



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 MEETING
OF THE PLANNING COMMISSION
CITY OF ROLLING HILLS
6:30 PM
TUESDAY, JANUARY 15, 2019
ROLLING HILLS CITY HALL
2 PORTUGUESE BEND ROAD, ROLLING HILLS, CA 90274

1. CALL MEETING TO ORDER
2. ROLL CALL
3. APPROVAL OF THE AGENDA
4. PUBLIC COMMENTS ON MINUTES AND ANY ITEM NOT ON THE AGENDA
5. APPROVAL OF MINUTES
 - A. December 19, 2017 Regular Meeting of the Planning Commission
 - B. December 12, 2018 Adjourned Regular Meeting of the Planning Commission
6. RESOLUTIONS
 - A. **RESOLUTION NO. 2019-01.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR VARIANCES TO CREATE A PARKING PAD WITHIN 30 FEET OF THE ROADWAY EASEMENT AND CONSTRUCT A TRASH ENCLOSURE WITHIN THE FRONT YARD SETBACK IN ZONING CASE NO. 948 AT **15 GEORGEFF ROAD**, LOT 29-GF, (LAURA HATCH).

RECOMMENDED ACTION:

1. Motion to approve/deny Resolution No. 2019-01 as written.

- B. **RESOLUTION NO. 2019-02.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A CONDITIONAL USE PERMIT TO CONSTRUCT A 660 SQUARE FOOT

DETACHED GARAGE AND VARIANCE TO ENCROACH WITH THE GARAGE AND WITH A RESIDENTIAL ADDITION INTO THE REAR YARD SETBACK, IN ZONING CASE NO. 952 AT 2 CHUCKWAGON ROAD, LOT 38-A/38-BEF. (KIRMSE/GALVIN).

RECOMMENDED ACTION:

1. Motion to approve/deny Resolution No. 2019-02 as written.

7. PUBLIC HEARINGS ON ITEMS CONTINUED FROM A PREVIOUS MEETING

A. ZONING CASE NO. 953

13 Portuguese Bend Road (Lot 77-RH) Rolling Hills, CA, (Cardenas)

PROPOSED PROJECT:

Request for a Conditional Use Permit to construct a new 2,464 square foot stable with a 758 square foot tack room and a 896 square foot loft; and a Site Plan Review for 1,470 cubic yards of grading.

RECOMMENDED ACTION:

1. Motion to direct staff to prepare a resolution of approval/denial for project as proposed.

8. NEW PUBLIC HEARINGS

A. ZONING CASE NO. 955

1 Poppy Trail (Lot 90-B2--RH) Rolling Hills, CA, (Yeh)

PROPOSED PROJECT:

Request for a Site Plan Review for grading and construction of a new 6,310 square foot residence with 1,360 square feet covered porches, 934 square foot basement and 756 square foot attached garage and a new 1,643 square foot swimming pool & spa; a Conditional Use Permit for a new 452 square foot stable, and a Variance for new retaining wall located in the side yard setback. Also proposed are various outdoor amenities.

RECOMMENDED ACTION:

1. IT IS RECOMMENDED THAT THIS CASE BE POSTPONED TO A FUTURE DATE.

B. ZONING CASE NO. 954

9 Williamsburg Lane (Lot 27-RH) Rolling Hills, CA, (MacLean)

PROPOSED PROJECT:

Request for Variances for a new 894 square foot attached garage with a basement underneath the footprint of the garage addition, where

portions of both will encroach up to 10' into the side yard setback and to retain a second driveway on a property zoned OZD-1-Overlay Zoning District.

RECOMMENDED ACTION:

1. IT IS RECOMMENDED THAT THIS CASE BE CONTINUED TO THE FEBRUARY 19, 2019 PLANNING COMMISSION MEETING.

9. NEW BUSINESS
None
10. OLD BUSINESS
None
11. SCHEDULE OF FIELD TRIPS (February 19, 2019)
7 Ringbit Road E.
5 El Concho
12. ITEMS FROM STAFF
13. ITEMS FROM THE PLANNING COMMISSION
14. ADJOURNMENT

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

- DRAFT -

Agenda Item No. 5-A
Meeting Date: 01-15-19

REGULAR MEETING
OF THE PLANNING COMMISSION
CITY OF ROLLING HILLS
6:30 PM
TUESDAY, DECEMBER 19, 2017
ROLLING HILLS CITY HALL
2 PORTUGUESE BEND ROAD, ROLLING HILLS, CA 90274

CALL MEETING TO ORDER

A regular meeting of the Planning Commission of the City of Rolling Hills was called to order by Chairman Chelf at 6:33 p.m. on Tuesday, December 19, 2017 in the City Council Chamber, at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

ROLL CALL

Commissioners Present: Cardenas, Cooley, Kirkpatrick, Seaburn and Chairman Chelf.

Commissioners Absent: None.

Others Present: Raymond Cruz, City Manager.
Yolanta Schwartz, Planning Director.
Natalie Karpeles, Assistant City Attorney.
Julia Stewart, Assistant Planner.
Yvette Hall, Interim City Clerk.
Daniel Rentsch, Belzberg Architects.
Leah Mirsch, 4 Cinchring Road.
Allan Rigg, Consultant.
Larry Hall, Attorney.
Vince DiBiasi, Architect.
Tavisha Ales, Bolton Engineering.
Elliott Brunner, 26 Cinchring Road.
Mitzi Nakamura, 24 Cinchring Road.
Takashi Nakamura 24 Cinchring Road.

APPROVAL OF THE AGENDA

Approved as presented.

PUBLIC COMMENTS ON MINUTES AND ANY ITEM NOT ON THE AGENDA

None.

APPROVAL OF MINUTES

October 17, 2017 Adjourned Regular Meeting of the Planning Commission

Commissioner Cooley moved that the Planning Commission approve the minutes of the adjourned regular meeting of the Planning Commission held on October 17, 2017 as presented. Commissioner Seaburn seconded the motion, which carried without objection.

November 21, 2017 Adjourned Regular Meeting of the Planning Commission

Commissioner Seaburn moved that the Planning Commission approve the minutes of the adjourned regular meeting of the Planning Commission held on November 21, 2017 as presented. Vice Chairman Kirkpatrick seconded the motion, which carried without objection.

RESOLUTIONS

None.

PUBLIC HEARINGS ON ITEMS CONTINUED FROM A PREVIOUS MEETING

ZONING CASE NO. 928. 1 Middleridge Lane North (Cipolla), WITHDRAWAL OF THE APPLICATION FOR A STABLE, GUEST HOUSE AND RELATED GRADING AND REQUEST FOR CONTINUANCE TO JANUARY 16, 2018 MEETING OF THE REQUEST TO RETAIN THE GRADED PATH .

Planning Director Schwartz stated that the applicant is requesting a continuance of their case. By consensus, the Planning Commission's (PC) consideration of this matter was continued to the January 16, 2018 Planning Commission meeting beginning at 6:30 p.m. The public hearing was continued.

ZONING CASE NO. 918: Request for a Site Plan Review, a Conditional Use Permit, and a Variance for grading and construction of a new 9,975 square foot residence, 7,475 square foot basement, new 1,675 square foot four-car garage, new 2,775 square foot stable, 10,800 square foot corral, 7,500 square foot riding ring, to exceed the maximum permitted disturbance of the lot, widened access road leading to the corral, and various outdoor amenities. This new construction will require the demolition of the existing residence, two pools, two small accessory structures, and the existing stable on the subject property located at 20 Upper Blackwater Canyon Road (Lot 101-RH) Rolling Hills, CA, (Dominic Iannitti).

It has been determined that the project is categorically exempt (Class 3) pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303.

Chairman Chelf introduced the item and asked for staff's comments. Assistant Planner Stewart reviewed the applicant's request in Zoning Case No. 918 at 20 Upper Blackwater Canyon Road. She stated that the applicant is proposing to demolish an existing residence and construct a new residence, new four-car garage, stable, corral, riding ring, altered access pathway to the corral, and various outdoor amenities including a new pool. She indicated that this new construction will also require the demolition of the existing two pools, two small accessory structures, and the existing stable on the subject property. Assistant Planner Stewart stated that two field trips were conducted, and that during

the first field trip there was concern expressed regarding the height and massing of the stable. She further indicated that during that time the City received comments from residents along three of the adjacent streets of the project. She noted that a number of residents expressed concern regarding the fencing, landscaping, massing and height of the stable, and, as a result, the applicant made significant revisions to the project. Assistant Planner Stewart stated that the list of revisions were included in the staff report. Assistant Planner Stewart reviewed the new plot plan and changes to the stable, corral, riding ring, disturbance, and elevation of the grading for the stable.

Chairman Chelf called for public comment.

Tavisha Ales, Bolten Engineering, thanked the Planning Commission for attending the field trips. She commented that it is easier to see what the applicant is proposing with the staking. She stated that the applicant has reduced the stable height by 11 ½ feet by pushing it towards Pine Tree Lane. Ms. Ales commented that she feels the project is better and now has an open feel. She indicated that the general massing that was a concern during the initial field trip has been addressed.

Commissioners Seaburn and Cardenas, and Vice Chair Kirkpatrick, concurred that the applicant brought forth a good solution.

Commissioner Cardenas reported that he attended an individual field visit and observed the project. He noted that it appears that the barn is in a better location and expressed support of the project.

Chairman Chelf concurred with Commissioner Cardenas' comments.

Commissioner Cooley reported that she also attended an individual field visit, after the initial field visit was conducted, and reviewed the staking. She commented that the project was significantly improved.

Chairman Chelf commented that one of the neighbors requested that the Planning Commission review the shrub ridge on the side street located on Upper Blackwater Canyon Road. Chairman Chelf questioned whether this matter was within the purview of the Rolling Hills Community Association (RHCA).

In response to Chairman Chelf's question, Assistant Planner Stewart explained that the height of the hedge will be reduced to two feet as recommended by the Traffic Commission. Assistant Planner Stewart indicated that a resident expressed concern with the hedge and requested that it be removed completely. Assistant Planner Stewart stated that the resident was concerned with the safety of the pedestrians because it forces them to walk onto the street. Assistant Planner Stewart clarified that the hedge was located on the corner of Upper Blackwater Canyon Road and Portuguese Bend Road.

In response to Chairman Chelf's inquiry, Assistant Planner Stewart stated that the Planning Commission has the authority to request that the applicant remove the shrub or defer the matter to the RHCA's Architectural Committee. She noted that the Traffic Commission recommended that the hedge be reduced to two feet for adequate sight line for vehicles.

Chair Chelf questioned why the Traffic Commission did not recommend removal of the shrub completely.

In response to Chairman Chelf's question, Assistant Planner Stewart indicated that the Traffic Commission's recommendation was to provide for adequate sight line for vehicles.

Following public comment and discussion, Commissioner Cooley moved that the Planning Commission direct staff to prepare a Resolution granting approval of the applicant's request in Zoning Case 918 at 20 Upper Blackwater Canyon Road with the standard findings of fact and conditions of approval with an amendment to add a condition to the Resolution to remove the shrubs at the intersection of Upper Blackwater Canyon Road and Portuguese Bend Road, or refer the matter related to the shrubs to the Rolling Hills Community Association (RHCA) if the matter falls under the RHCA's purview and not add a condition to remove the shrubs to the Resolution. Commissioner Cardenas seconded the motion, which carried without objection.

NEW PUBLIC HEARINGS

ZONING CASE NO. 934. Request for a Conditional Use Permit and a Site Plan Review to construct a detached 2,210 square foot mixed use structure including a garage and grading of 779 cubic yards of dirt for the structure at **8 Crest Road East**, (Lot 192-A-2-MS), Rolling Hills, CA, (John Tu). Currently the property is being developed with a new single-family residence, garage and basement and accessory outdoor amenities. It has been determined that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA).

