



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, MAY 21, 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. February 19, 2019 Regular Meeting of the Planning Commission
 - B. March 19, 2019 Regular Meeting of the Planning Commission
 - C. April 16, 2019, Adjourned Regular Meeting of the Planning Commission
 - D. April 16, 2019, Regular Meeting of the Planning Commission
6. RESOLUTIONS

A. RESOLUTION NO. 2019-09. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING A VARIANCE FROM THE REQUIREMENT THAT UTILITY LINES BE PLACED UNDERGROUND IN CONJUNCTION WITH A CONSTRUCTION OF AN ADDITION AND MAJOR REMODEL IN ZONING CASE NO. 957, AT 5 FLYING MANE LANE, ROLLING HILLS (LOT 45-SF), (WALKER).

RECOMMENDED ACTION:

1. Motion to approve/deny Resolution No. 2019-09 as written.

B. ZONING CASE NO. 953. 13 PORTUGUESE BEND ROAD, (LOT 77-RH) (CARDENAS).
Due to lack of quorum this case is being continued to the June 18, 2019 Planning Commission meeting.

7. PUBLIC HEARINGS ON ITEMS CONTINUED FROM PREVIOUS MEETING

A. **ZONING CASE NO. 956.** Request for a Site Plan Review for grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill with 835 cubic yards of export of dirt and construction of a new 6,273 square foot residence with 1,120 square foot garage and 2,037 square foot covered porches, 3,000 square foot basement and 1,172 square foot swimming pool with a spa and other miscellaneous outdoor amenities; a Conditional Use Permit to construct an 800 square foot guesthouse; and Variances for a driveway that covers more than 20% of the front yard setback area and to exceed the maximum 40% permitted disturbance of the lot in Zoning Case No. 956 at **8 Middleridge Lane South** (Lot 254-UR), Rolling Hills, CA (Zhang).

RECOMMENDED ACTION:

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

B. **ZONING CASE NO. 955.** Request for a Site Plan Review for a new 6,374 square foot residence with 1,360 square foot porch, 756 square foot attached garage, 934 square foot basement, 1,643 square foot swimming pool & spa and grading of 5,600 cubic yards, total cut and fill; a Conditional Use Permit for a 452 square foot stable and 575 square foot corral, and Variances to exceed the maximum permitted lot disturbance and for a retaining wall located in the side yard setback at **1 Poppy Trail**, (Lot 90-B2-RH) Rolling Hills, CA, (Yeh).

RECOMMENDED ACTION:

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

C. **ZONING CASE NO. 959** Request for a a Conditional Use Permit to convert an existing 689 square foot stable, to a mixed-use structure which includes a 450 square foot recreation room and a 239 square foot storage area, located at **49 Eastfield Drive** (Lot 33-EF) Rolling Hills, CA, (Waldman).

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. 896-Mod#2.** Request for a Major Modification to Zoning Case No. 896 for a Variance to exceed the maximum permitted disturbance of the lot, which exceeds the previously approved variance for disturbance at a property located at **11 Saddleback Road**. (Lot 48-1-RH and 48-2-RH) Rolling Hills, CA, (Warren).

RECOMMENDED ACTION:

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

9. NEW BUSINESS

10. OLD BUSINESS

11. SCHEDULE OF FIELD TRIPS (June 18, 2019)

A. 3 Roundup

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

MINUTES OF A
REGULAR MEETING
OF THE PLANNING COMMISSION
OF THE
CITY OF ROLLING HILLS
FEBRUARY 19, 2019

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 6:38 p.m. on Tuesday, February 19, 2019 in the City Council Chamber, at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

ROLL CALL

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

Commissioners Absent: Cooley (excused)

Others Present: Yolanta Schwartz, Planning Director
Jane Abzug, Assistant City Attorney.
Yvette Hall, City Clerk.
Joseph Spierer, Architect.
Criss Gunderson, Architect.
Ben Cheng & Kim McCarthy, 7 Middleridge Lane S.
Mr. & Mrs. Keng, 6 Middleridge Lane S.
Dr. and Mrs. Weinstein, 17 Middleridge Lane S.
Mrs. Becker, 5 Middleridge Lane S.
Mike Joly, 10 Middleridge Lane S.

APPROVAL OF THE AGENDA

Planning Director Schwartz stated that Item 5-C **ZONING CASE NO. 953 - 13 PORTUGUESE BEND ROAD, (LOT 77-RH) (CARDENAS)** of the agenda will be continued due to a lack of quorum at this evening's meeting. By consensus this matter was continued. The remainder of the agenda was approved as presented.

PUBLIC COMMENTS ON MINUTES AND ANY ITEM NOT ON THE AGENDA

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None.

APPROVAL OF MINUTES

February 20, 2018 Regular Meeting of the Planning Commission

Commissioner Seaburn moved that the Planning Commission approve the minutes of the Regular Meeting of the Planning Commission held on February 20, 2018 as presented. Vice Chair Kirkpatrick seconded the motion, which carried without objection (Cardenas abstained and Cooley absent).

December 12, 2018 Regular Meeting of the Planning Commission

Commissioner Seaburn moved that the Planning Commission approve the minutes of the Regular Meeting of the Planning Commission held on December 12, 2018 as presented. Vice Chair Kirkpatrick seconded the motion, which carried without objection (Cooley absent).

January 15, 2019 Adjourned Regular Meeting of the Planning Commission

Chairman Chelf indicated that approval of the minutes of January 15, 2019 Adjourned Regular Meeting will be postponed to the next meeting.

RESOLUTIONS

ZONING CASE NO. 953. 13 PORTUGUESE BEND ROAD, (LOT 77-RH) (CARDENAS).

Due to a lack of quorum this case is being continued to the March 19, 2019 Planning Commission meeting.

PUBLIC HEARINGS ON ITEMS CONTINUED FROM A PREVIOUS MEETING

ZONING CASE NO. 808 -Appeal of a determination of a condition of approval of a previously approved project and request for Modification, **7 Ringbit Road East** - (Shadden).

Chairman Chelf introduced the item and asked for staff's comments. Planning Director Schwartz stated that this item is a continued public hearing from a field visit that took place this morning. She stated that at the field trip, the Planning Commission directed staff to prepare a Resolution of Approval of this request, which is an appeal of staff's determination of a condition placed in a Resolution of approval of a Conditional Use Permit in 2012 by Resolution No. 2012-01. She stated that the applicant requests a modification to Condition M of Section 9 of the resolution, regarding the type of material used on the exterior of the

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structure. She indicated that there is a provision in the zoning code that allows an applicant to appeal a staff's determination to the Planning Commission (PC).

Chairman Chelf called for public comment. Hearing none, he closed the public comment.

Commissioner Seaburn stated that changing out the siding to stucco will not have a negative effect on the structure or property, nor change the intent of the original approval, that it will match the house and that the previously approved uses and configuration of the structure will not change.

Vice Chair Kirkpatrick stated that in addition, to maintain the structure, it's better to change out the siding.

Commissioner Cardenas and Chair Chelf concurred.

Following staff's presentation and discussion, Vice Chair Kirkpatrick moved to direct staff to prepare a Resolution of approval amending the condition of the applicant's request in Zoning Case No. 808 Modification at 7 Ringbit Road East. Commissioner Seaburn seconded the motion, which carried without objection (Cooley absent).

ZONING CASE NO. 954. Request for a Variance to construct a new 894 square foot attached 3-car garage with a basement under the footprint of the garage addition, where portions of both will encroach up to 10' into the side yard setback on a property zoned OZD-1-Overlay Zoning District, at **9 Williamsburg Lane** (Lot 27-RH), Rolling Hills, CA (MacLean).

Chairman Chelf introduced the item and asked for staff's comments. Planning Director Schwartz indicated that the Commissioners viewed the project in the field earlier during the day. She stated that the property is located in the RAS-1 OZD-1 zoning district, which allows for reduced front yard setback of 30' from roadway easement, but that the side yard setback in the OZD zone must meet the 20' setback requirement from the property line for new construction. She stated that the applicant is requesting a variance to construct an 894 square foot garage with same size basement below, of which 170 square feet would encroach 10' into the side yard setback, and that the existing garage will be converted to living space. She stated that no grading is proposed, except for excavation of the basement, and the dirt will be retained on site, and that the applicants plan to widen the driveway, but not the driveway apron. She stated that there exist a stable, corral and a riding ring on the property. She also stated that the height of the proposed garage, at 21'2" will match the existing house and that Williamsburg Lane has colonial architecture, which allows for steep roofs.

Chairman Chelf called for public comment. Hearing none, he closed the public comment.

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Commissioner Cardenas stated that the project fits the zoning district. He stated that covering the existing driveway makes sense.

Vice Chair Kirkpatrick concurred with Commissioner Cardenas' comments and stated that even though it will encroach into the setback, it will be an improvement to what is there.

Commissioner Seaburn agreed that the project matches the neighborhood and stated that the only issue is the encroachment, but that none of the neighbors have an issue with it.

Following staff's presentation and discussion, Commissioner Cardenas moved that the Planning Commission direct staff to prepare a Resolution granting approval of the applicant's request as submitted. Commissioner Seaburn seconded the motion, which carried without objection (Cooley absent).

NEW PUBLIC HEARINGS

ZONING CASE NO. 956. Request for a Site Plan Review for grading and to construct a new 7,364 square foot residence with 1,157 square foot garage and 1,172 square foot pool & spa; a Conditional Use Permit to construct a new 800 square foot guesthouse; and Variances for a driveway that covers more than 20% of the front yard setback area and exceeding the maximum 40% allowance for disturbance at **8 Middleridge Lane South** (Lot 254-UR), Rolling Hills, CA (ZHANG).

Chairman Chelf introduced the item and asked for staff's comments. Planning Director Schwartz gave a brief overview of the proposed project. She stated the proposed project is for a new residence on a vacant lot. She stated that the lot is zoned for RAS-2. She indicated that the variances are triggered by the fire department requirement of the length and width of the driveway and its proposed location was agreed upon by the Traffic Commission. She commented that there was a great deal of conversation and several meetings with the Traffic Commission in regards to the driveway apron. Some residents objected to the initial proposed location, because of it being just across their driveways. The Traffic Engineer objected to the subsequent proposed location from the Traffic Commission, because of safety concerns. It was noted that the proposed driveway follows the length of the house and its configuration is dictated by the Fire Department, based on the design of the residence. The final location was agreed on by all the Traffic Commissioners and the residents concurred. The Traffic Engineer noted that she has no objection to the selected location.

Chairman Chelf explained the review process by the Planning Commission for the audience and opened the public hearing.

Criss Gunderson, applicant's architect, stated that at the onset of planning for this project, he staked a circular driveway with a hypothetical ridgeline and that the neighbor at 10 Middleridge Ln. S., Mr. Joly, expressed concerns of potential view obstruction from his

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property. He stated that as the project moved through the process of redesigning the driveway he was able to lower the ridgeline by about 4 ½ feet and lowered the pad. He stated that the massing was reduced by changing the elevation of the pad. Mr. Gunderson also stated that the request for variances is driven by the Fire Department requirements for the length and width of the driveway; and the preferred location of the driveway apron by the Traffic Commission and residents.

Kim McCarthy, neighbor at 7 Middleridge Lane S., expressed concerns in regards to how much dirt is being moved, the sightline, and the size of the house compared to other homes on the street.

Chair Chelf commented that the Planning Commission will be willing to view the proposed project from the property of any concerned neighbor, if requested.

Mrs. Weinstein, neighbor at 17 Middleridge Lane S., commented that although the property owners at 8 Middleridge Lane South have the right to build a home on their property, she doesn't feel like the massing of the home is appropriate for the community. She stated that this project would be appropriate for a home in Beverly Hills. She stated that she is concerned that if this home is built, it will set a precedent for other homes of this size to be built within the community.

Mrs. Keng, neighbor at 6 Middleridge Lane S., stated that she did not attend the Traffic Commission meeting. She expressed concerns in regards to sight distance to her driveway, privacy, and the grading required for the mass of the home. She commented that because she is below the proposed property she is concerned about the possibility of a landslide and/or foundation issue that may impact her land with regards to the grading required for the project. She stated that she also agrees with all of the concerns expressed by the other neighbors.

Chair Chelf commented that The Planning Commission will visit the property. He stated the plans are reviewed by the City and the County engineers review the soils reports, so if the site is not sound they will not issue a permit to allow the home to be built. He stated that there are qualified engineers that will review the project.

Dr. Weinstein, neighbor at 17 Middleridge Lane S., stated that his main concern is in regards to the proposed driveway. He stated that he would like the driveway design reconsidered, because he has witnessed two vehicular accidents in the area, thus he fears that because the of the 90 degree turn, the high speed of some drivers, and the potential for wet and foggy weather, the proposed driveway location would pose a safety hazard. He commented that he has voiced his concerns during previous Traffic Commission meetings.

Mrs. Becker, neighbor at 5 Middleridge Lane S., stated that she has two concerns, 1) If the driveway is placed where it is proposed, one will have to turn onto the street very carefully

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as to not hit a car existing the driveway. She stated that she too is aware of the two accidents mentioned by Dr. Weinstein, and stated that they were caused by a telephone pole that was placed on the roadside in the easement. 2) She stated that they were told they are on an ancient landslide; thus, she would like to make sure the City protects the residents of Middleridge Lane South. She stated that she doesn't want to go through what the residents of the Flying Triangle had to go through.

Vice Chair Kirkpatrick stated that as Chairman Chelf stated earlier, it is not under the Planning Commission purview to review geological conditions of a lot. He stated that every house the Planning Commission looks at, the applicant has to go through the permit process. Vice Chair Kirkpatrick stated that the Planning Commission just looks at how the proposed structure(s) fit on the site, and listen to the neighbors' concerns. He stated that it is apparent that every neighbors' driveway will be impacted differently whether it is by lights, visibility, or proximity. Vice Chair Kirkpatrick stated that the Planning Commission relies on the experts at the County to protect the residents.

Chair Chelf stated that the Planning Commission will look at the driveway and the placement of it to see if there is a better place to put it.

Mrs. Weinstein, neighbor at 17 Middleridge Lane S., stated that the placement of the driveway could be adjusted if the proposed house was smaller.

Mike Joly, 10 Middleridge Lane South, stated that the homes used as comparisons for the proposed home, are not good comparisons, because although the other homes sit on large lots, like the proposed home, most of the proposed home's lot is on the hillside thus it is not usable land. He stated that the homes used as comparisons are about half the square footage of the proposed home. Mr. Jolly stated that the proposed home will use up all of the usable lot space whereas the other homes on the street, have open space.

Chair Chelf reiterated that at the request of residents, The Planning Commission will view the proposed property from the vantage point of any neighbor.

Hearing no further public comment, the Planning Commission, by consensus, scheduled a site visit to the property for Zoning Case No. 956, (Cooley absent).

NEW BUSINESS

Request for time extension to commence construction:

1. 1 Middleridge Lane N. - Zoning Case No. 915 (Cippola).

Planning Director Schwartz stated that the applicant requests a two-year time extension to commence construction of a previously approved project consisting of an addition to the existing residence and change in the driveway. In response to Commissioner Cardenas,

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Planning Director Schwartz stated that the applicants have all the necessary approvals to construct from the City and RHCA, but that they have not submitted for plan check to the Building Department yet.

Following staff's presentation and discussion, Vice Chair Kirkpatrick moved to approve Resolution No. 2019-04 granting a two-year time extension to commence construction on 1 Middleridge Ln. N. Commissioner Seaburn seconded the motion, which carried without objection, (Cooley absent).

SCHEDULE OF FIELD TRIPS (March 19, 2019)

The Planning Commission scheduled a field trip to the following property to be held on Tuesday, March 19, 2019 beginning at 7:30 a.m.:

5 El Concho
8 Middleridge Ln. South

OLD BUSINESS

None.

ITEMS FROM STAFF

Planning Director Schwartz reported that Senior Planner, Julia Stewart, is on family leave due to illness in the family.

ITEMS FROM THE PLANNING COMMISSION

None.

ADJOURNMENT

Hearing no further business before the Planning Commission, Chairman Chelf adjourned the meeting at 7:34 p.m. to an adjourned regular meeting of the Planning Commission scheduled to be held on Tuesday, March 19, 2019 beginning at 7:30 a.m. for the purpose of conducting a site visit to 5 El Concho Lane and 8 Middleridge Lane South. The next regular meeting of the Planning Commission is scheduled to be held on Tuesday, March 19, 2019 beginning at 6:30 p.m. in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

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Respectfully submitted,

Approved,

Brad Chelf
Chairman

**MINUTES OF A
REGULAR MEETING
OF THE PLANNING COMMISSION
OF THE
CITY OF ROLLING HILLS
MARCH 19, 2019**

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 6:30 p.m. on Tuesday, March 19, 2019 in the City Council Chamber, at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

ROLL CALL

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

Commissioners Absent: Kirkpatrick (excused).

Others Present: Yolanta Schwartz, Planning Director.
Jane Abzug, Assistant City Attorney.
Karla Rangel, Administrative Clerk.
Jessica Farinacci, Tomaro Architects

APPROVAL OF THE AGENDA

Approved as presented.

PUBLIC COMMENTS ON MINUTES AND ANY ITEM NOT ON THE AGENDA

None.

APPROVAL OF MINUTES

February 19, 2019 Adjourned Regular Meeting of the Planning Commission

Commissioner Cardenas moved that the Planning Commission approve the minutes of the Adjourned Regular Meeting of the Planning Commission held on February 19, 2019 as presented. Commissioner Seaburn seconded the motion, which carried without objection (Kirkpatrick absent).

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RESOLUTIONS

ZONING CASE NO. 953. 13 PORTUGUESE BEND ROAD, (LOT 77-RH) **(CARDENAS).**

The Planning Commission unanimously agreed that due to a lack of quorum this case will be continued to the April 16, 2019 Planning Commission meeting (Kirkpatrick absent).

RESOLUTION NO. 2019-03. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A VARIANCE TO ENCROACH WITH GARAGE AND BASEMENT ADDITION INTO THE SIDE YARD SETBACK, IN ZONING CASE NO. 954 AT 9 WILLIAMSBURG LANE, LOT 27-RH. (MACLEAN).

Chairman Chelf introduced the item and asked for staff's comments. Planning Director Schwartz stated that the item is before the Commission for consideration of a resolution of approval. She gave a brief overview of the project. She stated that the Planning Commission visited the site on February 19th. Planning Director Schwartz stated that the Planning Commission requested that a resolution be prepared with standard conditions.

Chairman Chelf called for public comment. Hearing none, he closed the public comment.

Commissioner Seaburn commented that he has no objections to the project and that it makes sense.

Commissioner Cooley commented she would abstain, because she was not present at the field trip or the meeting.

Following discussion, Commissioner Cardenas moved that the Planning Commission adopt Resolution No. 2019-03 granting approval of the applicant's request in Zoning Case No. 954 at 9 Williamsburg Lane as presented. Commissioner Seaburn seconded the motion, which carried without objection (Commissioner Kirkpatrick absent, Commissioner Cooley abstained).

RESOLUTION NO. 2019-06. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A MINOR MODIFICATION TO A CONDITION IN A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT ON APPEAL IN ZONING CASE NO. 808-MOD, AT 7 RINGBIT ROAD EAST, (LOT 38-SF), (SHADDEN).

Chairman Chelf introduced the item and asked for staff's comments. Planning Director Schwartz stated that the item is before the Commission for consideration of a resolution of approval. She stated that the Planning Commission visited the site on February 19th. She stated that the applicant requests to amend a previous resolution that was approved in 2012. She then gave a brief overview of the project.

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Chairman Chelf called for public comment. Hearing none, he closed the public comment.

Commissioner Cardenas commented that staff made the right decision, based on the previous restrictions to bring the case before the Commission. He stated that the Planning Commission made a good call to approve as presented. He commented that it matches the house, is better for maintenance and it is out of view from neighbors.

Commissioner Cooley reiterated that she would abstain, because she was not present at the field trip or the meeting.

Commissioner Seaburn concurred with Commissioner Cardenas' comments.

Chair Chelf commented that he was part of the group that initially reviewed the project and wanted to keep the integrity of the structure. He stated that they did a beautiful job on their house, and having the structure match the property is favorable.

Following discussion, Commissioner Seaburn moved that the Planning Commission adopt Resolution No. 2019-06 granting approval of the applicant's request in Zoning Case No. 808-Mod at 7 Ringbit Road East as presented. Commissioner Cardenas seconded the motion, which carried without objection (Commissioner Kirkpatrick absent, Commissioner Cooley abstained).

PUBLIC HEARINGS ON ITEMS CONTINUED FROM A PREVIOUS MEETING

ZONING CASE NO. 916-MOD#2. Request for a Variance to encroach into the front yard setback with a light well and modification to a prescribed order of completion of certain elements of a previously approved project and amend the resolution of approval accordingly in Zoning Case No. 916-Mod#2 at **5 El Concho Lane**, (Lot 10-GF), (De Miranda).

Chairman Chelf introduced the item and asked for staff's comments. Planning Director Schwartz stated that the item is before the Commission for consideration of a resolution of approval. She stated that the Planning Commission visited the site earlier in morning. Planning Director Schwartz reviewed the project and provided a brief history regarding the previous project approvals, including the phasing of the construction of certain elements of the development. She stated that the Planning Commission, at the field trip, asked staff to bring a resolution of approval for this case. She stated that the request is to amend certain aspects of the original resolution, including adding a 25 sq.ft. light well in the front setback, change the phasing of construction of the basement and request for an extension to start phase two.

Assistant City Attorney, Jane Abzug stated that staff will combine the previous approvals into one Resolution. She stated that changing of the order wouldn't have an effect of the findings of the previous variances and site plan review applications. She stated that the amended resolution will include variance findings that the Planning Commission would consider for the light well.

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In response to Chair Chelf's inquiry, Assistant City Attorney Jane Abzug clarified that there won't be a need to add any type of special wording to the resolution. She stated that she is just making the Commissioners aware of what findings they will be considering within the resolution.

Chairman Chelf called for public comment. Hearing none, he closed the public comment.

Chair Chelf commented that he appreciates staff for staying on top of the homeowner. He stated that it was good that the homeowner fixed the pipe, because had they not, with the rain we have had the hillside could have failed. He further stated that this project is a good example to show that the system works, the county reviewed the project, they saw that the system that was in place or was proposed wasn't sufficient, and they came up with a good solution for the remediation of the failed slope and construction of the walls along the paths. He stated that he is satisfied that there will be no import of dirt, because they will be able to utilize the dirt from the job site.

Chair Chelf stated that staff was directed at the field trip to bring a resolution of approval. At the field trip Commissioner Seaburn moved that staff prepare a Resolution of approval for this project, including screening of the walls. Commissioner Cardenas seconded the motion, which carried unanimously. Planning Director Schwartz stated that the Resolution would be provided to the Commission at their April meeting.

ZONING CASE NO. 956. Request for a Site Plan Review for grading and Construction of a new single family residence and accessory structures, in Zoning Case No. 956 at 8 Middleridge Lane South (Lot 254-UR), Rolling Hills, CA (ZHANG).

Chairman Chelf introduced the item and asked for staff's comments. Planning Director Schwartz stated that the applicants were not able to setup the silhouette on time for the field trip meeting.

The Planning Commission, by consensus, continued Zoning Case No. 956 at 8 Middleridge Lane South to a field trip meeting scheduled for April 16th.

NEW PUBLIC HEARINGS

None

NEW BUSINESS

Request for time extension -11 Upper Blackwater Canyon Rd. – Construction of a New Residence and Accessory Structures in Zoning Case No. 914.

Chairman Chelf introduced the item and asked for staff's comments. Planning Director Schwartz stated that the applicants are requesting a time extension of two years for the approval

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of the resolution to commence construction. Planning Director Schwartz reviewed the project and provided a brief history regarding the project at 11 Upper Blackwater Canyon Road.

Jessica Farinacci offered to answer any questions the Planning Commissioners might have. Commissioner Cooley commented she has no objection to granting the extension. She stated that, because the lot is empty there is no concern for an unsightly view for the neighbors.

