

CALIFORNIA COASTAL COMMISSION

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Filed: 2/26/01
 49th Day: N/A
 180th Day: N/A
 Staff: MS-LB
 Staff Report: January 15, 2002
 Hearing Date: February 6, 2002
 Commission Action:

**DE NOVO HEARING ON APPEAL
 STAFF REPORT AND RECOMMENDATION**

LOCAL GOVERNMENT: City of Rancho Palos Verdes

LOCAL DECISION: Approval with Conditions

APPEAL NUMBER: A-5-RPV-01-066

APPLICANT: Capital Pacific Holdings, Inc./ Makallon RPV Assoc., LLC

AGENTS: Culbertson, Adams and Associates, Attn: Ellis Delameter

PROJECT LOCATION: Tract No. 46628 (*Oceanfront*), Hawthorne Boulevard and Palos Verdes Drive West, City of Rancho Palos Verdes, Los Angeles County

RECORD PACKET COPY

PROJECT DESCRIPTION: Appeals by Commissioners Sara Wan and Cecilia Estolano, William and Marianne Hunter, and Rowland Driskell from the City of Rancho Palos Verdes (1) approval of Coastal Permit No. 94-Revision 'A' (an amendment to Permit No. 94) allowing Capital Pacific Holdings, Inc. to construct three manned tract entry observation booths on the median islands at the entries to the interior public streets (Paseo de la Luz, Via del Cielo and Calle Viento) of the Oceanfront Community vesting Tentative Tract 46628 of Rancho Palos Verdes; and (2) approval of Conditional Use Permit No. 158-Revision 'C' and Sign Permit No. 1096 for "small sections of maximum 6-foot-tall perimeter wall, fountains and tract identification signs".

APPLICANT'S CHANGES TO PROJECT DESCRIPTION FOR DE NOVO ACTION:

After the Fact Development: 1) Temporary placement of two five-foot high iron gates across the northern end of Via del Cielo, an internal public street.

New Development: 2) coastal access signs located throughout the development.
 3) increase height of sections of the perimeter fence at the two Palos Verdes Drive West entrances of the subdivision (Calle Entradero and Via Vicente) to six feet, and change the fence design from an "open design" to a plastered solid block wall, and to include a fountain and 14 to 16-foot wide tract identification signs.

SUMMARY OF STAFF RECOMMENDATION:

At its hearing on April 10, 2001 the Commission found that the appeals of the underlying permit amendment raised a "substantial issue" with respect to that permit's consistency with the certified Local Coastal Program and with the Public access policies of the Coastal Act. The Commission is now required to hold a de novo hearing on the merits of the project.

Staff recommends that the Commission, after a public hearing, **deny** the permit amendment for reasons that the proposed structures are inconsistent with the public access and recreation provisions of the Coastal Act Sections 30210, 30212(a) and 30221, and the City of Rancho Palos Verdes certified Local Coastal Program (LCP) policies addressing public access, public recreation and visual resources. The motion to carry out the staff recommendation is on **page 3**.

STAFF NOTE

Conditional Use Permit No. 158-C and Sign Permit No. 1096 for "small sections of maximum 6-foot-tall perimeter walls, fountains and tract identification signs" were not included in the City Council's Notice of Final Action because they had not been included in the local appeal. Consequently, these items were also left out of the initial appeal to the Coastal Commission. However, the tract identification signs, walls and entry treatment were considered by the Rancho Palos Verdes Planning Commission to be part of Coastal Permit 94-Revision 'A'. The Planning Commission denied two tract identification signs that were included in the new coastal access signage plan but they are part of the original application so they are part of the appeal. Two other sets of signs were required by Rancho Palos Verdes City Council as conditions of approval of the booths. These signs would not be before the Commission except the applicant wishes to amend the project at the de novo stage to include (a) signs on the booths explaining the access features, (b) small directional signs identifying the trails, and (c) After the Fact placement of two iron gates across a tract street that Rancho Palos Verdes erroneously exempted from the coastal development permit process.

SUBSTANTIVE FILE DOCUMENTS:

1. Rancho Palos Verdes Local Coastal Permit No. 94-Revision 'A', Conditional Use Permit No. 158-Revision 'C', Sign Permit No. 1096, Encroachment Permit No. 32
2. Rancho Palos Verdes Administrative Record for Coastal Permit No. 94-Revision 'A'
3. California Coastal Commission file A5-92-RPV-123
4. City of Rancho Palos Verdes Total Local Coastal Program Revised Findings on Resubmittal (May 4, 1983)
5. City of Rancho Palos Verdes Coastal Specific Plan (1978), City of Rancho Palos Verdes Development Code (1982)
6. Rancho Palos Verdes City Council Resolutions 92-6, 92-26, 92-27 and 2001-08
7. Rancho Palos Verdes City Council Staff Report, March 3, 1992
8. Vesting Tentative Tract Map No. 46628

9. *Public Parking Analysis for the Oceanfront Community*, Vesting Tentative Tract Map No. 46628 Rancho Palos Verdes, Linscott Law & Greenspan Engineers, September 26, 2001.
10. *View Analysis-Calle Viento location, Oceanfront Community*, Vesting Tentative Tract Map No. 46628 Rancho Palos Verdes, Culbertson, Adams & Associates Planning Consultants, August 28, 2001.
11. Rancho Palos Verdes Planning Division Approval in Concept for North and South Entry, October 24, 2001.
12. Rancho Palos Verdes Planning Division Approval in Concept for Coastal Access Signage, October 24, 2001.

APPEAL PROCEDURES

After certification of Local Coastal Programs, the Coastal Act provides for limited appeals to the Coastal Commission of local government actions on coastal development. Locally issued coastal development permits may be appealed if the development is located within the appealable areas established in Coastal Act Section 30603. In incorporated cities, these include areas located between the sea and the first public road paralleling the sea or within three hundred feet of the mean high tide line or inland extent of any beach or top of the seaward face of a coastal bluff, or within 100 feet of wetlands. Developments approved by counties may be appealed if they are not designated "principal permitted use" under the certified LCP. Finally, developments that constitute major public works or major energy facilities may be appealed, whether approved or denied by the city or county [Coastal Act Section 30603(a)]. The subdivision approved in Coastal Permit No. 94 is located in an appealable area because it is located less than three hundred feet of the inland extent of the beach and between the first public road and the sea. Consequently, that permit was appealable, in this case the underlying permit was appealed, but the Commission found no substantial issue with the appeal. Any amendment to that permit is likewise appealable.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve proposed amendment (A-5-RPV-01-066) to Coastal Development Permit No. 94 for the development as proposed by the applicant.*

STAFF RECOMMENDATION OF DENIAL:

Staff recommends a **NO** vote. Failure of this motion will result in **DENIAL** of the permit amendment and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY THE PERMIT AMENDMENT:

The Commission hereby **DENIES** the proposed amendment to the coastal development permit on the grounds that the development as amended will not conform to the policies of the Local Coastal Program and the public access and recreation policies of the Coastal Act.

Approval of the amendment would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse impacts of the amended development on the environment.

II. FINDINGS AND DECLARATION

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION

The project before the Commission in this appeal is an amendment to the terms, conditions and project description of development authorized by the City of Rancho Palos Verdes under Coastal Permit No. 94. The proposal includes the construction of three 224 square-foot, 12-foot high, manned tract entry "observation booths" (Exhibit 3) on the median islands at the entries to the interior public streets (Paseo de la Luz, Via del Cielo and Calle Viento) of the *Oceanfront* Community vesting Tentative Tract 46628 of Rancho Palos Verdes (Exhibit 2). The "observation booths" will contain restrooms for the use of guards. The project also includes replacement of the tract fencing with a six-foot high decorative wall at the two project entries, the addition of decorative elements to the walls (i.e. fountains), placement of two types of signs: (a) public access signs on the booths and throughout the subdivision, (b) small directional signs identifying the trails, and placement of temporary five-foot high locked iron gates (after the fact development) to close off an approximately 400 foot section of Via del Cielo, an interior tract street.

B. PROJECT HISTORY

On February 7, 2001, The City issued Coastal Permit No. 94-Revision 'A' to permit the observation booths; six-foot high solid sections of the project's perimeter fence and fountains attached to that solid wall. The Planning Commission approved the design details as a conditional use permit and also as part of this CDP action. The change in the fence, however, was not noticed as an appealable amendment to the CDP. In addition, the City approved two 5-foot iron fences or gates as a temporary use to extend across one of the interior streets, separating off an interior segment for use as a model site area for home sales. The City did not require a CDP for these gates because it was temporary, which was defined as approximately 3 years. On site visits staff discovered the two gates across one of the interior public streets. This development was not authorized in the City's 1992 action on its underlying coastal development permit. Because this development requires an amendment to Coastal Permit No. 94, the applicant has requested that the Commission consider it as part of this action. The entry treatment perimeter walls and fountains received an approval in concept from the City Planning Commission on October 24, 2001.

The City of Rancho Palos Verdes granted Coastal Permit No. 94 on March 17, 1992. On April 1, 1992 it was appealed to the Coastal Commission (Exhibit 5) and on June 9, 1992, the Commission found that the appeal raised no substantial issue with respect to the grounds on

which it was filed. In its original action on Coastal Permit No. 94, the City of Rancho Palos Verdes approved the fence as a three-foot high open fence. In addition, the City adopted several special conditions regarding public access to the streets and bluff tops of the project and made several findings with regard to the project's consistency with the corridors element of the coastal specific plan (the LCP).

In the original permit, the City required the proposed bluff loop road to be revised and expanded to have a minimum 26 foot roadway width (consistent with coastal development and design guidelines of the certified LCP), clearly showing the on-street parking on the landward side of the street, as well as the Class I bike path and the pedestrian trail on the seaward side of the bluff road (Exhibit 13, P.53), and indicate the topographic relationship between the roadway and the trails.

The original permit Coastal Permit No. 94 provided public access and recreation support over all streets, roads, trails, and bikepaths on the tract:

All streets, trails, bikepaths and parking areas identified on Revised Vesting Tentative Map Tract No. 46628 shall remain public. Said public parking spaces include, but are not limited to, spaces located on the project plans on Palos Verdes Drive West, the "A" street turnouts, on "B", "C", "D" and "E" streets, and on portions of "A" street that are not located on the "bluff road" portion of "A" street. Long-term public parking shall be permitted from dawn to dusk. No restrictions, including the gating of any residential communities, or abandonment or interference with vertical access paths identified on the project plans, may be imposed to prevent access by the public. Signs, red curbs, structures or other restrictive mechanisms that discourage public use of the parking and other public amenities during the aforementioned hours of public use are not allowed.

1) **Detailed History of Underlying Permit**

On April 23, 1990, VMS/Anden, the original applicant for the planned residential development project, submitted applications for Vesting Tentative Tract Map No. 46628, Conditional Use Permit No. 158, Coastal Permit No. 94, Grading Permit No. 1439 and Environmental Assessment No. 612 for the development of 93 single family residential lots and 1 open space lot on 132 acres of vacant land in Subregion 1 of the coastal zone of Rancho Palos Verdes. On June 7, 1990, the City received notice that Hermes Development International (H.M.D.I.), Inc. had become the sole owner of the subject property. Draft Environmental Impact Report (DEIR) No. 35 was completed in August 1991 and circulated from September 6, 1991 to October 23, 1991 for public review and comment. The DEIR concluded that, even after the implementation of proposed mitigation measures, the project would result in significant adverse impacts to Air Quality, Biological Resources, Noise, Water Service and Visual Resources. The applicant presented the 93-lot configuration to the City Planning Commission and City Council on October 16, 1990 and received comments about modifying the plan to conform to the policies of the Coastal Specific Plan. In an effort to address the

environmental concerns identified by the DEIR, as well as the policies of the Coastal Specific Plan, the applicant significantly redesigned the proposed project¹.

The revised design consisted of 79 residential lots and 5 open space lots (Lots 80, 81, 82, 83 and 84). The open space lots were dispersed over the site in an effort to protect sensitive habitat areas, view corridors and public recreational opportunities. The Planning Commission required the applicant to provide two access corridors connecting open space Lots 80 and 82. The revised design modified the internal circulation by creating a separate bluff road and two internal streets. The City required the developer to improve any useable area seaward of the bluff road for public recreational purposes, such as parking, trails, signs, vista points, seating and fencing².

