



CITY OF
ROLLING HILLS ESTATES

4045 PALOS VERDES DRIVE NORTH • ROLLING HILLS ESTATES, CA 90274
TELEPHONE 310.377-1577 • FAX 310.377-4468
www.ci.Rolling-Hills-Estates.ca.us

NEXT RESOLUTION NO. 2310
NEXT ORDINANCE NO. 692

CITY COUNCIL AGENDA

REGULAR MEETING

SEPTEMBER 24, 2013

7:00 P.M.

NOTE: REPORTS AND DOCUMENTS RELATING TO EACH AGENDA ITEM ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND ARE AVAILABLE FOR PUBLIC INSPECTION.

1. CALL MEETING TO ORDER

2. SALUTE TO THE FLAG LED BY WEBELOS DEN 166

3. ROLL CALL

4. CEREMONIAL ITEMS

A. PRESENTATION TO TRACY AUSTIN TOURNAMENT SPONSORS

B. [PROCLAMATION](#)

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES DECLARING OCTOBER 24, 2013 AS WORLD POLIO DAY

C. WASTE MANAGEMENT DRAWING FOR ONE YEAR'S FREE RESIDENTIAL REFUSE SERVICE

American with Disabilities Act: In compliance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's Office at (310) 377-1577 at least 48 hours prior to the meeting.

5. ROUTINE MATTERS

A. [CITY COUNCIL MINUTES OF SEPTEMBER 10, 2013](#)

B. [DEMANDS AND WARRANTS – SEPTEMBER](#)

Recommendation: That the City Council approve 52685 through 52723 for a grand total amount of \$257,489.97 with proper audit.

6. CONSENT CALENDAR: The following routine matters will be acted upon by one vote to approve with the majority consent of the City Council. There will be no separate discussion of these items unless good cause is shown by a member prior to the roll call vote. (Items removed will be considered under New Business.)

A. [READING OF ORDINANCES AND RESOLUTIONS](#)

Reading in full of all ordinances and resolutions presented for consideration to the City Council will be waived and all such ordinances and resolutions will be read by title only.

B. [AUGUST 2013 SCHEDULE OF INVESTMENTS](#)

Memorandum from Michael Whitehead, Administrative Services Director, dated September 24, 2013.

Recommendation: That the City Council receives and files the Schedule of Investments Report for the month.

C. [AUGUST MONTHLY REVENUE AND EXPENDITURE REPORT](#)

Memorandum from Michael Whitehead, Administrative Services Director, dated September 24, 2013.

Recommendation: That the City Council receives and files the report for the month.

7. AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

8. PUBLIC HEARINGS/MEETINGS

7:30 P.M.

A. PLANNING APPLICATION NO. 18-13; APPLICANT: CITY OF ROLLING HILLS ESTATES; LOCATION: CITY-WIDE

Memorandum from Niki Wetzel, AICP, Principal Planner dated September 24, 2013.

Recommendation: That the City Council: 1) Continue to take public testimony; 2) Discuss the issues; and 3) Continue the public hearing to the October 8, 2013 City Council meeting.

1. ORDINANCE NO. 689 FOR INTRODUCTION AND FIRST READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES, CALIFORNIA, AMENDING CHAPTERS 17.02, 17.30 AND 17.37 OF TITLE 17 OF THE ROLLING HILLS ESTATES MUNICIPAL CODE PERTAINING TO THE DEFINITIONS OF AND DEVELOPMENT STANDARDS FOR RESIDENTIAL CARE FACILITIES AND SINGLE ROOM OCCUPANCY FACILITIES

2. ORDINANCE NO. 690 FOR INTRODUCTION AND FIRST READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES, CALIFORNIA, ADDING CHAPTER 17.76 TO TITLE 17 (ZONING) OF THE ROLLING HILLS ESTATES MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER HOUSING DEVELOPMENT INCENTIVES

3. ORDINANCE NO. 691 FOR INTRODUCTION AND FIRST READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES, CALIFORNIA, AMENDING TITLE 17 OF THE ROLLING HILLS ESTATES MUNICIPAL CODE TO PROVIDE DEFINITIONS FOR EMERGENCY SHELTERS, SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING, TO DESIGNATE APPROPRIATE ZONES FOR SUCH USES, AND TO PROVIDE DEVELOPMENT STANDARDS FOR EMERGENCY SHELTERS