Commissioners Cardenas and Seaburn both concurred with Commissioner Cooley's comments.

Following staff report, Commissioner Cardenas moved that the Planning Commission approve the applicant's time extension request in Zoning Case No. 914 at 11 Upper Blackwater Canyon Rd. as written. Commissioner Cooley seconded the motion, which carried without objection (Commissioner Kirkpatrick absent).

OLD BUSINESS

None.

SCHEDULE OF FIELD TRIPS (April 16, 2019)

The Planning Commission scheduled a field trip to the following properties to be held on April 16, 2019 beginning at 7:30 am.

5 Flying Mane Lane
8 Middleridge Lane South

ITEMS FROM STAFF

Planning Director Schwartz reminded the Planning Commissioners, that they need to turn in their 700 forms by April 2nd, if they haven't already done so. She also informed the Commissioners that the City Clerk resigned. She further informed the Commissioners that Senior Planner, Julia Stewart is still out on family leave, and she stated that she is currently working on finding some temporary help for the Planning Department.

ITEMS FROM THE PLANNING COMMISSION

Commissioner Cardenas requested that the field trip reminders be sent to the Planning Commissioners as they have been sent in the past.

ADJOURNMENT

Hearing no further business before the Planning Commission, Chairman Chelf adjourned the meeting at 6:56 p.m. to an adjourned regular meeting of the Planning Commission scheduled to be held on Tuesday, April 16, 2019 beginning at 7:30 a.m. for the purpose of conducting site visits to 5 Flying Mane Lane, and 8 Middleridge Lane South. The next regular meeting of the Planning Commission is scheduled to be held on Tuesday, April 16, 2019 beginning at 6:30 p.m.

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in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

Approved,

Brad Chelf
Chairman

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Agenda Item No: 5C
Mtg. Date: 05-21-19

**MINUTES OF AN
ADJOURNED REGULAR MEETING
OF THE PLANNING COMMISSION
APRIL 16, 2019**

PRESENT FOR THE FIELD TRIP WERE:

Chairman Chelf, Commissioners Cooley, Kirkpatrick, Cardenas and Seaburn
Yolanta Schwartz, Planning Director
Julia Stewart, Senior Planner

Chairperson Chelf recused himself from the item. Commissioner Cardenas chaired the item. Commissioner Cardenas called the meeting to order at 7:30 AM at 5 Flying Mane Lane.

Present for the field trip hearing at 5 Flying Mane Lane also present were:
Joseph Spierer, Architect
James Aichele, resident

A. ZONING CASE NO. 957. Request for a Variance from the requirement that utility lines be placed underground, (Sec.17.27.30 of RHMC), in conjunction with the construction of an addition and major remodel at an existing single family residence at **5 Flying Mane Lane**, (Lot 45-SF), (Walker).

Planning Director Schwartz gave a brief overview of the proposed variance and information related to the request. She stated that the applicant requests a variance to not to have to underground utility line, as it was a condition of approval for an addition and major remodel. She stated the project is completed, except for the undergrounding. She stated that the applicant engaged several professionals to advise him about undergrounding and they all opined that it would be very difficult to underground due to the steep slope and the type of soil that exists between the utility pole and the electrical panel, which is located on the side of the house. She stated that the applicant would need to trench 3' for Edison wires to be placed in a conduit underground, and more for the other utilities. She stated that the pole is located approximately 20-25 feet up the slope from the panel. She reviewed the reports that were submitted, including from a soils engineer, who stated that bedrock is located between 2-4 feet down from the surface and loose, un-compacted material is on top of it.

All present walked and studied the location of the panel and then the pole. The Commissioners noticed that there is a line that goes underground from the pole, but it was not determined whose house it connects to. Commissioner Cardenas asked staff find out where does the line connect.

Joseph Spierer, architect speculated that the wires connected to the pole going underground might connect to the house above the subject property and he observed that the soil was softer in that area.

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There being no further discussion, the public hearing was continued to the evening meeting beginning at 6:30 pm.

B. ZONING CASE NO. 956. Request for a Site Plan Review for grading of 5,835 cubic yards of cut and 5,835 cubic yards of fill and construction of a new 6,972 square foot residence with 1,157 square foot garage and 1,457 square foot covered porches, 2,000 square foot basement and 1,172 square foot swimming pool with a spa and other miscellaneous outdoor amenities; a Conditional Use Permit to construct an 800 square foot guesthouse; and Variances for a driveway that covers more than 20% of the front yard setback area and to exceed the maximum 40% permitted disturbance of the lot in Zoning Case No. 956 at **8 Middleridge Lane South** (Lot 254-UR), Rolling Hills, CA (ZHANG).

Present for the field trip hearing at 8 Middleridge Lane S. also present were:

Criss Gunderson, Architect.

Mrs. Becker, 5 Middleridge Lane S.

Ben Cheng & Kim McCarthy, 7 Middleridge Lane S.

Dr. and Mrs. Weinstein, 17 Middleridge Lane S.

Dr. Norcross, 11 Middleridge Lane S.

Mr. & Mrs. Keng, 6 Middleridge Lane S.

Mike Joly, 10 Middleridge Lane S.

James Aichele, 14 Crest Road W.

Planning Director Schwartz gave an overview of the proposed project, which is to construct a residence with a garage, pool, guest house and future stable on a vacant lot. She stated that since the previous meeting the applicant revised some elements of the application. Criss Gunderson explained the changes including reducing the size of the residence by 382 sq.ft. by removing the southwesterly wing of the house by the garage and 104 sq.ft. from the garage. He stated that this change allows for elimination of the long wall previously proposed along the driveway; he said that he was able to lower the pad by about a foot in the area of the garage and the west wing of the residence and stepped down the ridge height portions of the residence, on both sides of the entry by two and a half feet.

All present walked along Middleridge Lane S. from one end of the property to the other and visited properties at 10, 6 and 5 Middleridge Ln. S. to gain an understanding of the impact of the project on those properties, as expressed by their owners.

Comments were made by neighbors from 5, 6, 7, 10, 11 and 17 Middleridge Lane South. Neighbors expressed their concerns about the mass and size of the project and the ratio of the house to the land on the developable pad; preserving the character of the neighborhood, a lack of neighborhood compatibility, stability of the lot, proximity of the development to neighboring structures, possible loss of privacy due to the proximity of the house to the neighbor, high visibility of the development, potential noise issues, placement of the septic system, parking during construction, and the visibility of the driveway from Middleridge.

DRAFT

Criss Gunderson, an architect and representative of the property owner, addressed the neighbors' concerns and questions posed by the residents. He also stated that the width and the length of the driveway are dictated by the Fire Department requirements.

Planning Director Schwartz reported on the Traffic Commission meetings and their final recommendation to place the driveway apron where it is proposed. She also reported on the Los Angeles County Fire Department as it pertained to the driveway size, length and apron.

Following the comments and brief discussion of the project, the public hearing was continued to the evening meeting beginning at 6:30 pm.

Respectfully Submitted,

Yolanta Schwartz
Planning Director

Date

Approved:

Sean Cardenas, Commissioner

Date

REGULAR MEETING
OF THE PLANNING COMMISSION
CITY OF ROLLING HILLS
6:30 PM
TUESDAY, APRIL 16, 2019
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 6:31 p.m. on Tuesday, April 16, 2019 in the City Council Chamber, at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

ROLL CALL

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

Commissioners Absent: Kirkpatrick (excused).

Others Present: Yolanta Schwartz, Planning Director
Julia Stewart, Senior Planner
Jane Abzug, Assistant City Attorney.
Karla Rangel, Administrative Clerk
Joseph Spierer, Architect.
Criss Gunderson, Architect.
Mrs. Becker, 5 Middleridge Lane S.
Ben Cheng & Kim McCarthy, 7 Middleridge Lane S.
Dr. and Mrs. Weinstein, 17 Middleridge Lane S.
Dr. Norcross, 11 Middleridge Lane S.
Mr. & Mrs. Keng, 6 Middleridge Lane S.
Mike Joly, 10 Middleridge Lane S.

APPROVAL OF THE AGENDA

Approved as presented.

PUBLIC COMMENTS ON MINUTES AND ANY ITEM NOT ON THE AGENDA

None.

APPROVAL OF MINUTES

March 20, 2018 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 March 20, 2018 as presented. Commissioner Cardenas seconded the motion, which carried without objection (Kirkpatrick absent).

March 19, 2019 Adjourned Regular Meeting of the Planning Commission

Commissioner Cardenas moved that the Planning Commission approve the minutes of the Adjourned Regular Meeting of the Planning Commission held on March 19, 2019 as presented. Commissioner Cooley seconded the motion, which carried without objection (Kirkpatrick absent).

RESOLUTIONS

RESOLUTION NO. 2019-07. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING A VARIANCE TO ALLOW CONSTRUCTION OF A BASEMENT LIGHT WELL IN THE FRONT YARD SET BACK AND A MAJOR MODIFICATION TO CHANGE THE PRESCRIBED ORDER OF CONSTRUCTION AND A TWO YEAR EXTENSION RELATING TO PREVIOUSLY GRANTED SITE PLAN REVIEW AND VARIANCE ENTITLEMENTS AT 5 EL CONCHO LANE IN ZONING CASE NO. 916, (LOT 10-GF) ROLLING HILLS, CA (DE MIRANDA). THE PROJECT HAS BEEN DETERMINED TO BE CATEGORICALLY Exempt (CLASS 4) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15304.

Planning Director Yolanta Schwartz gave a brief overview of the resolution and history of the projects on the property. Following no public comment or discussion, Commissioner Cardenas moved that the Planning Commission adopt Resolution No. 2019-07 granting approval of the applicant's request in Zoning Case No. 916 at 5 El Concho Lane as presented. Commissioner Seaburn seconded the motion, which carried without objection (Commissioner Kirkpatrick absent).

ZONING CASE NO. 953. 13 PORTUGUESE BEND ROAD, (LOT 77-RH) (CARDENAS).

The Planning Commission unanimously agreed that due to a lack of quorum this case will be continued to the May 21, 2019 Planning Commission meeting (Kirkpatrick absent).

PUBLIC HEARINGS ON ITEMS CONTINUED FROM A PREVIOUS MEETING

ZONING CASE NO. 957. Request for a Variance from the requirement that utility lines be placed underground, (Sec.17.27.30 of RHMC), in conjunction with the construction of an addition and major remodel at an existing single family residence at **5 Flying Mane Lane**, (Lot 45-SF), (Walker).

Chairperson Brad Chelf recused himself from the item and left the room. Commissioner Sean Cardenas chaired the item. Planning Director Yolanta Schwartz gave a brief overview of the proposed variance and information related to the request.

Joseph Spierer, an architect, represented the property owner. He gave additional information from his and the property owners discussions with an official from Southern California Edison. Mr. Spierer speculated that the wires connected to the pole going underground might connect to the house above the subject property and he observed that the soil was softer in that area.

Discussion included Commissioner Seaburn and Commissioner Cooley agreeing with the assertion that this was a unique circumstance and it seemed unreasonable to require the property owner to underground the utilities through the immediate bedrock surface. Commissioner Cardenas stated he had hoped for more answers to some of the questions about the existing undergrounded wiring.

Following public comment and discussion, Commissioner Seaburn moved that the Planning Commission direct staff to prepare a resolution of approval for project in Zoning Case No. 957 at 5 Flying Mane Lane as proposed. Commissioner Cooley seconded the motion, which carried without objection (Commissioner Kirkpatrick absent. Chair Chelf recused).

ZONING CASE NO. 956. Request for a Site Plan Review for grading of 5,835 cubic yards of cut and 5,835 cubic yards of fill and construction of a new 6,972 square foot residence with 1,157 square foot garage and 1,457 square foot covered porches, 2,000 square foot basement and 1,172 square foot swimming pool with a spa and other miscellaneous outdoor amenities; a Conditional Use Permit to construct an 800 square foot guesthouse; and Variances for a driveway that covers more than 20% of the front yard setback area and to exceed the maximum 40% permitted disturbance of the lot in Zoning Case No. 956 at **8 Middleridge Lane South** (Lot 254- UR), Rolling Hills, CA (ZHANG).

Chairperson Brad Chelf returned to chair the rest of the meeting. Planning Director Yolanta Schwartz gave a brief overview of the proposed project and mentioned that a resident who is unable to attend the meeting expressed concerns that the house is too massive.

Comments were made by neighbors from 5, 6, 7, 10, 11 and 17 Middleridge Lane South. One resident expressed his concern about the mass and size of the project and the ratio of the house

to the land on the developable pad. He mentioned that two variances were requested. Other concerns were expressed regarding preserving the character of the neighborhood, a lack of neighborhood compatibility, proximity of the development to neighboring structures, possible loss of privacy due to the proximity of the house to the neighbor, high visibility of the development, potential noise issues, placement of the septic system, chimney placement and orientation, parking during construction, and the visibility of the driveway from Middleridge.

Mr. Criss Gunderson, an architect and representative of the property owner, attempted to address the concerns and questions posed by the residents. He also asked some clarifying questions regarding the Planning Commissioners intent and requirements. He stated he would take the concerns expressed back to the property owner and review how the project might be altered.

There was considerable discussion about the orientation of the driveway and the requirements of the Traffic Commission, Traffic Engineer, and the Los Angeles County Fire Department as it pertained to the driveway size, length and apron. The discussion included an additional driveway exhibit shown by the architect explaining the sight distances that he worked on with the City's Traffic Engineer for the different locations of the driveway previously proposed. Commissioner Cardenas questioned the Traffic Engineer's report regarding the acceptable location of the driveway as proposed.

The Planning Commissioners all expressed concern related to the size, massing, and design of the proposed project and requested that the applicant reconsider the entire design and massing of the project.

Following public comment and a lengthy discussion, the Planning Commission unanimously recommended that the applicant bring in a revised project. Applicant concurred and will come back to the May 21, 2019 Planning Commission meeting (Commissioner Kirkpatrick absent).

NEW PUBLIC HEARINGS

ZONING CASE NO. 955. Request for a Site Plan Review for a new 6,374 square foot residence with 1,360 square foot porch, 756 square foot attached garage, 934 square foot basement, 1,643 square foot swimming pool & spa and grading of 5,600 cubic yards, total cut and fill; a Conditional Use Permit for a 452 square foot stable and 575 square foot corral, and a Variance for new retaining wall located in the side yard setback at **1 Poppy Trail**, (Lot 90-B2-RH) Rolling Hills, CA, (Yeh).

Chairman Brad Chelf opened the public hearing for the project at 1 Poppy Trail. Planning Director Yolanta Schwartz gave an overview of the proposed project and the history of the property. The overview included special environmental conditions taken into consideration in the review of the project, and included biological assessment of the Ecologically Sensitive Area report, which was included in the staff report.

Joseph Spierer, an architect, represented the property owner. He gave additional information about the orientation of the development on the pad and the considerations of shade and the need for the variances included in the proposed project request. There were no other comments at the time.

Hearing no other comments or discussion from the public, the Planning Commission, by consensus, continued the public hearing for Zoning Case No. 955 at 1 Poppy Trail to a field trip meeting (Kirkpatrick absent).

NEW BUSINESS

None

OLD BUSINESS

None.

SCHEDULE OF FIELD TRIPS (May 21, 2019)

The Planning Commission scheduled a field trip to the following properties to be held on May 21, 2019 beginning at 7:30 am.

1 Poppy Trail
3 Roundup Road

ITEMS FROM STAFF

Political Reform Act - Amendments to the Materiality Standard For Real Property (ORAL)

Assistant City Attorney Abzug reported that FPPC regulations have been revised for greater scrutiny regarding conflict of interest of public officials residing between 500-1000-foot radius of project being considered by them. She stated staff will be monitoring locations and confer with City attorney if conflict of interest exists for those officials who are between 500-1000-foot radius from the project site.

Water Efficient Landscape Ordinance- amendment (ORAL)

Planning Director Schwartz reported that the State amended the requirements for water budget and reporting for projects with new or rehabilitated landscape. She said that the City Council is considering an ordinance to comply with the state law.

ITEMS FROM THE PLANNING COMMISSION

None.

ADJOURNMENT

Hearing no further business before the Planning Commission, Chairman Chelf adjourned the meeting at 8:34 p.m. to an adjourned regular meeting of the Planning Commission scheduled to be held on Tuesday, May 21, 2019 beginning at 7:30 a.m. for the purpose of conducting site visits to 1 Poppy Trail and 3 Roundup Road. The next regular meeting of the Planning Commission is scheduled to be held on Tuesday, May 21, 2019 beginning at 6:30 p.m. in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

Approved,

Brad Chelf
Chairman



MEMORANDUM TO RECUSE

TO: Honorable Chairman and Members of the Planning Commission

FROM: Yolanta Schwartz, Planning Director

SUBJECT: Zoning Case No. 957
5 Flying Mane Lane

DATE: MAY 21, 2019

Due to the proximity of the property of **Chairman Chelf** to the subject property, **Chairman Chelf** should recuse himself from consideration of Zoning Case No. 957, 5 Flying Mane Lane. He may however, take a seat in the audience and participate as a resident.



Agenda Item No. 6A
Mtg. Date: 05/21/19

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

APPLICATION NO. ZONING CASE NO. 957
SITE LOCATION: 5 FLYING MANE LANE (LOT 45-SF)

RESOLUTION NO. 2019-09. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING A VARIANCE FROM THE REQUIREMENT THAT UTILITY LINES BE PLACED UNDERGROUND IN CONJUNCTION WITH A CONSTRUCTION OF AN ADDITION AND MAJOR REMODEL IN ZONING CASE NO. 957, AT 5 FLYING MANE LANE, ROLLING HILLS (LOT 45-SF), (WALKER).

Attachments:

Correspondence
Soils Engineer report

PROJECT DESCRIPTION AND RECOMMENDATION

The applicant requests a Variance from the requirement of Section 17.27.30 of the Zoning Ordinance, that all utility lines be undergrounded in conjunction with an addition.

The Planning Commission opened the public hearing in the field in the morning of April 16, 2019 to viewed the site and also considered this application at its evening meeting on April 16, 2019, at which time the Planning Commission directed staff to prepare a Resolution approving the request.

BACKGROUND

In February 2013, the property owners received an administrative approval (over-the counter) for a 992 square foot addition and major renovation to the residence.

In June of 2015 an administrative approval was granted for a new 790 square foot swimming pool. The applicant has completed the construction and is awaiting final sign off of the residential structure, subject to either undergrounding of the utility lines or obtaining a variance from the requirement.

One of the conditions of the approval was to underground all of the utility lines. Section 17.27.030 of the Zoning Ordinance states in part that "All utilities servicing the building in question or any residentially zoned parcel shall be installed underground upon: (B) Remodeling of a primary or accessory building which entails enlargement of the structure or alteration of the building footprint, and (D) Relocating or increasing the electrical panel servicing a building or parcel".

The property is located below street level. The utility pole from which the applicant is drawing power is located above the residence. The existing above ground utility lines cross a steep slope on subject property and connect to a panel located on the northeastern wall of the house.

Staff met with the owner and spoke to the Edison planner to discuss alternatives, such as trenching in a different direction or around the hill and connecting to the new panel from a different angle or trenching closer to the surface. The applicant stated that he considered these options and spoke to experts in this field and was advised that these are not feasible alternatives.

CORRESPONDENCE AND REPORTS SUBMITTED

The owner engaged several companies who submitted letters to explain the difficulty in undergrounding the lines. The letters are enclosed with this staff report.

1. T.I.N Engineering Company completed a geologic investigation for the slope between the house and the power pole. Although the report does not address why the utility lines could not be placed underground, it describes the steep slope and bedrock being close to the surface of the slope. Edison requires 30" deep trench, for placing their lines underground and trenching in bedrock is difficult.

2. E C M, Earth, Construction and Mining contractor submitted a letter stating that due to the location of bedrock, one would have to use dynamite to create a trench for undergrounding. He also states that the vibration, besides creating a nuisance for neighbors, can travel through the rock strata and can cause slope failure and/or subsidence at a later date due to land movement or water saturation.

3. Robert Storrie of Checker Construction submitted a letter stating that in his opinion as a contractor, the undergrounding from the power pole to the house panel would be "fiscally, environmentally and structurally irresponsible".

4. Kevin Van Duong, Edison Co. Planner states that he has concerns with the soils integrity due to "the sharp pitch of the hill side slope" between the power pole and the panel location.

5. On April 16, 2019 additional information was received from Edison Co. Planner stating that the trench would have to be at least 42" deep to accommodate the

undergrounding, and that in his opinion, the soil integrity on the surface may not be stable enough for safe excavation.

APPLICANT'S JUSTIFICATION

In response for justification for the Variance to allow the applicant to not underground the utility lines, the applicant's agent states in part as follows:

1. The area where the power/utility lines are located is steep and made of bedrock
2. Tempering with the land where the existing power pole is located would destroy the integrity of the hill as well as the over 50-year old trees and shrubs. Such landscaping is normally difficult to grow on bedrock. It would also endanger the foundation, walls and driveway of the neighboring property.
3. Undergrounding of utilities would require heavy equipment and large amounts of explosives which would vibrate adjacent structures and greatly disturb neighbors and their pets.
4. There is no advantage in removing the power pole and in undergrounding the utilities. If the pole remains, the site and vicinity will remain unharmed. The existing power pole is hidden by existing trees. Approximately only 10 feet of wire is visible.

REVIEW BY OTHER AGENCIES

The project is exempt from the California Environmental Quality Action (CEQA) pursuant to Class 1, 14 CCR Section 15301: minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use; and common sense exemption: 14 CCR Section 15061(b)(3): can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

VARIANCE REQUIRED 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; and
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; and
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; and
D. That in granting the variance, the spirit and intent of this title will be observed; and
E. That the variance does not grant special privilege;
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.

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Earth, Construction, & Mining

CA LIC. NO. 651848 · NV LIC. NO. 0071919

11542 Knott Street #10, Garden Grove CA 92841 · PH: 714-897-4ECM [4326] · FX: 714-897-2016

Mr. Richard Walker
P. O. Box 2924
Palos Verdes Peninsula, California 90274

February 5, 2019

SUBJECT: General Evaluation Letter for explosives excavation for trench at the Existing Eastern Ascending Slope at #5 Flying Mane Lane, Rolling Hills, California

Dear Mr. Walker,

Several factors bear upon our evaluation for your proposed project of excavation. As indicated by your geotechnical consultant T.I.N. Engineering Company and our conversations it would appear that high explosives, i.e. dynamite, will have to be applied, therefore and as follows;

Public relations: there may be significant concerns, and occasionally drastic over reaction, from your local community in transporting via placarded vehicles with high explosives signs through your neighborhood. It usually requires substantial public relations efforts and communications to inform the community of the process for explosives logistics and application.

Vibration attenuation in adjacent structures: All thermal dynamic explosives detonations yield low frequency vibrations for a significant distance through the ground. Even small blasting events can create a substantial concern for structural degradation either real or perceived.

Overpressures, audible and inaudible sound waves: All detonations create overpressures, the movement of air, that can rattle windows or create the boom that startles people and pets.

Degradation of existing sub-surface geological formation(s): The above referenced vibrations can travel through the rock strata opening micro seams, joints and bedding planes. This disturbance of existing soils and rock can lead to slope failure and/or subsidence at a later date as a result of earth quake or water saturation due to rain or utility issues.

In conclusion: We pride ourselves in our abilities to perform very difficult surgical explosives excavation projects. We utilized our skills to modify the Space Shuttle Launch Pad facilities and various other facilities for NASA/JPL. However, the use of explosives always comes with some inherent risk. Considering the magnitude of your project and assumed budget it would be my opinion that your interest would be best served utilizing alternative methods or engineering solutions. If you have any questions or concerns do not hesitate to call.

A handwritten signature in dark ink, appearing to read "Chuck Bean", is positioned above the typed name.