On February 5, 1992, the City Planning Commission adopted P.C. Resolution No. 92-6 approving Conditional Use Permit No. 158, Coastal Permit No. 94 and Grading Permit No. 1439 for a residential planned development on a 132 acre site consisting of 79 single family residential lots and 5 common open space lots located on the northwest corner of Palos Verdes Drive West and Hawthorne Boulevard. On February 6, 1992, H.M.D.I., Inc., the applicant, submitted an appeal of the Planning Commission's approval of the Conditional Use Permit, Coastal Permit and Grading Permit, so that the City Council could consider these applications in conjunction with the Vesting Tentative Tract Map. On February 14, 1992, Lois Larue, a city resident, submitted a second appeal of the Planning Commission's approval of the project, claiming that the project is inconsistent with the City's Coastal Specific Plan (the certified LCP). Both appeals were filed within the required 15 day appeal period and the City Council held a public hearing on the appeals on March 3, 1992, at which time all interested parties were given an opportunity to be heard and present evidence. On March 17, 1992, the City Council adopted Resolution No. 92-27, upholding the H.M.D.I., Inc. appeal and denying the Larue appeal, thereby approving Conditional Use Permit No. 158, Coastal Permit No. 94 and Grading Permit No. 1439 subject to conditions of approval. Approval of the conditional use permit, coastal permit and grading permit were subject to the approval of Vesting Tentative Tract Map No. 46628. On March 17, 1992, the City Council adopted Resolution No. 92-26 approving Vesting Tentative Tract Map No. 46628 for a residential subdivision with 79 single family lots located at the northwest corner of Palos Verdes Drive West and Hawthorne Boulevard (Exhibit 13, P.45).

In its adoption of Resolution No. 92-27, the City Council resolved for the approval of the conditional use permit and found that the proposed project, as conditioned, mitigated or reduced significant adverse effects to adjacent properties or the permitted uses thereof. The City Council found that the social, recreational and other benefits of the project outweighed any unavoidable adverse environmental impacts that may have occurred as a result of the project. According to the resolution, "The project implements the RS-1/RPD designation of the site in the General Plan and Coastal Specific Plan, while preserving much of the site as natural and recreational open spaces, with a bluff road, public parking, trails and vista points that will provide public recreational opportunities and preserve public vistas and habitat areas." In its adoption of Resolution No. 92-27, the City Council found for the approval of the

¹ City Council Staff Report, March 3, 1992

² Id.

coastal permit "that the proposed project, which is located between the sea and the first public road, is in conformance with applicable public access and recreational policies of the Coastal Act, in that the proposed project includes a bluff road and will provide public parking, vista points, open space and trails along the bluff top. Lois Larue appealed Coastal Permit No. 94 to the Coastal Commission. On June 9, 1992, the Commission found no substantial issue after it reviewed the conditions imposed by the local government, which included restoration of a minimum 3.873 acres to coastal sage scrub and the dedication of a bluff top park, trail and roads for the public.

2. History of Present Action

On November 28, 2000, the Rancho Palos Verdes Planning Commission approved Coastal Permit No. 94-Revision 'A'. According to the City, CP 94-Revision 'A' included a modification to the tract fencing condition and also included a Conditional Use Permit No. 158-Revision 'C' and Sign Permit No. 1096 for small sections of maximum 6-foot-tall perimeter wall, fountains and tract identification signs, and approved with modifications Coastal Permit No. 94-Revision 'A' and Encroachment Permit No. 32 for tract entry observation booths in the public rights-of-way of Paseo del la Luz, Via del Cielo and Calle Viento. These changes that were approved by the Planning Commission action, the walls and fences, fountains and tract identification signs, were included in the Planning Commission Resolution No. 2000-41, which was not received by the Coastal Commission until the City Council's Notice of Final Action. The Planning Commission's Notice of Decision, received by the Coastal Commission on November 30, 2000, consisted of a one-page notice about the observation booths only. A copy of the Planning Commission's Resolution (2000-41) was later included in the City Council's Notice of Final Action, which was received by the Coastal Commission on February 8, 2001. On December 6, 2000, City Council member and Mayor Pro Tem McTaggart, appealed the Planning Commission's action with respect to 94-Revision 'A' for the observation booths and Encroachment Permit No. 32 only.

On December 11, 2000, Council member Stern also requested City Council review of the Planning Commission's action. On December 19, 2000, during public hearing, a motion was carried to appeal the Planning Commission's action concerning the observation booths only and allow the remainder of the Planning Commission's decision to stand and be implemented. On January 16, 2001, during public hearing, the City Council denied the appeal with the condition that the developer "agrees in writing that the guards be instructed not to deny access to anyone to use the public streets". On February 6, 2001, during public hearing, the City Council adopted Resolution No. 2001-08, a resolution of the City Council denying the appeal and upholding the Planning Commission approval of Coastal Permit No. 94-Revision 'A' and Encroachment Permit No. 32, as amended, for tract entry observation booths in the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento, for the *Oceanfront* project. The City conditioned the approval of CP No. 94-Revision 'A' and Encroachment Permit No. 32 with several requirements and restrictions (Exhibit 10, P.9), most notably placement of signs describing public's right of access.

Following the City Planning Commission's decision, the City's standard 15-day appeal period expired on December 13, 2000 without an appeal from the project applicant or any other interested party. When an appeal request, such as the one by Council member McTaggart

on December 6, 2000, is received by the City Manager, the appeal period for the City Council is automatically extended by thirty additional calendar days. The City held an extended 30-day appeal period, which expired on January 12, 2001 with an appeal filed by City Council on December 19, 2000.

The City provided public notice of the October 24, 2000, November 14, 2000, November 28, 2000, January 16, 2001 and February 6, 2001 public hearings. During the public notice period, the City Planning Department received eight letters expressing opposition to the project and six letters in support of the project. The letters of opposition to the project expressed concern that the observation booths would intimidate the public from accessing the public streets, parking areas, trails and open space areas.

On February 7, 2001, the City Council issued the Notice of Final Decision for CP No. 94-Revision 'A' (Exhibit 10). The City's Notice of Final Decision was received in the South Coast District Office in Long Beach on February 8, 2001. The City Council's Notice of Final Decision did not mention any of the aspects of the project other than that which had been appealed locally (the booths). However, it included a resolution by the City Council (2001-08) approving the booths, as described above, and a resolution by the City Planning Commission (2000-41) approving CUP 158-Revision 'C' and Sign Permit No. 1096 for small sections of maximum 6-foot-tall perimeter walls, fountains and tract identification signs, and approving with modifications CP 94-Revision 'A' and Encroachment Permit No. 32 for tract entry observation booths in the public rights-of-way.

Having received a complete record on February 8, 2001, the Commission required ten working day appeal period commenced on February 9, 2001. Commissioners Wan and Estolano, William and Marianne Hunter, and Rowland Driskell filed appeals with the Commission on February 26, 2001. The Commission's ten working-day appeal period ended at 5:00 p.m. on February 26, 2001. The Commission also has before it additional development which, as defined in Section 30106, should have received a Coastal Development Permit, but which is described in neither the Coastal Permit No. 94 nor in 94-Revision 'A'.

On site visits staff discovered two iron gates across Via del Cielo (an internal tract street). This development was not authorized in the City's 1992 action on its underlying coastal development permit. The applicant and City staff stated that the Rancho Palos Verdes Planning Commission approved this development when the Planning Commission approved this CDP at the same Planning Commission hearing, as a "related matter". No CDP was required because the gates were described as "temporary". Instead, the applicant received a special use permit from the City for the gates on the grounds that the gates are temporary; they would be removed after sale of the tract lots, which may take three years. The City contends that the gates are required to be removed once all of the homes are sold and the sales offices close. Again, the City Council appealed only part of the permit. Since these items were not noticed as subject to a coastal development permit, they were not appealed to the City Council or the Coastal Commission.

Staff note: The iron gates that are across the street, the 6-foot high perimeter wall, the fountains and signs were not authorized in the City's 1992 action on its underlying coastal

development permit. The applicant is requesting to incorporate all of the development on the site that requires a coastal development permit and has not received it into its Commission action.

Following the Substantial Issue portion of this appeal, the applicant has submitted a coastal access signage plan to be reviewed by the Commission as part of the project under appeal. The majority of the signs have received an approval in concept by the City of Rancho Palos Verdes (Exhibit 8). The following signs received local approval (AIC):

- 1) A 42-inch high, 13.5-foot long monument sign located at each of the main entrances of the Oceanfront Community. One is to be placed on the southern side of Via Vicente and one on the southern side of Calle Entradero
 - 2) Three 18x24-inch *Streets Open to the Public* signs located next to each observation booth
 - 3) Three 18x24-inch *Emergency Telephone Available* signs located on the medians with the observation booths
 - 4) Two 12x12-inch trail head signs at the entrances to the two ocean bluff trails
 - 5) Two 12x12-inch *Wildlife Crossing* signs located on each end of a dedicated wildlife easement between Lots 25 and 26
 - 6) Two 12x18-inch *Sensitive Habitat Area* signs located at the open space areas between Palos Verdes Drive and Paseo de la Luz and Via del Cielo
 - 7) Five 12x18-inch *Parking Dusk to Dawn* signs located along Calle Entradero.
- Excluding the two monument signs, all signs will be placed on 4-foot high poles.

C. Public Access Policies of the Coastal Act

After certification of an LCP, in order to approve a project, the Commission must find that the project, on appeal, is consistent with the certified local coastal program. If the project is located between the first public road and the sea, the Commission must also examine the project for consistency with the public access and recreation policies of the Coastal Act.

One of the basic mandates of the Coastal Act is to maximize public access and recreational opportunities within coastal areas for all people and to reserve lands suitable for coastal recreation for that purpose. The Coastal Act has several policies that address the issues of public access and recreation within coastal areas.

- a) Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

b) Section 30212 (a) of the Coastal Act states in part :

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects . . .

c) Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

The applicant proposes to construct three 224 square-foot, 12-foot high, manned tract entry "observation booths" (Exhibit 3 & 19) on the median islands at the entries to the interior public streets (Paseo de la Luz, Via del Cielo and Calle Viento) of Tract No. 46628, otherwise known as the *Oceanfront* community of Rancho Palos Verdes. The applicant stated that the booths, which are manned by a guard, are to function as a security measure to deter crime. Each structure will contain a restroom for use by the guards. See Exhibit 19 for aesthetic details.

The entry treatment development (walls, fountains, etc.) will be located on both sides of the street at the main entrances off of Palos Verdes Drive, Via Vicente and Calle Entradero (Exhibit 4). Each side of the entrances include approximately 32-38 feet of a "low wall" (3 to 4-foot high), 20 feet of a 3 to 4-foot high "retaining wall" and 12 feet of a 6-foot "high wall" with a fountain. At each entrance median a 16 to 18-foot wide island with a 10 to 12-foot wide sign wall is proposed. At the north entry, approximately 80 feet of a separate retaining wall is included in the plans submitted by the applicant.

In response to the action taken by the Coastal Commission in finding substantial issue, the applicant stated that there was never intent to require the interior streets to be used for public parking and access to the coastal resources (Exhibit 15). The applicant also stated that access to the interior streets, while possible, is not necessary for the public to access the bike path and pedestrian trails (Exhibit 15). The City contends that the observation booths provide security for the residents of the community (Exhibit 10, P.5).

If the placement of the observation booths work as intended by the applicant, they will reduce public access and recreation, which is inconsistent with Sections 30210, 30211 and 30220 of the Coastal Act.

Several gated communities are found throughout southern California. However they were approved prior to the Coastal Act and do not allow public access on their streets. In the case cited by the applicant, Balboa Bay Club, constructed in 1948, consists of a private beach and residential and club areas that is gated with a guard at the entrance. On March 9, 1995 the Commission approved a proposed remodel and expansion of the site with special conditions allowing the public to access the hotel, restaurant, the main parking lot and a public walkway along the bulkhead. The guard facility, residential area, the beach and the club were

established prior to the Coastal Act and remain private. This subdivision, known as *Oceanfront* Community is not permitted to exclude the public from the interior public streets according to the original coastal development permit.

The proposed manned tract entry observation booths do not ensure the public's right to use the public streets, as required by the Coastal Act. Instead, the booths impede access to the coastline and public roads, parking, open space, trails and bike path. The three proposed manned tract entry observation booths and entry development (6' perimeter walls and fountains) would communicate to the public that the public streets are private and discourage them from entering into the public bluff loop road and/or interior public streets of the subdivision, Tract No. 46628. While the applicant insists that the "booths" are not guard houses, the booths will in fact house guards, located at the center of the interior street entrances, conveying to the public a private use. The booths would give people the impression either that the entire subdivision, its amenities and its roads are private and/or that the interior public streets of the community are private. Non-residents who believe they are not welcome on the interior public streets of the community would not enter the public streets to use the potential public parking that support access to the open space areas, path and trail network.