9. NEW BUSINESS

- A. [PLANNING COMMISSION MINUTES OF SEPTEMBER 16, 2013](#)

- B. [PARK AND ACTIVITIES COMMISSION MINUTES OF SEPTEMBER 17, 2013](#)

- C. [PLANNING APPLICATION NO. 21-13 \(PENINSULA SHOPPING CENTER\); APPLICANT: VESTAR DEVELOPMENT COMPANY; LOCATION: SOUTHWEST CORNER OF HAWTHORNE BOULEVARD AND SILVER SPUR ROAD](#)

Memorandum from Niki Wetzel, AICP, Principal Planner, dated September 24, 2013.

Recommendation: That the City Council authorize the contract with PMC, subject to the satisfaction of the City Attorney, in the amount of \$34,964 to prepare an environmental document for PA-21-13 (Peninsula Shopping Center).

10. OLD BUSINESS

- A. [ORDINANCE NO. 688](#) FOR SECOND READING AND ADOPTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ADDING CHAPTER 6.06 TO TITLE 6 OF THE ROLLING HILLS ESTATES MUNICIPAL CODE PROHIBITING WILD AND EXOTIC ANIMAL PERFORMANCES FOR PUBLIC ENTERTAINMENT AND AMUSEMENT

11. CITY ATTORNEY ITEMS

- 12. CITY COUNCIL/REGIONAL COMMITTEE REPORTS:** This item provides the opportunity for Members of the City Council to provide information and reports to other Members of the City Council and/or the public on any issues or activities of currently active Council Committees, ad hoc committees, regional or state-wide governmental associations, special districts and/or joint powers authorities and their various committees on which Members of the City Council might serve or have an interest, which are not otherwise agendized.

- A. [COUNCILWOMAN SEAMANS](#)
 - 1. [EQUESTRIAN COMMITTEE MINUTES OF AUGUST 26, 2013](#)

B. MAYOR PRO TEM MITCHELL

1. [HOLIDAY PARADE SUBCOMMITTEE MINUTES OF SEPTEMBER 17, 2013](#)

13. MAYOR AND COUNCIL ITEMS: This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendaized for future consideration and/or make announcements of interest to the public.

14. CLOSED SESSION

15. ADJOURNMENT

ORDINANCE NO. 688

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES, CALIFORNIA, ADDING CHAPTER 6.06 TO TITLE 6 OF THE ROLLING HILLS ESTATES MUNICIPAL CODE PROHIBITING WILD AND EXOTIC ANIMAL PERFORMANCES FOR PUBLIC ENTERTAINMENT OR AMUSEMENT.

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ORDAINS AS FOLLOWS:

SECTION 1. Findings. The City Council finds as follows:

A. In recent years, increased questions surrounding the safety of wild and exotic animals interacting directly with humans have emerged across the country. In addition, animal rights groups have raised issues regarding poor treatment and living conditions of wild and exotic animals kept in captivity, such as elephants. For example, in 2011 the Association of Zoos and Aquariums adopted new industry standards for elephant management and care, which aimed at increasing workplace safety for elephant care providers. These industry standards ultimately raise safety and liability questions related to wild and exotic animal entertainment within the City.

B. As a result of research focused on wild and exotic animal care practices, the City has encountered numerous examples in other jurisdictions where entertainment involving wild and exotic animals is regulated or prohibited.

C. Neither the City's Municipal Code nor Los Angeles County's animal control ordinances currently regulate or prohibit wild and exotic animal entertainment, such as elephant performances or rides.

D. Establishing a prohibition on wild and exotic animal performances for public entertainment within the City will further the City's efforts to ensure that wild and exotic animals are presented to the public in a manner that protects the health, safety, and welfare of the general public, as well as the well-being and safety of wild and exotic animals.

E. This ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3.

SECTION 2. Addition of Chapter 6.06 to Title 6 of the Municipal Code. Chapter 6.06 is hereby added to Title 6 (Animals) of the Rolling Hills Estates Municipal Code to read as follows:

“Chapter 6.06. Performance of Wild and Exotic Animals for Public Entertainment or Amusement

Sections:

- 6.06.010 Purpose.**
- 6.06.020 Definitions.**
- 6.06.020 Performance of wild and exotic animals - prohibited.**
- 6.06.040 Enforcement.**
- 6.06.050 Exemptions.**

6.06.010 Purpose.

The purpose of this chapter is to protect the public against hazards that wild and exotic animals used in performances for entertainment pose to society and to protect wild and exotic animals from cruel and inhumane treatment.