Chuck Bean, ECM Explosives Manager and Principal

CONFIDENTIALITY NOTICE: This communication contains legally privileged and confidential information sent solely for the use of the intended recipient. Any use, review, disclosure, reproduction, distribution, copying of, or reliance on, this communication and any attachment is strictly prohibited except for the specific project identified and to which it applies. If you are not the intended recipient of this communication you are not authorized to use it in any manner, except to immediately destroy it and notify the sender.

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2/14/2019

Joseph Spierer Architects Mail - RE: (External):5 Flying Mane Lane



Joseph Spierer <joe@calarchitect.com>

RE: (External):5 Flying Mane Lane

1 message

Kevin Duong <Kevin.Duong@sce.com>
To: Joseph Spierer <joe@calarchitect.com>
Cc: "Angel Mejia Jr." <Angel.Mejia@sce.com>

Wed, Feb 13, 2019 at 4:28 PM

Hello Joseph,

Please print out this email as confirmation from SCE that maintaining an Overhead Conductor Service for the proposed 200Amp Panel upgrade for this address is permissible with SCE, as it meets our guidelines and code requirements for 200Amp Top Fed Panels.

I did see concern for the support soil's integrity due to the sharp pitch of the hill side slope from the power source down to this customer's panel location.

Let me know should have any additional concerns or questions.

Thank you,

Kevin Van Duong

Electrical Distribution Planner

South Bay Local Planning

Ofc: (310) 783-9302 | Cel: (310) 713-4910 | Pax 33302

SCE Rules | SCE Rates | SCE Underground Structures | SCE Electrical Service Requirements



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January 30, 2019

Analysis of Undergrounding Main Line

To Whom It May Concern:

Having completed site investigation and after reviewing the soils opinion letter completed by T.I.N. Engineering, I am of the opinion that undergrounding the main line from the power pole to the house on 5 Flying Mane Lane would be fiscally, environmentally, and structurally irresponsible.

Undergrounding in a straight line from the pole to the home would require heavy equipment, and quite likely, explosives to remove the material necessary to underground this line. The bedrock extends in both directions along the subject and neighboring properties. Going around the site in another direction than straight down is even less feasible than going straight to the home. For this reason, there is also no advantage to relocating the power main on the home.

Per the soils letter, the bedrock consists of moist, silty shale. Disturbing this ground material could have the following dramatic unintended consequences.

1. Foliage and Natural Landscape: The hill is filled with large trees and well-established landscape. Much of this would likely be destroyed. The foliage is currently keeping the topsoil on the extreme slope. Without this foliage, this soils would slough off and potentially cause mudslides and continued land movement.
2. Cost: This work will cost a small fortune. Between surgery like demolition and excavation, to the re-stabilization of the extreme slope with concrete and landscape, the cost will be astronomical.
3. Neighborhood Destabilization: The existing power pole is very close to the neighboring property. The moist, silty shale is susceptible to long term earth movement. Excavating will most likely destroy the integrity of the hill creating an increased likelihood of foundation and wall cracks as well as future soil movement underneath the neighboring structures and driveways.

While, undergrounding this line is technically possible (and of course I would love the work for my company), as a professional and a man of high integrity, I cannot, in good conscience recommend this as a viable path forward as it could have expensive and potentially devastating consequences.

Sincerely,

Robert Storrie
Checker Construction

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T.I.N. ENGINEERING COMPANY

Geotechnical • Structural • Environmental

17834 Bailey Drive • Torrance, CA 90504

Tel/Fax: (310) 371-7045 • tinsoilsheep@gmail.com

File No.: 121888

January 26, 2019

Mr. Richard Walker
P. O. Box 2924
Palos Verdes Peninsula, California 90274

SUBJECT: Geologic Opinion Letter for On-Site Existing Eastern Ascending Slope at #5 Flying Mane Lane, Rolling Hills, California

- REFERENCES:**
1. Limited Combined Soil and Geologic Engineering Investigation and Report for Proposed House Additions, House Remodeling, and New Pool at #5 Flying Mane Lane, Rolling Hills, California, dated May 10, 2012.
 2. County of Los Angeles, Geologic and Soils Engineering Review Sheet, dated August, 28, 2015.
 3. T.I.N. Engineering Company, Addendum Letter No. 1 - Response to County Geologic and Soils Comments, for Proposed Pool at #5 Flying Mane Lane, Rolling Hills, California, dated September 2, 2015.

Dear Mr. Walker:

In accordance with your request, we have completed this geologic opinion letter for the existing eastern ascending slope of the subject site. It is our understanding that the on-site existing descending slope, approximately up to 20 feet high, is an approximately 3/4:1 to 2:1 slope. This eastern slope is a bedrock cut slope. This slope is currently retained by an existing 3-foot high retaining wall to the east and a 2-foot high garden wall to the northwest. The slope above the 3-foot high garden wall is approximately 3/4:1 to 1 1/2:1 in gradient. The slope above the 2-foot garden wall is approximately 1 1/2:1 to 2:1 in gradient. Bedrock outcrops were observed on this bedrock cut slope as shown on Geologic Map, Plate 1. A dip-in bedding condition was observed on the existing bedrock outcrops which provides a favorable geologic condition for the eastern ascending slope. The encountered bedrock consisted of a light brown, gray, creamy white, and yellowish brown, moist, firm, bedded, siltstone shale, sandstone shale, and siliceous shale interbedded. The observed bedding planes were striking North 10 - 50 degrees to East and West and dipping approximately 36 - 50 degrees to South and North. This eastern bedrock cut slope is considered to be a geologically stable. However, surficial sloughing may occur due the steep gradient of the eastern ascending slope.

Mr. Richard Walker

- 2 -

January 26, 2019

Three test pits, T-6 through T-8, were excavated on the west side of the existing 3-foot high garden wall. These test pits were located between the 3-foot high garden wall and the northwest corner of the existing residential building. An approximately 1 to 1.5 feet deep of the fill was encountered. Below the fill, bedrock was encountered. The encountered bedrock consisted of a light brown, gray, creamy white, and yellowish brown, moist, firm, bedded, siltstone shale, sandstone shale, and siliceous shale interbedded. Locations of these three test pits are shown on Geologic Map, Plate 1.

Thank you for this opportunity to be of service. If you have any questions regarding this opinion letter, please contact the undersigned at the letterhead location.

Very truly yours,

T.I.N. ENGINEERING COMPANY



Tony S. C. Lee, M.S., P.E.
Project Engineer

TSCL: ir

Enclosures: Geologic Map.....Plate 1

Distribution: Client (3)



SCALE 1" = 30'



0 10 20 30 40

MR. RICHARD WALKER #5 FLYING MANE LANE RANCHO PALOS VERDES, CALIFORNIA	GEOLOGIC MAP	
	SCALE 1" = 30'	PLATE 1
DATE: JANUARY 26, 2019	T.I.N. ENGINEERING COMPANY	
JOB NO.: 121888		

LEGEND	
	EXPLORATORY TEST TRENCH T-1
T-1	
	50
N10E	BEDDING ATTITUDE
Af	FILL OVER SLOPE
Qco	WASH OVER SHALE
Tma	

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RESOLUTION NO. 2019-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING A VARIANCE FROM THE REQUIREMENT THAT UTILITY LINES BE PLACED UNDERGROUND IN CONJUNCTION WITH A CONSTRUCTION OF AN ADDITION AND MAJOR REMODEL IN ZONING CASE NO. 957, AT 5 FLYING MANE LANE, ROLLING HILLS (LOT 45-SF), (WALKER).

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

Section 1. Application was duly filed by Mr. Richard Walker with respect to real property located at 5 Flying Mane Lane, Rolling Hills (Lot 45-SF) requesting a Variance to not to underground utility lines on his property, after having made improvements to the residence including an addition.

Section 2. The Planning Commission conducted duly noticed public hearing to consider the application at their regular meeting on April 16, 2019 and at a field trip on the same day. 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 April 4, 2019. The applicants and their agents were notified of the public hearings. One of the applicant's agent was 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. No one from the public provided input on this project.

Section 3. In February 2013, the property owners received an administrative approval (over-the counter) for a 992 square foot addition and major renovation to the residence. In June of 2015 an administrative approval was granted for a new 790 square foot swimming pool. The applicant has completed the construction and is awaiting final sign off of the residential structure. Section 17.27.030 of the Zoning Ordinance states in part that "All utilities servicing the building in question or any residentially zoned parcel shall be installed underground upon: (B) Remodeling of a primary or accessory building which entails enlargement of the structure or alteration of the building footprint, and (D) Relocating or increasing the electrical panel servicing a building or parcel".

Section 4. The residence is located approximately 20'-25' below the level of the utility pole from which the applicant is drawing power and cable service, and currently the utility lines are strung above ground from the pole to the panel located at the residence. The descending slope from the pole to the residence ranges in slope from 3/4:1 and 1.5:1 gradient and in some areas 1.5:1 to 2:1 gradient.

Section 5. Prior to applying for the variance, the applicant consulted with the electrical company (Edison), a Geotechnical Engineering firm, a Trenching/Grading Contractor and an Earth and Mining Contractor for an opinion of whether the slope could be trenched in order to place the lines underground in the slope. The industry experts submitted letters with their opinion that it would be a hardship and dangerous to underground the utility lines below such a steep slope. The geotechnical report found that there is 1' to 1.5' fill over the slope, and below the fill bedrock of several feet deep was encountered. Edison and other utility companies require that the trench for undergrounding of utility lines be at a minimum 30" deep; a depth where in this case the bedrock is located. The applicant explored several other alternatives with Edison Co., such as allowing trenching in a different direction and connecting to the new panel from a different angle or trenching closer to the surface. These alternatives were rejected by Edison Co. The letters from Southern California Edison Co., T.I.N. Engineering Company, Checker Construction Co. and ECM, Earth, Construction and Mining Co. are on file, in support of the Variance.

Section 6. The Planning Commission finds that the project is exempt from the California Environmental Quality Action (CEQA) pursuant to Class 1, 14 CCR Section 15301: minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use; and common sense exemption: 14 CCR Section 15061(b)(3): can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 7. Variance. 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. A variance from the requirements of RHMC Section 17.27.030 (Undergrounding of utility lines) is being requested to waive the requirement for undergrounding of the utility lines. With respect to the aforementioned request for a variance, the Planning Commission finds as follows:

- A. There are exceptional and extraordinary circumstances and conditions applicable to the property that do not apply generally to other properties in the same vicinity and in the same zone. In 2013, the property owners received an administrative approval (over-the counter) for a 992-square-foot addition to the residence and major remodel. One of the conditions of the approval was to underground the utility lines as required by Section 17.27.030 of the Zoning Ordinance. The applicant consulted with Edison Co. for plans and specification to underground the utility lines and, upon inspection by an Edison Co. Planner was advised that the support soil on the surface and visible bedrock below are of concern for undergrounding. The applicant then consulted a Geotechnical Engineer, Trenching/grading Contractor and an Earth and Mining Company,

all of which found difficulties with undergrounding. Letters from these companies are on file and are in support of the Variance. Alternatives were discussed with the property owner and Edison Co., such as allowing trenching in a different direction and connecting to the new electrical panel from a different angle or trenching closer to the surface of the ground. Edison does not permit this option even if the lines are encased in concrete as was offered. They can only accept 30" deep trench. All of these alternatives were rejected by Edison Co. Consequently, strict compliance with the requirements of Section 17.27.030 is simply not feasible on this property.

- B. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone, but which would be denied to the property in question absent a variance. The property owner desires an addition to an existing single-family residence. The addition is otherwise permissible under the Code. Absent the variance, this property owner would not be able to remodel the residence in a manner that would result in enlargement of the structure or alteration of the building footprint. These are rights that are afforded all other property owners in the vicinity and zone – rights that should not be denied to this property owner solely because of the exceptional and extraordinary circumstances discussed herein that are beyond the owner's control.
- C. The granting of the Variance would not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located. Currently, the utilities are located on a utility pole located on subject property, not in roadway easement or a neighboring property. The lines are only visible from the subject property as they are screened by dense vegetation, so that no other neighbors see them and they are not detrimental to the public welfare or injurious to the property or improvements in the vicinity. In fact, the status quo has been improved somewhat by the upgrading of the utility panel. While undergrounding of the utilities would be ideal, the fact that it is infeasible does not result in a detriment to the public welfare or to any nearby properties. The Commission has considered the nature, condition, and development of adjacent uses, buildings, and structures, and the topography of the area in evaluating this finding.
- D. In granting the variance, the spirit and intent of the Zoning Ordinance will be observed. The purpose of the Zoning Ordinance is to regulate development in an orderly fashion and in a manner consistent with the goals and policies of the General Plan. Approval of the variance will not impede any goals of the Zoning Ordinance or the General Plan. While undergrounding of the utilities would be ideal, the fact that it is infeasible does not result in infringing on the spirit and intent of the Zoning Ordinance. Rather, the variance will allow the property

owner to enjoy the same rights and privileges afforded to other property owners in the vicinity.

- E. The variance does not grant special privileges to the applicant. To the contrary, absent a variance, the property owner would be deprived of the same rights and privileges afforded to other property owners in the vicinity. Unique circumstances applicable to the subject property make it infeasible for the property owner to comply with Section 17.27.030. The applicant's consultants submitted letters testifying to the infeasibility of trenching for the undergrounding, due to the location of bedrock, soft fill on the slope, steep gradient of the hillside between the pole and the residence and presence of foliage and natural landscape that would be lost if trenching was done.
- F. The variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities. The 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 variance request is consistent with the General Plan. Although the variance will waive the requirement to underground utility lines, it will allow the property owner to continue the use of the property. Accordingly, the project is still in line with the General Plan's requirement of low profile, low-density residential development and is respectful of maintaining the community's natural terrain. The proposed project, together with the variance, will be compatible with the objectives, policies, general land uses, and programs specified in the General Plan.

Section 8. Based upon the foregoing findings, the Planning Commission hereby approves the Variance in Zoning Case No. 957 not to underground the utility lines, subject to the following conditions:

A. The approval of the variance applies only in connection with the proposed project and it does not imply or prohibit the present or new property owner from undergrounding the utility lines in the future.

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 Buildings 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 marked Exhibit A and dated February 13, 2013 except as otherwise provided in these conditions.

E. The applicant shall execute an Affidavit of Acceptance of all conditions of this Variance pursuant to Section 17.38.060, or the approval shall not be effective.

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF MAY 2019.

BRAD CHELF, CHAIRMAN

ATTEST:

CITY CLERK

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

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

I certify that the foregoing Resolution No. 2019-09 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING A VARIANCE FROM THE REQUIREMENT THAT UTILITY LINES BE PLACED UNDERGROUND IN CONJUNCTION WITH A CONSTRUCTION OF AN ADDITION AND MAJOR REMODEL IN ZONING CASE NO. 957, AT **5 FLYING MANE LANE**, ROLLING HILLS (LOT 45-SF), (WALKER).

was approved and adopted at a regular meeting of the Planning Commission on May 21, 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.

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.: 7A
Mtg. Date: 05/21/19

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

APPLICATION NO.	ZONING CASE NO. 956
SITE LOCATION:	VACANT LOT APN: 7569-020-004
	8 MIDDLE RIDGE LANE SOUTH (LOT 254-UR)
ZONING AND SIZE:	RAS-2, 3.45 ACRES (EXCL. ROADWAY EASEMENT)
APPLICANT:	KEVIN ZHANG
REPRESENTATIVE:	CRISS GUNDERSON, ARCHITECT
PUBLISHED:	FEBRUARY 7, 2019

The Planning Commission held several public hearings on this matter including a site visit on April 16, 2019.

Following lengthy discussion and input from the neighbors and the Planning Commission, the applicant's architect revised the project.

LOCATION AND LOT DESCRIPTION

Zoning and Land Size

The property is zoned RAS-2 and excluding roadway easement the lot is 3.45 acres in size. For development purposes the net lot area is 3.1 acres, (137,810 sq.ft.). The lot is vacant. The lot is long and narrow, having a very long frontage along Middleridge Lane South. The rear of the lot slopes to a bridle trail that crosses the lot.

PROJECT DESCRIPTION AND RECOMMENDATION

The Project

The project consists of the construction of a new residence, guest house, swimming pool and appurtenant structures, on a vacant lot. The request includes a Site Plan Review, Conditional Use Permit and a Variance.

ZC NO. 956 vacant lot known as 8 Middleridge Ln. S.

Site Plan Review

The applicant is requesting a Site Plan Review (SPR), for grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill, with 835 cy of dirt to be exported from the excavation of the basement and pool; and to construct a 6,273 square foot residence (previously proposed 6,972 sf. residence and before that a 7,364 sf. residence), with 3,000 square foot basement (previously proposed 2,000 sf. basement), 1,120 square foot garage (previously 1,053 sf. garage and before that a 1,157 sf. garage), 2,037 square feet porches (previously 1,457 sq.ft. covered porches and 237 sf. trellis), 200 square foot entry, 1,172 square foot swimming pool with 40 square foot pool equipment, 100 square foot water feature, 400 square foot outdoor kitchen, and 100 square foot service yard area. The house design follows the shape and contours of the lot. A SPR is also requested for one not to exceed 5' high retaining wall along the driveway, (previously two walls).

Conditional Use Permit

A Condition Use Permit is requested to construct an 800 square foot guest house with 337 square foot attached porch.

Variances

The applicant is requesting Variances to exceed the maximum permitted disturbance of the lot by over 9% to up to 49.9%, where maximum permitted is 40%; and to exceed the 20% maximum permitted coverage of a setback with a driveway. The driveway is proposed to cover 33.3% of the front setback. The proposed driveway follows the length of the house and its configuration is dictated by the Fire Department, based on the design of the residence.

Recommendation

It is recommended that the Planning Commission review the amended application, accept public comments and provide direction to staff.

AMENDED PROJECT

Since the second submittal (April 2019), the applicant revised the project by reducing the size of the residence by 699 sq.ft by removing 20' from the middle of the residence; increased the garage by 67 sq.ft; increased the basement by about 1,000 sq.ft. and increased the size of the porches by 343 sq.ft. This change allows for elimination of a portion of the driveway near the south-east corner of the house, although a greater hammer head area had to be added near the garage. The architect was also able to lower the building pad by additional one foot and lowered the pitch of the roof by about 2 feet. Most of the building pad was lowered by over 6' from the originally proposed project. The guest house is able to be moved further away from the street side, thus eliminating the retaining wall previously proposed. In addition, more natural grades can be created with 2.5:1 and 3:1 slopes throughout the graded areas. The shrubs along the northern property line will remain and is so noted on the site plan. The stormwater biofiltration unit was placed away from the street side. In order to create some of the gentler slopes and lower the building pad, the size of the building pad shrunk by about

ZC No. 956 vacant lot known as 8 Middleridge Ln. S. 2

4,000 square feet, resulting in greater building pad coverage. The proposed building pad will be 30,600 sq.ft. with 36% structural coverage-with allowable deductions, and includes the guest house, (guideline 30%).

TRAFFIC COMMISSION REVIEW

Driveway

Prior to applying to the City for development and a driveway, the architect developed a conceptual plan of the house, fitting it on the flattest portion of the lot, where least amount of grading would be required, and submitted the plan to the Fire Department. For the proposed design, the Fire Department requires a 20' wide driveway, plus two turn-out areas for the fire trucks, so that they could access the rear of the house with fire hoses.

Subsequently, the architect submitted an application to the Traffic Commission for a driveway apron. Originally, he proposed the driveway apron along the bend of Middleridge Ln. S., approximately 240' south of the northerly property line of the lot. The City's Traffic Engineer questioned the sight distance for visibility of on-coming traffic for the proposed apron, and after providing a sight distance triangle study and a proposal to remove some vegetation on the property for clearer visibility, the Traffic Engineer concurred that this would be an acceptable location. The applicant staked the driveway apron and Traffic Commissioners went to the field to view it. Several adjacent property owners objected to the location of the proposed driveway apron on the basis that it would be too close to their driveways across the street, and if leaving at the same time, the lights from the car could blind the drivers from across the street. They also felt that it would be located in the most curved portion of the road and be dangerous. In the field, several other options were explored. Some of the residents suggested that the driveway apron be moved further up the road and up the hill, (near the south easterly property line). One property owner objected to that location, and the Traffic Engineer also recommended against it. A suggestion was made to locate the driveway apron further north near the northwesterly property line, in an area where the road is has less of a curve. The Traffic Commissioners agreed to that location. The Traffic Engineer had no objection to this preferred driveway location. Following discussion regarding the amount of grading required for this proposed configuration and the length of the driveway, the Traffic Commission voted to recommend that the driveway apron be located near the northerly property line of the site, as suggested in the field. This recommendation will be provided to the City Council when the project is presented to them, following Planning Commission's decision on the development. The City Council makes the final decision on Traffic Commission's recommendations.

MUNICIPAL CODE COMPLIANCE

Grading

The low point of the proposed development is the northwesterly corner of the site. Grading will consist of cut of 6,790 cubic yards and 5,955 cubic yards of fill with 835 cy of dirt will be exported from the basement and swimming pool; (export of dirt is ZC No. 956 vacant lot known as 8 Middleridge Ln. S.

allowed from the basement and the pool). The eastern portion of the proposed building pad will be cut to up to 10' in depth (southerly portion of driveway spur along the eastern side of the house); and the western portion of the building pad is proposed to be filled to maximum of 15' at the west end of the residence. The building pad is proposed to be lowered about 6 feet from the original proposal to preserve views over the new house from homes to the south. The resulting slopes will range from 3:1 to 2.5:1.

The applicant did soils investigation on the lot, and the soils engineer deemed the lot buildable.

Disturbance

The disturbance of the lot is proposed to be 68,868 square feet or 49.9%; a variance is requested.

Height

The applicant lowered the ridgeline twice since the original submittal. He is proposing to lower the pitch of the roof and lower the pad by one more foot. This will result in less of the house being visible from across the street. The highest ridgeline of the house is proposed at 18', along west elevation and step down to as low as 13'3". The guest house will have a height of 14'10" along the north elevation and 13'10' elsewhere.

The Chimneys will run in a north south direction.

Drainage

This project is subject to the Low Impact Development (LID) requirements pertaining to stormwater management, including provisions for retention of run-off on the property. The drainage design will collect and convey storm runoff from the project area to the northwest corner and discharge into the street, (near the proposed drwy entry). Energy dissipation will be provided to slow the discharge. Biofiltration unit and other LID BMPs will be utilized, as required by the Building Department to treat and retain the runoff. The rear portion of the lot will continue sheet flow to the rear.

Lot and Building Pad Coverage

The proposed structural coverage on the lot will be 12,692 sq.ft. or 9.2%, and accounting for deductions will be 9.0%, in conformance with the lot coverage limitations, (20% max. permitted); the proposed total coverage, (structures and flatworks) will be 29,052 sq.ft. or 21.1% accounting for deductions in conformance with the lot coverage limitations, (35% max. permitted).

The proposed building pad will be 30,600 sq.ft. with 36% structural coverage-accounting for allowable deductions, and includes the guest house on the same pad, (guideline 30%). There exists approximately 4,000 square foot of level area, which will become a part of the larger pad; and will be lowered by about 5' from its current elevation. The future stable pad will be 1,290 sq.ft. and will have coverage of 36%, if the minimum size stable of 450 sq.ft. is developed.

Walls

One not to exceed 5' high retaining wall, approximately 50' long is proposed along the driveway and will average out to 2.5' in height. The wall near the guest house was eliminated

Guest house

Section 17.16.210 (5) of the RH Zoning Ordinance allows guest homes with a Conditional Use Permit with the following restrictions.

- Shall not exceed 800 sq.ft.
- Shall not be located in the front yard or any setback
- A kitchenette and sanitary facility of shower, sink, toilet shall be permitted
- No vehicular access or paved parking area shall be developed within fifty feet of the guest house
- Renting of a guest house is prohibited
- Occupancy of the guest house shall be limited to persons employed on the premises, the immediate family of the occupants of the main residence or by the temporary guests of the occupants of the main residence. No temporary guest may remain in occupancy for more than thirty days in any six-month period
- All requirements of this title must be complied with unless otherwise set forth in the permit or approved plan
- A landscaping plan shall be submitted to the City of Rolling Hills Planning Department staff or Planning Commission, if requested, for approval. The plan submitted must comply with the purpose and intent of site plan review as specified in Chapter 17.16. of this Title.