The approval of CP No. 94 required the provision of two parking turnouts along the inland side of Calle Entradero, the bluff road, a 25-space parking lot at the northwest corner of the tract and curbside parking along the north side of Calle Entradero between the east side of the parking lot and Palos Verdes Drive West. The City approval did not exclude public parking along the interior streets of the subdivision discussed herein. The City's approval identified all of the streets within the community as public streets. Under the Coastal Act, prohibition of parking requires a coastal development permit. Therefore, public parking along these streets must be provided. The manned tract entry observation booths and other development, including the iron gates, would discourage the public from entering the interior public streets and using parking that could be provided to support access to the public open space lots and trail and path system. Therefore, the proposed development is inconsistent with the original coastal development permit (CP 94) and the public access and recreational policies of the Coastal Act.

In granting Local Coastal Permit No. 94-Revision 'A' and the related development applications, the City made the following findings:

1. That the proposed development is in conformance with the Coastal Specific Plan;
2. That the proposed development, when located between the sea and the first public road, is in conformance with applicable public access and recreational policies of the Coastal Act.

Section 30210 of the Coastal Act requires maximum access, which shall be conspicuously posted. Although the City conditioned the approval of the booths to provide some signage that states that the public is welcome, the booths and entry development themselves are intimidating. Some people may see the booths or the six-foot high walls from a distance, without seeing the signs, and believe it is a private community. Others may enter the community, thus coming within a close enough distance to read the signs, but may decide not to approach the booths for fear of being stopped by the guard inside the booth, being

questioned, or being charged a fee for entry. The signage would not adequately mitigate the adverse impacts the proposed development would have on public access to the public roads, parking, open space, trails and bike path of the Oceanfront Community vesting Tentative Tract 46628. The proposed booths would prevent maximum access and are not consistent with this policy of the Coastal Act.

Section 30212 (a) of the Coastal Act requires new development projects to provide public access from the nearest public roadway to the shoreline and along the coast. This requirement was met in CP No. 94, the original approval of the *Oceanfront* project, by conditioning the project's approval on the placement of a bluff loop road accessed from Palos Verdes Drive West, the main access corridor of the City. The booths, by impeding the entry of some members of the public who would believe that they were an indication that the community and/or its public streets were private and not allow public entry, are inconsistent with this policy of the Coastal Act.

Section 30221 of the Coastal Act requires the protection of oceanfront land suitable for recreational use and development. The approval of the *Oceanfront* project was subject to the provision of public open space areas, trails, a bike path and support parking. Those members of the public, who may decide not to enter the community because the booths give them the impression that the public is not welcome, would not have access through the community to these public recreational opportunities. By discouraging members of the public from using these public amenities, the booths are inconsistent with this policy of the Coastal Act.

The applicant does not agree that the observation booths as planned discourage use of the interior streets for public parking or access. However, the applicant's argument is that some people, i.e. criminals, would be discouraged to enter the streets because of the presence of the booths. The applicant also proposes coastal access signs to help facilitate public access. Adverse impacts should be avoided all together (guard houses) when possible rather than simply imposing a mitigation measure (signage).

The applicant adds that the public parking being provided on the loop-street is adequate to meet public needs. The applicant has submitted a Public Parking Analysis for the Oceanfront Community vesting Tentative Tract 46628 (September 24, 2001) located in Rancho Palos Verdes, California (Exhibit 16, P.3). The parking survey was done during two August weekends of this year 2001 to determine if the existing designated public parking spaces provided in this project are adequate to meet the current demand. The applicant contends that the designated parking spaces are adequate to meet public need according to the survey results.

Based on the parking survey, there may be sufficient parking available at the present time. Whether there is adequate parking available for future needs is not evident. However, adequate parking is not the issue. The interior streets of the project are in fact public streets. It is the objective of Coastal Act policies to protect coastal resources for the public and the public right to access those resources. The public has the right to access the interior streets. The proposed manned observation booths and entry development including perimeter walls, fountains and the iron gates would discourage that public right.

The proposed manned tract entry observation booths, entry treatment development and iron gates would reduce access to the public streets, parking, bike path and pedestrian trails accessed via the bluff loop road and interior public streets of the Oceanfront Community vesting Tentative Tract 46628. Public Access policies of the Coastal Act provide that maximum access and recreational opportunities shall be provided. In the original coastal permit, all proposed streets were approved as public streets. The placement of six-foot tall entry walls and fountains and interior street guard houses with guards discourage the public from even approaching the area thus preventing them from fully utilizing the recreational amenities that are available. Discouraging the recreational use of oceanfront land and discouraging parking on public streets is inconsistent with the public access policies of the Coastal Act and the provisions of the approved underlying permit.

D. Access Policies of the LCP

The standard of review of a locally issued coastal development permit on appeal is the certified LCP and when located between the first public road and the sea, the access and recreation policies of the Coastal Act. The Corridors Element of the certified LCP identifies the bluff corridors as access corridors. It requires a bluff edge public road on all projects in undeveloped areas, with areas seaward of the road to be dedicated for public use. The LCP requires a bluff road and an access corridor on the seaside of all new subdivisions. It identifies access corridors and provides for support facilities so that the public may reach and enjoy these corridors. Rancho Palos Verdes is located on a peninsula. The LCP finds that prior to development most private areas supported a network of trails along the bluff edge.

The Access Corridors section of the Corridors Element of the LCP requires that a "continuity of pathways between major access corridors, open spaces, etc., should be provided within private developments."

The certified LCP states, "The primary access corridor within the coastal zone of Rancho Palos Verdes is Palos Verdes Drive West/South/25th Street, which is a multifunction access corridor providing automobile, bicycle and pedestrian access. Palos Verdes Drive West/South/25th Street forms the spine of an access corridors concept that involves a series of laterals and loops within the coastal zone which provide access to, from and through developed and undeveloped areas of the City (Exhibit 18). The LCP states: it is the policy of the City to require development proposals within areas which might impact corridors to analyze the site conditions in order to mitigate impacts and obtain feasible implementation of all corridor guidelines."

The LCP names the following relevant guidelines, or planning and design considerations, for access corridors:

- a) Wherever possible, proposed access corridors should be located so as to maximize compatible opportunities for multi-use relationships with other corridor types (overlaid or parallel).

- b) Continuity of pathways between major access corridors, open spaces, etc., should be provided within private developments, but designed so as to retain privacy for adjacent residents within these developments.
- c) Where desirable and possible, access corridors should include overlooks, viewpoints, rest stops, and other open space elements within their designs to both provide a broader range of use beyond the utilitarian access function of the corridor as well as to vary its physical configuration, providing visual and spatial interest.

The LCP also requires that "proposed streets minimize interference with path and trail networks". The LCP includes specific requirements for each subregion. In this area, Subregion 1, the certified LCP requires a bluff road, where feasible, to be located between the natural drainage course along the northern property line and Point Vicente on the southern property line, with no residential lots permitted seaward of the bluff road. In Subregion I of the Rancho Palos Verdes coastal zone, it is a policy of the certified LCP to "require new developments to provide path and trail links from the bluff corridor to paths and trails along Palos Verdes Drive West".

As part of its approval of CP 94, The City required the following public trail and bike path alignments to be developed:

- a) The *Palos Verdes Drive Trail-Golden Cove Segment*, a pedestrian and equestrian trail and a Class II bike path beginning at the north property line and heading south along the west side of Palos Verdes Drive West to the southern property line,
- b) The *Palos Verdes Loop Trail-Sunset Segment*, a pedestrian trail beginning at the north property line and heading south as close to the bluff as possible to the southern property line, including three preserved vista points, and connecting to the existing Seascape Trail in the Lunada Pointe development and the Interpretive Center Trail and the Baby's Breath Trail in Lower Point Vicente Park,
- c) The *Coastal Access Road-Subregion I*, a Class I bike path running parallel to and on the seaward side of the coastal bluff road and connecting to the Class II bike path along Palos Verdes Drive West, and
- d) the *Coastal Access Trail-Terrace Trail*, a point to point pedestrian trail beginning at the intersection of Palos Verdes Drive West and Hawthorne Boulevard and extending westward towards the bluff top and connecting with the Sunset Segment.

The Access Corridors section of the Corridors Element of the LCP requires that a "continuity of pathways between major access corridors, open spaces, etc., should be provided within private developments." The underlying permit (CP 94) accomplished this by requiring a continuous bluff top road and a continuous bluff top trail connected to the open space corridors within the development. As interpreted in the City's original approval, this required continuous pathways between major access corridors (i.e. Palos Verdes Drive West), the bluff top road and the two habitat/open space areas within the development. The bluff road and the trail would connect to the vertical access trails provided through open space Lot 82 at the western end of the tract.

In the original permit, the City required the proposed bluff loop road to be revised and expanded to have a minimum 26 foot roadway width (consistent with coastal development and design guidelines of the certified LCP), clearly showing the on-street parking on the landward side of the street, as well as the Class I bike path and the pedestrian trail on the seaward side of the bluff road (Exhibit 13, P.53), and indicate the topographic relationship between the roadway and the trails.

The original permit Coastal Permit No. 94 provided public access and recreation support over streets, roads, trails, and bikepaths:

*All streets, trails, bikepaths and parking areas identified on Revised Vesting Tentative Map Tract No. 46628 shall remain public. Said public parking spaces include, but are not limited to, spaces located on the project plans on Palos Verdes Drive West, the "A" street turnouts, on "B", "C", "D" and "E" streets, and on portions of "A" street that are not located on the "bluff road" portion of "A" street. Long-term public parking shall be permitted from dawn to dusk. **No restrictions, including the gating of any residential communities, or abandonment or interference with vertical access paths identified on the project plans, may be imposed to prevent access by the public. Signs, red curbs, structures or other restrictive mechanisms that discourage public use of the parking and other public amenities during the aforementioned hours of public use are not allowed. (emphasis added)***

94-Revision 'A' does not address paths and trails. As part of their findings, the City stated that the manned tract entry observation booths did not interfere with the bluff-top road or the trail system. The City stated in their findings that the observation booths "may provide improved security for the residents of the Oceanfront Community vesting Tentative Tract 46628 "(Exhibit 10, P.5).

In this amendment CP No. 94-Revision 'A", the City required signs on the booths to inform the public that the streets are public, and has prohibited the guards in the booths from stopping visitors. These City requirements, however, would not fully mitigate the adverse impacts the proposed booths and tract-entry treatment would have on public access to the public amenities of the subdivision subject to this appeal (Oceanfront Community). The proposed development would interrupt access from Palos Verdes Drive West to the open space lots via the interior public streets by communicating that the public streets are private and discouraging many non-residents (public) from entering into the interior public streets of the community. This is inconsistent with the policy of the LCP that states that "proposed streets should minimize interference with path and trail networks." There are public access trails that run along the bluff loop road connecting at Palos Verdes Drive West and Calle Entradero and Via Vicente.

The applicant has stated that the purpose of the booths is to discourage entry of criminal activity. However, if it discourages the criminals, how will it not discourage others? While erecting tract entry observation booths at the entrances to the interior public streets may appear to be a simple means to control unwanted activity within the community; a range of more appropriate measures is available. The area surrounding the subject site is low-density suburban in nature, as opposed to urban, and is open rather than closed, walled, guarded

and private. The applicant has provided no evidence that the proposed manned tract entry observation booths would not deter public entry to the public roads, parking, trails, bike path and open space areas in the community.

In response to the appeal by Commissioners Wan and Estolano, the City stated that "all of the public parking in support of the public open space lots and the trail system is located in an off-street parking lot at the northern end of the community (located on the seaward side of the loop road) and in two on-street turnouts on the inland side of the loop road." The Commission does not argue the existence of the available parking. The applicant is contending that the parking along the frontage road is sufficient even though interior street parking is permitted in the original coastal development permit. The existing corollary with the applicant's contention is that the booths are intended to reduce public access to the interior streets. The applicant states that there is a parking lot at the northwest corner of the tract that provides 25 parking spaces and there are two turnouts along the inland side of Calle Entradero, the bluff road, each of which provides 9 parking spaces. Currently, a total of 43 public parking spaces are provided within the subdivision. However, the City's original approval of the underlying permit also required the provision of parking spaces on the north side of Calle Entradero, a 36-foot-wide stretch of street, between the east side of the bluff parking lot and the intersection with Palos Verdes Drive West.

According to the City's response to the Larue appeal of CP No. 94 in 1992, this area could accommodate 35 curbside parking spaces; however, no spaces had been designated in that area prior to the Substantial Issue August, 2001 hearing. In a letter responding to the Substantial Issue staff report, the applicant proposes to provide additional 31 parking spaces at this location. The City asserted that the designated public parking is accessed via the tract loop road, which will not have a booth at either entry—the booths would be placed at the entries to the interior tract streets. The City and applicants claim that only the bluff road is to be used for public parking. The underlying permit, which is consistent with the certified LCP, provided that 1) the bluff road is public 2) interior streets provide access to open space lots 3) 31 parking spaces on an interior lot 4) 32 additional spaces offered by the applicant and 5) all streets shall remain public. Therefore, interior streets are described as public and as providing parking. The Commission found no substantial issue with the underlying permit.