Chairman Chelf introduced the item and asked for staff's comments. Planning Director Schwartz stated that this matter was a new public hearing and reviewed the applicant's request in Zoning Case No. 934 at 8 Crest Road East. She stated that currently the parcel is being developed with a single family residence and that there is an existing guest house that is being renovated. She stated that in 2014 the house and basement and new construction were approved. She stated that the applicant is proposing a mixed-use structure of 2,210 square feet consisting of a 1,580 square foot garage and 630 square foot storage area. She indicated that the previous approval consisted of a single family residence with a garage, porches, water features, swimming pool, and grading. She stated that the project is currently being developed with a slightly smaller than approved outdoor amenities, as an example. She stated that the project consists of a Conditional Use Permit for the mixed use structure and a Site Plan Review for grading and the structure. She discussed the City's definition for mixed use structures, which consist of a use that has more than one use; for example, a garage and a storage room or a stable and a storage room. She explained the additional requirements for a mixed use structure related to square footage. She reviewed the ridgeline for the project which is 18½ to 19½ feet, which includes a monitor roof on top, that is offset from the edge of the building line. She reviewed the feature and the cut and fill for the project. She reviewed the area that has been set aside for a future stable and corral on an existing pad. She stated that the applicants are proposing a new pad for the mixed use structure. She indicated the property is in the RAS-2 Zone and is slightly over five acres of net lot area for development purposes. She stated that previously the lot was disturbed at 91 percent and that was approved when the application for the house and accessory structures were approved and there is no additional disturbance. She stated that the stable and mixed used pad is 18,915 square feet and that the coverage on this pad will be 14 percent. She further stated that the coverage for the entire lot is ten percent and that the total coverage includes a hardscape and driveway. Planning Director Schwartz stated that the garage portion will be accessed from the driveway via a path that leads to the proposed driveway. Planning Director Schwartz indicated that the Fire Department reviewed the project and they are satisfied with the proposed location of the driveway. She stated that the project is

categorically exempt from the California Environmental Quality Act (CEQA) and that no inquiries were received from surrounding residents. She noted that RHCA will need to review the project and that the PC may want to conduct a field visit.

In response to Chairman Chelf's question, Planning Director Schwartz clarified the location of the proposed driveway and that the surface will be decomposed granite, not asphalt.

In response to Chairman Chelf's question, Planning Director Schwartz clarified that the barn set aside is on one building pad and that the pad is below the residence.

Chairman Chelf opened the public hearing.

Daniel Rentsch, Belzberg Architects, spoke on behalf of the owners. He inquired whether a restroom into the storage area of the structure for maintenance staff working on site, in lieu of a portable restroom, would be allowed.

Planning Director Schwartz indicated that the City's Municipal Code does specify what areas can or cannot have a restroom facility. She stated that garages are allowed to have a restroom; however, she will have to research whether a restroom is allowed in the storage area. She explained that one requirement of a mixed use structure is that the use has to be separated by a solid wall.

In response to Chairman Chelf's question, Mr. Rentsch commented that the owners had been planning for a long time for an eventual stable and corral directly in front of their house down the hill; however, the owners do not have horses. Mr. Rentsch stated that the owners are going to be using the area primarily for long term storage of vehicles and that this location worked better because it is close to the driveway and out of their primary view. He stated that the owners wanted to get the structure out of their view as much as possible by placing it down the hill and that it is not a very tall structure; therefore, it is not going to impede anyone once it is that far away from the main pad. Mr. Rentsch stated this was the reasoning for placing the corral on that area of the property.

Hearing no further comments, Chair Chelf closed the public hearing.

Following public comment and discussion, the Planning Commission determined that a site visit should be scheduled to provide the Planning Commission and the members of the public with further understanding of the applicant's request in Zoning Case No. 934 at 8 Crest Road East. The public hearing was continued.

ZONING CASE NO. 932. Re-open a public hearing to consider modification to a previously approved project regarding the height of a partially "as built" residence, and consideration of additional information therefor. The previously approved project consists of additions and major renovation to a residence, at 24 Cinchring Road (Lot 18-3-CH), Rolling Hills, CA, (Nakamura).

OR

Consideration of a Resolution to deny the request:

RESOLUTION NO. 2017-21. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS DENYING A REQUEST FOR MODIFICATIONS OF THE HEIGHT AND ROOF TYPE OF A PREVIOUSLY APPROVED ADDITION TO AND

MAJOR REMODEL OF A SINGLE-FAMILY RESIDENCE AT 24 CINCHRING ROAD
(LOT 18-3-CH), IN ZONING CASE NO. 932, (NAKAMURA).

It has been determined that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines.

Chairman Chelf introduced the item and asked for staff's comments. Planning Director Schwartz presented the staff report and stated that the project is a reopened public hearing. She explained that the applicants had an approval of an addition and major renovation to their home in 2007 and that they were given an approval for an additional 850 square foot residence and garage conversion to a living area for a total square footage of 5,271. She stated that since 2007 the applicants have presented several different versions of a garage. She stated that eventually the City Council and Planning Commission approved a detached garage below their home with a recreation area, also known as a mixed use structure. She explained that during the process of construction it was found out that the applicant was constructing the residence differently than what was approved and submitted to the Building Department for construction. She stated that staff worked with the applicant for approximately two years to bring the project into compliance or bring forth a proposal for the PC to consider the allowance of the modifications which were different than what was approved originally. She indicated that staff also worked with the RHCA regarding the applicants' proposed concepts related to heights and out of grade construction. She stated the applicants have been before the RHCA several times and they brought forth a plan that was approved, per the applicants, in concept by the RHCA. Planning Director Schwartz noted that there were different architects involved during this period. She stated that a letter from the RHCA was included in the staff report stating that the project was not approved by the latest architect, Charles Belak-Berger, which was the plan submitted to the Planning Department. She discussed the differences between what RHCA approved in concept by a different architect, and the proposal submitted to staff. She stated that it appears that the front of the house adheres to the new proposal that was submitted to the PC and meets the proposal that was reviewed by the RHCA. She indicated that a letter was received today from property owner Dr. Brunner, who resides above the Nakamuras' property. She stated that Dr. Brunner's correspondence urges the PC not to approve the project. She stated that the PC held one field trip and at the evening meeting on November 21, 2017, the Planning Commission meeting directed staff to bring forth a Resolution of Denial for the project and to request that the applicant adhere to the original plans submitted. She noted that during the public hearing the architect representing the applicant stated that his clients would like to go back to the original proposal as it was approved. She explained that this was the reason that the PC did not approve the Resolution of Denial at the November 21, 2017 meeting. She stated that a few days later she received a visit from the applicants who stated that their architect did not have the authority to speak on their behalf and that they would like to go back to the plan submitted to the PC at the previous meeting. Planning Director Schwartz stated that the applicants indicated that their understanding of the PC's decision was that they were being given an option to work with staff on other designs. She stated that the applicants hired a facilitator who would like to address the PC today and prepared a PowerPoint presentation on why the PC should reconsider and not deny the project. Planning Director Schwartz indicated that staff has brought forth the Resolution of Denial for the PC's consideration or the PC can consider the proposal again from the applicant, or any other proposal that the applicant would like to present to the PC. She noted that a few letters were received, one is from the applicant and one is from the consultant urging the PC to reconsider and approve the project two feet higher than originally approved including a different roof type. She reviewed the roof plan for the project. Planning Director Schwartz concluded by handing out photographs of the house from 2001 taken from the project file

In response to Commissioner Cardenas' question regarding a five foot delta difference in the elevation of the roof as referred to in a neighbor's letter, Planning Director Schwartz stated that the RHCA has not approved anything new since the plan of record was approved a few years ago. Planning Director Schwartz stated that there exists one concept plan that was approved by the RHCA; however, that plan was not submitted to the City.

In response to Chairman Chelf's question, Planning Director Schwartz stated that the City does not have the elevation of the ridge prior to the occurrence of the fire incident.

Chairman Chelf opened the public hearing.

Allan Rigg, Consultant, commented that he is assisting the Nakamuras with their application and provided a summary of his professional background. Mr. Rigg presented a PowerPoint presentation and reviewed the findings of approval, winterization of the home, fire incident, roof height, loft, and history of the project. Mr. Rigg stated that the project is a rebuild of a home, with minor modifications, which was destroyed by a fire.

Mitzi Nakamura, 24 Cinchring Road, commented that her home was severely impacted in the 2009 fire. She spoke on the effort and resources her family has put into rebuilding their home. She spoke of the winterization that was done to protect the construction work and to weatherproof the home, and indicated that winterization was temporary. Ms. Nakamura stated that her home is just over 16 feet tall and nearly the same height as their original home, and that it is being built on the same footprint with the inclusion of a small addition.

Takashi Nakamura, 24 Cinchring Road, commented that he and his wife discussed the remodeling of their home 10 years ago. He stated that it took a few years to rebuild after the fire occurred. Mr. Nakamura stated that his wish is to have their home completed in order to live in it peacefully.

Larry Hall, Attorney, commented that his clients, Dr. Brunner and Dr. Korzennik have spent thousands of dollars in attorney's fees. He spoke on the history of the project and that the Nakamuras have not followed the City's zoning ordinance regarding the allowance of a loft, mezzanine and storage space above a habitable area.

Dr. Elliot Brunner, 26 Cinchring Road, commented that the Nakamuras have raised the roof ridge height by at least five feet above what was originally approved and that due to this action his view will be impaired permanently. Dr. Brunner would like the Nakamuras to go back to the original plans and build their home as they originally submitted. Dr. Brunner commented that he disagrees with Mr. Rigg's presentation.

Vicent Dibiasi, Architect, spoke on fire regulations. Mr. Dibiasi discussed the fireplace removal and reviewed the differences between the original plans and the proposed plans. He discussed the raised roof and floor heights. Mr. Dibiasi discussed the view impairment that the raised roof could cause to the Brunner's residence.

Hearing no further comments, Chair Chelf closed the public hearing.

Commissioner Cardenas commented that he has not heard anything that would compel him to change the decision made at the last PC meeting, which was to deny the applicant's request.

Commissioner Seaburn concurred with Commissioner Cardenas' comments.

Commissioner Seaburn moved that the Planning Commission adopt a Resolution of Denial.

Commissioner Cooley concurred with the aforementioned comments made by Commissioners Cardenas and Seaburn. She stated that the applicants should adhere to the original approved plan.

Vice Chair Kirkpatrick commented that the applicants should go back to the original approved plan.

Following discussion, Commissioner Seaburn moved that the Planning Commission adopt Resolution No. 2017-21 denying the project at 24 Cinchring Road, as presented. Commissioner Cardenas seconded the motion, which carried without objection.

Consideration of a proposed zoning text amendment to the Rolling Hills Municipal Code to regulate and allow accessory dwelling units (ADUs) in single family residential zones in conformance with State law. It has been determined that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA).

AND

CONSIDERATION OF RESOLUTION NO. 2017-23. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE A TEXT AMENDMENT TO THE ROLLING HILLS MUNICIPAL CODE TO AMEND TITLES 15 AND 17 TO REGULATE AND ALLOW FOR ACCESSORY DWELLING UNITS (ADU) IN SINGLE FAMILY RESIDENTIAL ZONES IN CONFORMANCE WITH STATE LAW, IN ZONING TEXT AMENDMENT NO. 2017-03.

Chairman Chelf introduced the item and asked for staff's comments. Assistant Planner Stewart presented the staff report and indicated that the PC previously discussed this topic at the October 17, 2017 PC meeting. She indicated that the PC directed staff to prepare a draft ordinance for consideration by the PC. Assistant Planner Stewart presented a summary of the State regulations for Accessory Dwelling Units (ADUs). She stated that the City has discretion in deciding whether or not to adopt the State law to govern ADUs or adopt an ordinance that modifies it to reflect City's conditions. Assistant Planner Stewart discussed the following items: 1) The City can set standards in areas such as unit size, parking and fees as long as they are not deemed arbitrary, excessive and burdensome, which means the City cannot prohibit the construction of the ADUs; 2) The standards that the City typically reviews such as replacement parking, height, setback, and lot coverage, can still be in place as long as the standards are not burdensome that they prohibit new ADUs; 3) The City can determine the rental terms, currently the City has in place prohibiting less than 30 day rentals; however, under the State law this is not in place. If the City decided to adopt an ordinance, that is an item that the City might consider including; 4) The City does not have discretion over outright prohibition of ADUs and cannot change the administrative approval process or deny an ADU based on items such as septic systems, coverage limits or parking requirements; 5) The City cannot stipulate who lives in an ADU; however, the City can designate who can live in a Junior ADUs; 6) The City can require that an owner occupy one of the two units; 7) The City cannot require separate passage ways; 8) There is no prohibition for converting an existing garage and there is no setback requirement; 9) The

City cannot require an ADU larger than what is allowed by State law; and 10) There is no parking required for ADUs located within a half mile of public transportation.