The proposed guest house meets these conditions; it will be required that a floor plan be submitted.

Utility Lines / Septic Tank

All utility lines for the development will be required to be placed underground. The Los Angeles County Public Health department will review the septic system.

Stable/corral

A 1,000 square foot area for a future stable and corral has been designated in the north area of the lot, in proximity to the driveway entrance to the lot. Access will be taken from the driveway.

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, Conditional Use Permit and Variances, as written below.

Environmental Review

The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) under Class 3, Section 15303. New construction of a single family residence and accessory structures.

Rolling Hills Community Association Review

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

PUBLIC PARTICIPATION

During the Traffic Commission's review several residents objected to the location of the originally proposed driveway apron. During the Planning Commission meeting and proceedings several residents along Middleridge Lane South expressed concerns with the massing and size of the house, grading amount, loss of privacy, loss of views, visibility of the long driveway, which parallels Middleridge Lane and inquired about screening of the driveway. The owners adjacent to the property to the north expressed concerns with the proximity of the driveway to their driveway, screening of the structures, loss of privacy and noise. Few other neighbors reviewed the plans and did not express objections, but stated that the house is big.

NEIGHBORING PROPERTIES

Address	Lot Size In Acres- Excl. Roadway Easement	Size In Sq.Ft. House; Garage if known
1 Middleridge S.	5.75	4,541 / 2,263
3 Middleridge S.	3.4	5,190 / 1,038
5 Middleridge S.	3.27	2,650
7 Middleridge S.	3.48	4,095 / 947
9 Middleridge S.	5.69	5,600 / 800
11 Middleridge S.	3.20	3,626
2 Middleridge S.	1.88	5,239 / 980
4 Middleridge S.	1.84	2,790
6 Middleridge S.	3.40	3,869 / 806
10 Middleridge S.	2.22	3,657 / 773 (proposed hs 4,531)
Proposed: 8 Middleridge S.	3.48	6,273/1120

Project Summary

REVIEW	PROPOSED APRIL 2019		CURRENTLY PROPOSED	
<u>RA-S- 2 ZONE SETBACKS</u> Front: 50 ft. from front easement line Side: 35 ft. from property line Rear: 50 ft. from rear easement line	NEW SINGLE FAMILY RESIDENCE WITH GARAGE, BASEMENT; GUEST HOUSE, NEW DRIVEWAY; MISCL. ACCESSORY STRUCTURES		NEW SINGLE FAMILY RESIDENCE WITH GARAGE, BASEMENT; GUEST HOUSE, NEW DRIVEWAY; MISCL. ACCESSORY STRUCTURES	
Construction of a new residence/garage requires a SPR; Guest house requires a CUP; Exceedance of disturbance of the lot and coverage with a drwy requires a Variance	Residence	6972 sq.ft.	Residence	6273 sq.ft.
	Garage	1053 sq.ft.	Garage	1120 sq.ft.
	Pool/spa	1172 sq.ft.	Pool/spa	1172 sq.ft.
	Pool eqpm.	40 sq.ft.	Pool eqpm.	40 sq.ft.
	Guest house	800 sq.ft.	Guest house	800 sq.ft.
	Stable-future	450 sq.ft.	Stable-future	450 sq.ft.
	Attch. porches	1794 sq.ft.	Attch. porches	2037 sq.ft.
	Entry	200 sq.ft.	Entry	200 sq.ft.
	Attcht. Trellis	237 sq.ft.	Attcht. Trellis	0 sq.ft.
	Outdoor kitchen	400 sq.ft.	Outdoor kitchen	400 sq.ft.
	Water feature	100 sq.ft.	Water feature	100 sq.ft.
	Service yard	100 sq.ft.	Service yard	100 sq.ft.
	Basement (not counted towards coverages)	2,000sq.ft.	Basement (not counted towards coverages)	3,000 sq.ft.
	TOTAL	13,318 sq.ft.	TOTAL	12,692 sq.ft.
<u>STRUCTURAL LOT COVERAGE</u> (20% maximum)	13,098 sq.ft. (w/ deductions) or 9.5% of 137,810 sq.ft. net lot area		12,472 sq.ft. (w/ deductions) or 9.0% of 137,810 sq.ft. net lot area. 9.2% w/out deductions	
<u>TOTAL LOT COVERAGE</u> (35% maximum)	29,958 sq.ft. (w/ deductions) or 21.7% of 137,810 sq.ft. net lot area		29,052 sq.ft. (w/ deductions) or 21.1% of 137,810 sq.ft. net lot area 21.4% w/out deduction	
<u>BUILDING PADS (30% guideline)</u> Residence, pool, guest hs, & miscl.	11,716 sq.ft. or 33.6% of 34,800 sq.ft. pad (w/ deductions)		11,029 sq.ft. or 36% of 30,600 sq.ft. pad (w/ deductions)	
Stable	36% of 1,290 sq.ft. pad -future		36% of 1,290 sq.ft. pad -future	
<u>GRADING</u> Site Plan Review required if excavation and/or fill or combination thereof that is more than 3' and covers more than 2,000 sq.ft.) must be balanced on site.	5,835 cy cut and 5,835 cy fill to be balanced on site; plus export from basement and pool		6,790 cy cut and 5,955 cy fill - 835cy from basement & pool excavation to be exported	
<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.)	64,200 sq.ft. or 47% of the net lot area (Variance requested)		68,886 sq.ft. or 49.9% of the net lot area (Variance requested)	
<u>STABLE (min. 450 SQ.FT. & 550 SQ.FT. CORRAL)</u>	Set aside 1,000 sf		Set aside 1,000 sf	
<u>STABLE ACCESS</u>	Future		Future	
<u>ROADWAY ACCESS-</u>	Proposed new driveway		Proposed new driveway approach.	

	approach. Variance requested for covering 33.3% of the front setback (max. permitted 20%)	Variance requested for covering 33.3% of the front setback (max. permitted 20%)
VIEWS	Planning Commission review	Planning Commission review
PLANTS AND ANIMALS	Planning Commission review	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 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.

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.

Justification from Applicant

The Applicant's representative states, in part as follows:

Site Plan Review -

- The construction of a single family residence with accessory structures is a permitted use in the City. Grading is required, and the pad will be pushed down 5-6' in the middle of the lot to preserve views of homes to the south.
- The project is slightly larger in size than its neighbors. Its lot area is also larger. Setbacks are exceeded, substantially for most of the construction.
- The building pad is created with a cut or slice of earth that parallels the existing topography and the road. The earth generated is placed in natural appealing curved shape which fills and existing depression.
- With the pad pitched as the existing site slopes, fill slopes follow Middleridge in a natural form. There is no grading in the canyon and all drainage courses remain the same.
- Most of the grading quantities will be balanced on site, with Vvery little amount of dirt exported from excavation
- Existing street trees will mostly remain and fire fuel plants and dead vegetation will be removed. The canyon area will remain untouched.
- The residence is sited on a spacious pad with large setback separation beyond the minimum. The large lot at over 3 acres net allows for this rambling house to follow the topography of the lot in a harmonious manner.
- The Traffic Commission, Traffic Engineer and the neighbors agreed on the location of the driveway apron. A path for pedestrians is preserved at the street and there is ample off-street parking due to Fire Prevention access requirement.
- All standard Best Management Practices for grading and construction shall be employed.

Variances -

- The property is unimproved, and therefore a new driveway is proposed. The Traffic Commission determine the best location of the apron be located towards the north-east corner of the property.
- Topography dictates the residence be sited to the east. Also Fire Prevention requires access to the east and north-east wings of the home. These requirements force driveway front yard coverage of 33% and area of disturbance of 47.0%.
- Middleridge Ln. S. has exceptionally poor sight lines due to tight curves and steepness. The selected driveway apron location leads to a long driveway in the front setback and additional grading. The recommended location of the apron controls design parameters.

Conditional Use Permit-

- Guest houses are permitted uses and are common in Rolling Hills



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.: 7B
Mtg. Date: 05/21/19

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

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; APRIL 4, 2019; MAY 9, 2019

ATTACHMENTS:
BIOLOGICAL RESOURCES REPORT

PROJECT DESCRIPTION AND BACKGROUND

The Planning Commission visited the site in the morning on May 21, 2019.

The Project

The project entails the construction of a new residence with a basement, garage, covered porch, stable with corral, retaining walls, new swimming pool and other outdoor amenities.

Zoning and Land Size

The property is zoned RAS-2 and the gross lot area is 5.5 acres. The net lot area of the lot is 204,383 square feet or 4.69 acres. The lot is vacant but has a graded, previously created building pad as well as a 15' wide driveway leading to the building pad. Poppy Trail road traverses the lot and the Gerorgeff Trail is also located on the lot. Access is taken over the adjacent lot, at 0 Poppy Trail. The area across Poppy Trail (to the east of the road) has been designated as an easement to the RHCA and as a Significant Ecological Area (SEA). There are bridle trails leading to/from Hesse's Gap riding ring through this portion of the lot. SEA cannot be disturbed, as it has been identified as

having biological resources. Following the remediation and the entitlements, the SEA was so noted on the Final Parcel Map and recorded.

Past Property Approval

In 2005, an active landslide took place on what was, at the time, 1 Poppy Trail. The roadway easement (Poppy Trail) was covered by dirt from the slide and a series of remediation steps were taken to stabilize the land and reconstruct Poppy Trail. As a result of that stabilization, two vacant lots were formed, 1 Poppy Trail and the adjacent property, 0 Poppy Trail.

At the conclusion of remediation of the landslide, the City approved a number of elements on the lot that allow for future development, including a subdivision into two lots, determination of setbacks, variances for greater than permitted disturbance for both lots (55% on subject lot and 65% on 0 Poppy Trail lot), a set of slopes steeper than 2:1, the driveway aprons, the set aside area for stables and corrals, utility line placement, slopes greater than 30 feet in height, walls located in the setbacks, walls higher than five feet tall, landscaping on slopes, grading and export of dirt. To create the two lots, lot line adjustments between several parcels in the vicinity were approved, as well as a subdivision, zoning map and a zone change.

In 2017 approval was granted for the development of a residence with appurtenant facilities on one of the lots, 0 Poppy Trail.

Site Plan Review

The applicant requests a Site Plan Review for a new 6,374 square foot residence with 756 square foot attached garage and 934 square foot basement, a 1,643 square foot swimming pool & spa, a retaining wall ranging in height from 6" curb to 5' along the north western limits of the building pad, a portion of which is in the side setback, and overall grading of 5,600 cubic yards. Also proposed are several outdoor amenities, such as a BBQ, service yard and water feature. 520 cubic yards of dirt is proposed to be exported from the basement and pool excavation. Although those elements of the proposal are not subject to a SPR, they are a part of the development.

Conditional Use Permit

A Conditional Use Permit is requested for a new 452 square foot stable and 575 square foot corral.

Variances

A Variance is requested for approximately 160' of the retaining wall to encroach between 1-foot to 2.5 feet into the side setback. The Building Code requires certain distance from structures to an ascending slope. In order to comply, the applicants propose to slightly enlarge the building pad, by 860 square feet, to create a larger yard area between the house and the slope, to construct an up to 5' high retaining wall into the setback and to exceed the lot disturbance to 69.6%.

During the remediation of the landslide, the lot was graded and slopes reconstructed and at that time a variance for disturbance of the lot was granted of 55%, (40% max. permitted). According to new evaluation of the disturbed area of the lot by the Civil Engineer, calculated specifically for this application, the disturbance of the lot is 69.6%, and is greater than the variance of 55% granted in 2010. Therefore, a new variance is required for the 69.6% disturbance.

(See more detail on the disturbance under the Disturbance description below).

Driveway and Motor Court

The applicants propose to widen the existing driveway to 20' and size of the motor court to meet Fire Department requirements. The slope of the driveway is 7% or less for the first twenty feet and never greater than 17% grade at any point. The Traffic Commission previously reviewed and recommended approval of the driveway apron. The City Council approved the driveway apron at the time the lot was subdivided on October 4, 2010.

MUNICIPAL CODE COMPLIANCE

Grading and Stabilization

Due to the engineering of the lot and surrounding slope, there are limitations to grading on the slope of the property. The only proposed improvement near the engineered slope is the widening of the driveway; and pushing the building pad out a few feet. Overall grading will include 2,800 cubic yards cut and 2,800 cubic yards fill, 1,500 cubic yards over excavation, and 2,000 cubic yards re-compaction. The total grading for the site is proposed to be 5,600 cubic yards with 520 cubic yards of dirt to be exported from the site coming solely from the pool and basement excavation.

Disturbance

As reported in the variance section, existing disturbance of the lot is 69.6%. This percentage is based on an updated survey conducted by the project engineer. There will be no additional disturbance as a result of the proposed project. All development is being constructed within a previously disturbed area. While reviewing the development proposed on 0 Poppy Trail in 2017, it became apparent that it is necessary to amend the previously prepared and adopted Mitigated Negative Declaration (MND) for the landslide remediation project, (of a landslide that occurred in 2005 at this location), to reflect the correct disturbance on both lots. The original MND prepared for the landslide remediation project was undertaken by the previous owners (CJPIA). Prior to the remediation of the landslide it was reported that the projected lot disturbance would be 65% on the lot that became 0 Poppy Trail and 55% on the lot currently under consideration, which is 1 Poppy Trail, whereas a current survey of the property show disturbance at 69.6%, including for the stable and corral. In 2017 staff prepared an addendum to the MND explaining the discrepancy in reporting of the disturbed area. It was determined that all of the areas of the lot where grading or remediation took place were reviewed by geotechnical, soils and civil engineer consultants prior to any grading being implemented, and is substantiated by the

geotechnical reports that are on file at City Hall, including a final analysis for the as remediated project. The lower percent reported in the original project application for the landslide remediation was a numerical error provided by the Civil Engineer. The amended MND was adopted by the Planning Commission on August 15, 2017 and is included with this report.

Height

The height of the highest ridgeline for the residence is proposed to be 18.25 feet, and it varies between 12', 15' and the 18.25'. The highest ridgeline of the stable is proposed to be 12.25 feet. The basement is proposed to be 9 feet deep.

Drainage

The existing condition of the site includes an extensive swale system with outlets into the natural drainage course and weep holes in the retaining walls. The run-off is directed away from the building pad. The new swales to be constructed behind the wall along the limit of the building pad, will collect water from above the project site and direct it away from the building pad.

The remediation of the landslide was previously subject to the Storm Water Pollution Prevention Plan (SWPPP), which included stormwater management for the grading of the driveway and building pad. This application is subject to the City's Low Impact Development (LID) ordinance requirements for retention of water on site and biofiltration, and the City's Water Efficient Landscaping Ordinance where the applicants must implement low water usage planting, comply with a water budget and prescribed irrigation devices and certify compliance. The previously landscaped slopes and walls must remain and be maintained in good condition. All of these requirements will be reviewed at the plan check review process and monitored during construction.

Lot Coverage

The net lot area of the lot is 204,383 square feet. The proposed overall total (structural and flatwork) coverage on the lot (with exclusions) is 27,979 square feet or 13.7% in conformance with the lot coverage limitations, (w/out exclusions 13.73%), (35% max.). The proposed structural net lot coverage (with exclusions) is 10,746 square feet or 5.25% in conformance with the lot coverage limitations, (w/out exclusions- 5.28%), (20% max.). The building pad has been graded and is 23,750 square feet. The applicant proposes to enlarge it by 860 square feet to 24,610 sq.ft. Building coverage on this pad is proposed at 43.7%, which includes the stable, (30% guideline).

Walls

There are several existing walls on the subject property. These walls were used to stabilize the lot and have previously been approved as part of the remediation of the landslide in 2010. This includes some walls higher than 5 feet and/or located within setback areas.

The proposed project includes one, approximately 340' long retaining wall, ranging from a 6" curb to 5' in height along the northwestern limits of the building pad, portion

of which encroaches between 1' to 2.5' into the side setback. A 55' long wall not to exceed 3' is also proposed along a portion of the back wall, at the northwestern end of the residence. The walls will average out to 2½ feet in height. A drainage swale will be constructed behind the wall to collect run-off from the slope and divert it around the building pad.

Stable Access

Stable access is proposed for both vehicles and horses off the main driveway. Since Georgeff Trail is located on the property, access to the trails is very convenient.

CONDITIONAL USE PERMIT SUMMARIES

A Conditional Use Permit is required for the stable pursuant to Section 17.18.060. The proposed stable will be 452 square feet with a 575 square foot corral.

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 20' wide vehicular access off driveway and over 6' horse access from easement 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
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	452 square foot stable with no loft.
Minimum of 60% of the size of the structure shall be maintained for agricultural uses	Agricultural spaces include one stall, and is 327 sq.ft. or 72.3% 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 is 125 sq.ft. 27.6% of the structure
Tack room may have sanitary and kitchenette amenities	Not proposed at this time
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	No loft proposed
Loft plate height may not exceed 7'	No loft
Exterior area of stables may not to be paved	Unpaved corral adjacent to the stable and a short pervious 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. Much of this infrastructure was already provided for during the landslide remediation and stub outs for the utilities are in the ground.

The previous remediation of the site also requires that any future development of a residence include a percolation test. This is to accommodate the septic tank. The applicant has conducted this test and has indicated on the plans a septic tank location consistent with the results of the test.

Additional Environmental Review

As stated earlier, the project review was continued from the January 2019 meeting to allow staff to determine if the proposed project may be subject to a new review of one of the components of CEQA, the Biological Resources, because it may no longer be covered by the mitigated negative declaration document used in the landslide remediation on the site. Therefore, additional time was required to evaluate this issue.

A portion of the property is designated as a Significant Ecological Area (SEA). This means that biological resources were identified in the area and it needs to remain undisturbed. Prior to the landslide remediation the impact of grading and disturbance of the property was analyzed in the CEQA document prepared at the time. The proposed new development is consistent with that analysis. That SEA was identified by the Environmental consultant that was hired prior to remediation of the lot to study the biological resources and is recorded with the Final Parcel Map.

During the review of this project staff came across information that there may be an adjacent ecologically sensitive area located in the area of the proposed widening of the driveway. Normally a single family development with appurtenant structures is exempt from CEQA (14 CCR Section 15303). To process the application the City needed to analyze whether an exception to that exemption applies because of the new information.

Based on the City's evaluation we found that the project is exempt and that there is no evidence to suggest that an exception to the exemption would apply. The MND prepared for the remediation project concluded that the project would not have a significant adverse effect on the environment. The biological resources section analyzed the following: five vegetation communities, including the urban/developed, disturbed
 ZC No. 955 1 Poppy Trail

habitat, southern mixed chaparral, non-native grassland, and southern willow scrub; two sensitive habitats, including the southern mixed chaparral and southern willow scrub; twenty-five sensitive plant species; and sixteen sensitive animal species, and only found the presence of a few sensitive resources (southern mixed chaparral, southern willow scrub, as well as riparian area) on the east side of Poppy Trail, and was designated as an ESA. (See attached the Biological Resources section of the CEQA documents prepared for the remediation.)

In addition, the City sought out the opinion of a biologist to compare the conclusions in the former MND with the new County SEA to see whether the former MND covered the same environmental sensitivities as in the County SEA. The biologist concluded that there are no sensitive biological resources within the proposed project footprint, and therefore no significant impacts would result from the project implementation. The biologist also found that the area currently in question was already developed or was in a disturbed condition as a result of the landslide and that no sensitive biological resources were located in the area currently proposed for development at the time the MND was prepared in 2010, (see attached biologist's opinion.)

Environmental Determination

The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) under Class 3, Section 15303 New Construction. Earlier approved elements and anticipated development activities for the subject property were previously reviewed and mitigations are covered by a Mitigated Negative Declaration adopted in October 2010, and as corrected in 2017.

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 findings for a Site Plan Review, Conditional Use Permit, and Variances as seen below.

NEARBY PROPERTIES

(For information only)

Address	House size in sq.ft. (built/add or remodel)	Lot Area (gross acres)
0 Poppy Trail	Approved 4,859*	4.08
2 Poppy Trail	4,377	2.24
3 Poppy Trail	3,598*	5.13
25 Portuguese Bend Road	5,136*	7.99
24 Portuguese Bend Road	8,661	4.48
100 Saddleback	5,951	3.91

ZC No. 955 1 Poppy Trail

Road		
1 Poppy Trail	Proposed 6,374	4.08

NOTE: The above do not include garages, basements and other accessory structures.

SOURCES: Assessors' records * City records

Project Summary

SITE PLAN REVIEW	PROPOSED OVERALL TOTAL	
RA-S- 2 ZONE SETBACKS Front: 50 ft. from front easement line Side: 35 ft. from property line Rear: 50 ft. from rear easement line	NEW RESIDENCE, GARAGE, POOL and STABLE	
	Residence	6,374 sq.ft.
	Garage	756 sq.ft.
	Pool and spa	1,643 sq.ft.
	Pool Equipment	41 sq. ft.
	Stable	452 sq.ft
	Service yard	96 sq.ft
	Covered Porches	1,360 sq.ft.
	Outdoor firepit	25 sq.ft.
	Outdoor BBQ	53 sq. ft.
	Water feature	9 sq.ft.
	Basement	934 sq.ft.
	TOTAL	10,809 sq.ft
STRUCTURAL LOT COVERAGE (20% maximum)	10,746 sq.ft. or 5.25% (with deductions) (5.28% no deductions)	
TOTAL LOT COVERAGE (35% maximum)	27,979 sq.ft. or 13.69% (with deductions); 13.7% -no deductions	
BUILDING PADS (30% guideline) Residence, pool, other misc. structures STABLE	43.7% residence pad coverage (with deductions) . It includes stable	
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.	2,800cy cut and 2,800 cy fill, for a total of 5,600 cy. Plus 520 cy to be exported from excavation of basement and pool	
DISTURBED AREA (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.)	69.6% Variance previously granted for 55%.	
STABLE (min. 450 SQ.FT. & 550 SQ.FT. CORRAL)	452 s.f Stable 575 s.f. Corral	
STABLE ACCESS	Off bridal trail and driveway	
ROADWAY ACCESS	Existing driveway approach	

ZC No. 955 1 Poppy Trail

	already approved to be widened
VIEWS	Planning Commission review
PLANTS AND ANIMALS	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.

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

Applicant Statements

Regarding compatibility to the zone and variance for the wall, the applicant states the following:

"In order for the site to maintain H/2 ratio surrounding the residence, we are in need of placing retaining walls in setback. The retaining walls in setback would only be visible to owner and not adjacent properties. The area in need of additional retaining walls in setback have a higher slope than most of site. The variance is necessary for the preservation of the site for the property and neighboring properties. The retaining walls in setback will not be visible.

The retaining walls in setback will not be materially detrimental to the vicinity. They are located in the back of the site behind the residence. Retaining walls will match adjacent wall styles and below HOA height restrictions.

The variance would be consistent with the portions of the County of LA Hazardous Waste Management Plan for the sitting criteria for hazardous waste facilities. All requirements would be met and maintained.

The variance request would be consistent with the general plan of the City of Rolling Hills and would meet all requirements."

Regarding the overall development of a new residence and appurtenant structures on a vacant lot, the applicant states in part as follows:

The project is compatible and fits with the surrounding sites of neighboring houses. It is located at the most feasible location to maximize drainage courses, land forms and vegetation. No impact from grading will result as the lot was previously graded. The development is minimal in regards to lot coverage. The project is harmonious in scale and mass with the site and adjacent properties. The rear setback encroachment is due to necessity of a retaining wall and a swale required to maintain the slope. The wall would only be visible from the residence and not adjacent properties.

Regarding the CUP for the stable and corral, the applicant states in part: Stables and corrals are a requirement of the City and this project is consistent with the General Plan. The project site is adequate in size and shape to accommodate the stable and corral.