Parking to support access along the trails, paths and bluff top road is required in the certified LCP to be provided on local public streets. In its 1992 action, the City identified certain limited areas where parking is prohibited in the community, but did not prohibit parking along most of the length of Paseo de la Luz and along the entire length of Via del Cielo and Pacifica del Mar (Exhibit 13, P.53--55). By discouraging the public from entering the interior public streets, the proposed manned tract entry observation booths would prevent the public from using public parking spaces that could support the public amenities provided in the community. By preventing the public from using parking that could be made available along the interior public streets, the manned tract entry observation booths could discourage many non-residents (public) from accessing the public open space lots or trail and path system.

The iron gates that stretch across the northern end of Via del Cielo completely block public access to that northern portion of the street. The applicant claims that the purpose of the iron gates is to provide traffic safety within the model area while homes are being sold. The

applicant contends that the gates are open during the day. However, during three different site visits (during the week, in the daytime), the gates were closed and locked with no attendant in sight. Although the applicant states that the gates are only to remain for the duration of sales, this is a clear 3-year or so interruption of public access and is inconsistent with public and recreation policies of the Coastal Act.

The proposed entry-treatment development at the two main entrances on Palos Verdes Drive including: fountains, six-foot high, 12-foot long perimeter walls and the "Oceanfront" median entry signs are primarily for decorative purposes and may impress upon the public that the area is a private community. The applicant contends that the proposed coastal access signs are to help facilitate public access in conjunction with the proposed observation booths. There are two types of signs being considered as part of this amendment before the Commission: Tract identification signs and Coastal Access signs. The tract identification signs are part of the permit amendment that is being appealed. They include large median signs at the entrances of the subdivision. The original permit did not contemplate the median signs. The coastal access signs are new development being proposed by the applicant and they include public access and directional signs of various sizes (Exhibit 8) that are to be located throughout the community identifying trail heads, sensitive habitat areas, etc., as well as the coastal access signs to be constructed on the observation booths. None of these signs are part of the original permit and are only required as mitigation for the booths in the City action. The Commission is denying these signs because although some may be approvable independently, the signs are only serving as mitigation for the proposed booths and it would be confusing to approve mitigation for a project that the Commission is denying. The proposed project, which would allow the construction of the three manned tract entry observation booths, perimeter walls, fountains, signs and iron gates is inconsistent with the LCP policies regarding public access. Although, some of the signs are to be constructed on the observation booths, these are not part of the original permit and are only offered by the applicant in compliance with mitigation required by the City. While the Commission considered a two-part action, approving the signs in part and denying the remaining proposed development, it concluded that it would be cleaner to deny the entire project. The project, which would allow the construction of the three manned tract entry observation booths, perimeter walls, fountains, signs and iron gates are inconsistent with the underlying permit that was consistent with the LCP.

E. Public Views/Visual Resource Policies of the Certified LCP

In its adoption of Resolution No. 92-27, the City Council found, determined and resolved for the approval of the coastal development permit that the proposed project, as conditioned, preserves the view corridors identified in the visual corridors section of the Coastal Specific Plan (Exhibit 13, P.59). Since the Coastal Specific Plan identifies Palos Verdes Drive West as a continuous visual corridor, development on the subject property had the potential to impact the views from this arterial roadway. To address this issue, the applicant proposed to lower the pad levels of the lots adjacent to Palos Verdes Drive West an average of 20 feet below the roadway. In its adoption of Resolution No. 92-27, the City Council found, determined and resolved for the approval of the grading permit that the proposed residential lots on the proposed lower pad elevation would preserve view corridors to the ocean, Point

Vicente Lighthouse and Catalina Island, as identified in the certified LCP, when viewed from Palos Verdes Drive West and Hawthorne Boulevard.

The City's coastal development and design guidelines suggested that the bluff road and open areas along its length should be developed under CP No. 94 with a visual emphasis on the natural terrain and environment, with the roadway of lesser visual importance. The guidelines suggested, therefore, that the bluff loop road be 26 to 32 feet wide with on-street parking provided only along the landward side of the roadway. The City required that the parking be provided on the landward side of the roadway to protect the views from the bluff loop road. The City conditioned the approval of the CP No. 94 to provide a 26-foot wide bluff loop road with on street parking on the landward side of the roadway.

The City required that the common open space areas be located in a manner that is accessible to viewing by the general public from public roads and/or walkways, while also preserving public views to the coast. The redesigned project included three view corridors across the site:

1. A view to the west from Hawthorne Boulevard to the bluff down the bluff road and over Common Lot Nos. 81 and 82 (Photo 2).
2. A view to the northwest of the Malibu coast (Photo 3) and southwest of Catalina Island and the Point Vicente Lighthouse (Photo 4) from Palos Verdes Drive West over the Common Lot No. 80.
3. A view to the west from Palos Verdes Drive West to the bluff down the bluff road and over Common Lot Nos. 82 and 83.

The appeal of Commissioners Sara Wan and Cecilia Estolano contended that the proposed project and the local coastal development permit raise significant issues with regards to consistency with the visual resource policies of the certified LCP.

According to the certified LCP, "it is the policy of the City to require development proposals within areas which might impact corridors to analyze the site conditions in order to mitigate impacts and obtain feasible implementation of all corridor guidelines." Palos Verdes Drive functions as "the primary visual corridor accessible to the greatest number of viewers, with views of irreplaceable natural character and recognized regional significance."

The LCP identifies four specific visual corridors available over the subject property from Palos Verdes Drive West:

1. A view of the ocean and Catalina Island traveling south on Palos Verdes Drive West (Photo 5).
2. A view of the ocean and Malibu coastline traveling north of Hawthorne Boulevard on Palos Verdes Drive West (Photo 3).

3. A view of the Point Vicente Lighthouse traveling south on Palos Verdes Drive West (Photo 4).
4. A view of the ocean and local coastline traveling north of the Point Vicente Lighthouse on Palos Verdes Drive West (Photo 6).

The LCP provides a method to protect the visual relationship between the drive and ocean in areas that are not part of an identified vista corridor. For those areas which are not part of an identified vista corridor, the LCP requires that "no buildings should project into a zone measured 2 feet down-arc from horizontal as measured along the shortest distance between the viewing station and the coastline".

Given only the LCP maps and descriptions for visual corridors at the time the Commission received notice of approval of CP No. 94-Revision 'A' from the City, the Commission concluded, at the substantial issue stage, that each of the proposed manned tract entry observation booths could have impacts to the visual resources identified in the LCP. After receiving the complete record and having the opportunity to conduct site visits, however, the Commission determined that only the proposed booth at the entry to Calle Viento would impact an identified visual corridor. The proposed booth at the entry to Calle Viento would interrupt the expansive visual corridor to the ocean and Catalina Islands and available when traveling south on Palos Verdes Drive West. The City's approval of CP No. 94 required removal of all of the proposed homes seaward of the bluff road at the southwestern end of the property and dedication of Common Lot Nos. 81 and 82 as open space, thus preserving the open view corridor over those lots. The median at the entry to Calle Viento, where the booth is proposed to be located, is directly between the open space areas of Common Lots 81 and 82. Therefore, the proposed 250-square-foot, 12-foot tall manned tract entry observation booth would adversely effect the view corridor.

The proposed booths at the entries to Paseo de la Luz and Via del Cielo, on the other hand, would not interrupt any of the visual corridors identified in the certified LCP. These booths are proposed to be located at locations having significantly lower grade than Palos Verdes Drive West, the viewing station named for the visual corridor identified in the LCP. The booths at these locations, therefore, are also consistent with the requirement of the LCP that "no buildings should project into a zone measured 2 feet down-arc from horizontal as measured along the shortest distance between the viewing station and the coastline." In addition, CP No. 94 permitted the construction of homes adjacent to and seaward of the proposed locations of these booths. The cumulative visual impacts of the homes and the proposed booths at the entries to Paseo de la Luz and Via del Cielo would negate any minimal visual impacts the booths could have when viewed from the bluff loop road or interior public streets.

The applicant has submitted a Visual Assessment and letter (August 28, 2001) addressing staff's contention that the proposed manned tract entry observation booth at the entry to Calle Viento would interrupt an identified visual corridor (Exhibit 17). The view analysis was conducted along Palos Verdes Drive West for only that one location (Exhibit 15). The analysis consisted of putting flagged poles in the location of the proposed booth and then taking pictures from Palos Verdes Drive West. The applicant contends that the observation

booth does not have a significant impact on the view corridor because it would be barely visible from Palos Verdes Drive West. Whether or not describing the adverse impact as insignificant is accurate, the proposed booth at the entry to Calle Viento would interrupt the expansive visual corridor because it is directly between the open space areas of Common Lots 81 and 82 (Exhibit 17). The Calle Viento Observation booth is located in a view corridor. This is inconsistent with view corridor standards of the LCP and would lessen the effect of the general findings in Section 8 of the original permit. During site visits, staff started at Palos Verdes Drive West and Hawthorne Boulevard and walked/drove down Via Vicente and found that the proposed booth would have an adverse impact on public view.

The proposed project is inconsistent with the visual resource policies of the certified LCP because the proposed manned tract entry observation booth at the entry to Calle Viento would interrupt a view corridor identified in the LCP. The booth also limits the view corridor to Palos Verdes Drive.

F. LCP Coastal Development Permit Requirement

Procedural Note:

Placement of the iron gates is not exempt. The City of Rancho Palos Verdes coastal development permit ordinance requires coastal development permits for all development.

In Section 16.04.365 of Ordinance No. 149 Development is defined:

On land in or under water, the placement of erecting of any solid material or structure; discharge or disposal of any dredged material or if any gaseous, liquid, solid, or thermal waste; grading, removing dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division is brought about in connection with the purchase of such land by a public agency for public recreational use; reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility, and the removal or harvesting of major vegetation other than for agricultural purposes. As used in this definition, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line and electrical power transmission and distribution line.

The City requires permits for development within the Coastal Specific Plan area (Chapter 17.67 of City Ordinance No. 149).

Section 16.04.445 of the City's LCP exempts certain repair and maintenance activities and additions to existing structures from coastal permit requirements, consistent with Section 30610 of the Coastal Act. However, this section does not exempt development that may have "an adverse impact to public access."

The perimeter walls, fountains, signs, fences and iron gates are development. This development is not exempt from permit requirements because (1) they are features of Coastal Permit No. 94 and addressed, analyzed and limited in that permit to protect LCP designated view corridors, and are subject to the terms of that permit or require approval through an amendment process, they are also located within and adjacent to land that is designated in part as a view corridor in a certified local coastal program, California Code of Regulations Section 13253 (b)(1) and may have an adverse affect on public access..

The perimeter fence was a feature approved in the original permit Coastal Permit No. 94, and as such is still part of that permit. The City approved the fence in Coastal Permit No. 94 with a condition that limited the height to 42 inches and that required it to be "open". In reviewing this CDP amendment, the Planning Commission found that the construction of a few small segments as six-foot high plaster-covered fences with decorative fountains could be approved. According to city staff and notice of Planning Commission meeting, the City amended CP-94 to include this change, but did not include it on City Council hearing and notice of final action. Since as noted above the City Council did not explicitly include the fence height change, in its appeal, the final CDP noticed to the Commission did not include the changes in fence height and design. The applicant agrees that the fence changes should be included in this CDP.

The Commission notes that, in its revised findings for certification of the IP portion of the certified LCP, found "that certain provisions of the California Administrative Code, found in Article 17, Title 14, specifically PRC Sections 30800-30823, (Judicial Review and Penalties); Section 13574 of the Administrative Code (Dedications) and Coastal Act Section 30600 (a) cannot be overridden by any act of the City and apply to and within the coastal zone of the City of Rancho Palos Verdes whether or not they are specifically cross-referenced in the City Code." The Commission therefore found "that such references are unnecessary to adequately carry out the provisions of the Land Use Plan and that the ordinances, as drafted, are consistent with and adequately carry out the provision of the certified Land Use Plan." The findings reiterate that the certified LCP requires a coastal development permit for any development in the coastal zone.

The applicant does not dispute this. It is his request that the Commission considers the coastal access signs, iron gates with adjacent fencing, perimeter walls and fountains described herein in its de novo portion of the appeal.

G. Certified Local Coastal Program

The City of Rancho Palos Verdes does have a certified Local Coastal Program for the Rancho Palos Verdes area. The LCP was certified by the Commission on April 27, 1983. The LCP identifies access and view corridors and provides for support facilities so that the public may reach and enjoy these corridors. It is a policy of the certified LCP to "require new developments to provide path and trail links from the bluff corridor to paths and trails along Palos Verdes Drive West" in Subregion I of the Rancho Palos Verdes coastal zone. The LCP identified the need to provide access corridors, including bikeway, pedestrian and equestrian paths and trails, to and through the development. The proposed project

discourages public access and impairs public views from public streets and is therefore inconsistent with the provisions and the goals of the certified LCP and is not in conformance with the LCP.