Discussion followed among the PC and staff regarding the RHCA's jurisdiction over ADUs, Junior ADUs, the state's intention to address the lack of housing available at affordable rental rates, setbacks, easements and the recording of a covenant when an ADU is built.

Chairman Chelf recommended that the proposed ordinance be forwarded to the City Council for their review first and then to the Department of Housing and Community Development.

Chairman Chelf opened the public hearing.

Leah Mirsch, 4 Cinchring Road, spoke on the development impacts that ADUs would have on the City's infrastructure because of issues such as septic tanks.

In response to Ms. Mirsch's comment, Assistant City Attorney Karpeles stated that staff has considered the development impacts that these ADUs could create in terms of sewage and utility use; however, even then the City's hands are tied because the development requirements are state mandated and staff has considered, in its proposal, the least impactful criteria.

Discussion followed regarding the conversion of existing barns or using the set aside for construction of an ADU, impact on the City's General Plan and it was stated that the City Council could continue to require the set aside areas for stables and corrals.

Hearing no further comments, Chair Chelf closed the public hearing.

Following discussion and public testimony, Commissioner Seaburn moved that the Planning Commission adopt Resolution No. 2017-23 recommending that the City Council adopt an Ordinance amending Title 17 Zoning and Title 15 Building and Construction of the Rolling Hills Municipal Code in order to allow and regulate accessory dwelling units, and upon City Council's adoption, forward the Ordinance to the Department of Housing and Community Development for their review. Commissioner Cardenas seconded the motion, which carried without objection.

NEW BUSINESS

None.

SCHEDULE OF FIELD TRIPS (January 16, 2018)

The Planning Commission scheduled a field trip to the following properties to be held on Tuesday, January 16, 2018 beginning at 7:30 a.m.

8 Crest Road East
11 Saddleback Road

In addition, a field trip was scheduled to 1 Middleridge Lane North.

OLD BUSINESS

None.

ITEMS FROM STAFF

None.

ITEMS FROM THE PLANNING COMMISSION

None.

ADJOURNMENT

Hearing no further business before the Planning Commission, Chairman Chelf adjourned the meeting at 8:40 p.m. to an adjourned regular meeting of the Planning Commission scheduled to be held on Tuesday, January 16, 2018 beginning at 7:30 a.m. for the purpose of conducting a site visit to 8 Crest Road, 11 Saddleback Road and 1 Middleridge Lane North. The next regular meeting of the Planning Commission is scheduled to be held on Tuesday, January 16, 2018 beginning at 6:30 p.m. in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

Yvette Hall
City Clerk

Approved,

Brad Chelf
Chairman

MINUTES OF AN
ADJOURNED REGULAR MEETING
OF THE PLANNING COMMISSION
DECEMBER 12, 2018

PRESENT FOR THE FIELD TRIPS WERE:

Chairman Chelf, Commissioners Cooley, Cardenas, Kirkpatrick and Seaburn
Yolanta Schwartz, Planning Director
Jesus Rivas, Architect for 2 Chuckwagon
Beate Kirmse and Bern Galvin owners, 2 Chuckwagon
Deborah Richie-Bray, Landscape Architect for 15 Georgeff
Larry Carr, Representative for Storm Hill Lane
Jay Ahluwalia, Representative for Storm Hill Lane
Mr. and Mrs. Grzywacz, owners, Storm Hill Lane
Mr. Hutchinson, neighbor

Chairman Chelf called the meeting to order at 7:30 AM at 2 Chuckwagon Road.

A. ZONING CASE NO. 952

2 Chuckwagon Road (Lot 38-A/39-B-EF) Rolling Hills, CA,
Galvin/Kirmse).

PROPOSED PROJECT:

Request for a Conditional Use Permit for the construction of a 660 square foot detached garage and a Variance to encroach with the garage and with a new 308 square foot residential addition into the rear yard setback.

Planning Director Schwartz reviewed the project and described the configuration of the lot as being a corner lot with 30'-wide roadway easements on both sides, which takes away from the size of the net lot area. She also pointed out that the house and the existing garage were constructed in the northwest corner of the lot with two driveways, one of which will be closed off. All present walked towards the silhouetted additions and Director Schwartz pointed out the proposed addition to the existing garage and the new detached garage and their encroachment into the rear setback. She stated that the height of the proposed improvements would match the height of the existing house. She also pointed out the set aside stable and corral area, to be located to the east of the detached garage and stated that the detached garage could not be converted to living space in the future, because then the stable and corral set aside area would not meet the 35-foot distance requirement to living quarters. She stated that the driveway apron off of Chuckwagon Road will be closed off and the driveway

will be landscaped and a portion will be terraced with short garden walls and used for a garden. She also stated that the disturbed area of the lot exceed the maximum 40% permitted, but is existing, and no new disturbance will be needed for the project. The Commissioners commented that the lot is difficult with the two streets bordering it and the location of the existing improvements limit where additions can be made without encroaching into the front area of the lot. Chairman Chelf stated that the project makes sense. Commissioner Seaburn concurred and made a motion to direct staff to prepare a Resolution of approval with standard conditions. Commissioner Cooley seconded the motion. Planning Director Schwartz stated that since the project was scheduled for the evening meeting, the hearing needs to be opened at the evening Planning Commission meeting as well.

There being no further discussion, the public hearing in Zoning Case No. 952 was continued to the evening meeting of the Planning Commission beginning at 6:30 pm.

B. ZONING CASE NO. 948

15 Georgeff Road (Lot 29-GF) Rolling Hills, CA, (Hatch)

PROPOSED PROJECT:

Request for Variances to construct a new 200 square foot parking pad which will encroach into the allowable frontage and a service yard that will encroach into the side yard setback.

Planning Director Schwartz reviewed the project and pointed out the proposed parking pad. She stated that the Zoning Code allows parking pads (separately from parking on driveways) to be located no closer than 30 feet to the roadway easement line. She also stated that the previous request to add to the existing garage, which already encroaches into the front setback, was withdrawn by the applicant. She stated that the pad will be slightly lowered and located few feet from the 30' roadway easement line. She stated that the modified driveway and parking pad would be designed with pervious areas reducing the square footage of impervious flatwork on the subject property. Ms. Richie-Bray, Landscape Architect, reviewed the proposed hardscape for the entire front area of the residence, including new planter walls and construction of stairs from the driveway to the entryway of the house. She stated that the improvements would allow for a better pedestrian flow from the garage and driveway to the residence. She also stated that a new service yard is proposed in the front yard setback to replace an existing one and pointed out the proposed service yard. Commissioner Seaburn stated that he is pleased that the garage addition was removed from the request, as it would be too much construction in the front setback close to the roadway. There being no further discussion, the public hearing in Zoning Case No. 948 was continued to the evening meeting of the Planning Commission beginning at 6:30 pm

C. ZONING CASE NO. 949

Storm Hill Lane (APNS 7570-024-014, 7570-024-015, 7570-024-016 & 7570-024-017 by Parcel Map No. 26356) Rolling Hills, CA, (Storm Properties)

PROPOSED PROJECT:

Request for a Certificate of Compliance for Lot Line Adjustment between four parcels of land.

Planning Director Schwartz reviewed the project and pointed out on the plot plan the existing and proposed lot lines between the four parcels. She stated that the lot lines are staked. She stated that although the proposed road to access parcel 2 and 3 is staked it is not being considered at this time, as its consideration requires environmental review; and it will be reviewed in the future. However, she stated that the lot line adjustments are dependent on the location of the road. Mr. Ahluwalia stated that the shorter road will require much less grading and no building pads will have to be graded; whereas if the previously approved road was to be constructed, the dirt from the cut would have to be used for grading of the building pads or exported. He also stated that moving the lot line of lot 3 to the cul-de-sac of the shorter road would result in having to develop a driveway on lot 3, rather than using the land for development of the long road.

Mr. Hutchinson, neighbor from Buggy Whip, stated that he could see the road from his backyard and will comment when the Planning Commission considers the road, but that he has no issues with the lot lines. He then left the meeting.

All present drove out to view the stakes along the proposed road and proposed lot lines. Commissioner Cardenas inquired about the trails that currently exist on the vacant parcels and their accessibility in the future. Mr. Ahluwalia stated that most of the existing trails, which are within the easements of the lots will remain and that only one switchback, which is located in the middle of the building pad for lot 3, will be eliminated, but the trail will be moved to correspond to the easement line on lot 3; so that there will continue to be access to the Storm Lane Park located behind lots 2 and 3. He also stated that the RHCA Board visited the property and discussed the trails.

Mrs. Grzywacz stated that the end portion of the shorter road would be closer to Johns Canyon Road and to her property and would be easier to see and monitor for parked vehicles or walkers who have no reason to be on that road.

D. ZONING CASE NO. 950 --WAS CONTINUED TO A TENTATIVE DATE OF FEBRUARY 19TH, 2019 PLANNING COMMISSION EVENING MEETING

PROPOSED PROJECT:

Storm Hill Lane

Request for a Site Plan Review for grading and construction of a road for access to 3 vacant parcels.

CEQA: Environmental Determination-Pending

**E. ZONING CASE NO. 953 - POSTPONED AT THE REQUEST OF APPLICANT TO THE EVENING PLANNING COMMISSION MEETING OF DECEMBER 12, 2018, BEGINNING AT 6:30 PM.
13 Portuguese Bend Road (Lot 77-RH) Rolling Hills, CA, (Cardenas)**

PROPOSED PROJECT:

Request for a Conditional Use Permit to construct a new 2,464 square foot stable with a 702 square foot tack room and including a 896 square foot loft; and a Site Plan Review for 1,470 cubic yards of grading.

Respectfully Submitted,

Yolanta Schwartz
Planning Director

Date

Approved:

Brad Chelf, Chairman

Date



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 Item No. 6A
Mtg. Date: 01-15-19

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: JULIA STEWART, SENIOR PLANNER JS

THRU: YOLANTA SCHWARTZ, PLANNING DIRECTOR YS

APPLICATION NO.	ZONING CASE NO. 948
SITE LOCATION:	15 GEORGEFF ROAD (LOT 29-GF)
ZONING AND SIZE:	RAS-1, 1.18 ACRES (GROSS)
APPLICANT:	LAURA HATCH
REPRESENTATIVE:	DEBORAH RICHIE-BRAY, ARCHITECT
PUBLISHED:	October 11, 2018

REQUEST AND PLANNING COMMISSION ACTION

Applicant Request

The applicant is proposing a modified driveway to accommodate a new parking pad and relocation of the trash area. The improvements and new trash area require variances due to location.

Variances

The applicant requests the following variances for the proposed project: 1) a new 200 square foot parking pad to be located within 30 feet of the roadway easement, and 2) the new trash area to encroach into the front yard setback. The existing trash area is 140 square feet. The proposed new trash area is smaller at 120 square feet.

Administrative Review and Other Non-discretionary Project Elements

The applicant is requesting to modify the on-site driveway where when combined, the modified driveway and the new parking pad will add a total of 513.02 square feet of flatwork to the site. The modified driveway and parking pad will be designed with pervious areas thereby reducing the overall square footage of impervious flatwork on the subject property.