6.06.020 Definitions.

For the purposes of this chapter, the following definitions apply:

“Director” means the Director of Community Services of the City of Rolling Hills Estates, or the director’s designee.

“Display” means the use or exhibition of animals for educational purposes or to groups of 20 or fewer persons.

“Domestic animal” means any animal that is livestock, a companion animal, or both. Livestock includes but is not limited to: (1) poultry; (2) cattle; (3) swine; (4) sheep; (5) goats; and (6) horses. Companion animal means any animal that is commonly kept by a person as a pet or for companionship and includes but is not limited to: (1) domesticated dogs; (2) domesticated cats; (3) ferrets; (4) gerbils; (5) guinea pigs; (6) hamsters; (7) horses; (8) mice; (9) rabbits; and (10) rats.

“Performance” means any act, circus, ride, trade show, carnival, parade, race, or similar undertaking where wild and exotic animals are required to perform tricks, fight, or participate as accomplishments in performances that are primarily intended for the entertainment or amusement of an audience. Performance does not include the display of wild and exotic animals.

“Person” means any individual, establishment, firm, association, organization, partnership, trust, corporation or company.

“Wild and exotic animal” means any non-domestic animal and includes any of the following orders and families, or similar orders and families whether bred in the wild or in captivity, and any hybrid with domestic animals. The animals listed in parentheses are intended as examples and are not to be construed as an

exhaustive list or limit the generality of each group of animals listed, unless otherwise specified:

Atriodactyla (hippopotamuses, giraffes, camels, but not cattle, swine, sheep or goats)

Canidae (except domesticated dogs)

Casuariiformes (emus)

Crocodylia (alligators, crocodiles)

Edentata (anteaters, sloths, armadillos)

Felidae (except domesticated cats)

Hyaenidae (hyenas)

Marsupialia (kangaroos, opossums)

Mustelidae (skunks, weasels, otters, badgers)

Non-human primates and prosimians (chimpanzees, monkeys)

Perissodactyla (rhinoceroses, tapirs, but not horses, donkeys, or mules)

Proboscidae (elephants)

Procynonidae (raccoons, coatis)

Reptilia over eight feet in length and snakes and reptiles of venomous variety

Struthioniformes (ostriches)

Ursidae (bears)

Viverridae (mongooses, civets, and genets)

6.06.020 Performance of wild and exotic animals - prohibited.

It is unlawful for any person to permit the performance of any wild and exotic animal for public entertainment or amusement on any public or private property within the city.

6.06.040 Enforcement.

The director has the power and authority to enforce the provisions of this chapter.

6.06.050 Exemptions.

The following are exempt from the provisions of this chapter:

- A. Educational or outreach activities endorsed, accredited or licensed by the American Zoo and Aquarium Association, Association of Sanctuaries, American Sanctuary Association, American Zoological Association, or the United States Department of Agriculture’s Animal and Plant Health Inspection Service, or other similar organizations or entities, which, in the director’s discretion, have an established history and record of promoting the responsible ownership, management, care and treatment of animals.
- B. Veterinarians in the ordinary course of a veterinarian’s practice of business.
- C. The display of wild or exotic animals.”

SECTION 3. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. Publication. The city clerk is directed to certify the adoption of this ordinance and cause it to be published in the manner required by law.

PASSED AND APPROVED THIS 24th DAY OF SEPTEMBER, 2013.

Frank V. Zerunyan, Mayor

ATTEST:

Douglas R. Prichard, City Clerk

APPROVED AS TO FORM

Donald M. Davis, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.
CITY OF ROLLING HILLS ESTATES)

I, Douglas R. Prichard, City Clerk of the City of Rolling Hills Estates, do hereby certify that the foregoing Ordinance No. 688, was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 10th day of September, 2013. That thereafter, Ordinance No. 688 was duly adopted and passed at a regular meeting of the City Council on the 24th day of September, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Douglas R. Prichard, City Clerk