H. California Environmental Quality Act (CEQA)

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect, which the activity may have on the environment.

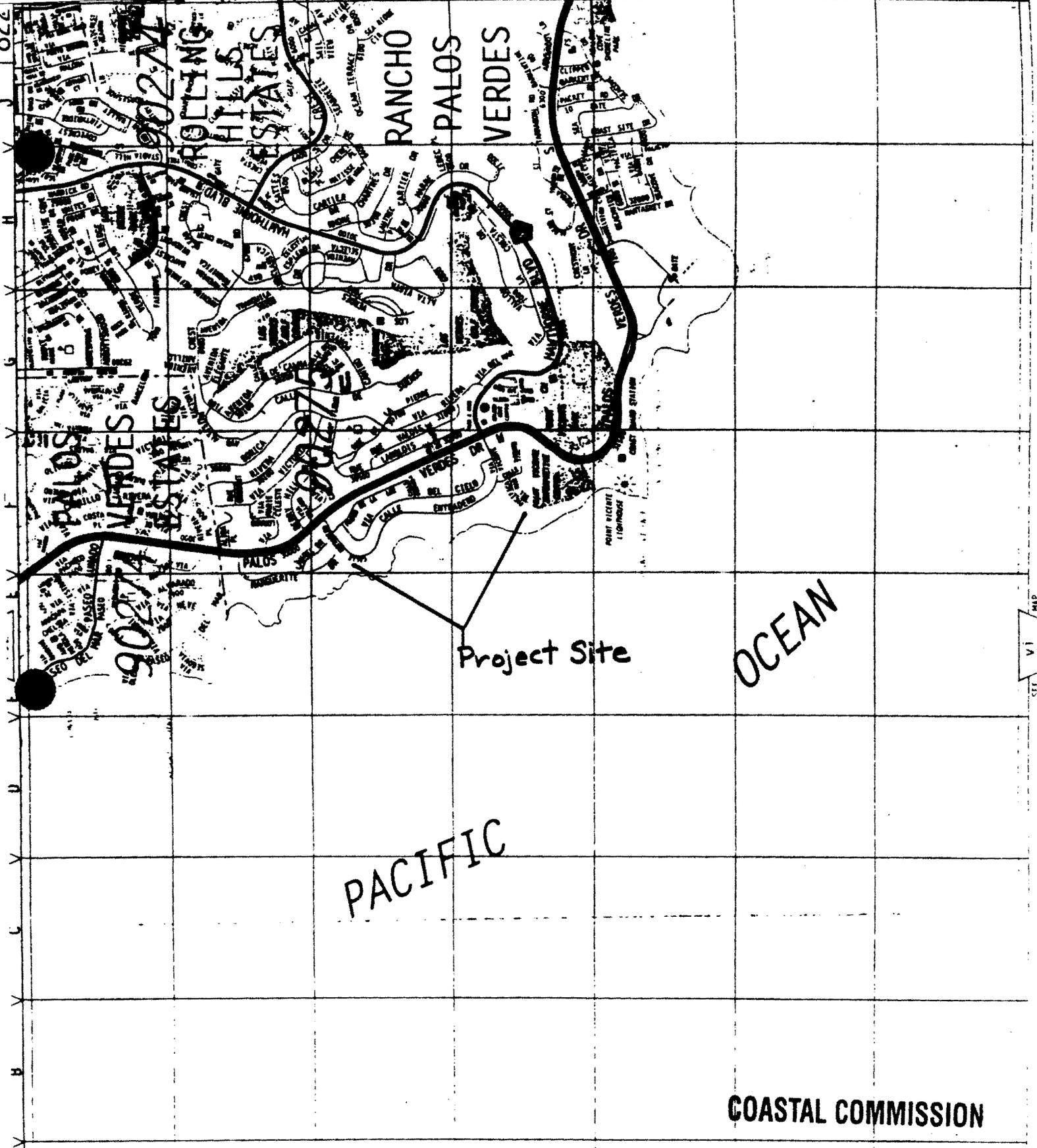
In this case, there exists a viable use on the property: a 79-home subdivision. Security personnel who drive or walk through the neighborhood constitutes a feasible alternative to the construction of the proposed manned, 12-foot high observation booths. Construction of a three-foot high perimeter fence with an open design constitutes a feasible alternative to the construction of the proposed 6-foot, blocked wall at the entrances to the subdivision, Tract No. 46628. Construction of speed bumps in the street at the northern end of Via del Cielo constitutes a feasible alternative to the construction of 5-foot high iron gates that stretch across the street and block access to that area of the street. The proposed development discourages public and recreational access, reduces public view of the ocean and bluff top, and is not consistent with the character of Rancho Palos Verdes neighborhoods. The denial of this project would reduce the project's adverse impacts to public access and public views.

Therefore, there are feasible alternatives or mitigation measures available, which will lessen the significant adverse impacts that the development would have on the environment. Therefore, the Commission finds that the proposed project is not consistent with CEQA.

I. Unpermitted Development

Development has occurred on site without benefit of the required coastal development permit, including placement of two five-foot high iron gates across the northern end of Via del Cielo, an internal public street. Consequently, the work that was undertaken constitutes development that requires a coastal development permit.

Consideration of the permit application by the Commission has been based solely on the consistency of the proposed development with the policies of the City of Rancho Palos Verdes Local Coastal Program, and the access and recreation policies of the Coastal Act. Approval of this permit does not constitute a waiver of any legal action with regard to the alleged unpermitted development, nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit.



Project Site

OCEAN

PACIFIC

COASTAL COMMISSION

EXHIBIT # 1
 PAGE 1 OF 1

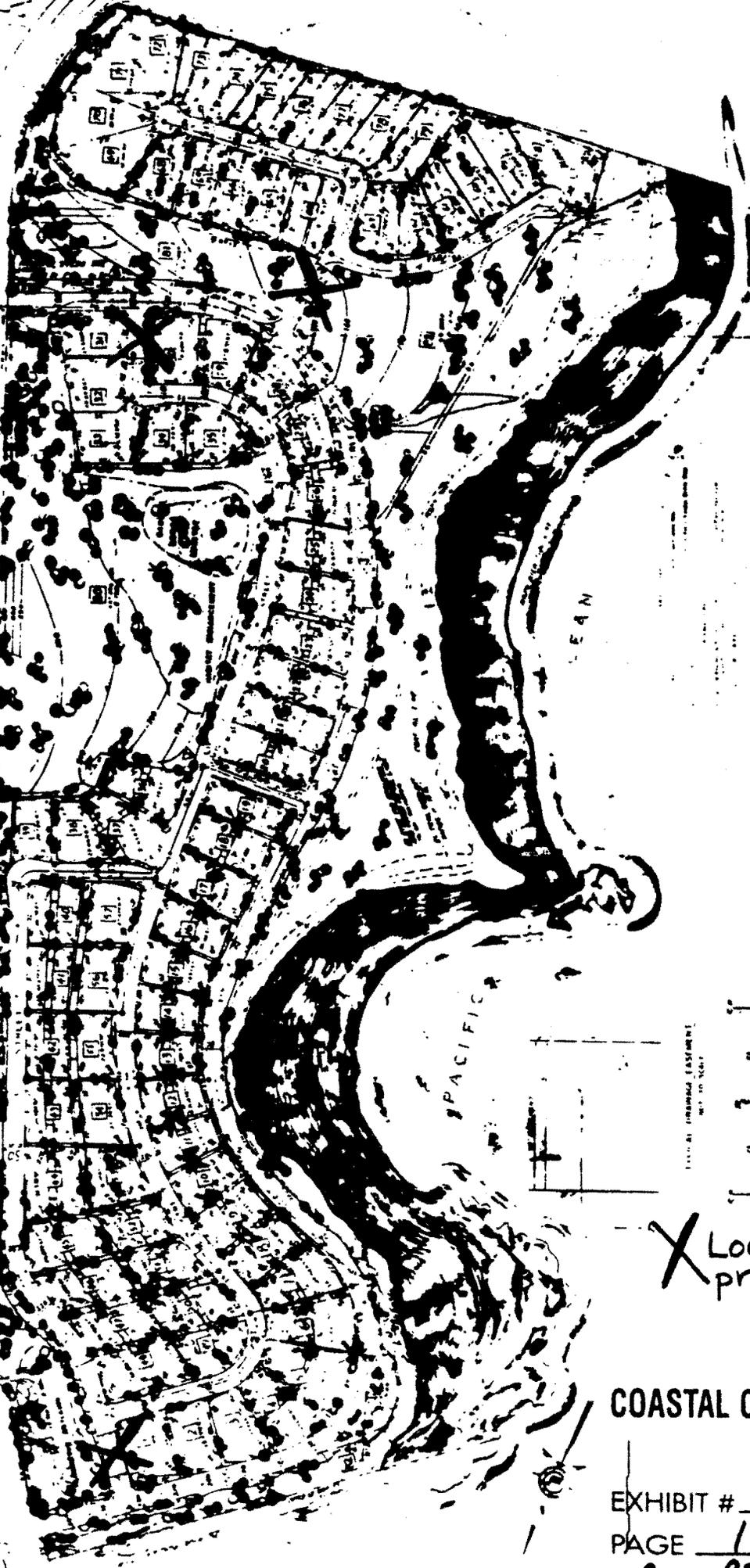
A-5-RPV-01-66



**REVISED VESILING IENIAIIVE MAP
TRACT NO. 46628**

IN THE CITY OF RANCHO PALOS VERDES, THE STATE OF CALIFORNIA

Palos Verdes Drive West



X Locations of proposed booth

COASTAL COMMISSION

EXHIBIT # 2
PAGE 1 OF 1
A-5-RPV-0-66

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 596-5071



February 26, 2001

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Commission Form D)

Please Review Attached Appeal Information Sheet Prior to Completing This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Commissioner Sara Wan	Commissioner Cecelia Estolano
200 Oceangate Suite 1000	200 Oceangate Suite 1000
Long Beach, CA 90802	Long Beach, CA 90802

Section II. Decision Being Appealed

1. Name of local/port government: **City of Rancho Palos Verdes**
2. Brief description of development being appealed: CP No. 94-Revision 'A' for construction of three 250 square-foot, 12-foot-tall manned tract entry observation booths to be constructed on median islands at the entries to the interior public streets (Paseo de la Luz, Via del Cielo and Calle Viento) of the *Oceanfront* community, which lies within the City's Coastal Specific Plan District. Approval of development in the coastal zone under Conditional Use Permit No. 158-Revision 'C' and Sign Permit No. 1096 without a coastal development permit.
3. Development's location: Tract No. 46628 (*Oceanfront*), Hawthorne Boulevard and Palos Verdes Drive West, City of Rancho Palos Verdes.
4. Description of decision being appealed:
 - a. Approval; no special conditions: _____
 - b. Approval with special conditions: _____ **XX** _____
 - c. Denial: _____

Note: For jurisdiction with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:
DATE FILED:
DISTRICT: South Coast

COASTAL COMMISSION
A-5-RPV-01-66

EXHIBIT # 5
PAGE 1 OF 9

5. Decision being appealed was made by (check one):

- a. Planning Director/Zoning Administrator
b. City Council/Board of Supervisors
c. Planning Commission
d. Other _____

6. Date of local government's decision: February 6, 2001

7. Local government's file number (if any): CP No. 94-Revision 'A'

Section III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:
Tim Hamilton, Capital Pacific Holdings, Inc. AGENT: The Katherman Company
4100 MacArthur Blvd., Suite 200 19300 S. Hamilton Ave., Suite 230
Newport Beach, CA 92660 Gardena, CA 90248

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties, which you know to be interested and should receive notice of this appeal.

(1) Rowland Driskell
30 Via Capri
Rancho Palos Verdes, CA 90275

(2) Jeffrey Lewis
2820 Via Pacheco
Palos Verdes Estates, CA 90275

(3) Virginia Leon
30413 Via Cambron
Rancho Palos Verdes, CA 90275

(4) William B. Patton
71 Margarita Drive
Rancho Palos Verdes, CA 90275

(5) Rob Katherman
19300 South Hamilton Avenue, #230
Gardena, CA 90248

(6) Tom Redfield
31273 Ganado Drive
Rancho Palos Verdes, 90275

COASTAL COMMISSION

EXHIBIT # 5

PAGE 2 OF 9

A-5-RPV-01-06

- (7) Penny Fooks
30457 Via Cambron
Rancho Palos Verdes, CA 90275

- (8) Ann Shaw
30036 Via Borica
Rancho Palos Verdes, CA 90275

- (9) Tim Hamilton
30796 La Mer
Laguna Niguel, CA 92677

COASTAL COMMISSION

EXHIBIT # 5
PAGE 3 OF 9

A-5-RPV-01-66

Section IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

A. Issues of consistency with the public access policies of the Coastal Act:

- 1) The three proposed manned tract entry observation booths resemble guardhouses. They would create visual barriers, communicating that the public streets are private and discouraging many non-residents (public) from entering into the interior public streets of the *Oceanfront* community. The proposed signs and perimeter wall, together with the guardhouses discourage public access as well. The proposed signs, intended to "inform the general public of the public status of the streets and the availability of public access to the trails and other coastal resources within the *Oceanfront* community," would not fully mitigate the adverse impacts to public access caused by the presence of booths. These adverse impacts to public access are inconsistent with the public access policies 30210, 30211, 30213, 30221 and 30223 of the Coastal Act.