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EVERETT AND ASSOCIATES
ENVIRONMENTAL CONSULTANTS

ESTABLISHED IN 1975

POST OFFICE BOX 1085
LA JOLLA, CALIFORNIA 92038

(858) 456-2990 TELEPHONE
everett@esrc.org EMAIL

13 February 2019

Yolanta Schwartz
Planning Director
City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, CA 90274

Re: Poppy Trail Project, City of Rolling Hills

Dear Yolanta,

At your request I have reviewed documentation that you have provided regarding the County of Los Angeles designation of a portion of the property in question as being within a Significant Ecological Area (SEA), and the impact of that designation on a proposed single-family residence with associated driveway improvements.

You will recall that I worked on the Poppy Trail Landslide Remediation Project from 2010 through 2012. In your files you have my Biological Resources Technical Report, which analyzed conditions on the site prior to the remediation activities and discussed impacts to sensitive biological resources. Attached is the figure from the report showing the existing vegetation communities prior to the remediation activities. Please note that the areas currently in question were either already developed or were in a disturbed condition as a result of the landslide (an Act of God). Note that no sensitive biological resources were located in the area currently proposed for development and improvement. Also attached is a 2012 Google Earth image of the site, showing the entire area that was cleared pursuant to the landslide remediation.

Because no biological resources of any kind occur or have occurred in the area where the currently proposed improvements are planned, the SEA designation must have been an error. Certainly, the George F. Canyon and riparian area on the east side of Poppy Trail are sensitive habitat, but those areas were not and will not be disturbed.

Given the vast areas mapped throughout Los Angeles County as SEAs, it is not surprising that the boundaries of these areas can sometimes be vague. Many of the areas were derived from hand-drawn maps from the 1970s, which were later digitized. Most of the SEAs have never actually been surveyed providing precise boundaries. Boundaries shown on the County maps can easily be off, sometimes by hundreds of feet or more.

Furthermore, the areas to be improved meet none of the six SEA designation criteria, as described in Appendix E - Conservation and Natural Resources Element Resources (pages 85 and 86) of the Los Angeles County General Plan.


CELEBRATING 44 YEARS OF ENVIRONMENTAL EXCELLENCE

Yolanta Swartz, Page two
13 February 2019

Given that there are no sensitive biological resources within the proposed project footprint, it is difficult to imagine any way that significant impacts would result from project implementation.

If you have any questions at all, please call me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "William T. Everett". The signature is fluid and cursive, with a long horizontal stroke at the end.

William T. Everett, PhD, FN, FRGS

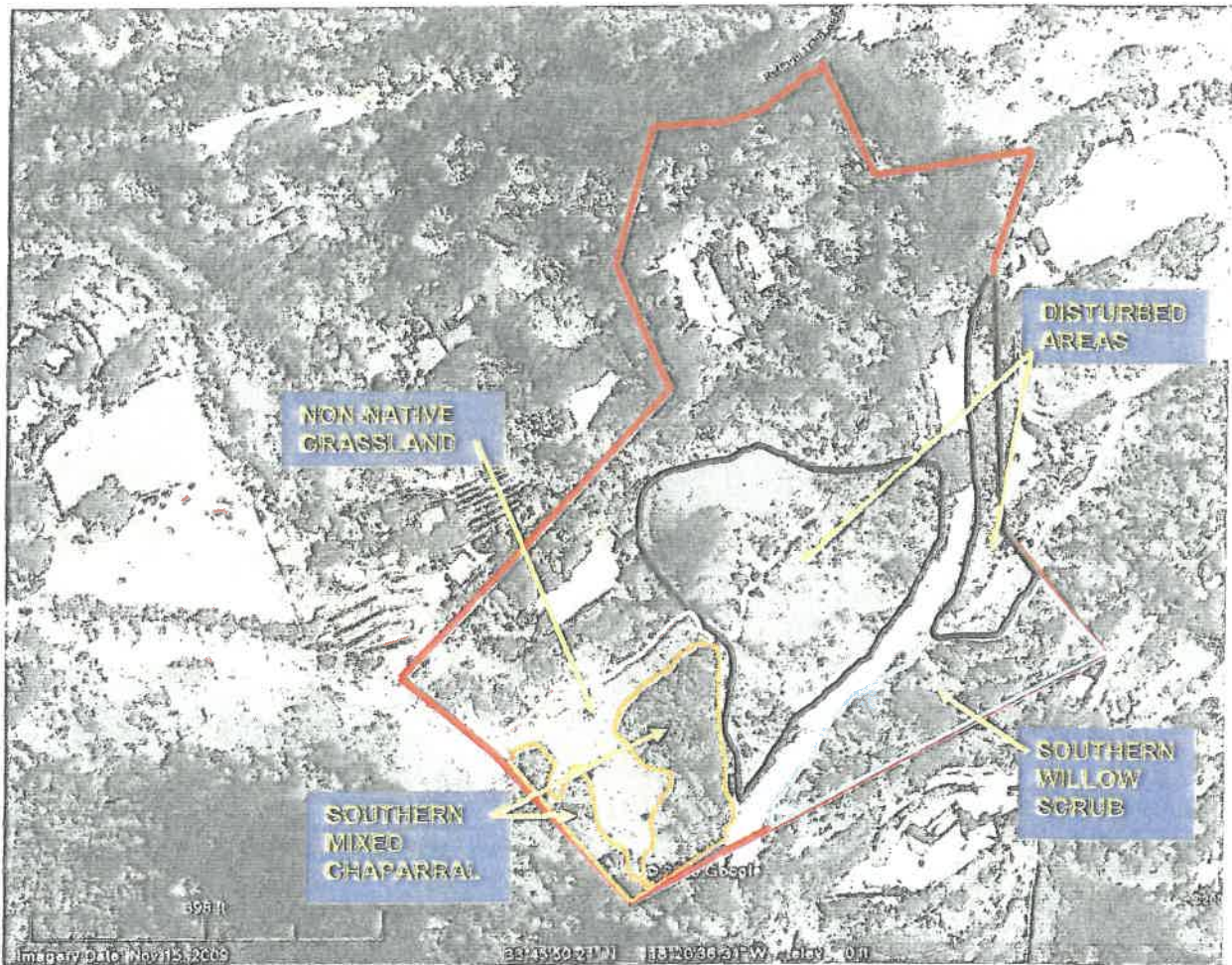


Figure 9. Biological Resources (Vegetation) Map of the project site. All areas not specifically defined are Urban/Developed.



Satellite image of the project site in 2012, showing the complete absence of vegetation (of any kind) from the project site.

BIOLOGICAL RESOURCES TECHNICAL REPORT



PROJECT NAME:

POPPY TRAIL ROAD LANDSLIDE REMEDIATION PROJECT

ROLLING HILLS, LOS ANGELES COUNTY, CALIFORNIA

PREPARED FOR

THE CITY OF ROLLING HILLS
2 PORTUGUESE BEND ROAD
ROLLING HILLS, CALIFORNIA 90274

BY

EVERETT AND ASSOCIATES
ENVIRONMENTAL CONSULTANTS
POST OFFICE BOX 1085
LA JOLLA, CALIFORNIA 92038
858 456-2990

26 JULY 2010

William T. Everett, MS, FN, FRGS
Certified Biological Consultant

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POPPY TRAIL ROAD LANDSLIDE REMEDIATION PROJECT

SUMMARY

The Poppy Trail Road Landslide Remediation project is multi-faceted effort to remediate a landslide that occurred in 2005. In addition to removing and replacing the landslide mass, the project includes road repair, lot line adjustments, and creation of an additional parcel. Upon project implementation, the site will contain two legal parcels totaling 10.16 acres (gross).

The project site is located on Poppy Trail Road in the City of Rolling Hills, on the Palos Verdes Peninsula in Los Angeles County.

Five vegetation communities occur on-site: Urban / Developed, Disturbed Habitat, Southern Mixed Chaparral, Non-Native Grassland, and Southern Willow Scrub.

Habitat Assessments were conducted on-site for California Gnatcatchers and Palos Verdes Blue Butterflies. No sensitive species were detected or are considered likely to occur.

The project will result in the loss on-site of 0.16 acres of Southern Mixed Chaparral. This loss is not deemed significant. An area of Southern Willow Scrub (wetland) on the site will not be impacted and will be protected from future disturbance by designation by the City as an Environmentally Protected Area.

All impacts of the project are below a level of significant pursuant to the California Environmental Quality Act. No mitigation is required.

INTRODUCTION

The purpose of this report is to document the biological resources identified as present or potentially present on the project site; identify potential biological resource impacts resulting from the proposed project; and recommend measures to avoid, minimize, and/or mitigate significant impacts consistent with federal, state, and local rules and regulations including the California Environmental Quality Act (CEQA).

BACKGROUND

On March 5 2005, a landslide occurred in the City of Rolling Hills. The landslide originated on property located at 1 Poppy Trail Road (the "Sheen property") and terminated just below the roadway easement for Poppy Trail Road. The landslide buried a portion of Poppy Trail Road, which is the sole means of ingress and egress for nine residential lots. The entire project area is located within the City of Rolling Hills, and Poppy Trail Road is located on land owned mostly by the City of Rolling Hills.

Immediately following the landslide, the City and the Rolling Hills Community Association undertook various emergency measures including winterization of the landslide mass, construction of a temporary access road at the toe of the landslide, and construction of a temporary debris wall along Poppy Trail Road (Photograph 1). Over the ensuing months, various legal actions were initiated among and between parties that were impacted by the landslide. The disputes were ultimately resolved through a Settlement Agreement that was approved in April 2010. Among the Agreement conditions is a requirement calling for a subdivision map creating two parcels where a single parcel now exists. Remediation of the lands and improvements that were impacted by this landslide will be incorporated into the subdivision map and associated discretionary actions including a lot line adjustment, a grading plan, a zone change, and site plan review and variances.

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PROJECT LOCATION AND DESCRIPTION

The project site and all project elements are located on Poppy Trail Road in the City of Rolling Hills (Figures 1 and 2). The site is dominated by a steep, east-facing slope. It is this slope that slipped during the landslide. The site is situated between 720 and 925 feet above sea level. The approximate USGS coordinates of the site are 33°46'N, 118°21'W (Torrance 7.5 minute series quadrangle, Figure 3). The upper portions of the site contain an existing residence (now abandoned), and associated improvements such as a tennis court and riding stables. The lower portions of the site contain much of the landslide mass, the emergency post-slide alignment of Poppy Trail Road, a small area of natural and naturalized vegetation, and a deeply incised drainage with an intermittent blue line stream flowing in its bottom. The drainage contains dense riparian associated vegetation.

The site is bordered on the northwest and west by Portuguese Bend Road and a single family residence, respectively. To the south is a large undeveloped parcel containing native vegetation. To the southeast, across Poppy Trail Road, is single family residence. To the east and northeast, across Poppy Trail Road, is a large City-owned parcel containing a riding arena, picnic facilities, and undeveloped land.

Central elements of the proposed project are to fully remediate the area of the landslide (removing the slumped soil and replacing it as an engineered fill), to create two residential lots for future sale, to reconstruct Poppy Trail Road to full standards in the location of the temporary road, to reconstruct the existing bridle pathway along Poppy Trail Road and create a new bridle trail on a structural terrace. Discretionary actions to be taken include:

Subdivision: Two parcels will be created through the remediation and grading plans. Parcel 1 will have a net area of 2.68 acres and Parcel 2 net area of 4.76 acres. Total project area encompasses 7.44 acres (net).

Lot Line Adjustment: The two new parcels will be comprised in part of land that was the original Sheen property. However, to facilitate optimum layout and design, and in accordance with elements of the Settlement Agreement, lot lines will be adjusted including the incorporation of limited acreage from two surrounding parcels. One of the donor parcels is owned by the City of Rolling Hills and includes 3.99 acres of land on and around the Poppy Trail Road alignment beginning about 150 feet south of Portuguese Bend Road and ending just short of the curve at the Willow Creek trailhead. The second donor parcel is owned by Saridakis Construction Inc. and includes 1.17 acres contained in a triangular parcel that abuts the City-owned property and extends north of the remaining Saridakis Construction Inc. acreage. The lot line adjustment has multiple purposes; (a) the City seeks to divest ownership of that portion of the lot where the Poppy Trail Road right of way is located, consistent with city policy; (b) transfer of the Saridakis Construction, Inc. parcel will facilitate resolution of financial repercussions sustained by that owner as a result of the landslide; (c) transfer of both parcels will facilitate implementation of a Settlement Agreement provision that calls for the creation of two or three parcels to replace the existing Sheen property; and (d) sale of the parcels will enable the California Joint Powers Insurance Authority (the Project Applicant) to recover a portion of the costs incurred in this remediation project.

This report and analysis is limited to the footprint of the existing parcel and those portions of the contiguous two donor parcels that will be incorporated into the new parcels.

Additional details regarding the required zoning changes and site plan review and variances can be found in the Mitigated Negative Declaration (MND) for the project. These details are not germane to analysis of biological impacts.

POPPY TRAIL ROAD LANDSLIDE REMEDIATION PROJECT

SURVEY METHODS AND LIMITATIONS

Prior to the initial visit, I reviewed variety of sources to ascertain the potential and possible occurrence of sensitive species at the project site. I conducted records searches for the USGS quadrangle and surrounding quads of the California Natural Diversity Data Base (CNDDB) and California Native Plant Society (CNPS) On-Line Inventory of Rare and Endangered Plants. Any sensitive species known to occur in the vicinity were given special attention, and available natural history information was reviewed. Seasonal occurrence patterns (*e.g.*, annual plants, migratory birds) were factored into survey plans in the event that site visits are made during time periods when certain species are not present or conspicuous. Information sources include the Jepson Manual (1993), U.S. Fish and Wildlife Service Recovery Plans for Threatened/Endangered Species, and numerous other references, publications, and on-line resources. Typically, 15-20 field guides to various taxa are taken into the field for quick reference if necessary.

A list of sensitive species with potential to occur at the site was also reviewed prior to field work. All species requiring directed or focused protocol surveys were noted and given special attention.

In the field, potentially sensitive plants species not readily identified *in situ* were photographed and/or collected for identification via keys or other methods.

To assess the biological resources of the project location, I visited the site on 17 June and 7 July 2010. During both visits I was able to examine the entire project site and adjacent areas. The first visit lasted from 1115 to 1400, the second from 1100 to 1530. Conditions for observation during both visits were excellent, with temperatures in the low 70s to mid 80s, no cloud cover, and light winds. Observations on-site were recorded as they were made, and form the basis of this report and the Biological Resources Map. Animals were identified using scat, tracks, burrows, vocalizations, or by direct observation with the aid of 10X42 Leica binoculars. Vegetation mapping was conducted in accordance with vegetation community definitions as described in Holland (1986). In addition, vegetation mapping on-site was aided by the use of a digital satellite photograph. I took photographs of the site during the visits (Appendix C). It should be noted that all vegetation community mapping is verified on the ground to the greatest degree possible in the absence of a systematic land survey.

During site visit, all habitats were assessed for their suitability for occupation by any sensitive species with potential to occur.

RESULTS¹

Botany

Five vegetation communities occur on-site: Urban / Developed, Disturbed Habitat, Southern Mixed Chaparral, Non-Native Grassland, and Southern Willow Scrub. A complete floral species list compiled from the site survey is provided in Appendix A.

¹ Scientific and common names for plant species are derived from The Jepson Manual, 1993, U.C. Press; scientific and common names for birds from the A.O.U. Check-list of North American Birds, 1998, Allen Press, Inc.

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Vegetation Communities (See Biological Resources Map)

Urban / Developed (Holland Code 12000) - 2.70 Acres

The area incorporated into this category includes most of the Sheen parcel (Figure 6) and contiguous ornamental landscaped areas. Poppy Trail Road is also included.

Disturbed Habitat (Holland Code 11300) - 5.67 Acres

The footprint of the landslide area is classified as Disturbed. Since the landslide, this area has been heavily invaded by several noxious species of weeds, including castor bean *Ricinus communis*, tree tobacco *Nicotiana glauca*, and sweet fennel *Foeniculum vulgare* (Photograph 2). Also included is an area between Poppy Trail Road and the northern site boundary (Photographs 5 and 6). This area is frequently mowed for fire abatement purposes.

Southern Mixed Chaparral (Holland Code 37120) - 0.68 Acres

This vegetation community is limited to a small area in the southeast corner of the project site (Photograph 3). It is dominated by several dense, tall stands of toyon *Heteromeles arbutifolia* and lemonade berry *Rhus integrifolia* plants. Associated plant species include California bush sunflower *Encelia californica*, arroyo lupine *Lupinus succulentus*, ashy-leaf buckwheat *Eriogonum cinerium*, purple sage *Salvia leucophylla*, and Cliff Malacothrix *Malacothrix saxatilis*.

Non-Native Grassland (Holland Code 42200) - 0.48 Acres

Another small area in the southeast corner of the site contains this habitat type (Photograph 3). Typical invasive weedy grasses and forbs dominate, including species from the genera *Avena*, *Brassica*, *Bromus*, and *Hordeum*.

Southern Willow Scrub (Holland Code 63320) - 0.63 Acres

The area designated as being within a wetland on the Biological Resources Map contains this habitat type (Photographs 7, 8, and 9). Willows *Salix* sp., Mexican elderberry *Sambucus mexicana*, poison oak *Toxicodendron diversilobum*, wild cucumber *Marah macrocarpus*, California blackberry *Rubus ursinus*, and stinging nettle *Urtica dioica* ssp. *holosericea* dominate. The drainage contains both U.S. Army and California Department of Fish and Game jurisdictional wetlands. This area will be protected by City designation as an Environmentally Protected Area, which will prohibit any grading, clearing or development. This habitat type will not be impacted by project implementation.

Zoology

Wildlife recorded during the surveys include common and expected species for the habitats that occur on-site. A total of 14 species of birds, one species of mammal, and one species of reptiles were recorded during the site surveys. A complete list of animals detected on-site is provided in Appendix B. Additional common wildlife species likely occur on the site.

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Sensitive Resources

Sensitive plants or animals are defined here as species of rare, threatened, or endangered status, or depleted or declining species according to the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Game (CDFG), or California Native Plant Society (CNPS). Sensitive habitats include those which are considered rare in the region, or support sensitive plants or animals.

Sensitive Habitats

Southern Mixed Chaparral and Southern Willow Scrub are considered sensitive habitats. Significant impacts to these habitat types requires mitigation to reduce impacts to below a level of significant. In addition, impacts to wetlands or non-wetland Waters of the United States, as defined by the U.S. Army Corps of Engineers and California Department of Fish and Game (Section 404 of the Clean Water Act 33 U.S.C. 1344 and Section 1600 *et seq* of the California Fish and Game Code, respectively) require permits and/or a Streambed Alteration Agreement.

As noted above, the survey was conducted with special attention to looking for habitats that are considered sensitive according to the USFWS, CDFG, CNPS, that are listed on the CDFG's Natural Diversity Database (CNDDB) record for the Torrance 7.5 minute quadrangle. The site lacks the appropriate habitat to support most sensitive species.

Sensitive Plants

The following sensitive plant species were evaluated for their potential to occur on the project site and/or specifically looked for during the site survey:

Aphanisma	<i>Aphanisma blitoides</i>
Ventura marsh milk-vetch	<i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i>
Coastal dunes milk-vetch	<i>Astragalus tener</i> var. <i>titi</i>
South coast saltscale	<i>Atriplex pacifica</i>
Parish's brittlescale	<i>Atriplex parishii</i>
Davidson's saltscale	<i>Atriplex serenana</i> var. <i>davidsonii</i>
Orcutt's pincushion	<i>Chaenactis glabriuscula</i> var. <i>orcuttiana</i>
Salt marsh bird's-beak	<i>Cordylanthus maritimus</i> ssp. <i>maritimus</i>
Beach spectaclepod	<i>Dithyrea maritima</i>
Coulter's goldfields	<i>Lasthenia glabrata</i> ssp. <i>coulteri</i>
Santa Catalina Island desert thorn	<i>Lycium brevipes</i> var. <i>hassei</i>
Spreading navarretia	<i>Navarretia fossalis</i>
California orcutt grass	<i>Orcuttia californica</i>
Ballona cinquefoil	<i>Potentilla multijuga</i>
Lewis' evening-primrose	<i>Camissonia lewisii</i>
Lyon's pentachaeta	<i>Pentachaeta lyonii</i>
Island green dudleya	<i>Dudleya virens</i> ssp. <i>insularis</i>
Catalina crossosoma	<i>Crossosoma californicum</i>
Southern tarplant	<i>Centromadia [=Hemizonia] parryi</i> ssp. <i>australis</i>
Vernal barley	<i>Hordeum intercedens</i>
San Bernardino aster	<i>Symphyotrichum defoliatum</i>
Estuary seablite	<i>Suaeda esteroa</i>
Coast woolly-heads	<i>Nemacaulis denudata</i> var. <i>denudata</i>

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Brand's star phacelia

Phacelia stellaris

San Fernando Valley spineflower

Chorizanthe parryi var. *fernandina*

None of these species were observed during the site survey or are considered likely to occur because there is no suitable habitat within the project area or the project area is outside of their known range. No other sensitive plant species were detected or are considered likely to occur.

Sensitive Wildlife

The following sensitive animal species were evaluated for their potential to occur on the project site and/or specifically looked for during the site survey:

Reptiles

Coast horned lizard

Phrynosoma coronatum

Mammals

South coast marsh vole

Microtus californicus stephensi

Pocketed free-tailed bat

Nyctinomops femorosaccus

Big free-tailed bat

Nyctinomops macrotis

Pacific pocket mouse

Perognathus longimembris pacificus

Southern California saltmarsh shrew

Sorex ornatus salicornicus

American badger

Taxidea taxus

Birds

Burrowing owl

Athene cunicularia

California black rail

Laterallus jamaicensis coturniculus

California least tern

Sternula antillarum browni

Western snowy plover

Charadrius alexandrinus nivosus

Southwestern willow flycatcher

Empidonax traillii extimus

Belding's savannah sparrow

Passerculus sandwichensis beldingi

Tricolored blackbird

Agelaius tricolor

None of these species were observed during the site survey or are considered likely to occur because there is no suitable habitat within the project area or the project area is outside of their known range.

Two sensitive animal species are known to occur near the project site, and are given special consideration here.

Coastal California Gnatcatcher

Poliophtila californica

The California Gnatcatcher is a federal threatened species, a state species of concern, and is a "target species" of the NCCP process. This species is a non-migratory resident whose range covers the coastal plains and foothills of Southern California and northern Baja California. It was formerly widespread in coastal lowlands below about 2,000 feet elevation and typically occurs in or near Coastal sage Scrub. The California Gnatcatcher is seriously declining due to loss of habitat. Between 85% and 90% of this species' habitat has been lost to urban or agricultural development. It is almost extirpated from Ventura, San Bernadino, and Los Angeles counties. The population is estimated to be just under 5000 pairs.

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California Gnatcatchers require Coastal Sage Scrub (CSS) habitat, with a significant vegetative component of California sagebrush *Artemisia californica*. On the project site there is no CSS, only a small area of dense Southern Mixed Chaparral dominated by dense, mature toyon and lemonade berry plants. The nearest habitat potentially suitable for this species is located approximately 1/3 mile north and south of the project site. Given the lack of suitable habitat on or adjacent to the project site, U.S. Fish and Wildlife Service protocol surveys should not be necessary and are not recommended.

Palos Verdes Blue Butterfly

Glaucopsyche lygdamus palosverdesensis

[The following status, distribution, and habitat information is excerpted from the U.S. Fish and Wildlife Service 2008 5-Year Review for this species under the Endangered Species Act (ESA)].