The creation of the parking pad include 51 cubic yards of cut with the dirt to be balanced on site. This small amount of dirt does not meet the full threshold triggering Site Plan Review for grading.

The project will also include a modified walkway and new planting areas with low walls (all not to exceed 3 feet high) once the front walkway is modified. There will also be new walls added to the area surrounding the proposed parking pad (all less than 3 feet high). These are allowable within the City's code and do not require a discretionary review.

Special Condition of Approval

A special condition of approval is included in the resolution that maintains the code requirements for outdoor storage of recreational vehicles. This means the extra parking pad will not be eligible for storage of recreational vehicles. The condition is as follows:

“The occupant of the subject property shall not, at any time, place, store or park recreational vehicles in the parking pad area nor use the area for any other type of outdoor storage.”

Planning Commission Review

The Planning Commission initially reviewed the project at the regular evening Planning Commission meeting on October 23, 2018. It then continued the public hearing and viewed the project in the field, opened the hearing to enable brief public testimony and continued the meeting to the evening meeting of the Planning Commission on December 12, 2018. During the December 12th Planning Commission meeting, the Commission, with one dissenting vote, directed staff to prepare a resolution of approval for the project with the special condition of approval.

No neighbors attended the field visit to the subject property. No written communication from the public has been received by City staff. The discussion amongst Commissioners at the December 12, 2018 evening Planning Commission meeting included concerns expressed about the close proximity of the parking pad to the roadway. Discussion included questions about the necessity of additional parking spaces when the property already contains a 4-car garage.

Recommendation

It is recommended that the Planning Commission review and consider the attached Resolution 2019-01 for adoption.

MUNICIPAL CODE COMPLIANCE

Disturbance

The total existing disturbed area for the project site is 39.74% or 14,839 square feet. The proposed project is to be conducted entirely within the existing disturbed area.

Lot Coverage

The structural net lot coverage is proposed at 6054 square feet or 16.21% (with stable expansion to meet the minimum set aside requirement the square footage would be 6,264 square feet or 16.78%)(20% max. permitted).

The total lot coverage proposed (structural and flatwork) is proposed at 11,885 square feet or 31.83% (35% max. permitted). When all deductions allowable by the code are taken into account, the total lot coverage is unchanged from the previously approved coverage at 11,885 square feet or 31.83%. The modified driveway and parking pad will be designed with pervious areas thereby reducing the overall square footage of impervious flatwork on the subject property.

The building pad coverage on the main residence pad is proposed to be 6,665 square feet or 73.82%, with deductions.

Environmental Review

The project has been determined to be categorically exempt (Classes 3 and 4) pursuant to Sections 15303 and 15304 of the California Environmental Quality Act (CEQA) Guidelines.

Project Summary

SPR,CUP&VR	EXISTING		PROPOSED	
RA-S- 1 ZONE SETBACKS	SINGLE FAMILY RESIDENCE, GARAGE, POOL, BARN		NEW PARKING PAD	
Front: 50 ft. from front easement line				
Side: 20 ft. from side property line				
Rear: 50 ft. from rear property line				
Variance is required for encroachment into front yard.	Residence	3,753 s.f.	Residence	3,753 s.f.
	Garages	778 s.f.	Garages	778 s.f.
	Pool/spa	677 s.f.	Pool/spa	677 s.f.
	Pool equip.	68 s.f.	Pool equip.	68 s.f.
	Stable/Barn	240 s.f.	Stable/Barn	450 s.f.
	Attach porch-	393 s.f.	Attach porch-	393 s.f.
	Breezeways	75 s.f.	Breezeways	75 s.f.
	Attach.Trellis	342 s.f.	Attach.Trellis	342 s.f.
	Shed	65 s.f.	Shed	65 s.f.
	Service yard	140 s.f.	Service yard	120 s.f.
	Fire Wall	35 s.f.	Fire Wall	35 s.f.
	TOTAL	6,566 s.f.	TOTAL	6,756 s.f. (includes stable set aside area)

GRADING Site Plan Review required if excavation and/or fill or combination thereof that is more than 3 feet in depth and covers more than 2,000 sq.ft. ft.) must be balanced on-site.	Unknown	51 cy of cut (to be used in landscaping areas on the property in order to balance the grading)
STRUCTURAL LOT COVERAGE (20% maximum)	16.21% of 37,338 s.f. net lot area	16.21% of 37,338 s.f. net lot area
TOTAL LOT COVERAGE (35% maximum)	31.8% of 37,338 s.f. net lot area	31.8% of 37,338 s.f. net lot area
BUILDING PAD COVERAGE (30% maximum-guideline) Residential	74.1% of 7,944 s.f. pad	73.82% of 5,864 s.f. pad (with deductions)
DISTURBED AREA (40% maximum; any graded building pad area, any remedial grading (temporary disturbance), any graded slopes and building pad areas, and any non-graded area where impervious surfaces exist.)	39.7% or 14,839 s.f.	39.7% or 14,839 s.f.
STABLE (min. 450 S.F. & 550 S.F. CORRA L)	240 s.f.	450 s.f. (set-aside)
STABLE ACCESS	Existing approach	Existing approach
ROADWAY ACCESS	Existing driveway approach	Modified driveway approach
VIEWS	N/A	Planning Commission review
PLANTS AND ANIMALS	N/A	Planning Commission review

CRITERIA FOR VARIANCES

17.38.050 Required 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.

SOURCE: City of Rolling Hills Zoning Ordinance

RESOLUTION NO. 2019-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR VARIANCES TO CREATE A PARKING PAD WITHIN 30 FEET OF THE ROADWAY EASEMENT AND CONSTRUCT A TRASH ENCLOSURE WITHIN THE FRONT YARD SETBACK IN ZONING CASE NO. 948 AT **15 GEORGEFF ROAD, LOT 29-GF, (LAURA HATCH)**.

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 the property owner Laura Hatch with respect to real property located at 15 Georgeff Road, Rolling Hills (Lot 29-GF) requesting **Variances** allowing creation of a parking pad within 30 feet of the roadway easement and construction of a new trash enclosure encroaching into the front yard setback. The applicant also applied for other miscellaneous improvements not subject to discretionary review.

Section 2. The Planning Commission conducted a duly noticed public hearing on October 23, 2018 by opening the public hearing to enable brief public testimony and continuing the meeting to the field trip meeting of the Planning Commission on December 12, 2018. The hearing was then continued to the evening Planning Commission held that same day. At evening meeting, the Planning Commission provided direction to staff to prepare a resolution of approval for the proposed project.

Neighbors within a 1,000-foot radius were notified of the public hearing and a notice was published in the Peninsula News on October 11, 2018. The applicants and their agents were notified of the public hearings and the applicants and agents were in attendance at the hearings. Evidence was presented by persons interested in affecting said proposal and by members of the City staff to the Planning Commission. There were no objections to the proposed project.

Section 3. The property is zoned RAS-1 and the gross lot area is 1.18 acres. The net lot area is 37,338 square feet or approximately 0.86 acres. The existing property is currently improved with an existing 3,753 square foot house with a 778 square foot attached garage, a 677 square foot swimming pool & spa, and a 240 square foot stable.

Section 4. The Planning Commission finds that the project is categorically exempt from the California Environmental Quality Action (CEQA) guidelines.

Section 5. Variances. Sections 17.38.010 through 17.38.050 of the Rolling Hills Municipal Code permit approval of Variances 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. Variances from the requirements of Section 17.16.150 (no parking within 30 feet of a roadway easement), and Section 17.16.110 (structures cannot be located in the front setback), of the Zoning Ordinance is required. With respect to the aforementioned request for variances, the Planning Commission finds as follows:

A. There are exceptional or extraordinary circumstances and conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone.

The natural slope of the subject property, the location of the building pad, the placement of easements, and the shape of the lot constrain space where the parking pad can be located. There is a bridal trail along the side easement which prevents vehicular traffic from accessing the rear portion of the property. The property owners have several adult children who drive cars and a short driveway. The constant pulling of cars on and off the driveway is a road hazard since the property is located near the intersection of two streets. The property owners are looking to lessen the number of times cars need to be moved.

Also, the lot is oddly shaped so the area within the setbacks is extensive which impacts the relocated trash enclosure. The owner is reducing the size of the trash enclosure and chose the proposed location based on its close proximity to the kitchen, where most of the households regular trash is generated, and allows for greater space for cars on the newly created parking pad.

B. The variances are necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied to the property in question.

The variance to allow the parking pad within thirty feet of the roadway easement is necessary to the preservation of the Applicant's property right since the topography confines the development of a parking pad to the front portion of the property. Further, the property has a shortened driveway so regular outdoor parking is challenging. Many of the other properties in the RAS-1 zone in the City have the ability to park several cars on their driveway without impeding access to their garage and while being outside of the 50 feet of the roadway easement. To deny the proposed parking pad would be to deny the property owners of this same privilege.

The trash enclosure encroaching into the front yard setback is necessary to the preservation of the Applicant's property right since the residence has an legal nonconforming condition whereby the house is also already encroaching into the front yard setback and is constructed near the side yard setback leaving little room for a trash enclosure. The current location of the trash enclosure is an existing legal non-conforming condition where it is located in the front yard setback. The new location is moving the trash enclosure to a less prominent location visibly to the roadway easement and allows for sufficient space for the newly proposed parking pad.

C. The granting of the variances would not be materially detrimental to the public welfare or injurious to the properties or improvements in such vicinity.

The variance to allow a portion of the reduced in size trash enclosure to encroach into the front yard setback would not be materially detrimental to the public welfare nor injurious to the properties in the vicinity because the enclosure will appear to be part of the house and is farther away from the roadway easement. It is an improvement to the condition of the property because it will be less visible and smaller.

The variance to allow the parking pad within thirty feet of the roadway easement would not be materially detrimental to the public welfare nor injurious to the properties in the vicinity because it limits the number of times a car is pulled into and out of a driveway onto the roadway easement. Currently, the property owners are required to move their car any time another driver in the house wishes to exit from the property. This increases the number of times cars are pulled out of the driveway onto the roadway easement therefore increasing the number of opportunities for a collision. The parking pad would reduce this condition and would result in only the driver who is exiting the property utilizing the driveway to enter the roadway easement thus enhancing road safety.

D. In granting the variances, the spirit and intent of the Zoning Ordinance will be observed.

The variance to allow a portion of the trash enclosure to encroach into the front yard setback observes the spirit and intent of the Zoning Ordinance because it will make the property more cohesive with the rural character of the neighborhood by reducing traffic on the local street. The trash enclosure is orderly and attractive and enhance the aesthetic nature of the home. The encroachment is minimal compared to the overall development of the lot and will not affect the rural character of the community. The residence was also built into the front yard setback. Thus, almost any change to development of the property would require encroachment into a setback as

the residence is presently located in the setback. Also, the existing trash enclosure is already located in the front setback.

The variance to allow a parking pad within thirty feet of the roadway easement observes the spirit and intent of the Zoning Ordinance because it is orderly and attractive and enhances the aesthetic nature of the home through enhanced landscaping. The encroachment is minimal compared to the overall development of the lot and will not affect the rural character of the community. The parking pad, together with the rehabilitated driveway will have a pervious surface, such as grasscrete, therefore softening and improving the aesthetics of the driveway. Pervious surfaces aid in storm water infiltration and are encouraged to be used on driveways as a storm water Best Management Practice.

E. The variances will not grant special privilege to the applicant.

The variance to allow a portion of the trash enclosure to encroach into front yard setback will not grant a special privilege to the appliance because the trash enclosure is a permitted and required residential use of the property. Additionally, many properties in the area were constructed prior to 1981, when the front yard setback requirements changed from 30 feet to 50 feet and, therefore also encroach into the currently required 50-foot front yard setback. The size of the trash enclosure is smaller than or similar to other remodeled and new residences in the area.

The variance to allow a parking pad within thirty feet of the roadway easement will not grant a special privilege to the Applicant because it will allow the Applicant to have better use of the driveway on the property consistent with how other residents are able to use their driveways, solely for egress and ingress.