B. Issues of consistency with the public access and visual resource policies of the certified LCP:

- 1) The policy of the Corridors Element requires development proposals within areas that might impact corridors to analyze the site conditions in order to mitigate impacts and obtain feasible implementation of all corridor guidelines. The conformance of the proposed project with the Corridors Element of the LCP is not adequately analyzed.
- 2) Installation of the proposed manned tract entry observation booths is inconsistent with the Visual Corridors section of the Corridors Element of the LCP, which identifies visual corridors the proposed booth at the entry to Paseo de la Luz would interrupt a view corridor from Palos Verdes Drive West through the community to Point Vicente Lighthouse, the ocean and Catalina Island. The proposed booth at the entry to Via del Cielo seemingly would interrupt a view corridor from Palos Verdes Drive West through the community to the ocean and Malibu coastline. It also seems that the proposed booth at the entry to Calle Viento would

COASTAL COMMISSIO

EXHIBIT # 5
PAGE 4 OF 9
A-5-RPV-d-6

interrupt views from Hawthorne Boulevard to the bluff and an open space lot and from Palos Verdes Drive West to Pointe Vicente Lighthouse and Catalina Island. The Visual Corridors section of the LCP requires that identified corridors must be protected.

- 3) The proposed booths would be located in the medians of three interior streets that have dedicated open space lots on one or both sides. Since open space areas within access corridors provide visual and spatial interest, placement of booths adjacent to or between open space lots would have an adverse impact on the visual elements of the lots. This is inconsistent with the Visual Corridors Section of the Corridors Element of the LCP.
- 4) The Access Corridors section of the Corridors Element of the LCP requires that a "continuity of pathways between major access corridors, open spaces, etc., should be provided within private developments." The underlying permit accomplished this by requiring a continuous bluff top road and a continuous bluff top trail connected to the open space corridors within the development. As interpreted in the City's original approval, this required continuous pathways between major access corridors (i.e. Palos Verdes Drive West), the bluff top road and the two habitat/open space areas within the development. The proposed booths would interrupt access from Palos Verdes Drive West to the open space lots via the interior public streets by creating visual barriers, communicating that the public streets are private and discouraging many non-residents (public) from entering into the interior public streets of the *Oceanfront* community.
- 5) Parking to support access along the trails and bluff top roads is required in the certified LCP and the underlying permit to be provided on local public streets. The proposed manned tract entry observation booths could discourage many non-residents (public) from entering into the interior public streets of the *Oceanfront* community, accessing the public open space lots, or using the dedicated public streets for support parking for the tract's public trails.

C. Issues of consistency with the requirement of the certified LCP that all development in the coastal zone requires a coastal development permit:

- 1) The notice of local action included the approval of Conditional Use Permit No. 158-Revision 'C' and Sign Permit No. 1096 for "small sections of maximum 6-

COASTAL COMMISSION

EXHIBIT # 5

PAGE 5 OF 9

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foot-tall perimeter wall, fountains and tract identification signs." The original coastal permit authorized the Director of Environmental Services to approve changes to the proposed fence. The City Planning Commission, however, approved of changes to the fence with a conditional use permit without an amendment to the original coastal permit. The developments permitted under this sign permit were not included as part of the development permitted under CP 94-Revision 'A' and did not receive a separate coastal development permit. They do not qualify as excluded development and require a coastal development permit. The certified LCP Section 17.67.010 requires a coastal development permit for development in the City's coastal zone (the city may have subsequently renumbered). Development is defined in Section 16.04.365 of the certified IP. Section 16.04.445 of the City's LCP exempts certain repair and maintenance activities and additions to existing structures from coastal permit requirements, consistent with Section 30610 of the Coastal Act. However, this section does not exempt development that may have "an adverse impact to public access." The proposed perimeter wall is an addition to an existing structure, but may have an adverse affect on public access. The proposed perimeter wall did not receive a CDP even though it is not exempt from permit requirements. The proposed fountains and signs did not receive CDP's even though they are not exempt from permit requirements because they are not additions to existing structures and may have an adverse affect on public access. Approval of development in the coastal zone without a coastal development permit is inconsistent with the requirement of the certified LCP that development within the coastal zone requires a coastal development permit. *We note that the Commission, in its revised findings for certification of the IP portion of the certified LCP, found "that certain provisions of the California Administrative Code, found in Article 17, Title 14, specifically PRC Sections 30800-30823, (Judicial Review and Penalties); Section 13574 of the Administrative Code (Dedications) and Coastal Act Section 30600 (a) cannot be overridden by any act of the City and apply to and within the Coastal Zone of the City of Rancho Palos Verdes whether or not they are specifically cross-referenced in the City Code." The Commission therefore found "that such references are unnecessary to adequately carry out the provisions*

COASTAL COMMISSION

EXHIBIT # 5
 PAGE 6 OF 9
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of the Land Use Plan and that the ordinances, as drafted, are consistent with and adequately carry out the provision of the certified Land Use Plan." The findings reiterate that the certified LCP requires a coastal development permit for any development in the coastal zone.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

Section V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

COASTAL COMMISSION

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A-5-RPV-01-06

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Page 3

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Signed: [Signature]
Appellant or Agent

Date: _____

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: _____

Date: _____

(Document 2)

COASTAL COMMISSION

EXHIBIT # 5
PAGE 8 OF 9

A-5-RPV-01-66

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Signed: *[Handwritten Signature]*
Appellant or Agent

Date: _____

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: _____

Date: _____

(Document 2)

COASTAL COMMISSION
A-5-RV-01-66

EXHIBIT # 5
PAGE 9 OF 9

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302
(562) 590-8071

APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT
(Commission Form D)

RECEIVED
FEB 26 2001



CALIFORNIA
COASTAL COMMISSION

Please Review Attached Appeal Information Sheet Prior to Completing This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Wm & Marianne Hunter
1 Cassiana Ave
RDV 90475 (310) 377-1821
Zip Area Code Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government: Rancho Palo Verde

2. Brief description of development being appealed: Open front office "Observation booth" on PUBLIC LAND

3. Development's location (street address, assessor's parcel no., cross street, etc.): PK Drive at Hawthorne

4. Description of decision being appealed:

a. Approval; no special conditions: has been

b. Approval with special conditions: _____

want you to c. Denial: No "Observation" booth on public land, at public hearing

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-5-RPV-01-066

DATE FILED: 2/26/01

DISTRICT: S. Coast

HS: 4/88

COASTAL COMMISSION

EXHIBIT 6
PAGE 1 OF 3

5. Decision being appealed was made by (check one):

- a. Planning Director/Zoning Administrator
- c. Planning Commission
- b. City Council/Board of Supervisors
- d. Other _____

6. Date of local government's decision: Jan 2001

7. Local government's file number (if any): _____

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Ocean Front Development

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) _____
- (2) _____
- (3) _____
- (4) _____

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

COASTAL COMMISSION

EXHIBIT # 6
PAGE 2 OF 3
A-5-RPV-01-066

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

The "Observation" booths imply restriction and/or regulation of access. They will undermine the confidence of visitors to their coastline that they have legal right to full, unrestricted access. The booths give the appearance of private, rather than public access.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

[Signature]
Signature of Appellant(s) or Authorized Agent

William A. Hunter
Date 2/17/01

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

COASTAL COMMISSION

Signature of Appellant(s)
Date _____

EXHIBIT # 6
PAGE 3 OF 3

A-5-RPI-01-00

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
900 Orange St. 10th Floor
Long Beach, CA 90802-4302
(949) 990-9071

**APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT
(Commission Form D)**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

RECEIVED

SECTION I. Appellant(s)

FEB 26 2001

Name, mailing address and telephone number of appellant(s):

ROWLAND DRISKELL
30 VIA CAPRI
RANCHO PALOS VERDES CA (310) 549 4183
Zip 90275 Area Code Phone No.

CALIFORNIA
COASTAL COMMISSION

SECTION II. Decision Being Appealed

1. Name of local government: Rancho Palos Verdes

2. Brief description of development being appealed: LANDOWNER BUILDING 3
ENTRY OBSERVATION BOOTHS AT TRACT 46628
OCEANFRONT

3. Development's location (street address, assessor's parcel no., cross street, etc.): END OF HAWTHORNE BLVD AT PALMS VERDE
DRIVE SOUTH - TRACT 46628

4. Description of decision being appealed:

a. Approval; no special conditions: _____

b. Approval with special conditions: CITY COUNCIL DENIED ITS OWN APPEAL & UPHELD THE PLANNING COMMISSION APPROVAL

c. Denial: _____
OF COASTAL PERMIT No. 94-REV 'A'

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A5-RPV-01-066

DATE FILED: 2/26/01

DISTRICT: South Coast

MS: 4/88

COASTAL COMMISSION

EXHIBIT # 7

PAGE 1 OF 4

A-5-RPV-01-066

5. Decision being appealed was made by (check one):

- a. Planning Director/Zoning Administrator
- c. Planning Commission
- b. City Council/Board of Supervisors
- d. Other _____

6. Date of local government's decision: 2.7.2001 ?

7. Local government's file number (if any): _____

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:
ROBERT KATHERMAN THE KATHERMAN COMPANY
19300 S. HAMILTON AVE SUITE 230
SARDENA CA 96248

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Rowland Driskell
30 VIA CAPEI 310.544.4183
RANCHO PALES VERDES 90275

(2) Jeff Lewis

(3) _____

(4) _____

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

COASTAL COMMISSION

EXHIBIT # 7
 PAGE 2 OF 4
 A-5-RPV-01-06

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

please see attached letter of
2.25.2001

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Rowland Dinsbell

Signature of Appellant(s) or
Authorized Agent

Date 2.26.2001

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date _____

COASTAL COMMISSION

EXHIBIT # 7
PAGE 3 OF 4
A-5-RPV-01-66

From: Driskell
To: California Coastal Commission.org. PAM EMERSON
Cc: City Council@RPV.com. kitf@rpv.com.
Bcc: DougStern@hotmail.com. PVNedit@aol.com.
Date: 2/25/01 4:45:09 PM
Subject: Appeal Coastal Permit No.94-Rev 'A'

My family and neighbors are against 3 entry observation booths at the Oceanfront community - RPV

- 1.I spoke at RPV City Council meeting against these booths.
- 2.Construction of these booths would set an unwanted precedent. If allowed, then other sub-divisions could argue for guard stations at entry to their neighborhoods. Before long our city would be cluttered with unlawful, unwanted and unnecessary security checkpoints.
- 3.The streets serving this sub-division are PUBLIC streets - for the public to use if they want to walk along the ocean bluffs- these booths would be intimidating and discourage local citizens from their rightful public access to these bluffs.
- 4.Please uphold this appeal. To permit these guard stations would be detrimental to our community. They would only be built to help the developer promote the exclusivity of his project.
- 5.I think the developer wants the guard stations so his sales force can advertise his project as a "guarded community". Constructuion of estates at this project have almost stopped and this is another sales tool that could augment their lagging sales. It's all about the money.
- 6.I am available to testify at any hearing or answer any questions this commission may have. I would also circulate a petition of my neighbors to prove the public's displeasure if this developer were allowed to build these guard stations at PUBLIC streets.

Thank you for this forum
Rowland Driskell
30 Via Capri
Rancho Palos Verdes 90275

Rowland
Driskell

home
phone

310.544.4183

COASTAL COMMISSION

EXHIBIT # 7
PAGE 4 OF 4

A-5-RPV-01-66

RECEIVED
South Coast Region

OCT 25 2001

CALIFORNIA
COASTAL COMMISSION

OCEANFRONT

Rancho Palos Verdes

COASTAL ACCESS SIGNAGE

Project No. CUP 153-C, PT A. REVISED 10/18/01

APPROVED BY THE PLANNING DIVISION
OF THE CITY OF RANCHO PALOS VERDES

**CONCEPT
ONLY**

RECEIVED

OCT 19 2001

With Conditions* As Submitted

Date: 10/24/01

By: [Signature]

PLANNING, BUILDING,
COASTAL COMMISSION CODE ENFORCEMENT

COASTAL COMMISSION

EXHIBIT # 8

PAGE 1 OF 12

**A-5-RPV-01-06 OUTDOOR
DIMENSIONS**

It is unlawful to make any changes or alterations on this set of plans without written permission from the Planning Division. Approval is VOID after 180 days, unless otherwise specified in the conditions of approval.

