



## AGENDA REPORT

**Meeting Date:** October 2, 2007  
**Item Number:** F-4  
**To:** Honorable Mayor & City Council  
**From:** City Attorney  
**Subject:** AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE MINIMUM FRONT YARD SETBACK FROM 75 FEET TO 65 FEET FOR PROPERTY LOCATED ALONG THE WEST SIDE OF THE 800 BLOCK OF ALPINE DRIVE  
**Attachments:** 1. Ordinance

---

### RECOMMENDATION

It is recommended that the proposed ordinance be adopted.

### INTRODUCTION

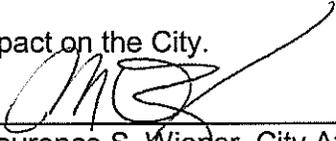
The proposed ordinance amends the required front yard setback along the west side of the 800 block of Alpine Drive to reflect the existing average setback of the homes in this area. Currently, the official setbacks of all properties in the city are maintained in the official records of the Community Development Department and are not codified.

### DISCUSSION

At the City Council meeting of September 17, 2007, the City Council conducted a first reading of this ordinance.

### FISCAL IMPACT

The ordinance is not anticipated to have any fiscal impact on the City.

  
\_\_\_\_\_  
Laurence S. Wiener, City Attorney

ORDINANCE NO. 07-O-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF BEVERLY HILLS  
AMENDING THE MINIMUM FRONT YARD SETBACK FROM  
75 FEET TO 65 FEET FOR PROPERTY LOCATED ALONG THE  
WEST SIDE OF THE 800 BLOCK OF ALPINE DRIVE

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY

ORDAINS AS FOLLOWS:

Section 1. Section 10-3-2404 of Article 24 of Chapter 3 of Title 10 of the Beverly Hills Municipal Code states in relevant part that the front setback from site areas located in the Central Area of the city shall be the setback as defined in the City's records for each site which shall be maintained in the records of the City's Community Development Department.

Section 2. Since 1995, the records of the Community Development Department (specifically, a map and a database) indicate that the front yard setback for the west side of the 800 block of Alpine Drive is 75 feet notwithstanding the fact that a survey demonstrates that the average front yard setback is 65.96 feet. The City Council desires to amend the records of the Community Development Department to reflect a front yard setback of 65 feet, which reflects the average or prevailing setback.

Section 3. The records of the Community Development Department that pertain to the minimum front yard setback for the properties located on the west side of the 800 block of Alpine Drive, between Sunset Boulevard and Lomitas Avenue, are hereby amended to read as follows:

“The minimum front yard setback shall be 65 feet.”

Section 4. The City Council hereby directs that this ordinance be maintained as part of the official records of the Community Development Department.

Section 5. CEQA Findings. This proposed ordinance makes minor changes to the City’s zoning regulations establishing minimum front setbacks in a specific area of the City, but does not authorize any changes in land use or density to the affected area. Accordingly, the City Council hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance may have a significant effect on the environment. The Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15305 (a) of Title 14 of the California Code of Regulations.

Section 6. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code; shall certify to the adoption of this Ordinance and shall cause this Ordinance and his certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 7. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31<sup>st</sup>) day after its passage.

Adopted:  
Effective:

\_\_\_\_\_  
JIMMY DELSHAD  
Mayor of the City of Beverly Hills, California

ATTEST:

\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM:

*Debrah Haliman (S) An*  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
RODERICK J. WOOD  
City Manager

*Bong C. Loy*  
\_\_\_\_\_  
for VINCE BERTONI  
Director of Community Development