The Palos Verdes Blue Butterfly was listed as Endangered under the ESA in 1980. Historically, the Palos Verdes Blue Butterfly occurred throughout the Palos Verdes peninsula in Los Angeles County, California. When the Palos Verdes Blue Butterfly was recognized as a distinct subspecies in the 1970's, its range and distribution were already reduced by grazing, agriculture, and residential and urban development. The type locality (where the subspecies was first collected and identified) on the Alta Vista Terrace was developed for residential use in 1978, and the Palos Verdes Blue Butterfly population was extirpated from the location. By the early 1980's, Palos Verdes Blue Butterflies were found at only 10 locations, and none were observed between 1983 and 1993, leading to the conclusion that the Palos Verdes Blue Butterfly was likely extinct. However, they were discovered in 1994 on the Defense Fuel Support Facility, San Pedro. The only area currently known to be consistently occupied by the Palos Verdes Blue Butterfly includes the Defense Fuel Support Facility and the former Palos Verdes Navy housing area. The Navy committed to conserving the species within both areas.

In 1994, a captive rearing program was established from the population at the Defense Fuel Support Facility. The butterflies have been successfully reared in captivity every year since the program was established, and in 2007 a secondary rearing facility was established at Moorpark College, Moorpark, California. While the success of the captive breeding program varied since its inception, the establishment of the secondary rearing facility and improved rearing procedures made 2007 the most successful year on record with over 4,000 Palos Verdes Blue Butterfly pupae (resting stage "cocoons") produced in captivity. In March 2008, a reintroduction effort was initiated on the Palos Verdes Peninsula.

Palos Verdes Blue Butterfly pupae from the Defense Fuel Support Facility captive rearing program were introduced to the 28.5 acre Linden H. Chandler Preserve (Chandler Preserve) in the City of Rolling Hills Estates following habitat restoration efforts in 2000.

Palos Verdes blue butterflies require suitable larval host plants for oviposition and larval development. Coast locoweed *Astragalus trichopodus lonchus* was once thought to be the exclusive larval host plant for the species. However, larvae are now known to feed also on deerweed *Lotus scoparius*. Both of these host plants are naturally distributed within disturbed patches in coastal sage scrub communities throughout the Palos Verdes peninsula. Both plant species invade cleared areas following disturbance. Palos Verdes Blue Butterflies require some minimum number of larval host plants and nectar resources to successfully exploit a habitat patch over extended periods.

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During the site survey no locoweed or deerweed plants were observed. There is no Coastal Sage Scrub on or adjacent to the project site. Consequently the site is not suitable for occupation by the Palos Verdes Blue Butterfly.

To be certain of this conclusion on 7 July 2010 I was accompanied to the site by David K. Faulkner, a renowned Southern California Entomologist and expert on rare and sensitive butterfly species. He evaluated the site and also concluded it is not suitable for the species.

The nearest known sites for the species are the Chandler Preserve (~ one mile northwest) and the ocean side of the peninsula, over one mile to the south.

The project will have no impacts on the Palos Verdes Blue Butterfly.

Wildlife Movement Corridors and Nursery Sites

A wildlife corridor can be defined as a linear landscape feature allowing animal movement between two larger patches of habitat. Connections between extensive areas of open space are integral to maintain regional biodiversity and population viability. In the absence of corridors, habitats become isolated islands surrounded by development. Fragmented habitats support significantly lower numbers of species and increase the likelihood of local extinction for select species when they are restricted to small isolated areas of habitat. Areas that serve as wildlife movement corridors are considered biologically sensitive.

Wildlife corridors can be defined in two categories: regional wildlife corridors and local corridors. Regional corridors link large sections of undeveloped land and serve to maintain genetic diversity among wide-ranging populations. Local corridors permit movement between smaller patches of habitat. These linkages effectively allow a series of small, connected patches to function as a larger block of habitat and perhaps result in the occurrence of higher species diversity or numbers of individuals than would otherwise occur in isolation. Target species for wildlife corridor assessment typically include species such as bobcat, mountain lion, and mule deer.

To assess the function and value of a particular site as a wildlife corridor, it is necessary to determine what areas of larger habitats it connects, and to examine the quality of the corridor as it passes through a variety of settings. High quality corridors connect extensive areas of native habitat, and are not degraded to the point where free movement of wildlife is significantly constrained. Typically, high quality corridors consist of an unbroken stretch of undisturbed native habitat.

The only feature of the project site that could be considered a minor local wildlife corridor is the drainage that runs along the eastern site boundary. This drainage will not be impacted by project implementation, and will be protected by special designation by the City of Rolling Hills. As such, no significant impacts to wildlife movement corridors are anticipated.

Native Wildlife Nursery Sites, which are considered sensitive resources that require protection, are defined as "sites where wildlife concentrate for hatching and/or raising young, such as rookeries, spawning areas, and bat colonies". Features such as individual raptor or woodrat nests do not constitute places where wildlife *concentrate*, thus they do not meet this definition and are therefore not considered Native Wildlife Nursery Sites. Nesting raptors will be protected by seasonal construction limitations or directed surveys. No Native Wildlife Nursery Sites occur on the site or will be impacted by project implementation.

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WETLANDS SURVEY

The U.S. Army Corps of Engineers USACE frequently requires that formal or informal wetland delineations be conducted under guidelines set forth in the 1987 Corps of Engineers Wetland Delineation Manual. The USACE defines a wetland as “an area... inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.” Typically, USACE wetlands are characterized by the presence of hydrophytic vegetation, hydric soils, and wetland hydrology.

In addition to regulating jurisdictional wetlands, Section 404 of the Clean Water Act (33 U.S.C. 1344) requires authorization for discharges of dredged or fill material into Waters of the United States. For non-tidal Waters of the U.S. the extent of jurisdiction is defined as the Ordinary High Water Mark, which is defined as: “the line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural lines impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation or presence of litter and debris.”

Thus, an area determined to be a non-wetland may still be under USACE jurisdiction if certain criteria are met. To aid in identifying characteristics of Waters of the U.S., the USACE has prepared guidelines (USACE 2001) and a matrix detailing potential Waters of the U.S. based on apparent flow regimes, geomorphic features, and surface flow indicators. In addition, determination that a wetland or water body is a Waters of the United States also requires that the area in question is subject to interstate commerce. These criteria were considered as they apply to the project site.
California Department of Fish and Game Wetlands

Typically, the extent of CDFG wetlands is determined by the limits of riparian vegetation as it extends from a stream, creek, river, pond, lake, or other water feature.

The only jurisdictional wetland (USACE & CDFG) that was identified during the survey of the project site is contained within the incised drainage that straddles the eastern site boundary line. The extent of wetland is shown as Southern Willow Scrub on the project Biological Resources Map.

APPLICABLE REGULATIONS

In addition to CEQA and City policy, the project could be subject to analysis under the state and federal Endangered Species acts, if listed species occurred on the site or were considered likely to occur. Because no such species occur, no endangered species regulations apply.

Impacts to wetland habitats could require a permit from the U. S. Army Corps of Engineers, Certification from the California Regional Water Quality Control Board, and a Streambed Alteration Agreement with the California Department of Fish and Game. Because there will be no impacts to wetland habitats, no wetland permitting will be required for project implementation.

PROJECT IMPACTS

Direct Impacts

Impacts associated with the project include the unavoidable loss on-site of 0.16 acres of Southern Mixed Chaparral. A tabulation of habitats on the project site is presented in Table 1.

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Table 1. Existing, impacted, and preserved habitat on the project site

PLANT COMMUNITY	ACREAGE ON-SITE	ACREAGE IMPACTED ON-SITE	ACREAGE IMPACTED OFF-SITE	ACREAGE PRESERVED ON-SITE	TOTAL MITIGATION REQUIRED
URBAN / DEVELOPED	2.70	N / A	N / A	N / A	0
DISTURBED HABITAT	5.67	N / A	N / A	N / A	0
SOUTHERN MIXED CHAPARRAL	0.68	0.16	0	0	0
NON-NATIVE GRASSLAND	0.48	N / A	0	0	0
SOUTHERN WILLOW SCRUB	0.63	0	0	0	0
TOTAL	10.16	0.16	0	0	0

Indirect Impacts

There is the potential for indirect impacts to occur as a result of implementation of the proposed project. The areas where indirect impacts have the potential to occur could extend from the construction or development areas into sensitive habitat due to such activities as excessive landscape irrigation, vegetation trampling outside developed areas, and introduction of non-native species (*e.g.*, argentine ants, cats, non-native invasive plant species). These indirect impacts are referred to as “edge effects.” There is the potential for indirect impacts on animals as a result of an increase in noise, dust, and light during permitted activities and from vehicle use. These indirect impacts are considered unavoidable due to the nature of the project, existing uses on-site, and existing surrounding land uses.

Indirect impacts from edge effects are considered adverse, but not significant, because the area where activities will take place is isolated and existing edge effects are already impacting the site. Additional effects, if any, would be incremental and less than significant.

Cumulative Impacts

Cumulative impacts consider the potential regional effects of a project and how a project may affect an ecosystem or one of its sensitive components beyond the project limits and on a regional scale. Section 15064 of the State CEQA Guidelines governs the determination of significant environmental impacts caused by a project. The evaluation of a project’s cumulative impacts is discussed in Section 15064(h) of the CEQA Guidelines. Cumulative impacts must be discussed when project impacts, although individually limited, may be cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects affecting the same resource (CEQA Guidelines §15064(h)(1)). The mere existence of significant cumulative impacts caused by other projects

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alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable (CEQA Guidelines §15064 (h)(4)).

If significant impacts were identified, the project would have the potential to significantly degrade the quality of the environment. Other effects that would be considered cumulatively considerable would include substantial reduction the habitat of a fish or wildlife species that cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or significantly reduce the number or restrict the range of a rare or endangered plant or animal species. None of these effects apply to the project. The project will not result in impacts that are cumulatively considerable.

SIGNIFICANCE CRITERIA

Direct impacts occur when biological resources are altered or destroyed during the course of, or as a result of, project implementation. Examples of such impacts include removal or grading of vegetation, filling wetland habitats, or severing or physically restricting the width of wildlife corridors. Other direct impacts may include loss of foraging or nesting habitat and loss of individual species as a result of habitat clearing. Indirect impacts may include elevated levels of noise or lighting, change in surface water hydrology within a floodplain, and increased erosion or sedimentation. These types of indirect impacts can affect vegetation communities or their potential use by sensitive species. Permanent impacts may result in irreversible damage to biological resources. Temporary impacts are interim changes in the local environment due to construction and would not extend beyond project-associated construction, including revegetation of temporarily disturbed areas adjacent to native habitats.

The California Environmental Quality Act Guidelines define "significant effect on the environment" as a "substantial, or potentially substantial adverse change in the environment." The CEQA Guidelines further indicate that there may be a significant effect on biological resources if the project will:

- A. Substantially affect an endangered, rare or threatened species of animal or plant or the habitat of the species.
- B. Interfere substantially with the movement of any resident or migratory fish or wildlife species to the extent that it adversely affects the population dynamics of the species.
- C. Substantially diminish habitat for fish, wildlife, or plants.

No impacts to Special Status Wildlife Species are anticipated. The project will not interfere substantially with the movement of any resident or migratory fish or wildlife species to the extent that it adversely affects the population dynamics of the species nor will it substantially diminish habitat for fish, wildlife, or plants.

The area of Southern Mixed Chaparral loss on the site is so small that it does not result in significant impacts to sensitive resources.

MITIGATION AND RECOMMENDATIONS

As proposed, the project will result in the loss on-site of 0.16 acres of Southern Mixed Chaparral. However, no mitigation is required for this loss because it is deemed too minimal to constitute a significant impact.

POPPY TRAIL ROAD LANDSLIDE REMEDIATION PROJECT

I recommend that to avoid any inadvertent impacts to sensitive biological resources:

1. A qualified biologist shall review the final grading plans, access routes and staging areas, monitor all aspects of construction and conduct an on-site training session with construction personnel prior to any site disturbance. This training will educate personnel regarding the sensitivity of on-site and adjacent habitats
2. During grading and slope remediation, the wetland area adjacent to Poppy Trail Road be fenced with orange construction (snow) fencing, and the signage be provided that states "ENVIRONMENTALLY PROTECTED AREA. ABSOLUTELY NO ACCESS".
3. In order to prevent any adverse impacts to any on or off-site resources, it is recommended that adequate measures (Best Management Practices) be taken during construction to prevent runoff from entering the adjacent parcels. This includes silt fencing, straw wattles and sandbags along the top of the drainage that parallels Poppy Trail Road. No fill material shall be placed into this area. These measures should be sufficient to help reduce any possible indirect impacts of the proposed project to a level well below significant.

The project as proposed is deemed not to have significant impacts, and no mitigation is required.

REFERENCES

- American Ornithologists' Union. 1998. Check-list of North American Birds. 7th edition. American Ornithologists' Union, Washington, D.C. 829 pp.
- California Department of Fish and Game (CDFG). July 2010. California Natural Diversity Data Base (CNDDB). Torrance Quadrangle.
- CNPS 2010. Inventory of Rare and Endangered Vascular Plants of California. California Native Plant Society Special Publication No. 1 (Internet Edition).
- Hickman, J.C. (ed.). The Jepson Manual: Higher Plants of California. 1993. University of California Press, Berkeley, xvii + 1400 pp.
- Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. California Department of Fish and Game, Sacramento, California. iii + 155 pp.
- U.S. Army Corps of Engineers, South Pacific Division. 2001. Final Summary Report: Guidelines for Jurisdictional Determinations for Waters of the United States in the Arid Southwest.
- U.S. Geologic Survey. 1978. 1981 photo revised. Torrance Quadrangle 7.5 minute topographical map.
- Wetland Training Institute, Inc. 1995. Field Guide for Wetland Delineation: 1987 Corps of Engineers Manual, Poolesville, MD. WTI 95-3. 143 pp.

FIGURES (see following pages)



Figure 1. Location of project site in regional context (Palos Verdes Peninsula).

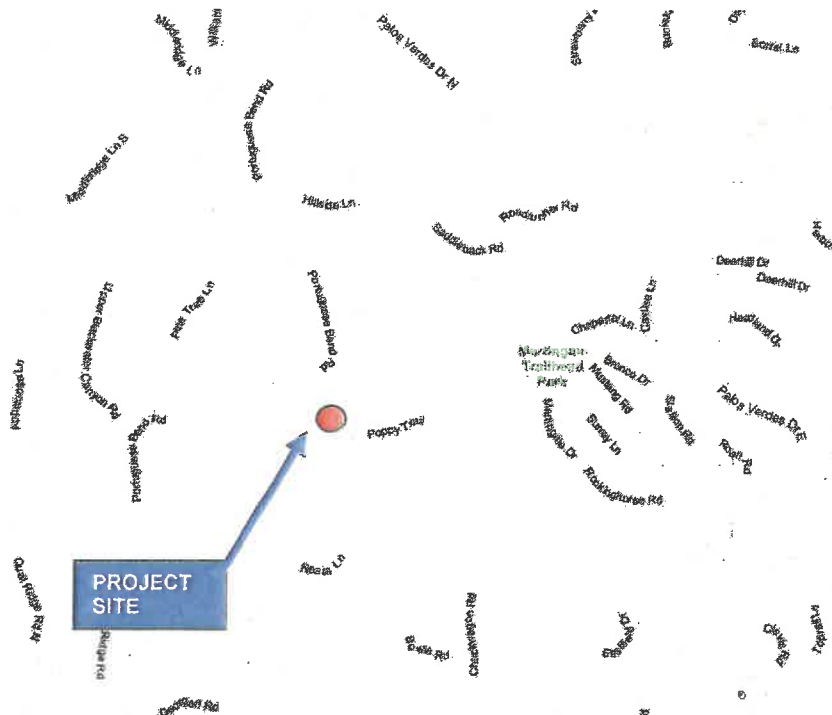


Figure 2. Detail location map of project site.

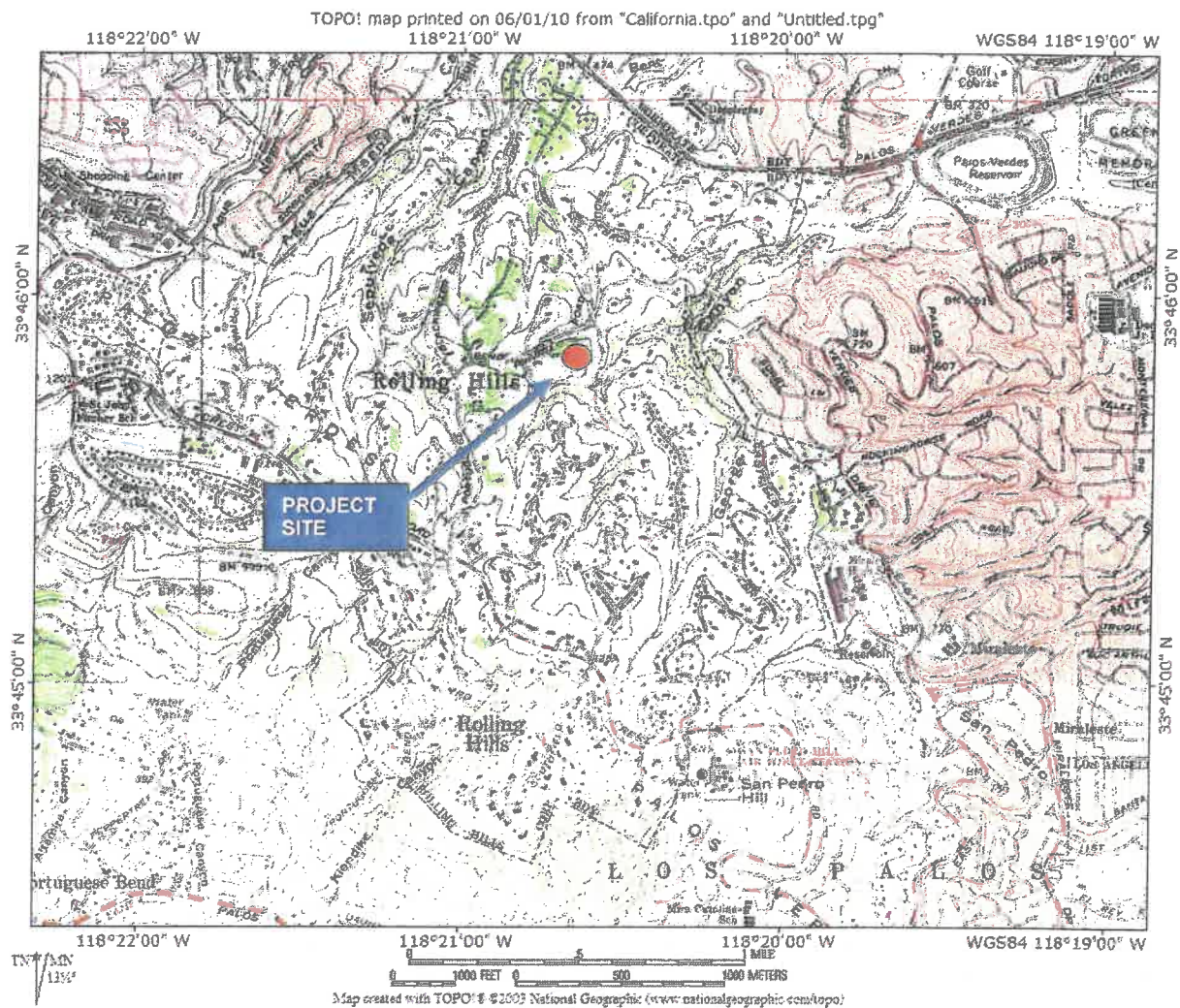


Figure 3. Topographical map showing project site location. Taken from USGS Torrance 7.5 minute series quadrangle.



Figure 4. Vicinity satellite photograph of site.

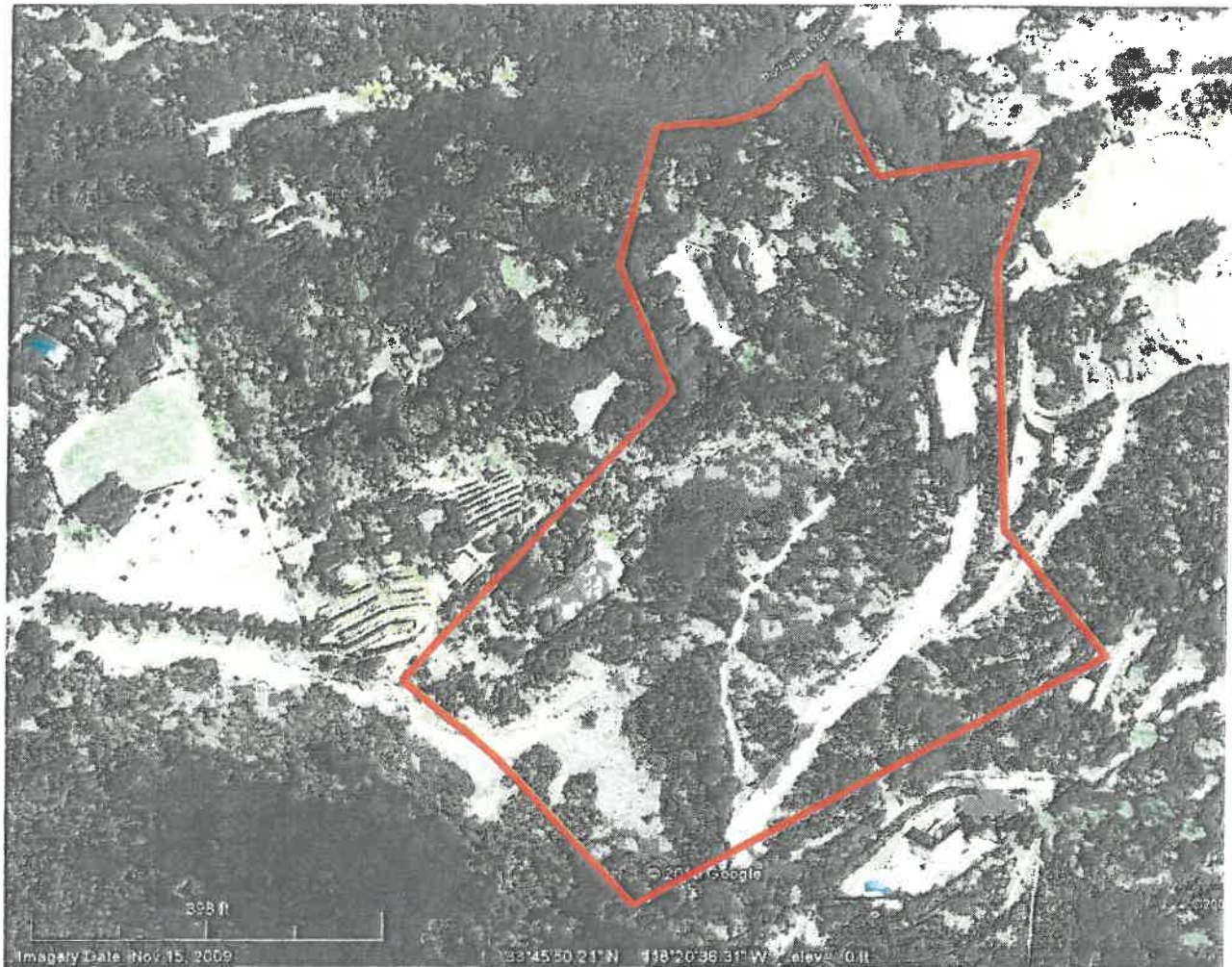


Figure 5. Close-up satellite photograph of the entire project site footprint.