*Not valid unless accompanied by a completed clearance form.

CONTENTS

SIGNS # 1, 4 (3 & 6 OPTIONAL)

SIGNS # 2 & 5

SIGNS # 8, 10 & 26

SIGNS # 9, 11 & 25

SIGNS # 12, 13, 14 & 21

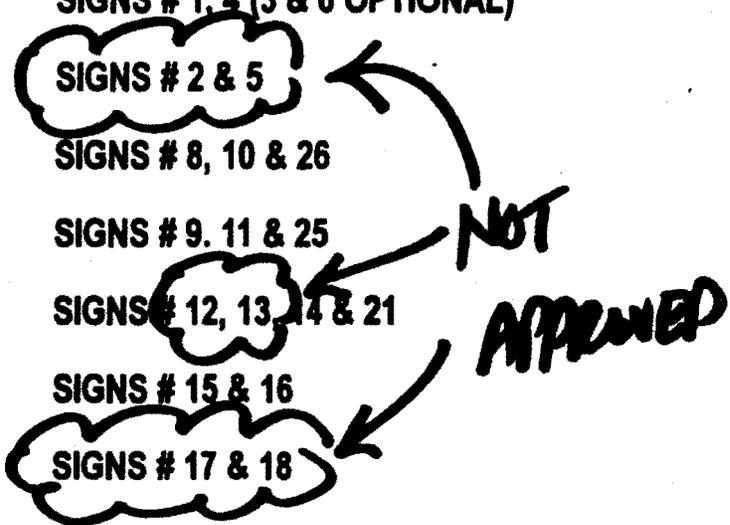
SIGNS # 15 & 16

SIGNS # 17 & 18

SIGNS # 27 & 28

SIGNS # 19, 20, 22, 23, & 24

SIGN LOCATION MAP



Project No. CIP 158-C, ET AL.

APPROVED BY THE PLANNING DIVISION
OF THE CITY OF RANCHO PALOS VERDES

With Conditions* As Submitted

Date: 10/29/01

By: [Signature]

Concept ★
only

It is unlawful to make any changes or alterations on this set of plans without written permission from the Planning Division. Approval is VOID after 180 days, unless otherwise specified in the conditions of approval.

Not valid unless accompanied by a completed clearance form.

COASTAL COMMISSION

A-5-RPV-01-66
8

EXHIBIT # 29

PAGE 29 OF 12
OUTDOOR
DIMENSIONS

Project No. CIP 190C, ETC. SIGNS # 1, 4

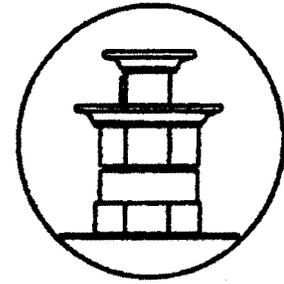
APPROVED BY THE PLANNING DIVISION
OF THE CITY OF RANCHO PALOS VERDES

With Conditions* As Submitted

concept only

Date: 10/28/01

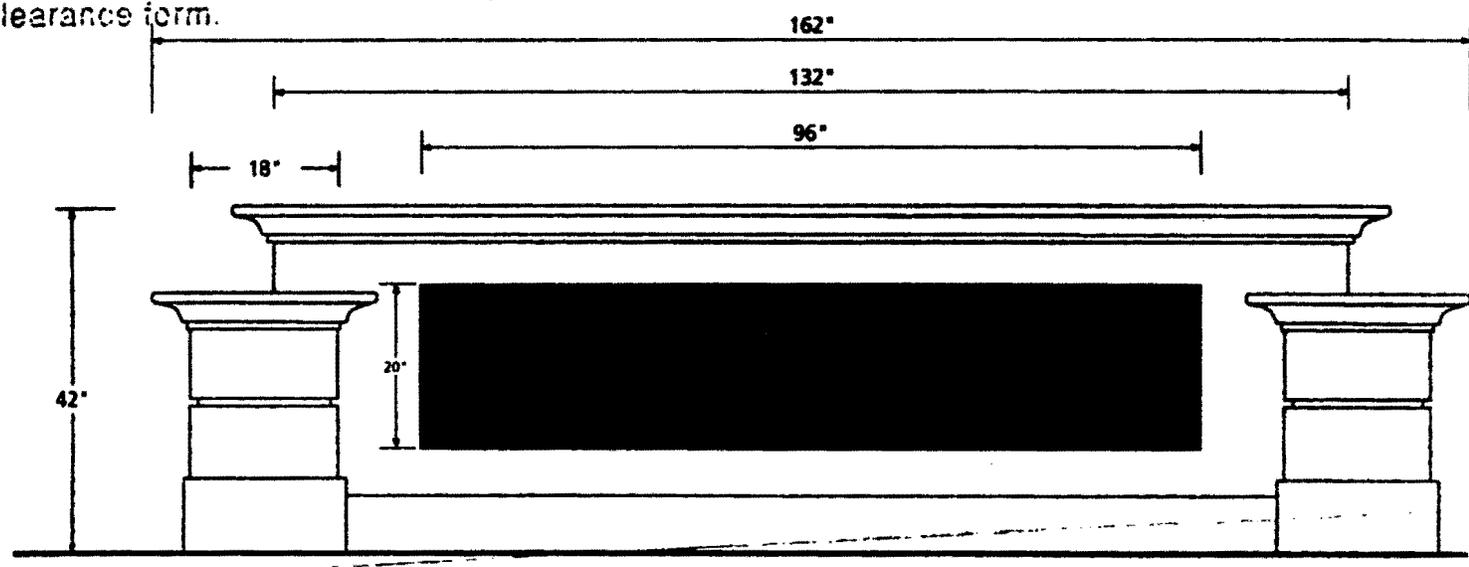
By: 11/3



SIDE VIEW

It is unlawful to make any changes or alterations on this set of plans without written permission from the Planning Division. Approval is VOID after 180 days, unless otherwise specified in the conditions of approval.

*Not valid unless accompanied by a completed clearance form.



S/F CAST BRONZE I.D. ATTACHED TO STUCCO COATED STRUCTURE

1/2" SCALE STUCCO TO BE DETERMINED

* FINAL SIGNAGE LANGUAGE SUBJECT TO APPROVAL OF THE EXECUTIVE DIRECTOR CALIFORNIA COASTAL COMMISSION AND CITY OF RANCHO PALOS VERDES AT A LATER DATE. WORDING TO INCLUDE "COASTAL ACCESSIBLE WELCOME" AND "MUTUALLY ACCEPTABLE LANGUAGE."

COASTAL COMMISSION
A-5-RPV-01-66

EXHIBIT # 8
PAGE 3 OF 12

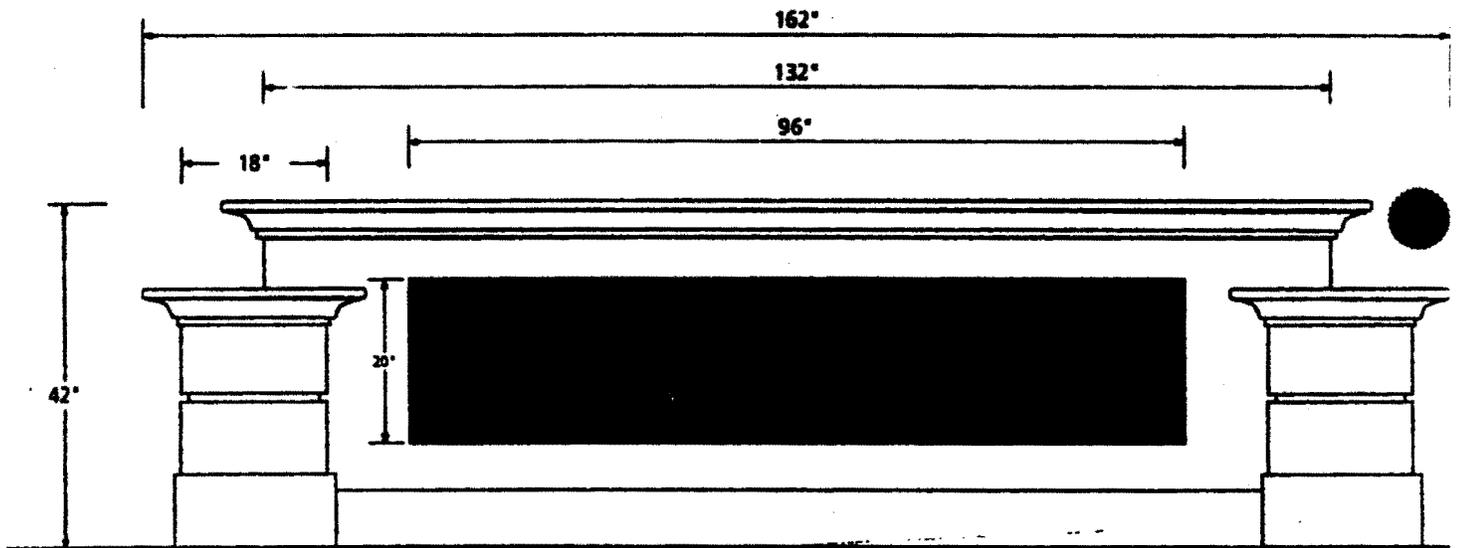


***SIGNS # 2 & 5**

NOT APPROVED



SIDE VIEW



S/F CAST BRONZE I.D. ATTACHED TO STUCCO COATED STRUCTURE

1/2" SCALE STUCCO TO BE DETERMINED

* SIGN LOCATION SUBJECT TO FUTURE APPROVAL BY THE CITY OF RANCHO PALOS VERDES. IF SIGN IS NOT APPROVED AT LOCATIONS 2 & 5, AN ALTERNATE LOCATION WILL BE 3 & 6.

COASTAL COMMISSION

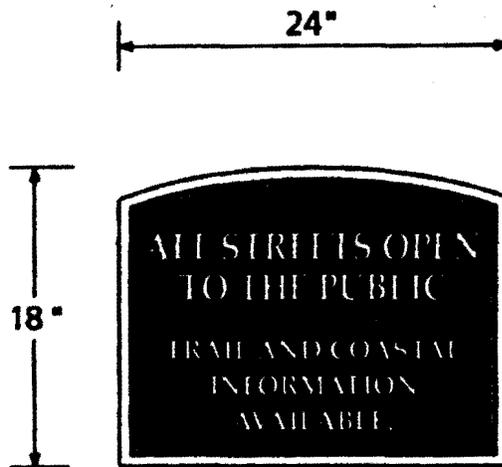
A-5-RPV-01-66

EXHIBIT # 8

PAGE 4 OF 12



SIGNS # 8, 10 & 26



S/F CNC ROUTED ALUMINUM I.D. (WALLMOUNTED)

Project No. CUP 158-C, 15-A2

CUP 158-C, 15-A2

BAKED ENAMEL FINISH FRONT & BACK

APPROVED BY THE PLANNING DIVISION
OF THE CITY OF RANCHO PALOS VERDES

1" SCALE

With Conditions* As Submitted

Date: 10/29/01

By: ILY

CONCERN ONLY

COASTAL COMMISSION

A-5-RPV-01-66

EXHIBIT # 8

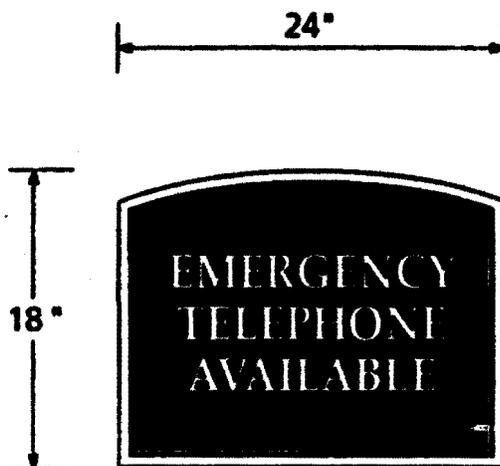
PAGE 5 OF 12

It is unlawful to make any changes or alterations on this set of plans without written permission from the Planning Division. Approval is VOID after 180 days, unless otherwise specified in the conditions of approval.

