.2% (with allowable deductions). Total lot coverage shall not exceed 49.9% or 9,764 square feet.

I. The disturbed area of the lot shall not exceed 97.3% (of net lot area). No further disturbance is proposed.

J. A minimum of four-foot level path and/or walkway, which does not have to be paved, shall be provided along the rear of the home, to allow passage around the home. A retaining wall is permitted with a maximum height of 5 feet.

K. Any proposed modification shall be presented to the Planning and Community Services Director to determine whether the proposed modifications are considered minor modifications to be processed by such director or whether the proposed modifications are considered major modifications to be processed by the Planning Commission.

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

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

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

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

P. During construction, all parking shall take place on the project site and, if necessary, any

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

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

R. The contractor shall not use tools that could produce a spark, including for clearing and grubbing, during red flag warning conditions. Weather conditions can be found at: [http://www.wrh.noaa.gov/lox/main.php?suite=safety&page=hazard\\_definitions#FIRE](http://www.wrh.noaa.gov/lox/main.php?suite=safety&page=hazard_definitions#FIRE). It is the sole responsibility of the property owner and/or his/her contractor to monitor the red flag warning conditions. Should a red flag warning be declared and if work is to be conducted on the property, the contractor shall have readily available fire extinguisher.

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

T. Until the applicants execute an Affidavit of Acceptance of all conditions of this approval, the approvals shall not be effective. Such affidavit shall be recorded together with the resolution.

PASSED, APPROVED AND ADOPTED THIS 16<sup>th</sup> DAY OF FEBRUARY, 2021.

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BRAD CHELF, CHAIRMAN

ATTEST:

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CITY CLERK

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

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

I certify that the foregoing Resolution No. 2021-02 entitled:

**A RESOLUTION APPROVING VARIANCE REQUEST FOR 1) ENCROACHMENT INTO THE FRONT AND REAR YARD SETBACKS FOR THE PROPOSED 1,021 SQUARE FOOT RESIDENTIAL ADDITION, TWO-CAR GARAGE, POOL WITH SPA, AND PATIO; 2) EXCEEDING TOTAL LOT COVERAGE; AND 3) EXEMPTION FROM THE STABLE AND CORRAL REQUIREMENTS; AND SITE PLAN REVIEW FOR 1) EXCEEDING THE 999 SQUARE-FOOT MAXIMUM ADDITION ALLOWED BY RIGHT AND 2) REMOVING AND REPLACING EXISTING 5 FOOT HIGH WALL WITH THE SAME HEIGHT WALL IN THE SAME LOCATION LOCATED AT 3 OPEN BRAND ROAD, ROLLING HILLS, CA (ROSA).**

was approved and adopted at a regular meeting of the Planning Commission on February 16, 2021 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

CITY CLERK