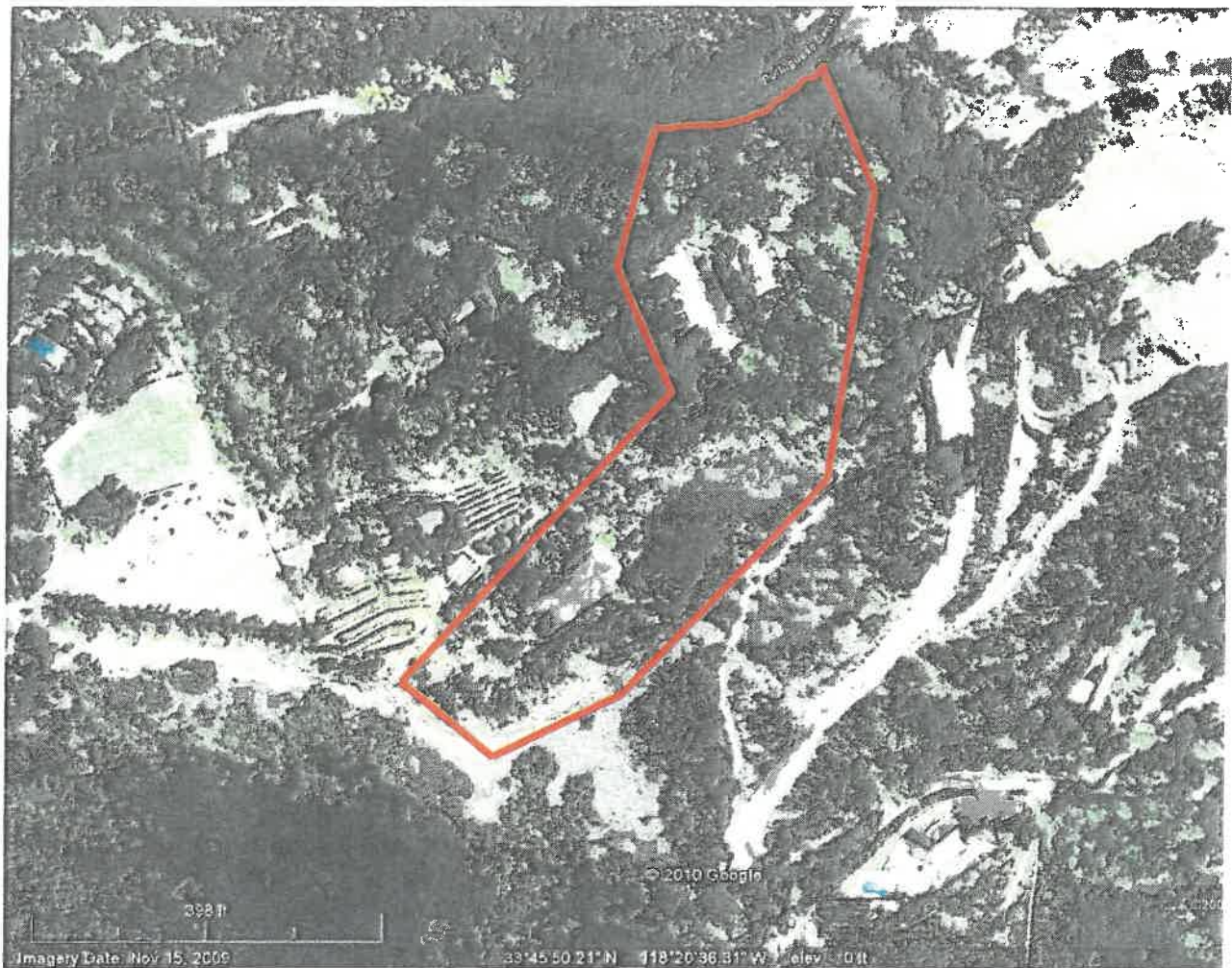


Figure 6. Close-up satellite photograph of initial (Sheen) parcel.

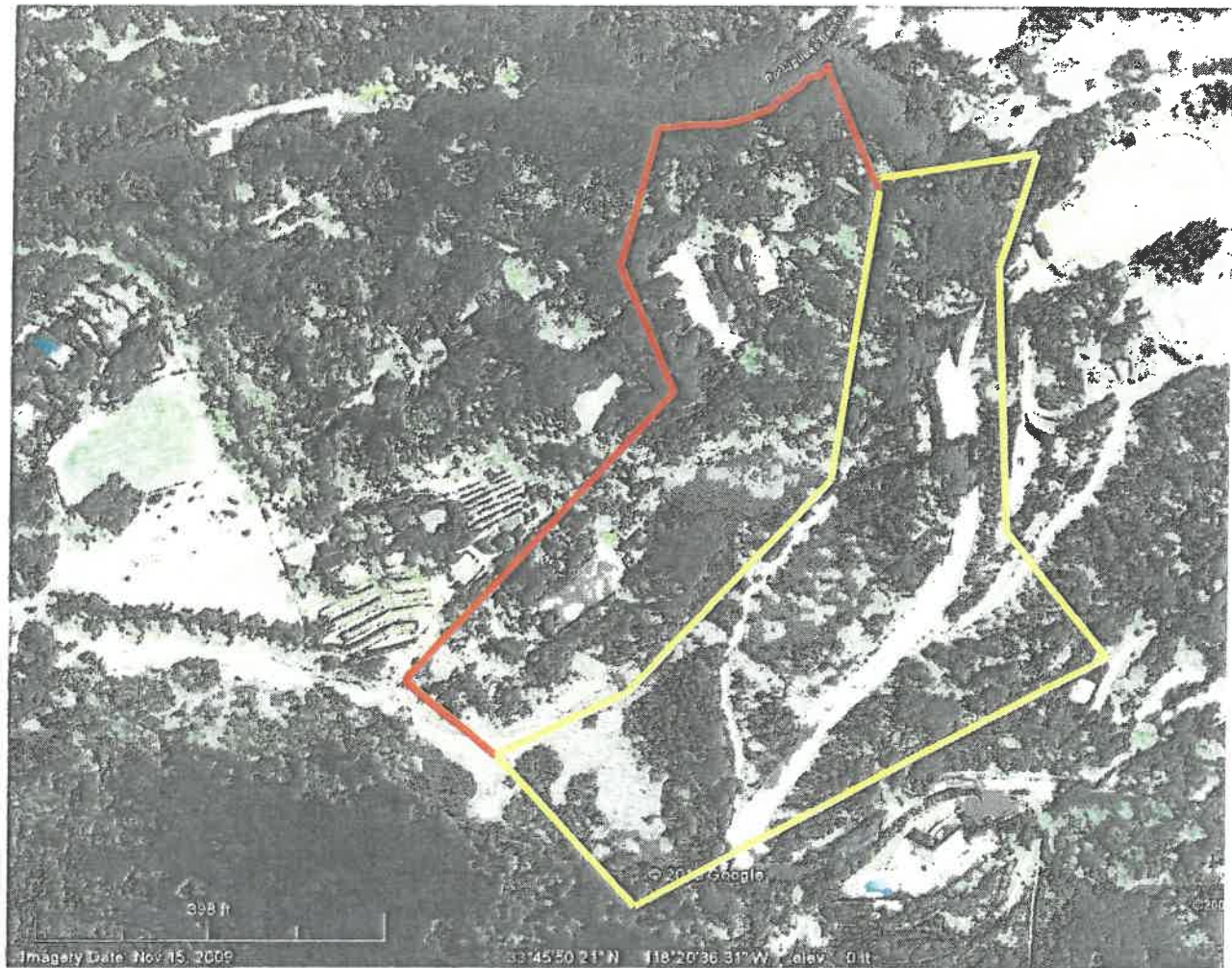


Figure 7. Area (bounded in yellow) to be added by lot line adjustment from contiguous “donor” parcels.

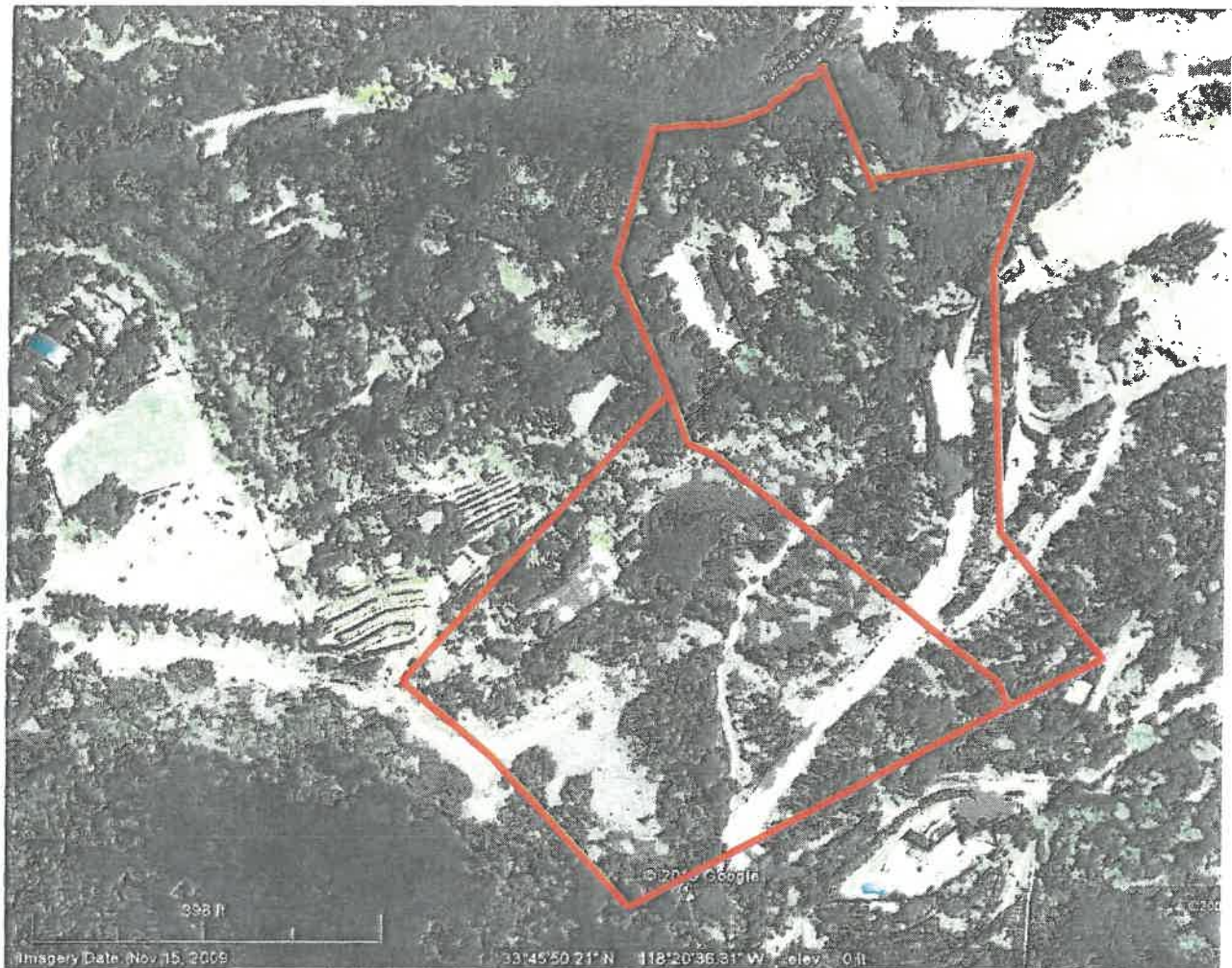


Figure 8. Two parcels that will be created by project implementation.

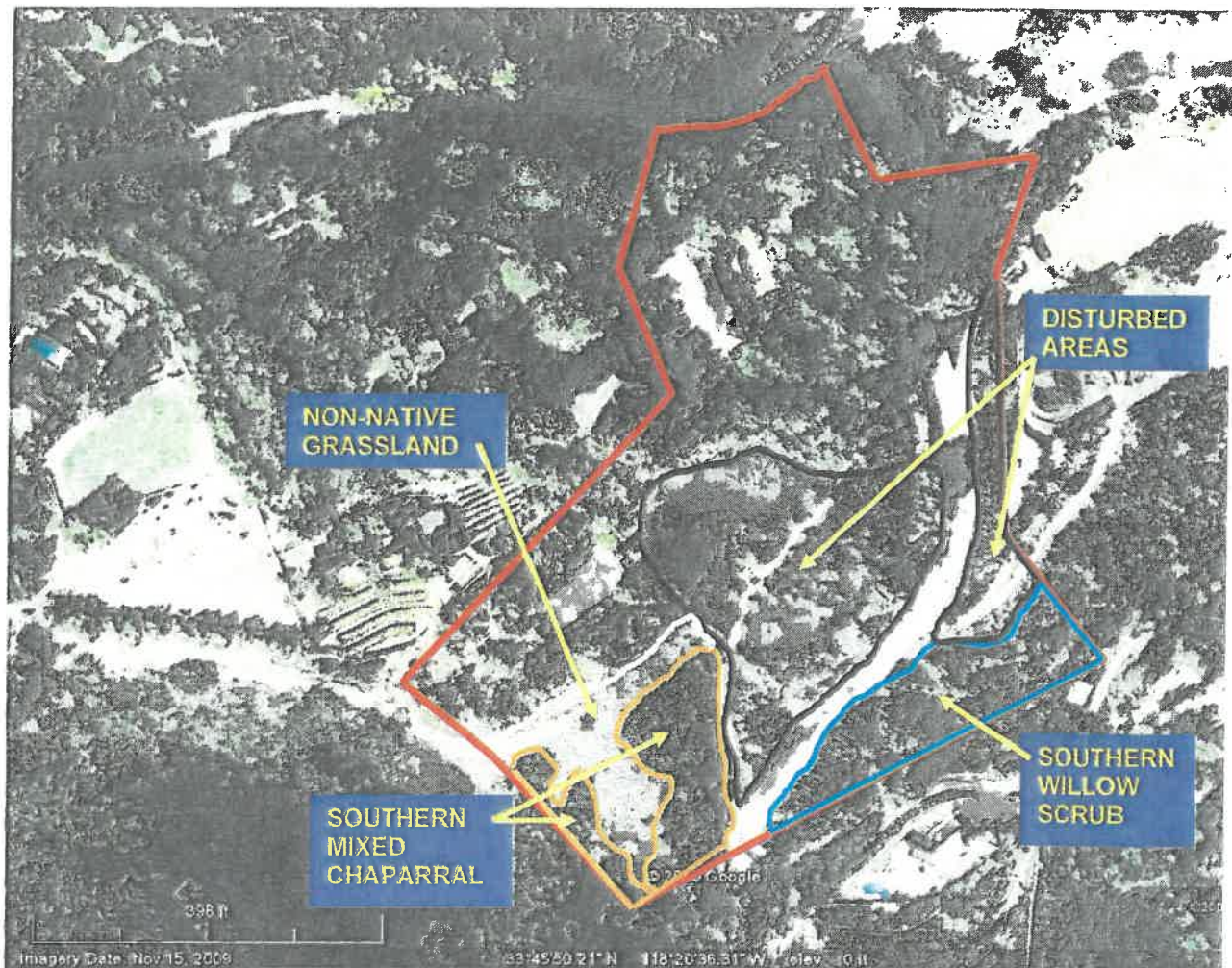


Figure 9. Biological Resources (Vegetation) Map of the project site. All areas not specifically defined are Urban/Developed.

APPENDIX A

PLANT SPECIES OBSERVED ON THE PROJECT SITE

<u>Family</u>	<u>Scientific Name</u>	<u>Common Name</u>
Dicotyledoneae		
Anacardiaceae - Sumac Family		
	<i>Rhus integrifolia</i>	Lemonade Berry
	<i>Toxicodendron diversilobum</i>	Poison Oak
Apiaceae (Umbelliferae) - Carrot Family		
	<i>Foeniculum vulgare</i>	Sweet Fennel
Apocynaceae [Asclepiadaceae] - Dogbane [Milkweed] Family		
	<i>Asclepias fascicularis</i>	Narrow-leaf Milkweed
Asteraceae (Compositae) - Sunflower Family		
	<i>Artemisia californica</i>	California Sagebrush
	<i>Baccharis pilularis</i>	Coyote Brush
	<i>Cirsium</i> sp.	Thistle
	<i>Encelia californica</i>	California Bush Sunflower
	<i>Malacothrix saxatilis</i>	Cliff Malacothrix
	<i>Sonchus asper</i>	Prickly Sow Thistle
Brassicaceae (Cruciferae) - Mustard Family		
	<i>Brassica nigra</i>	Black Mustard
	<i>Raphanus sativus</i>	Wild Radish
Caprifoliaceae - Honeysuckle Family		
	<i>Sambucus mexicana</i>	Mexican Elderberry

Chenopodiaceae - Goosefoot Family

<i>Atriplex semibaccata</i>	Australian Saltbush
<i>Chenopodium sp.</i>	Pigweed
<i>Chenopodium californicum</i>	California Pigweed
<i>Salsola tragus</i>	Russian Thistle

Convolvulaceae - Morning Glory Family

<i>Calystegia macrostegia</i>	Morning-glory
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Cucurbitaceae - Gourd Family

<i>Marah macrocarpus</i>	Wild Cucumber
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Euphorbiaceae - Spurge Family

<i>Chamaesyce albomarginata</i>	Rattlesnake Weed
<i>Ricinus communis</i>	Castor Bean

Fabaceae (Leguminosae) - Pea Family

<i>Lupinus succulentus</i>	Arroyo Lupine
<i>Melilotus alba</i>	White Sweet-clover
<i>Melilotus sp.</i>	Sweet-clover
<i>Vicia villosa</i>	Common Vetch

Geraniaceae - Geranium Family

<i>Erodium cicutarium</i>	Red-stem Filaree
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Hydrophyllaceae - Waterleaf Family

<i>Phacelia sp.</i>	California Blue Bells
<i>Phacelia parryi</i>	Parry Phacelia

Lamiaceae (Labiatae) - Mint Family

<i>Marrubium vulgare</i>	Hore-hound
<i>Salvia apiana</i>	White Sage
<i>Salvia mellifera</i>	Black Sage
<i>Salvia leucophylla</i>	Purple Sage

Malvaceae - Mallow Family

<i>Malva parviflora</i>	Cheeseweed
<i>Malva sylvestris</i>	High Mallow

Papaveraceae - Poppy Family

Eschscholzia californica

California Poppy

Polygonaceae - Buckwheat Family

Eriogonum cinerium

Ashy-leaf Buckwheat

Rosaceae - Rose Family

Heteromeles arbutifolia

Toyon

Rubus ursinus

California Blackberry

Salicaceae - Willow Family

Salix lasiolepis

Arroyo Willow

Scrophulariaceae - Figwort Family

Mimulus aurantiacus

Red Bush Monkey-flower

*Scrophularia californica*var. *floribunda*

Coast Figwort, Bee Plant

Solanaceae - Nightshade Family

Nicotiana glauca

Tree Tobacco

Solanum sp.

Nightshade

Solanum americanum

White Nightshade

Solanum xanti

Purple Nightshade

Urticaceae - Nettle Family

Urtica dioica ssp. *holosericea*

Stinging Nettle

Monocotyledoneae

Poaceae (Gramineae) - Grass Family

Avena sp.

Wild Oats

Avena barbata

Slender Wild Oat

Bromus carinatus

California Brome

Bromus diandrus

Ripgut Grass

Bromus hordeaceus

Soft Chess

Bromus madritensis ssp. *rubens*

Red Brome

Leymus condensatus

Giant Wild Rye

Pennisetum setaceum

Fountain Grass

APPENDIX B

WILDLIFE SPECIES OBSERVED OR DETECTED
ON THE PROJECT SITE

BIRDS

Mourning Dove	<i>Zenaida macroura</i>
Anna's Hummingbird	<i>Calypte anna</i>
Allen's Hummingbird	<i>Selasphorus sasin</i>
Western Scrub-Jay	<i>Aphelocoma californica</i>
American Crow	<i>Corvus brachyrhynchos</i>
Common Raven	<i>Corvus corax</i>
Bushtit	<i>Psaltirparus minimus</i>
Northern Mockingbird	<i>Mimus polyglottos</i>
Spotted Towhee	<i>Pipilo maculatus</i>
California Towhee	<i>Pipilo crissalis</i>
Song Sparrow	<i>Melospiza melodia</i>
Lesser Goldfinch	<i>Carduelis psaltria</i>
Black-headed Grosbeak	<i>Pheucticus melanocephalus</i>
House Finch	<i>Carpodacus mexicanus</i>

MAMMALS

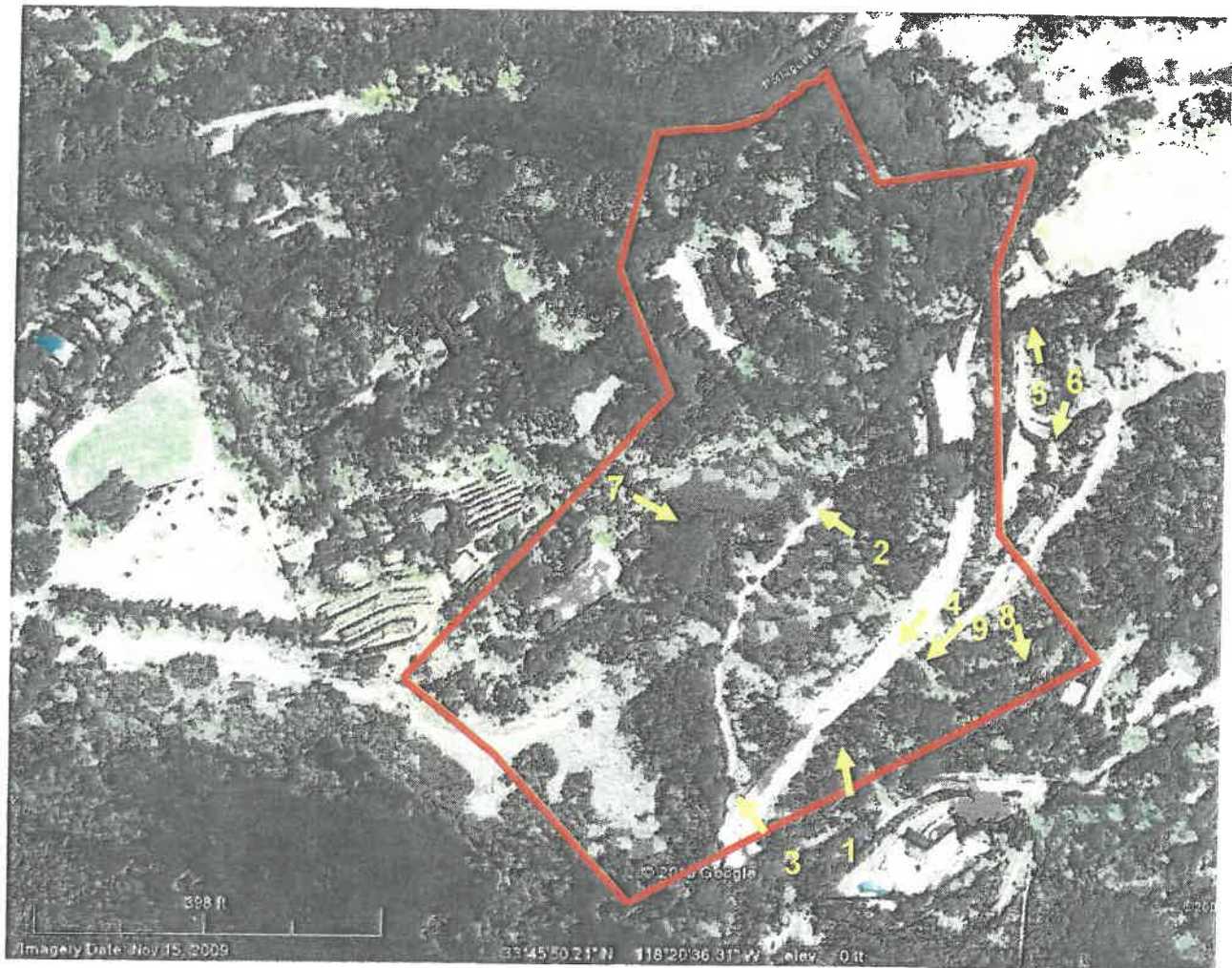
California Ground Squirrel	Observed
<i>Spermophilus beecheyi</i>	

AMPHIBIANS AND REPTILES

Western Fence Lizard	Observed
<i>Sceloporus occidentalis</i>	

APPENDIX C

PHOTOGRAPHS OF THE PROJECT SITE



PHOTOGRAPH INDEX

Yellow arrows and numbers indicate the locations and directions from which the following photographs were taken:



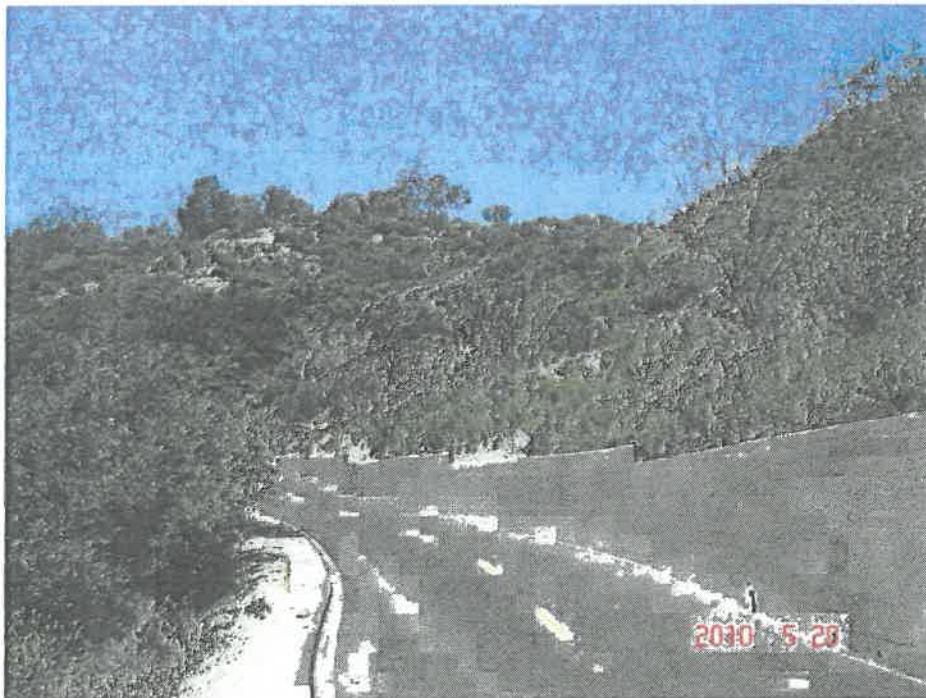
Photograph 1. View of the central portion of the project site. The landslide area is covered in green matting. Poppy Trail Road is in the foreground.