F. The variances are consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities. The project site is not listed on the current State of California Hazardous Waste and Substances Sites List. It will not affect any existing hazardous waste management facilities.

G. The variances are consistent with the General Plan of the City of Rolling Hills.

The variance to allow a portion of the trash enclosure to encroach into front yard setback is consistent with the General Plan's requirement of low profile, low-density residential development with sufficient open space between surrounding structures. The trash enclosure does not increase density and is actually a reduction in size from

the existing trash enclosure. Even though the trash enclosure extends into the setback area, there is still sufficient space in the setback to buffer the property's residential use from other neighboring residences.

The variance to allow a parking pad within thirty feet of the roadway easement is consistent with the General Plan. Even though the parking may be visible to properties directly adjacent to the property, there is still sufficient space and landscaping in the setback to buffer the parking pad from other neighboring residences. These improvements will also allow the property owner to make greater use of the driveway. The parking pad, together with the rehabilitated driveway will have a pervious surface, such as grasscrete, therefore softening and improving the aesthetics of the driveway. Pervious surfaces aid in storm water infiltration and are encouraged to be used on driveways as a storm water Best Management Practice.

Section 6. Based upon the foregoing findings, and the evidence in the record, the Planning Commission hereby approves Applicant's requests in Zoning Case No. 948 for Variances allowing creation of a parking pad within the 30' roadway easement and a new trash enclosure to encroach into the front yard setback subject to the following conditions:

A. This approval shall expire within two years from the effective date of approval unless the approval granted is otherwise extended pursuant to the requirements of RHMC Section 17.38.070.

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, if any, 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 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 stop work order. If the Council determines that a violation has occurred and has not yet been cured, the Council shall provide the Applicant with a deadline to cure the violation; no

construction work shall be performed on the property until and unless the violation is cured by the deadline, other than work designated by the Council to accomplish the cure. If the violation is not cured by the deadline, the Council may either extend the deadline at the Applicant's request or schedule a hearing for the revocation of the entitlements granted by this Resolution pursuant to Chapter 17.58 of the RHMC.

C. All requirements of the Building and Construction Ordinance, the Zoning Ordinance, and of the zone in which the subject property is located must be complied with unless otherwise set forth in 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 received on January 3, 2019, 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 Variance approvals shall be incorporated into the building permit working drawings, and where applicable complied with prior to issuance of a grading or building permit from the building department. The conditions of approval of this Resolution shall be printed onto 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.

E. 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 stating that the project will be constructed according to this Resolution and any plans approved therewith.

G. Structural lot coverage of the lot shall not exceed 6,547 square feet or 17.53% of the net lot area, in conformance with lot coverage limitations (20% maximum)

(without deductions). The structural coverage on the residential building pad shall not exceed 6,665 square feet or 83.9% (30% max)(without deductions).

The total lot coverage proposed, including structures and flatwork, shall not exceed 12,303 square feet or 32.95%, of the net lot area, in conformance with lot coverage limitations (35% max)(without deductions).

H. The overall grading for the project shall not exceed 51 cubic yards total with no dirt export. The disturbed area of the lot, shall not exceed 39.74%.

I. The surface of the parking pad and the rehabilitated driveway shall consist of pervious paving, such grasscrete or similar materials.

J. The occupants of the subject property shall not, at any time, place, store or park recreational vehicles in the parking pad area nor use the area for any other type of outdoor storage.

The wall surrounding the trash enclosure shall not exceed 6' in height.

L. The applicant shall enhance the existing landscaping on the property to adequately screen the parking pad and the trash enclosure from neighboring properties to the satisfaction of City staff and the Fire Department.

M. 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.

N. If any improvements are made to the residence or the garage, and if applicable, all utility lines to the structures shall be placed underground, subject to all applicable standards and requirements.

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

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

Q. The setback lines and roadway easement lines in the vicinity of the construction for this project shall remain marked 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.

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

S. 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.

T. *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.

U. *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, when construction and mechanical equipment noise is permitted, so as not to interfere with the quiet residential environment of the City of Rolling Hills.

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

http://www.wrh.noaa.gov/lox/main.php?suite=safety&page=hazard_definitions#FIRE.

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

W. 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

drainage facilities management. Further, if applicable, the property owners shall be required to conform to the County Health Department requirements for a septic system.

X. Prior to finalizing the project an “as constructed” set of plans and certifications, shall be provided to the Planning Department and the Building Department to ascertain that the completed project is in compliance with the approved plans. In addition, any modifications made to the project during construction, shall be depicted on the “as built” plan.

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. The applicant must screen the parking pad by maintaining adequate landscaping to screen it from neighbors and any new trees or shrubs, shall not at any time during growth be higher than the ridgeline of the existing ridgeline of the residence.

AA. 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.

AB. The property on which the project is located shall maintain an area of minimum of 1,000 square feet to provide an area meeting all standards for a future stable (450 square feet) and corral (550 square feet) with access thereto.

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

AD. Perimeter easements, including roadway easements and trails, if any, shall remain free and clear of any improvements to advance equestrian use and emergency preparedness within the City. Where RHCA has demonstrated authority over the easement, the City’s Planning Director may grant relief from this condition upon satisfactory proof of permission from RHCA and a legitimate showing that there is no need for the condition to advance equestrian uses and emergency preparedness.

PASSED, APPROVED AND ADOPTED THIS 15TH DAY OF JANUARY 2019.

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. 2019-01 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR VARIANCES TO CREATE A PARKING PAD WITHIN 30 FEET OF THE ROADWAY EASEMENT AND CONSTRUCT A TRASH ENCLOSURE WITHIN THE FRONT YARD SETBACK IN ZONING CASE NO. 948 AT **15 GEORGEFF ROAD, LOT 29-GF, (LAURA HATCH).**

was approved and adopted at a regular meeting of the Planning Commission on January 15, 2019 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.

YVETTE HALL, CITY CLERK



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 Item No. 6B
Mtg. Date: 1-15-19

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR *YSP*

APPLICATION NO. ZONING CASE NO. 952 (RESOLUTION NO. 2019-02)
SITE LOCATION: 2 CHUCKWAGON ROAD (LOT 38-A/39-BEF)
ZONING AND SIZE: RAS-1, 1.17 ACRES (GROSS)
APPLICANT: KIRMSE/GALVIN
REPRESENTATIVE: JESUS RIVAS, EZ PLANS, INC.

PUBLISHED: OCTOBER 11, 2018

PREVIOUS ACTION AND RECOMMENDATION

The Planning Commission held public hearings in this case at their October 23, 2018 and December 12, 2018 meetings and at the site on December 12, 2018. At the December 12, 2018 meeting, the Planning Commission directed staff to prepare a Resolution of approval for with standard findings and conditions.

It is recommended that the Planning Commission consider Resolution No. 2019-02 for approval. The resolution contains findings and standard conditions, including the conditions recently developed for construction fencing and construction trailers.

REQUEST AND PROJECT DESCRIPTION

The Project

The applicant is requesting a Conditional Use Permit to construct a new 660 square foot detached garage and Variance to encroach up 3' with the detached garage into the required 50-foot rear yard setback and to construct a 308 square foot addition to the existing garage which would encroach up to 12'2" into the required 50-foot rear yard setback. The existing garage and addition, totaling 790 square feet, will be used as living space.

Other

A 1,000 square foot set aside area for a future stable and corral is proposed to be located to the side (east of) the detached garage.

One of the two driveways, off of Chuckwagon, will be closed off and transformed to a garden area and landscaping.

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

The property is zoned RAS-1 and the gross lot area is 51,010 square feet. For development purposes the net lot area of the lot is 31,841 square feet. The lot is located on a corner of Eastfield Drive and Chuckwagon Road and is encumbered by 30'-wide roadway easements on both sides. The address is on Chuckwagon, whereas the driveway to the house is on Eastfield. The applicant requested a change of address from Chuckwagon Road to Eastfield, so that the entryway, address and the driveway are facing Eastfield; however, there isn't an unclaimed address number that could be used for this property.

The lot is developed with a 2,380 square foot residence and 482 square foot garage attached to the residence via a breezeway. The existing development is located to the side and rear of the property leaving the front of the property open, natural and undisturbed.

Driveways

There are two driveway approaches to the property. The primary driveway is off of Eastfield and leads into the front of the property; the other driveway is steep and is off of Chuckwagon and leads to the rear of the property. This driveway is proposed to be abandoned and the apron closed off with a curb. The area of this driveway will be terraced between four not to exceed 2.5' high garden walls and will be landscaped and/or used for a garden. This work does not constitute grading in terms of requirement for a Site Plan Review or grading permit.

Past Approval for the Property

Assessors' records indicate that the house was built in 1940 and upgraded in 1970. In 2002 permit for electrical work was granted and in 2014 a 668 square foot addition to the house was constructed and the house was remodeled. It is interesting to note that this addition was constructed with hemp Crete, which was the first time a hemp material construction was permitted in California.

MUNICIPAL CODE COMPLIANCE**Grading and Stabilization**

No grading is proposed for this project.

Disturbance

The total disturbed area for the project site is 17,716 square feet or 55.6%, and is legal non-conforming. The proposed project will not create greater disturbance at this time. The areas of the lot where the work will take place have been previously disturbed.

Height

The finished roof height of the proposed addition and the garage will be between 13'3" and 14'4" feet and will match the residence. Height is measured from the finished grade.

Drainage

Applicant will be required to submit a drainage plan, which will be reviewed by the Building Department prior to issuance of any building permits.

Utility Lines / Septic Tank

The house utility lines are undergrounded and will be undergrounded to the new garage. The applicant will have to meet Los Angeles County Public Health Department requirements for septic tank.

Lot Coverage

The structural net lot coverage is proposed at 5,204 square feet or 16.3% (20% max. permitted). The total lot coverage proposed (structural and flatwork) will be 8,411 square feet or 26% (35% max. permitted).

The building pad coverage on the 9,786 square foot residential building pad will be 4,887 square feet (with allowable deductions for covered porch) or 50.0%, and includes all of the structures.

Walls

Other than the garden walls in the closed off driveway, no walls are included in the proposed project.

Stable and Corral Set Aside

A 1,000 square foot stable and corral set aside area is proposed on the site. If constructed, access would be taken from the existing driveway. The site meets the setback requirements, although it is proposed to be partially located in the rear setback, which is allowed for stables and corrals. The set aside area is not required to be 35' from the proposed detached garage, as the detached garage is not habitable space. (Although, if the garage were attached to the main residence, the stable/corral or set aside area would have to be located minimum 35' from the garage).

Detached Garage requirements -Section 17.16.210 (4)

Pursuant to the Zoning Ordinance, detached garage is allowed with a Conditional Use Permit and the following regulations apply:

4. Detached garage providing that the following conditions are met:
 - a. Shall not be located in the front yard or any setback.
 - b. A sink and toilet shall be permitted.
 - c. A kitchen or kitchenette shall not be permitted.
 - d. No sleeping quarters or renting of the structure shall be permitted.
 - e. The Planning Commission shall have the ability to limit the size of the detached garage in relationship to the size of the residence, topography, size of the lot and other conditions.

The proposed structure meets the above conditions, except that a portion will encroach 3' into the rear setback, and a variance is requested. These conditions are stipulated in the Resolution of approval.

Environmental

The project is categorically exempt (Class 1- Existing facilities-additions) pursuant to the California Environmental Quality Act (CEQA) Guidelines.

Rolling Hills Community Association Review

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

Planning Commission Responsibilities

When reviewing a development application, the Planning Commission must consider whether the proposed project meets the criteria for a Conditional Use Permit and Variances, as listed below.

Justification from Applicant

The applicant states that the variance for encroachment is warranted because "2 Chuckwagon is a corner lot with steep slopes which prevent maximum buildable area allowed per the zone. The lot is unique triangle like shape and 50' rear and front setbacks also prevent buildable area. Adding a garage encroaching into rear yard will help parking issues. Due to steep slopes, additions will not be visible from street or neighbors nor block any views. The project proposes extra parking; the design is consistent with current style and will enhance the property's look. Further, no additional grading nor any alteration will be required to the lot and space and size of the lot accommodate proposed garage."