Photograph 2. View of the landslide area with recent invasive weed growth.



Photograph 3. View of the southeast corner of the site. The areas of Southern Mixed Chaparral and Non-Native Grassland are on the left.



Photograph 4. The alignment of Poppy Trail Road with temporary retaining wall. Southern Willow Scrub is on the left.



Photograph 5. The area of Disturbed Habitat on the north side of Poppy Trail Road.



Photograph 6. The area of Disturbed Habitat on the north side of Poppy Trail Road.



Photograph 7. Photograph looking down to drainage area containing Southern Willow Scrub.



Photograph 8. Area containing Southern Willow Scrub.



Photograph 9. Reconstructed road, retaining wall, and Southern Willow Scrub.

POPPY TRAIL ROAD LANDSLIDE REMEDIATION PROJECT

Bill holds a U.S. Fish and Wildlife Master Bird Banding Permit (#22378) with Endangered Species Authorization, and California Gnatcatcher Survey Authorization Permit # TE-788036. He received his Masters Degree from the University of San Diego in 1991, and completed a Post-Graduate Program at Harvard University's John F. Kennedy School of Government in 1997.

Bill served as a member of the Conservation and Research Committee of the Zoological Society of San Diego since the committee was first established. In 1990, he founded the Endangered Species Recovery Council (www.esrc.org), an international organization of scientists and conservationists dedicated to finding solutions to the problem of species extinctions. He continues as President of the organization.

In May 2002 Bill was honored in New York as a first recipient of the Explorers Club "Champions of Wildlife" award.

POPPY TRAIL ROAD LANDSLIDE REMEDIATION PROJECT

APPENDIX D

PREPARER QUALIFICATIONS

William T. Everett is a research, consulting, and conservation biologist with more than 35 years experience in the San Diego environment and around the world. He has logged more than 14,000 hours of field work, all detailed with field notes. In the 1970's Bill apprenticed in the study of chaparral ecology under Frank Gander, the retired but renowned premier California botanist of the 1930s and 40s. Although his specialty is ornithology, Bill has a long-standing interest in all endangered species management and conservation issues. As President then Conservation Chairman of the San Diego Chapter of the Audubon Society in the late 1970s, he gained a keen understanding of the conservation challenges facing a growing Southern California. He subsequently became one of the first Biological Consultants certified by the County of San Diego in the 1980s. Bill is a Fellow of the National Association of Environmental Professionals (NAEP) and subscribes to the NAEP Code of Ethics and Standards of Practice for Environmental Professionals.

Bill Everett has published numerous scientific articles and conducted research in Southern California, Alaska, Antarctica, Baja California, South America, and throughout the tropical Pacific Ocean. In 1977, in recognition of his accomplishments, he was appointed as a Research Associate of the Department of Birds and Mammals of the San Diego Natural History Museum, a position he holds to this day. In 1990 he was elected as a Research Fellow of the Zoological Society of San Diego, and in 1988 was appointed as the Senior Conservation Biologist of the Western Foundation of Vertebrate Zoology. The Royal Geographic Society of London elected Bill as a Fellow in 1996, following his election as a Fellow of the Explorers Club in 1990.

Hired as a biologist for the U.S. Fish and Wildlife Service in 1977, Bill conducted research on endangered Peregrine Falcons in Northern California at a time when their continued existence was questionable. His interest in threatened species led to publication by the Audubon Society in 1979 of his paper entitled "Threatened, Declining and Sensitive Bird Species in San Diego County" (Sketches 36:1-2). This paper contained the first published account of the decline of the California Gnatcatcher.

Beyond the Southern California area, Bill has prepared the seabird impacts sections for the Draft and Final Environmental Impact Statements for Hawaii-based Pelagic Fisheries of the Western Tropical Pacific Ocean (2001), received a National Science Foundation major grant to lead an International Biocomplexity Survey and Expedition to Isla Guadalupe, Baja California, Mexico (2000), led the effort to save North America's most endangered bird species, the San Clemente Loggerhead Shrike (1991-1997), and currently heads up efforts to restore bird populations on Wake Atoll and Christmas Island in the central Pacific.



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. 7C
Mtg. Date: 05/21/19

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

APPLICATION NO.	ZONING CASE NO. 959
SITE LOCATION:	49 EASTFIELD DRIVE (LOT 33-EF)
ZONING AND SIZE:	RAS-1, 1.17 ACRES (EXCL. ROADWAY EASEMENT)
APPLICANT:	CRAIG AND CINDY WALDMAN
REPRESENTATIVE:	CHRISTIAN ROGGE
PUBLISHED:	MAY 9, 2019

PROJECT DESCRIPTION AND RECOMMENDATION

Recommendation

The Planning Commission visited the site to view the project in the morning of May 21, 2019. It is recommended that the Planning Commission continue the hearing and provide direction to staff.

The Project

The applicant converted an existing 689 square foot stable to a mixed-use structure without proper approvals. The project also includes setting aside a 1,000 sq.ft. area for a future stable and corral.

Conditional Use Permit

The applicants request a Conditional Use Permit to legalize a conversion of an existing 689 square foot stable to a mixed-use structure which includes a 450 square foot recreation room and a 239 square foot storage space. There is also 211 square feet of covered porch.

BACKGROUND

Zoning, Land Size and Existing Conditions

ZC NO. 959 49 Eastfield Mixed-Use Structure

The property is zoned RAS-1 and the gross lot area is 1.30 acres and 1.17 acres excluding the roadway easement. The net lot area for development purposes is 0.97 acres or 42,295 square feet.

Driveway and Motor Court

There is no change proposed in vehicular access to the mixed-use structure.

Past Approval for the Property

In March 2012 an administrative approval was granted to construct a 971 square foot addition with 1,196 square foot basement and for a major remodel of the residence, where most of the walls were to be demolished, as well as to relocate and change the shape of the existing swimming pool, which is not to exceed 756 square feet. The house remodel, addition and basement was completed and the residence is now 3,261 square feet with 1,196 square foot basement, 2 separate garages of 948 square feet total and a pool and spa of 756 square feet. In 2013, a Conditional Use Permit for a stable was approved, which was also completed.

MUNICIPAL CODE COMPLIANCE

Grading and Stabilization

There is no new construction proposed so no grading is included in the CUP proposal.

Disturbance

The lot was graded in the past and the disturbed area is 71.6%. The applicants propose to stay within the previously disturbed area when designating a stable/corral set aside area.

Height

The height of the mixed-use structure will remain unchanged from the previously constructed stable height.

Drainage

The previously approved drainage and erosion control plans are not proposed to change.

Lot Coverage

The existing structural coverage of 15.4% (20% max. permitted) and total lot coverage of 30.13% (35% max. permitted) are only changing based on the added stable set aside area of 450 square feet. The proposed structural coverage is 16.5% (20% max. permitted) and total lot coverage is proposed to be 31.17% (35% max. permitted).

Walls

No walls are included in the proposed project.

Stable and Corral Set Aside

The applicants propose to set aside a 1,000 sq.ft. area for a future stable and corral in an area north of the mixed-use structure. Access to the future stable corral is available through the existing access pathways. The stable and corral set aside area is located within the previously disturbed corral area.

CONDITIONAL USE PERMIT TABLE

A Conditional Use Permit is required for the mixed-use structure.

Mixed-Use Structure Requirements

Pursuant to the Zoning Ordinance, mixed-use structures are allowed uses with a Conditional Use Permit and the following regulations apply:

Definition: "Mixed use structure" means a structure detached from the primary building and used or designed to be used for a garage or for two or more of the following uses: garage, keeping of horses or other permitted animals, storage of equestrian, agricultural and general household goods, recreational purposes, an office, a study or other uses. Two or more of the same uses within the structure are not permitted. If any of the uses include keeping of horses or other permitted animals, no portion of the structure may contain a guest-house or sleeping quarters for humans.

Conditions: Mixed Use Structures. A mixed use structure, as defined by this title, shall be subject to the following conditions:

- a. Mixed use structures shall not be located in the front yard or any setback;
- b. That portion of the structure intended to be used for other than a garage use, shall not exceed eight hundred square feet in size;
- c. Vehicular access to the garage or mixed use structure shall not occur within an easement or within twenty-five feet of the side or rear lot line;
- d. If a portion of the structure is designed or intended to be used for a garage, that portion shall be separated by an interior common wall from the portion of the structure used as a stable, barn, office, study, recreational use or other use. The interior common wall shall be constructed in the same manner as found in attached townhouse construction. No access from the interior of the portion used for a garage to the interior of the portion used for the other use shall be permitted;
- e. If a portion of the structure is intended to be used as a stable, that portion of the structure, in addition to meeting the requirements of this subsection shall be subject to the requirements of Chapter 17.18 of this title.

- f. If a portion of the structure is intended to be used as a garage, there shall be no sleeping quarters, occupancy, kitchen or kitchenette facilities, but a sanitary facility including a sink and toilet maybe permitted. The remainder of the structure and its uses shall comply with the provisions of this section for each individual use.
- g. A loft area may be constructed only over the stable portion of the mixed use structure, subject to the requirements of Chapter 17.18 of this title.
- h. Where the garage, stable or any other use that is specified on the approved plan is converted to another use, or if the proportions of any approved use is changed without required approvals, the permit granting the mixed use structure may be revoked, pursuant to Chapter 17.58, and the structure shall be removed at the cost of the property owner;
- i. If any conditions of the permit are violated, or if any law, statute or ordinance is violated, the permit may be revoked and the privileges granted by the permit shall lapse, provided that the property owner has been given written notice to cease such violation and has failed to do so for a period of thirty days, and further provided that the owner has been given an opportunity for a hearing.

The proposed structure meets the above conditions and will be so stipulated in the Resolution, if the project is approved and no variance applies.

Utility Lines/ Septic Tank

All utility lines have already been placed underground. There are no anticipated changed to the septic tank.

General

In describing the application the applicants' agent states, in part, that the proposed mixed-use structure is an exchange of the existing stable to a recreational [and storage] room and is consistent with current building allowances.

Rolling Hills Community Association Review

Rolling Hills Community Association may 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, as attached below.

Environmental Review

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

Project Summary

SITE PLAN REVIEW	PREVIOUS PROJECT-APPROVED	PROPOSED																																														
<u>RA-S- 1 ZONE SETBACKS</u> Front: 50 ft. from front roadway easement line Side: 20 ft. from property line Rear: 50 ft. from rear property line	ADDITION AND MAJOR REMODEL STABLE/CORRAL	MIXED USE STRUCTURE																																														
<u>STRUCTURES</u> (Site Plan Review required for new structures or when size of residence increases by more than 999 s.f. in a 36-month period & grading; CUP for Mixed-Use Structure)	<table><tr><td>Residence</td><td>3,261 sq.ft.</td></tr><tr><td>Garage/w service area</td><td>948 sq.ft.</td></tr><tr><td>Stable</td><td>689 sq.ft.</td></tr><tr><td>Service yard</td><td>96 sq.ft.</td></tr><tr><td>Att. Porches</td><td>258 sq.ft.</td></tr><tr><td>Stable porches</td><td>211 sq.ft.</td></tr><tr><td>Pool/spa</td><td>756 sq.ft.</td></tr><tr><td>Pool eqpm.</td><td>32 sq.ft.</td></tr><tr><td>Basement</td><td>1,196 sq.ft.</td></tr><tr><td>Detach. Trellis</td><td>255 sq.ft.</td></tr><tr><td>TOTAL</td><td>6,506 sq.ft.</td></tr></table>	Residence	3,261 sq.ft.	Garage/w service area	948 sq.ft.	Stable	689 sq.ft.	Service yard	96 sq.ft.	Att. Porches	258 sq.ft.	Stable porches	211 sq.ft.	Pool/spa	756 sq.ft.	Pool eqpm.	32 sq.ft.	Basement	1,196 sq.ft.	Detach. Trellis	255 sq.ft.	TOTAL	6,506 sq.ft.	<table><tr><td>Residence</td><td>3,261 sq.ft.</td></tr><tr><td>Garage/w service area</td><td>948 sq.ft.</td></tr><tr><td>Mixed-Use Struct</td><td>689 sq.ft.</td></tr><tr><td>Service yard</td><td>96 sq.ft.</td></tr><tr><td>Att. Porches</td><td>258 sq.ft.</td></tr><tr><td>Mixed-Use porch</td><td>211 sq.ft.</td></tr><tr><td>Pool/spa</td><td>756 sq.ft.</td></tr><tr><td>Pool eqpm.</td><td>32 sq.ft.</td></tr><tr><td>Basement</td><td>1,196 sq.ft.</td></tr><tr><td>Stable-future</td><td>450 sq.ft.</td></tr><tr><td>Detach. Trellis</td><td>255 sq.ft.</td></tr><tr><td>TOTAL.</td><td>6,956 sq.ft.</td></tr></table>	Residence	3,261 sq.ft.	Garage/w service area	948 sq.ft.	Mixed-Use Struct	689 sq.ft.	Service yard	96 sq.ft.	Att. Porches	258 sq.ft.	Mixed-Use porch	211 sq.ft.	Pool/spa	756 sq.ft.	Pool eqpm.	32 sq.ft.	Basement	1,196 sq.ft.	Stable-future	450 sq.ft.	Detach. Trellis	255 sq.ft.	TOTAL.	6,956 sq.ft.
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<u>STRUCTURAL LOT COVERAGE</u> (20% maximum)	15.4%	16.5% (with stable set aside)																																														
<u>TOTAL LOT COVERAGE</u> (35% maximum)	30.13%	31.17% (with stable set aside)																																														
<u>BUILDING PADS (30% guideline)</u>	Res. Pad 29.4%	31.5% (with stable set aside)																																														
<u>GRADING</u> Site Plan Review required if	716 c.y. cut and fill (existing)	No change.																																														
<u>DISTURBED AREA</u> (40% maximum; any existing or proposed graded areas. Re-grading of previously graded areas is not counted)	71.6%	No change.																																														
<u>STABLE (min. 450 SQ.FT. & 550 SQ.FT. CORRAL)</u>	689 sq. ft.	450 sq. ft. Future – set aside																																														
<u>STABLE ACCESS</u>	Existing	Existing																																														
<u>ROADWAY ACCESS</u>	Existing driveway approach; widened drwy	Existing driveway approach ; widened drwy																																														
<u>VIEWS</u>	Planning Commission condition	Planning Commission review																																														
<u>PLANTS AND ANIMALS</u>	Planning Commission condition	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.



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: 05/21/19

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

APPLICATION NO. ZONING CASE NO. 896-MOD. #2
SITE LOCATION: 11 SADDLEBACK ROAD. (LOT 48-1 and 48-2-RH)
ZONING AND SIZE: RAS-1, 3.25 ACRES
APPLICANT: CANDICE WARREN
REPRESENTATIVE: GARY WYNN, WYNN ENGINEERING INC.
DATE NOTICE PUBLISHED: MAY 9, 2019

REQUEST AND RECOMMENDATION

Project Summary

The applicant is proposing a major modification to a previous approval resulting in a Variance for greater than approved disturbance of the lot in Zoning Case No. 896. No other changes are proposed with this application, and the previously approved structures and coverages will remain the same.

Variance

The applicant is requesting a Variance for a major modification resulting in changes to the lot disturbance. The disturbance will create two biofiltration units built on shallow slopes. This action will result in additional disturbance of the lot to up to 58%, or 57,024 square feet of the lot will be disturbed. Staff found that the additional disturbance requires a modification to the previous approval and a Variance, and could not be approved administratively.

Previously Approved Project

In March 2016, the Planning Commission's Zoning Case No. 896, which included a Lot Line Adjustment (LLA) to merge two lots, which resulted in a lot having 3.2

acres gross and 2.258 acres net, as calculated by the City for development purposes.

In conjunction with the lot merger, the applicant received approval, (Resolution No. 2016-08), for a Conditional Use Permit to construct a 13,860 square foot dressage arena, to convert the existing garage, partially located in the front setback to a 2,415 square foot stable and add a 625 square foot loft and 1,685 square foot corral; Site Plan Review for a 4,745 square foot residence plus 659 square foot garage, and other accessory structures, a not to exceed 5' wall that would encircle the majority of the dressage arena, 950 square foot swimming pool, 23,700 cubic yards total grading, and Variances to locate the equestrian facilities in the front yard area of the lot and for 83% of lot disturbance.

In May 2017 the Planning Commission approved (Resolution No. 2017-05 a major modification to relocate the stable and construct a one story 2,340 sq.ft. stable next to the dressage arena, redesign the grading for the arena, which resulted in elimination of retaining walls along 3-sides of the arena, construct a shorter (in length) wall along the rear slope outside the arena, reconfigure the residential garage and add a basement, retain the existing detached garage, (remove that portion that is in the setback), reconfigure grading and disturbance for the previously approved house and stable, by removing a graded path that led from the stable to the dressage arena, and remove a retaining wall along that path near the pool. The grading quantities were reduced to 8,060 cubic yards total plus overexcavation and recompaction as well as the disturbance of the lot was reduced to 50.8%.

In March of 2018, additional modification was requested and was granted in Zoning Case No. 937, (Resolution No. 2018-03) to move the arena towards the front of the lot, therefore encroaching into the front setback and to relocate a retaining wall from the rear of the arena to the front.

Lot and Zoning

The property is zoned RAS-1 and the lot area (after the lot line adjustment) is 3.25 acres. For development purposes the net lot area of the lot is 98,358 square feet, 2.26 acres. The lot is irregularly shaped with road easement on three sides of the property. This increases the overall square footage of roadway easements, deducted for the calculations of the net lot area, and decreases the net lot area of the subject property. A reduced net lot area increases the disturbance ratios and lot coverages.

Biofiltration/Bioretenention Basins

Due to State mandates that all projects comply with certain stormwater management requirements, the applicants proposes to construct two biofiltration units. The agents for the project consulted LA County Building and Safety Grading and Drainage Engineer, who approved the units, pending City approval of the increased disturbance on the lot. Drainage design is a part of a grading and the applicants will not be issued a grading permit for the remainder of the project, for the house portion of the lot, (stable and dressage arena are completed), until the drainage is approved by all parties. Two

biofiltration basins are proposed, one 100' x 15' in size and one 60' x 75' cut into the slopes. The biofiltration units are designed to temporarily hold and filter stormwater runoff created by the increase in the impermeable surfaces of the project including the stable. Storm drains constructed throughout the project will carry the water to the biofiltration units, which will be released into dissipaters in a controlled manner. These basins are vegetated and in time will become part of the landscaping of the site.

Disturbance

In reviewing the previous approvals for the current request, staff found discrepancies between the plans submitted for the previous approvals, the applications for the previous approvals and the reported disturbance calculations, which were memorialized in the previous Resolutions. Working with the Civil Engineer, it was determined that these discrepancies resulted from mathematical errors due to the many changes and submittals that were provided to staff.

There is a discrepancy how the disturbance was reported in the 2016 Resolution -83%, where as the correct disturbance should have been 75%; In the 2017-05 Resolution for the major modification, the disturbance was reported as 43%, whereas it should have been reported as 50.8% disturbance. The currently proposed modification brings the disturbance to 58%. With this application we would like to correct these discrepancies and we have published a notice for a Variance for 58% disturbance. If this project is approved, staff will combine all of the resolutions into one resolution and the previous 3 resolutions will be rescinded.

Planning Commission Responsibilities

When reviewing a development application, the Planning Commission must consider whether the proposed project meets the criteria for a Variance, as attached below.

Environmental Review

The project has been determined to be categorically exempt pursuant to Section 15304 (Class 4) Minor Alteration to Land of the California Environmental Quality Act (CEQA).

Project Summary-No changes except for Disturbance

PROJECT	APPROVED
NET LOT AREA	98,358 s.f.
RESIDENCE	4,805 s.f.
GARAGE ATTACHED	468 s.f.
GARAGE DETACHED	904 s.f.
SWIMMING POOL	425 s.f.
STABLE	2,430 s.f.
SERVICE YARD	98 s.f.
PORCH / STABLE	1,461 s.f.
PORCH/HOUSE	168 s.f.
TRELLISES (2)	154 s.f.
BBQ/FP/KITCHEN	0 s.f.

BASEMENT	1,056 s.f.
TOTAL STRUCTURES	11,969 s.f.
STRUCTURAL COVERAGE	12.1% of net lot
TOTAL COVERAGE	18,098 s.f. /18.4%
DISTURBANCE	50.8%
DISTURBANCE-PROPOSED	58% 57,024 s.f.
RES. BLD. PAD COVERAGE	34.2%
GRADING	Total of 8,060 c.y. = 4,030 c.y. CUT / 4,030 c.y. of FILL plus 3,000 c.y. over excavation & 3,000 c.y. recompaction (per soils recommendations)

Applicant Justification for Project

In regard to the proposed Variance modification, the applicant states in part, that the biofiltration units are required to comply with the stormwater management provisions of the regulations and, thus the increased lot disturbance; that the project includes equestrian amenities, which is encouraged in the City; that the site is encumbered by three roadway easements, reducing the overall net lot area of the lot.

In addition, in regards to the project in general, the applicant agent states as follows:

“The State, County and City have mandated that residential construction projects comply with certain storm water management requirements. This project proposes to use two Bioretention basins to comply with the storm water management provisions. Based on final engineering for the grading and drainage plan, the two gravity basins disturb an additional 7,000 square feet above what was previously approved by the planning commission. A lot disturbance variance was previously required for disturbing 50.8% of the site for this redevelopment project. With the proposed bioretention basins, 58% of the 4 acres parcel will be disturbed. Per city planning staff, an additional variance application needs to be reviewed by the city planning commission in order to approve the additional disturbance created by the bioretention swales.

These drainage basins are designed to temporarily hold, clean and release the additional storm water runoff created by the increase in impermeable surfaces created by the new construction. These are vegetated basins that work with gravity to drain the site and clean the runoff. Alternatives to the bioretention basins that would require less site disturbance are systems that require holding tanks, filters and/ or other mechanical devices, that require routine maintenance for good performance. The bioorientation

basins will eventually become a part of the site landscaping and will perform long term, with minimal maintenance.

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