Project Summary

CUP & VR	EXISTING		PROPOSED	
RA-S- 1 ZONE SETBACKS Front: 50 ft. from front easement line Side: 20 ft. from side property line Rear: 50 ft. from rear property line	SINGLE FAMILY RESIDENCE, ATTACHED GARAGE THRU BREEZEWAY		LIVING SPACE ADDITION, NEW DETACHED GARAGE	
Variance is required for encroachment into rear yard. CUP for detached garage	Residence	2380 s.f.	Residence	3170 s.f.
	Garages	489 s.f.	Garages	660 s.f.
	Stable-future	450 s.f.	Stable-future	450 s.f.
	Attach porch-	588 s.f.	Attach porch-	588 s.f.
	Breezeway	240 s.f.	Breezeway	240 s.f.
			Service yard	96 s.f.
	TOTAL	3,298	TOTAL	5,204
GRADING Site Plan Review required if excavation and/or fill or combination thereof that is more than 3 feet in depth and covers more than 2,000 sq. ft.) must be balanced on-site.	N/A		NONE	
STRUCTURAL LOT COVERAGE (20% maximum)	10% of 31,841 s.f. net lot area		16.3% of 31,841 s.f. net lot area	
TOTAL LOT COVERAGE (35% maximum)	29% of 31,841 s.f. net lot area		26% of 31,841 s.f. net lot area (reduced due to removal of the second driveway)	
BUILDING PAD COVERAGE (30% maximum-guideline) Residential	36% of 9,786 s.f. pad		50% of 9,786 s.f. pad	
DISTURBED AREA (40% maximum; any graded building pad area, any remedial grading (temporary disturbance), any graded slopes and building pad areas, and any non-graded area where impervious surfaces exist.)	55.6%		55.6%	
STABLE (min. 450 S.F. & 550 S.F. CORRAL)	450/550 s.f. (set aside)		450/550 s.f. (set-aside)	
STABLE ACCESS	From existing drwy		From existing drwy	
ROADWAY ACCESS	Existing driveway approach		Existing driveway approach	
VIEWS	N/A		Planning Commission review	
PLANTS AND ANIMALS	N/A		Planning Commission review	

CRITERIA FOR APPROVAL OF CONDITIONAL USE PERMIT

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

The Commission (and Council on appeal), in acting to approve a conditional use permit application, may impose conditions as are reasonably necessary to ensure the project is consistent with the General Plan, compatible with surrounding land use, and meets the

provisions and intent of this title. In making such a determination, the hearing body shall find that the proposed use is in general accord with the following principles and standards:

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

CRITERIA FOR VARIANCES

17.38.050 Required 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.

SOURCE: City of Rolling Hills Zoning Ordinance

RESOLUTION NO. 2019-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A CONDITIONAL USE PERMIT TO CONSTRUCT A 660 SQUARE FOOT DETACHED GARAGE AND VARIANCE TO ENCROACH WITH THE GARAGE AND WITH A RESIDENTIAL ADDITION INTO THE REAR SETBACK, IN ZONING CASE NO. 952 AT 2 CHUCKWAGON ROAD, LOT 38-A/38-BEF. (KIRMSE/GALVIN).

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 the property owners with respect to real property located at 2 Chuckwagon Road Road, Rolling Hills (Lot 38-A/38BEF) requesting a Conditional Use Permit to construct a new 660 square foot detached garage and Variance to encroach up to 3' with the detached garage into the required 50-foot rear yard setback and to encroach up to 12'2" into the required 50-foot rear yard setback with a 308 square foot residential addition. The 308 square foot addition, if not for the Variance could be approved administratively. The existing garage and addition, totaling 790 square feet, will be used as living space. A 1,000 square foot set aside area for a stable and corral has been designated on site.

Section 2. The Planning Commission conducted a duly noticed public hearing on October 23, 2018 and December 12, 2018 meetings and at the site on December 12, 2018. At the December 12, 2018 evening meeting, the Planning Commission provided direction to staff to prepare a resolution of approval for the proposed project.

Neighbors within a 1,000-foot radius were notified by mail of the public hearings and a notice was published in the Peninsula News on October 11 2018. The applicants and their agents were notified of the public hearings and the applicants and agents were in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal, and from members of the City staff.

Section 3. The property is zoned RAS-1 and the gross lot area is 51,010 square feet. For development purposes the net lot area of the lot is 31,841 square feet. The lot is located on a corner of Eastfield Drive and Chuckwagon Road and is encumbered by 30'-wide roadway easements on two sides. The lot is developed with a 2,380 square foot residence and 482 square foot garage attached to the residence via a breezeway.

Section 4. The Planning Commission finds that the project is exempt from the California Environmental Quality Action (CEQA) pursuant to Class 1, Section 15301 of the CEQA guidelines.

Section 5. Conditional Use Permit. Section 17.16.210 (A)(4) of the Rolling Hills Municipal Code permits approval of a detached garage with a Conditional Use Permit. The proposed 660 square foot detached garage complies with all requirements of this section with exception of a 3' encroachment into the rear yard setback with 22 square feet of the structure. Variance for this condition is being granted concurrently in this resolution. The Planning Commission must consider applications for a Conditional Use Permit and may, with such

conditions as are deemed necessary, approve a conditional use which complies with the findings in RHMC Section 17.42.050. With respect to this request for a Conditional Use Permit, the Planning Commission finds as follows:

A. The proposed conditional use is consistent with the General Plan. The granting of a Conditional Use Permit for the detached garage would 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, and meets all the applicable code development standards for such uses, and is located in the area on the property that is adequately sized to accommodate such use. The proposed use is sufficiently separated from nearby structures. The detached garage will be constructed in furtherance of the Rolling Hills goal of minimizing disturbance and grading of lots, as this project will be located on a previously graded and disturbed area of the property, and no new area of the lot will be disturbed.

B. 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, buildings, or structures. The proposed garage use is separated from the roadway easement, is of sufficient distance from nearby residences so as to not impact the view or privacy of surrounding neighbors, and is conveniently located for enjoyment of the property owners.

C. The site for the proposed conditional use is of adequate size and shape to accommodate the use and building proposed. The proposed use complies with the low profile residential development pattern of the community and will not give the property an over-built look. The height of the detached garage will match the height of the existing structures on the lot. The location of the detached garage will allow the remaining portions of the lot to remain undisturbed and the existing undulated topography of the lot will remain, giving the property a look of openness.

D. The proposed conditional use complies with all applicable development standards of the zone district. The detached garage meets the requirements in Sections 17.16.210(A)(4) of the Zoning Ordinance except that a portion encroaches into the rear yard setback. Variance is being granted concurrently herewith.

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

F. The proposed conditional use observes the spirit and intent of this title. . The property currently is improved with a small garage that is very inconveniently located on the lot and the owners normally park in the driveway. The detached garage will be adjacent to an existing driveway, therefore convenient for egress and ingress, in close proximity to the residence and will accommodate 3 cars. The proposed detached garage furthers the City's goal for promoting parking in enclosed garages, rather than driveways.

Section 6. Variances. Sections 17.38.010 through 17.38.050 of the Rolling Hills Municipal Code permit approval of Variances granting relief from the standards and requirements of the Zoning Ordinance when exceptional or extraordinary circumstances

Resolution No. 2019-02
2 Chuckwagon

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. A variance from the requirements of RHMC Section 17.16.130 (structures cannot be located in the rear setback) is being requested to encroach 3 feet with 22 square feet of the 660 square foot detached garage into the rear setback and 12'2" with 272 square feet of the proposed 308 square foot residential addition into the rear setback. The 308 square foot addition, if not for the Variance request, could be approved administratively. With respect to the aforementioned request for variances, the Planning Commission finds as follows:

A. There are exceptional or extraordinary circumstances and conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone.

There are exceptional circumstances and conditions on the subject property, including the natural slope of the lot, location of the lot on a corner of two major street encumbered by 30' wide roadway easements on two sides, location of the building pad and the shape of the lot, all of which constrain development. The lot is oddly shaped and the building pad with the existing structures is already developed in the southwestern portion of the lot, closest to the rear and side setbacks. Due to the location of the building pad and the already existing development on the pad, any other improvements in the proximity of the house would require an encroachment variance. Otherwise, the natural, undulated portion of the remaining of the lot would have to be graded and disturbed to accommodate the addition and the garage. Continuing to develop in the southwestern quadrant of the lot, rather than moving the development closer to the front (north side), towards the corner of the two streets, preserves the open space of the area of the lot closest to the corner of the two major streets.

B. The variances are necessary for the preservation and enjoyment of a substantial property rights possessed by other properties in the same vicinity and zone but which is denied to the property in question.

The existing 2-car garage is inconveniently located and is not easily accessible, and is therefore not used for parking. The three car detached garage would meet the owners' parking requirements and would remove cars from the driveway. A three-car garage is an amenity enjoyed by many property owners in the City and in the neighborhood. Given the shape of the lot, the 3' encroachment with 22 square feet of the proposed garage is minimal and the garage would be conveniently located for the owners' use.

As stated earlier, the existing garage will be converted to living area, and 308 square feet would be added thereto; of which a portion would encroach 12'2" into the rear yard setback. The existing garage is inconvenient for its use and is currently used for storage. With the addition and conversion it will be of an adequate size for additional living space. The existing house is one of the smallest homes (2,380 sq.ft.) in the neighborhood and with the 308 square foot addition would become comparable to the rest of the homes in the area.

C. The granting of the variances will not be materially detrimental to the public welfare or injurious to the properties or improvements in such vicinity.

Both the detached garage and the residential addition, which would encroach into the rear setback, will not be detrimental to the public welfare or injurious to the properties or improvements in such vicinity because the additions will only be minimally visible from the

rear (south) lot and only from the driveway of that lot. The construction of the improvements blends in with the existing house and is located on the same building pad as the existing structures. The remainder of the lot will be undisturbed and its topography maintained as undulated knolls. Anyone driving along the lot and the corner of the two streets will not see any difference in the character of lot, and the lot will retain the feel of openness.

D. In granting the variances, the spirit and intent of the Zoning Ordinance will be observed.

The garage and addition will be within the spirit and intent of the Zoning Ordinance. It will not detrimentally affect the rural and equestrian character of the community. The design of the improvements is orderly and attractive and the style is cohesive with the rural and equestrian character of the neighborhood. The proposed improvements will match the height and the construction of the existing improvements. Additionally, the placement of these improvements allow for a set aside area for a future stable and corral in a very desirable area of the lot, without having to grade or disturb other portions of the lot, if constructed.

E. The variances will not grant special privilege to the applicant.

The variances will not grant special privilege to the applicants because as discussed, the location of the new detached garage is adjacent to the residence, making it convenient and very likely usable as a garage, whereas the existing garage is not used for that purpose. And the addition to the existing garage will allow it to be converted to a reasonable size living space. The existing house is one of the smallest homes (2,380 sq.ft.) in the neighborhood and with the 308 square foot addition would become comparable to the rest of the homes in the area.

F. The variances are consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities. The project site is not listed on the current State of California Hazardous Waste and Substances Sites List. It will not affect any existing hazardous waste management facilities.

G. The variances are consistent with the General Plan of the City of Rolling Hills.

Although the variances will allow the detached garage and the addition to encroach into the rear yard setback it will allow the property owner to make greater use of the property. Accordingly, the project is still in line with the General Plan's requirement of low profile, low-density residential development with sufficient open space between surrounding structures. Finally, the project is still in line with the General Plan's requirement of low profile, low-density residential development with sufficient open space between surrounding structures. There is still sufficient space in the rear setback to buffer the property's residential use from other neighboring residences.

Section 7. Based upon the foregoing findings, and the evidence in the record, the Planning Commission hereby approves Applicant's requests in Zoning Case No. 952 Conditional Use Permit to construct a new 660 square foot detached garage and Variance to encroach up to 3' with the detached garage into the required 50-foot rear yard setback and to encroach up to 12'2" into the required 50-foot rear yard setback with a 308 square foot residential addition, subject to the following conditions:

A. This approval shall expire within two years from the effective date of approval unless the approval granted is otherwise extended pursuant to the requirements of RHMC Sections 17.46.080 and 17.38.070.

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, if any, 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 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 stop work order. If the Council determines that a violation has occurred and has not yet been cured, the Council shall provide the Applicant with a deadline to cure the violation; no construction work shall be performed on the property until and unless the violation is cured by the deadline, other than work designated by the Council to accomplish the cure. If the violation is not cured by the deadline, the Council may either extend the deadline at the Applicant's request or schedule a hearing for the revocation of the entitlements granted by this Resolution pursuant to Chapter 17.58 of the RHMC.

C. All requirements of the Building and Construction Ordinance, the Zoning Ordinance, and of the zone in which the subject property is located must be complied with unless otherwise set forth in 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 received on October 12, 2018 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 Conditional Use Permit, and Variance approvals shall be incorporated into the building permit working drawings, and where applicable complied with prior to issuance of a grading or building permit from the building department.

The conditions of approval of this Resolution shall be printed onto 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.

E. 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 stating that the project will be constructed according to this Resolution and any plans approved therewith.

G. 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.

H. The structural net lot coverage shall not exceed 5,204 square feet or 16.3% (20% max. permitted). The total lot coverage proposed (structural and flatwork) shall not exceed 8,411 square feet or 26% (35% max. permitted).

The building pad coverage on the 9,786 square foot residential building pad shall be 4,887 square feet (with allowable deductions for covered porch) or 50.0%, and a future 450 square foot stable.

I. The following conditions pursuant to Section 17.16.210(A)(4) of the RHMC regarding construction of a detached garage shall be met:

1. A sink and toilet shall be permitted.
2. A kitchen or kitchenette shall not be permitted.
3. No sleeping quarters or renting of the structure shall be permitted.

J. The finished roof height of the proposed addition and the garage will be between 13'3" and 14'4" feet and will match the residence. Height is measured from the finished grade.

K. There shall be no grading for this project. The total disturbed area of the lot is 17,716 square feet or 55.6%, and is legal non-conforming.

L. All utility lines to the garage and addition shall be placed underground, subject to all applicable standards and requirements.

M. The driveway approach off of Chuckwagon Road shall be closed off with a curb and the driveway demolished. The driveway area should be landscaped or used as a garden. Any work in the roadway shall be approved by the RHCA.

N. The applicants 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 on 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.

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

P. The setback lines in the vicinity of the construction for this project shall remain marked 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.

Q. The property on which the project is located shall maintain an area of minimum of 1,000 square feet to provide an area meeting all standards for a future stable (450 square feet) and corral (550 square feet) with access thereto.

R. 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 the proposed structures, or as otherwise required by the Fire Department.

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

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

U. Prior to any demolition of the existing structures associated with the project, 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.

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

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

X. *During construction*, 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, when construction and mechanical equipment noise is permitted, so as not to interfere with the quiet residential environment of the City of Rolling Hills.

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

Z. Perimeter easements, including roadway easements and trails, if any, shall remain free and clear of any of improvements to advance equestrian use and emergency preparedness for evacuation within the City. Where RHCA has demonstrated authority over the easement, the City's Planning Director may grant relief from this condition upon satisfactory proof of permission from RHCA and a legitimate showing that there is no need for the condition to advance equestrian uses and emergency preparedness.

AA. 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.

AB. *During construction*, all parking shall take place on the project site, and, if necessary, any overflow parking may take place within the unimproved roadway easement along the streets, 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.

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 and storm water drainage facilities management. Further the property owners shall be required to conform to the County Health Department requirements for a septic system.

AD. Prior to finalizing the project an "as constructed" set of plans and certifications shall be provided to the Planning Department and the Building Department to ascertain that the completed project is in compliance with the approved plans. In addition, any modifications made to the project during construction, shall be depicted on the "as built" 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.

PASSED, APPROVED AND ADOPTED THIS 15TH DAY OF JANUARY 2019.

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. 2019-02 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A CONDITIONAL USE PERMIT TO CONSTRUCT A 660 SQUARE FOOT DETACHED GARAGE AND VARIANCE TO ENCROACH WITH THE GARAGE AND WITH A RESIDENTIAL ADDITION INTO THE REAR SETBACK, IN ZONING CASE NO. 952 AT 2 CHUCKWAGON ROAD, LOT 38-A/38-BEF. (KIRMSE/GALVIN).

was approved and adopted at a regular meeting of the Planning Commission on January 15, 2019 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.

YVETTE HALL, CITY CLERK



MEMORANDUM TO RECUSE

TO: Honorable Planning Commissioners

FROM: Yvette Hall, City Clerk

SUBJECT: Zoning Case No. 953
13 Portuguese Bend Road

DATE: January 15, 2019

Due to the proximity of the property of **Planning Commissioner Seaburn** to the subject property, **Commissioner Seaburn** should recuse himself from consideration of Zoning Case No. 953 at 13 Portuguese Bend Road. He may, however, take a seat in the audience and participate as a resident.



MEMORANDUM TO RECUSE

TO: Honorable Planning Commissioners

FROM: Yvette Hall, City Clerk

SUBJECT: Zoning Case No. 953
13 Portuguese Bend Road

DATE: January 15, 2019

Due to the proximity of the property of **Planning Commissioner Cardenas** to the subject property, **Commissioner Cardenas** should recuse himself from consideration of Zoning Case No. 953 at 13 Portuguese Bend Road. He may, however, take a seat in the audience and participate as a resident.



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 Item No. 7A
Mtg. Date: 01-15-2019

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: JULIA STEWART, SENIOR PLANNER JS

THRU: YOLANTA SCHWARTZ, PLANNING DIRECTOR YS

APPLICATION NO.	ZONING CASE NO. 953
SITE LOCATION:	13 PORTUGUESE BEND ROAD (LOT 77-RH)
ZONING AND SIZE:	RAS-1, 2.12 ACRES (GROSS)
APPLICANT:	SEAN CARDENAS
REPRESENTATIVE:	TAVISHA ALES, BOLTON ENGINEERING
PUBLISHED:	NOVEMBER 29, 2018

PROJECT DESCRIPTION AND RECOMMENDATION

The Project

The applicant is proposing to demolish the existing stable and construct a new stable with a loft.

Site Plan Review

The applicant is requesting a Site Plan Review for the grading required to construct a new stable. The total combined grading for this project will consist of 1,470 cubic yards of cut and fill.

Conditional Use Permit

A Conditional Use Permit is requested for the construction of a 2,464 square foot stable, which includes a 702 square foot tack room and 56 square foot bathroom, plus 1,024 square feet of stable covered porches, and a 896 square foot loft.

Field Visit

The Planning Commission was scheduled to view the project at the subject property but has postponed the field visit to the next Planning Commission field visit, which was held today in the morning, (January 15, 2019).

BACKGROUND**Demolition**

The applicant proposes to retain the existing corral but demolish the existing stable (single-story, 1,505 square feet). There is a 100 square foot shed next to the existing stable that is also proposed to be demolished.

Zoning and Land Size

The property is zoned RAS-1 and the gross lot area excluding is 2.12 acres. For development purposes the net lot area of the lot is 79,761 square feet or 1.83 acres.

Driveway and Motor Court

The applicants propose to retain the existing driveway apron, and to construct a new pervious section of driveway off the existing that will provide vehicular access to the new stable.

Past Property Approvals

The property was previously approved with a 3,436 square foot residence, 1,213 square foot detached garage, the stable and a swimming pool & spa.

MUNICIPAL CODE COMPLIANCE**Grading and Stabilization**

As stated previously, the total combined grading for this project will consist of 1,470 cubic yards of cut and fill. Construction activities will include grading of 735 cubic yards of cut (including 550 cubic yards of overexcavation) and 735 cubic yards of fill (including 550 of recompaction). No dirt will be exported, as it will be balanced on site.

Disturbance

All work is proposed to be conducted within the previously disturbed portion of the lot. The existing legal non-conforming disturbed area is 67.1%. No variance is needed.

Height

The height of the highest ridgeline of the proposed stable will be 24 feet. A cupola above the highest ridge is also proposed.

Drainage

Storm water runoff and erosion control will comply with City's Low Impact Development requirements and LA County requirements for utilizing Best Management Practices (BMPs) for storm water management. The existing drainage

direction on the property is not anticipated to change, but will be reviewed by the Building Department drainage and grading engineer.

Lot Coverage

The existing structural coverage on the lot is 8,514 (with deductions) or 10.67%. The overall structural net lot coverage once the proposed project is included is 10,497 square feet (with deductions) or 13.16% (20% max. permitted). The total lot coverage proposed (structural and flatwork) is proposed to be 21,637 square feet overall (with deductions) or 27.13% (35% max. permitted). This is an increase from the previous overall coverage by 3.85%

The residential building pad is 24,360 square feet, which is a slight increase of 445 square feet. The total pad structural coverage is 6,909 square feet (with deductions) or 28.36%, (30% guideline). The coverage includes the residence, detached garage, swimming pool & spa, pool equipment, and service yard structures.

The stable building pad is proposed to be 12,170 square feet (which includes a slight decrease of 410 square feet) with a proposed pad coverage of 3,342 square feet (with deductions) or 27.46%(30% guideline).

Walls

There are no additional exterior walls included in the proposed project.

Stable Access

Stable access is proposed for vehicles off the main driveway. There are two potential paths of access for horses from the rear of the property off Blackwater Canyon Trail or from the easement that runs along the corral off of Portuguese Bend Road. Access to the loft will be taken from an exterior staircase.

CONDITIONAL USE PERMIT SUMMARIES

A Conditional Use Permit is required for the stable pursuant to Section 17.18.060.

The proposed stable will have a 2,464 square foot footprint including the 702 square foot tack room and 56 square foot bathroom; plus a 896 square feet loft area but excluding the covered porches and exterior stairway.

The following requirements must be met for a stable:

Pursuant to the zoning code requirements the following is applicable to this request:

REQUIREMENTS	PROPOSED
Not less than 6' wide roughened access; if greater than 1,000 sq.ft. stable access to comply with Fire Dept. requirements.	Proposed slightly less than 20' wide vehicular access off driveway and over 6' horse access from easement and bridal trail.
Stable, corral not to be located on slopes greater than 4:1	Located on area with a slope no greater than 4:1

Not in front yard or side or front setback. May be located up to 25' in rear setback.	Stable and corral comply
Min. 35' from any residential structure	Complies with requirement- over 50 feet from neighboring structures
Building to be designed for rural and agricultural uses only, but may include storage of vehicles and household items	Building is proposed to look like a stable and be used for a stable
Size to include the entire footprint including loft, if any	4,475 sq.ft., including the stable footprint with loft, covered porches and exterior stairway.
Minimum of 60% of the size of the structure shall be maintained for agricultural uses	Agricultural spaces include 4 stalls, and storage and tool rooms and is 71% of the size of the structure
Maximum of 40% of the size of the structure, but not to exceed 800 s.f. may be maintained for a tack room	Tack room of 702 sq.ft. (plus 56 square foot bathroom) - 29% of the structure
Tack room may have sanitary and kitchenette amenities	Proposed bathroom adjacent to Tack Room
Tack room may have glazed openings	No window proposed in tack room
Entry doors to agricultural space to be min. 4' wide & 8' high; appearance of a stable door	To comply- to be reviewed by the Architectural Committee.
Loft is permitted	896 s.f. loft proposed
Loft plate height may not exceed 7'	To comply
Exterior area of stables may not to be paved	Unpaved corral adjacent to the stable; D.G. on one side only to allow for vehicular and Fire Dept. access
Corral shall be fenced	Proposed fenced corral
Access not to exceed 25%	Access complies
Corral to be contiguous to stable. Planning Commission may determine the size of a corral based on the size of the stable	Corral to be contiguous to stable.
Commercial uses or sleeping is not allowed	Applicant is not proposing any commercial uses or sleeping in the stable

Utility Lines / Septic Tank

It will be a requirement that utility lines to all of the proposed structures be placed underground.

If a new septic tank is being considered for installation it must be reviewed by the Los Angeles County Department of Public Health.

General

Non-conforming Conditions

There is one permitted existing non-conforming use on the property. The existing residence has a small portion of the structure located within the front setback. The shed located in the side setback will be demolished.

Applicant's Justification

The applicant states the following in regards to the project:

"[The applicant is] building a new barn with a hay loft to replace [the] existing barn as allowed per Zoning Code 17.16.210.A.4. The new barn/stable will include the desired features for equestrian use including run-ins, tack room, hay storage and stalls.

The proposed conditional use is consistent with the current use and the General Plan. The proposed stable will be used for equestrian purposes and will meet all requirements for the CUP.

The surrounding lots all (11,14 & 15 PBR & 1 Lower Blackwater) have been developed in a similar manner with stables. The adjacent structure at 11 PBR is also a stable.

The proposed stable will be located in the same area as the existing stable and will not require any variances.

All applicable development standards are being met by keeping the size, location, design and disturbance within the standards".

Rolling Hills Community Association Review

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

Planning Commission Responsibilities

When reviewing a development application, the Planning Commission must consider whether the proposed project meets the criteria for a Site Plan Review and Conditional Use Permit, as attached below.

Environmental Review

The project has been determined to be categorically exempt pursuant to Class 3, Section 15303 of the California Environmental Quality Act (CEQA) guidelines.

Project Summary

SITE PLAN REVIEW	EXISTING		PROPOSED OVERALL TOTAL	
RAS- 1 ZONE SETBACKS Front: 50 ft. from front easement line Side: 20 ft. from property line Rear: 50 ft. from rear easement line	SINGLE FAMILY RESIDENCE WITH GARAGE, POOL AND STABLE.		SINGLE FAMILY RESIDENCE WITH GARAGE, POOL AND LARGER STABLE.	
(Site Plan Review required for	Residence	3,436 sq.ft.	Residence	3,436 sq.ft.

grading, new structures including new residence and if size of addition increases by more than 999 s.f. in a 36-month period).	Garage	1,213 sq.	Garages	1,213 sq.ft.
	Pool	565 sq.ft.	Pool and spa	565 sq.ft.
	Pool Equipment	64 sq. ft.	Pool Equipment	64 sq. ft.
	Stable	1,505sq. ft.	Stable	2,464 sq.ft.
	Service Yard	96 sq.ft.	Service yard	96 sq.ft.
	Porches	1,335 sq. ft.	Porches	2,359 sq.ft.
	Shed	200 sq. ft.	Shed	200 sq.ft.
	Stable shed	100 sq. ft.	Stable shed	0 sq. ft.
	TOTAL	8,514 sq.ft	TOTAL	10,397 sq.ft
<u>STRUCTURAL LOT COVERAGE</u> (20% maximum)	10.67%		13.16% (with deductions)	
<u>TOTAL LOT COVERAGE</u> (35% maximum)	23.28%		27.13%	
<u>BUILDING PADS (30% guideline)</u> Residence, pool, other misc. structures	26.95% residence pad coverage		26.45% residence pad coverage	
<u>STABLE</u>	12.75% stable pad coverage		27.46% stable pad coverage	
<u>GRADING</u> Site Plan Review required if excavation and/or fill or combination thereof that is more than 3 feet in depth and covers more than 2,000 sq.ft.) must be balanced on site.	Unknown		735 c.y. cut and 735 c.y. fill to be balanced on site Over-excavation 550 c.y. Re-Compaction 550 c.y. No dirt. exported from site (Overall, 1,470 c.y.)	
<u>DISTURBED AREA</u> (40% maximum; any graded building pad area, any remedial grading (temporary disturbance), any graded slopes and building pad areas, and any nongraded area where impervious surfaces exist.)	67.1%		67.1% (no change)	
<u>STABLE (min. 450 SQ.FT. & 550 SQ.FT. CORRAL)</u>	Existing stable 1,505 s.f. Existing corral ~12,000 s.f.		CUP required - 2,464 sq. ft. stable and ~12,000 sq. ft. corral (existing)	
<u>STABLE ACCESS</u>	From rear pathway off bridal trail		Vehicular access from existing driveway; Horse access from easement and existing pathway	
<u>ROADWAY ACCESS</u>	Existing driveway approach		Existing driveway approach	
<u>VIEWS</u>	N/A		Planning Commission review	
<u>PLANTS AND ANIMALS</u>	N/A		Planning Commission review	

SITE PLAN REVIEW CRITERIA

17.46.010 Purpose.

The site plan review process is established to provide discretionary review of certain development projects in the City for the purposes of ensuring that the proposed project is consistent with the City's General Plan; incorporates environmentally and aesthetically sensitive grading practices; preserves existing mature vegetation; is compatible and consistent

with the scale, massing and development pattern in the immediate project vicinity; and otherwise preserves and protects the health, safety and welfare of the citizens of Rolling Hills.

17.46.050 ***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.

CRITERIA FOR APPROVAL OF CONDITIONAL USE PERMIT:

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

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

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

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

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

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

E. That the proposed use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities;

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

SOURCE: City of Rolling Hills Zoning Ordinance

JOHN F. GEBHARD, M.D.
LESLIE JAYNE GEBHARD
#11 PORTUGUESE BEND ROAD
ROLLING HILLS, CALIFORNIA 90274

RECEIVED

JAN 09 2019

City of Rolling Hills
By _____

January 8, 2019

HAND DELIVERED

ROLLING HILLS PLANNING COMMISSION

C/O Julia Stewart

Dear Ms. Stewart,

This letter is in follow-up to, and in addition to my letter to you dated December 3, 2018. I have attached a copy of my previous letter for your reference. In addition to our three principal concerns outlined in that letter, we have expanded and additional concerns now that the proposed site of construction has been flagged over this past weekend.

The size and height of the proposed structure has even more mass than conjured up from the drawn plans. There is absolutely no doubt that the structure will impact and limit the light entering the entire South-side of our home. There is little doubt the structure will impact and limit the air flowing into the South -side of our home.

We are concerned that the increased square-footage of the structure will have a negative impact on the water-drainage from the South-side of the hill which is always a problem during even moderate rains.

JOHN F. GEBHARD, M.D.
LESLIE JAYNE GEBHARD
#11 PORTUGUESE BEND ROAD
ROLLING HILLS, CALIFORNIA 90274

Page-2

We are particularly concerned that from a Planning Commission of five individuals, two had to recuse themselves from the process of evaluating this project. The potential conflict that here is suspicious to say the least.

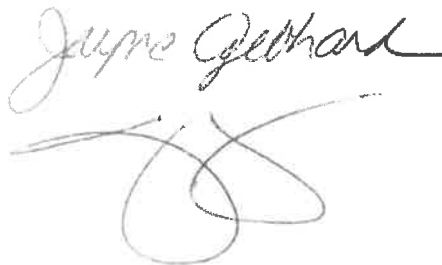
While the structure may have met the building requirements of the City of Rolling Hills, it does not fit the Community. Where is there another property in the city where anyone's home is adjacent to a Two-story building? This structure is at least 35 feet above our property elevation. It looks directly down on our bedrooms, bathroom and patio and pool. It will greatly affect our privacy

Mr. Seabourne, the recused commissioner, during the comment period of the December 12 meeting stated that he supported the project because it would increase his property values if approved. I have absolutely no doubt it will do the opposite to my home's value. Put this structure adjacent to Mr. Seabourne's "backyard" and he would no doubt have a different perspective. The simple fact is that we are the only family negatively impacted by this project.

Finally, we have been residents of Rolling Hills since 1981. We have tried to be good citizens and good neighbors. We want Sean and Monique to have a new barn, but not this concept. It's the wrong place and the wrong size.

We end, after all the negative stuff, by thanking Sean for fishing my two-year-old grandson out of our pool on a cold winter day. Where he came from we still don't know, but for that we will be eternally grateful.

Jayne and John Gebhard

A handwritten signature in dark ink, appearing to read "Jayne Gebhard", with a large, stylized flourish underneath.

JOHN F. GEBHARD, M.D.
LESLIE JAYNE GEBHARD
411 PORTUGUESE BEND ROAD
ROLLING HILLS, CALIFORNIA 90274

Agenda Item No.: 4EFT
Mtg. Date: 12-12-18

RECEIVED

DEC - 4 2018

City of Rolling Hills
By _____

Dec. 3, 2018

HAND DELIVERED

Dear Julia Stewart,

We appreciate being made aware of the process for Rolling Hills' consideration of the proposed barn construction at 13 Portuguese Bend Rd. We have three principal concerns:

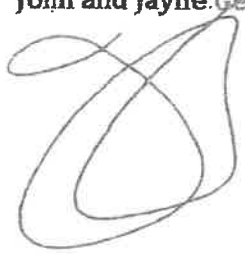
The first is the proximity of the proposed barn to our property line. It appears to be ten feet closer. Is the barn as proposed within a setback area? Would a location further away be acceptable?

The second is the size and height of the barn. Twenty-five feet tall and 2700 square feet is a big barn. Again it will be closer to our house. A smaller structure would be more palatable to us.

Finally, we noted the loft area of the proposed barn has plumbing. Is the barn intended as a dwelling unit? The possibility of human habitation so close to our house is not appealing.

Would you please make the Planning Commission aware of our concerns? We are happy to appear at the Planning Commission meeting scheduled next week. Thank you for your consideration.

John and Jayne Gebhard





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 Item No. 8A
Mtg. Date: 01-15-2019

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: JULIA STEWART, SENIOR PLANNER *JS*

THROUGH: YOLANTA SCHWARTZ, PLANNING DIRECTOR *Y*

APPLICATION NO.	ZONING CASE NO. 955
SITE LOCATION:	1 POPPY TRAIL (LOT 90 B2-RH)
ZONING AND SIZE:	RAS-2, 5.5 ACRES (GROSS)
APPLICANT:	ROGER YEH
REPRESENTATIVE:	JOSEPH SPIERER, JOSEPH SPIERER ARCHITECTS
	TAVISHA ALES, BOLTON ENGINEERING
PUBLISHED:	JANUARY 3, 2019

PREVIOUS ACTION AND RECOMMENDATION

City staff issued a public notice for a public hearing for a development proposal at 1 Poppy Trail to be held at the January 15, 2019 meeting. Upon further review and evaluation of CEQA and upon legal advice of the City Attorney's office, it was determined that the proposed project may be subject to a new CEQA review that is no longer covered by the mitigated negative declaration document used in the landslide remediation on the site. Therefore, additional time may be required to process the environmental review for the proposed development.



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 Item No. 8B
Mtg. Date: 01-15-2019

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: JULIA STEWART, SENIOR PLANNER JS

THROUGH: YOLANTA SCHWARTZ, PLANNING DIRECTOR YP

APPLICATION NO.	ZONING CASE NO. 954
SITE LOCATION:	9 WILLIAMSBURG LANE (LOT 27-RH)
ZONING AND SIZE:	RAS-1, OZ-1, 2.39 ACRES (GROSS)
APPLICANT:	MACLEAN
REPRESENTATIVE:	DAN MARTINEZ, AGENT/CONTRACTOR
	DAL-MO CHONG AND ASSOCIATES, ARCHITECT
PUBLISHED:	JANUARY 3, 2019

PREVIOUS ACTION AND RECOMMENDATION

City staff issued a public notice for a public hearing for a development proposal at 9 Williamsburg Lane to be held at the January 15, 2019 meeting. Upon further review and evaluation of the proposed project it was determined that the information provided for the proposal was insufficient to be presented to the Planning Commission at this time. Therefore, it is recommended that the project be continued to the February 19, 2019 Planning Commission evening meeting.