Not valid unless accompanied by a completed

**OUTDOOR
DIMENSIONS**

SIGNS # 9, 11 & 25



S/F CNC ROUTED ALUMINUM I.D. (WALLMOUNTED)

Project No. CAP 1506, 05 12

BAKED ENAMEL FINISH FRONT & BACK

APPROVED BY THE PLANNING DIVISION
OF THE CITY OF RANCHO PALOS VERDES

1" SCALE

With Conditions* As Submitted

Date: 10/29/11

By: ILK

concept only

COASTAL COMMISSIC

A-5-RPV-01-6

EXHIBIT # 8

PAGE 6 OF 12

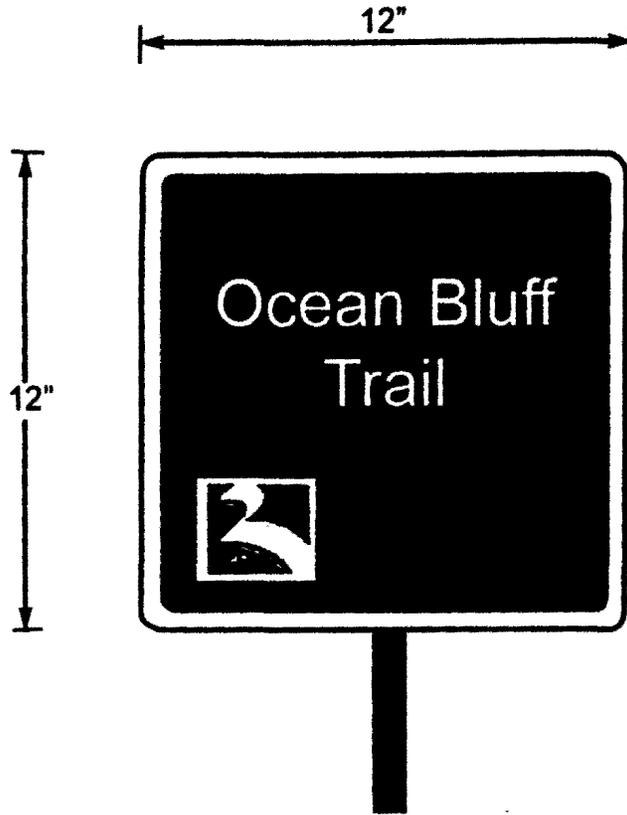
It is unlawful to make any changes or alterations on this set of plans without written permission from the Planning Division. Approval is VOID after 180 days, unless otherwise specified in the conditions of approval.

*Not valid unless accompanied by a completed clearance form.

**OUTDOOR
DIMENSIONS**

SIGNS # 12, 13, 14 & 21

only



SIGN TO BE SINGLE FACE MOUNTED ON 3" X 3" REDWOOD POST WITH 4' VERTICAL CLEARANCE OR ON FENCE WHERE APPLICABLE.

Project No. CAP 158C, 158A DIRECTIONAL ARROWS AS REQUIRED.

APPROVED BY THE PLANNING DIVISION OF THE CITY OF RANCHO PALOS VERDES

COASTAL COMMISSION

4-5-RPV-01-64

EXHIBIT # 8

PAGE 7 OF 12

With Conditions* As Submitted

Date: 10/29/04 NTS

By: ILH

CONTACT ONLY

OUTDOOR DIMENSIONS

It is unlawful to make any changes or alterations in this set of plans without written permission from the Planning Division. Approval is VOID after 180 days, unless otherwise specified in the conditions of approval.

Not valid unless accompanied by...

SIGNS # 15 & 16



SIGN TO BE SINGLE FACE MOUNTED ON 3" X 3" REDWOOD POST WITH 4' VERTICAL CLEARANCE OR ON FENCE WHERE

Project No. CIP 150-C, CFE M

APPROVED BY THE PLANNING DIVISION OF THE CITY OF RANCHO PALOS VERDES

COASTAL COMMISSIO
A-5-RPVA-6

With Conditions* As Submitted

EXHIBIT # 8
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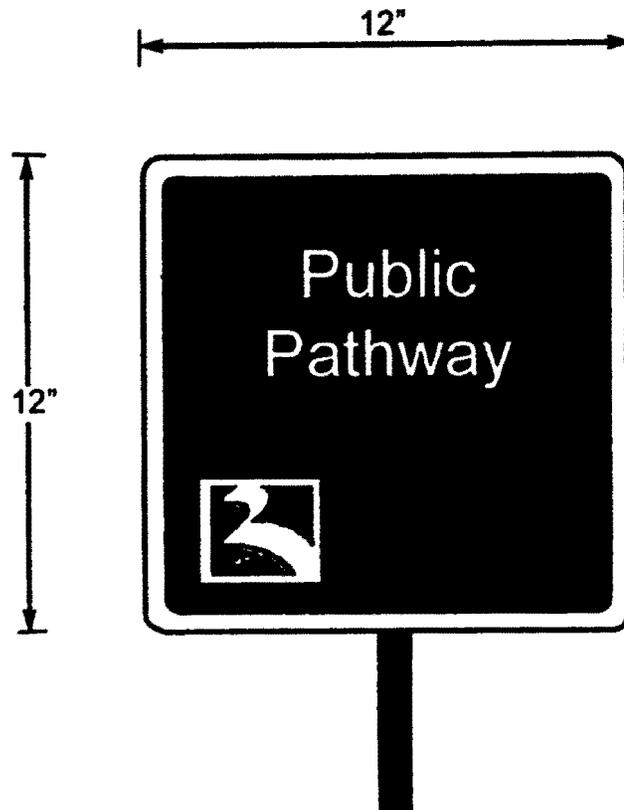
Date: 10/22/01
By: NTS

CONCEPT ONLY

It is unlawful to make any changes or alterations on this set of plans without written permission from the Planning Division. Approval is VOID after 180 days, unless otherwise specified in the conditions of approval.

OUTDOOR DIMENSIONS

SIGNS # 17 & 18



NOT APPROVED

SIGN TO BE SINGLE FACE MOUNTED ON 3" X 3" REDWOOD POST WITH 4' VERTICAL CLEARANCE OR ON FENCE WHERE APPLICABLE.

NTS

COASTAL COMMISSION

A-5-RP1-01-66

EXHIBIT # 8 OUTDOOR

PAGE 9 OF 12 DIMENSIONS

SIGNS # 27 & 28



Project No. CIP 158-C-11-A SINGLE FACE MOUNTED ON 3" X 3" REDWOOD POST WITH 4" VERTICAL CLEARANCE OR ON FENCE WHERE APPROVED BY THE PLANNING DIVISION OF THE CITY OF RANCHO PALOS VERDES

COASTAL COMMISSION

A-5-RPV-01-64

With Conditions* As Submitted

Date: 10/29/01 NTS

By: NTS

Contact only

EXHIBIT # 8

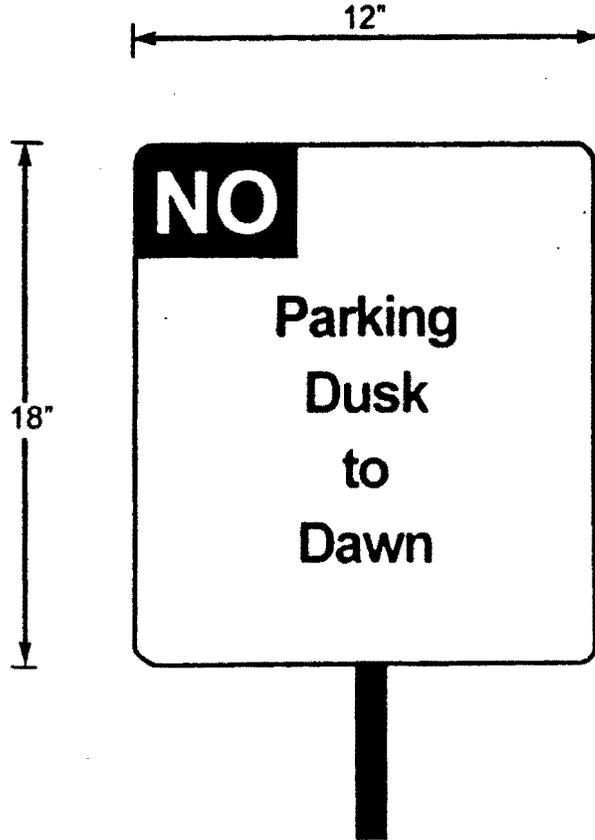
PAGE 10 OF 12

It is unlawful to make any changes or alterations on this set of plans without written permission from the Planning Division. Approval is VOID after 180 days, unless otherwise specified in the conditions of approval.

OUTDOOR DIMENSIONS

*Not valid unless accompanied by a clearance form.

SIGNS # 19, 20, 22, 23 & 24



SIGN TO BE SINGLE FACE MOUNTED ON 3" X 3" REDWOOD

POST WITH 1" VERTICAL CLEARANCE. SIGN MATERIALS &

Project No. COP 1987-1002 COLOR PER CITY OF RANCHO PALOS VERDES STANDARDS.

APPROVED BY THE PLANNING DIVISION OF THE CITY OF RANCHO PALOS VERDES

With Conditions* As Submitted NTS

Date: 10/24/04

By: NTS

CONCEPT ONLY

COASTAL COMMISSION

A-5-RV-01-6

EXHIBIT # 8

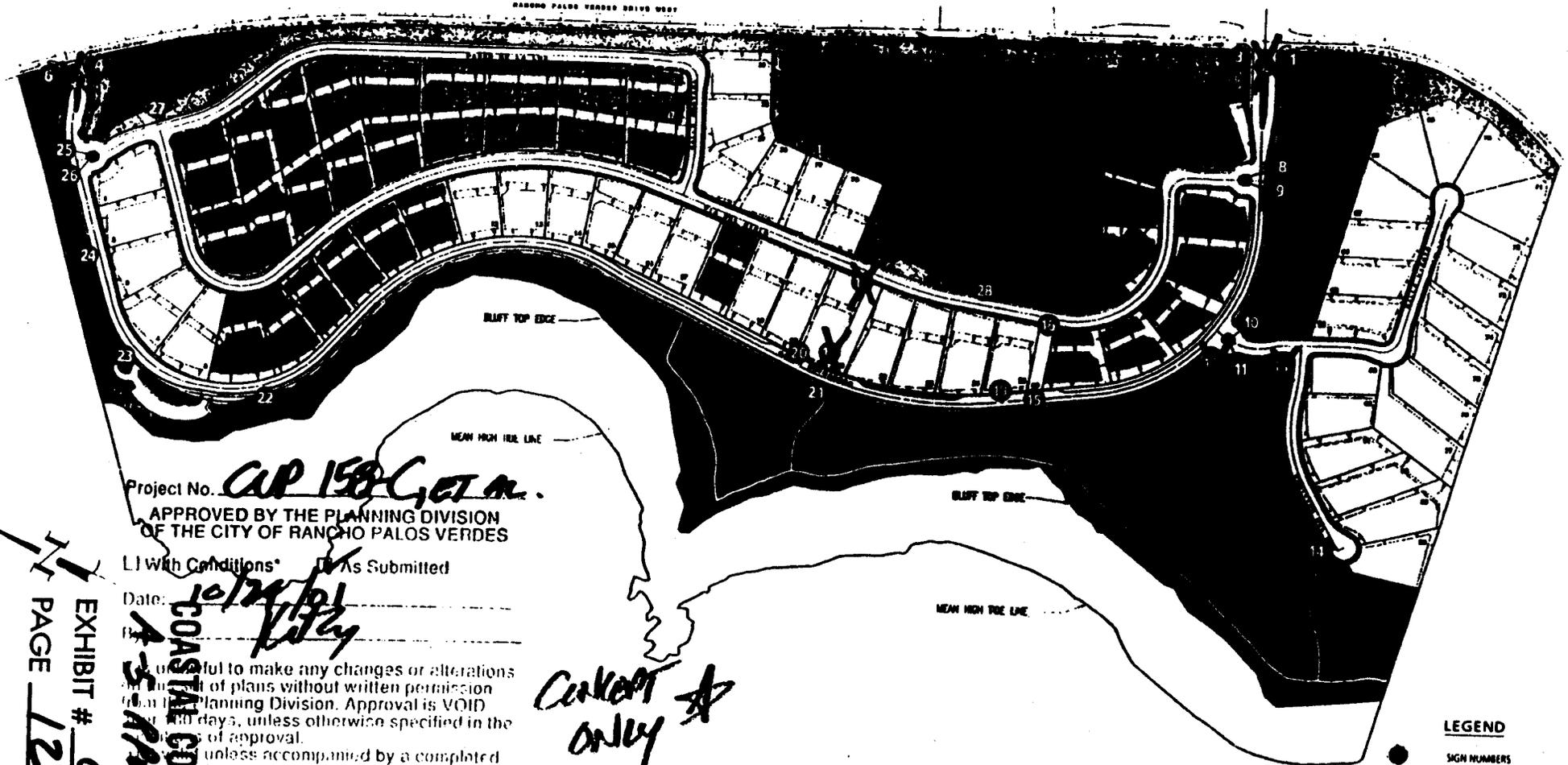
PAGE 11 OF 12

OUTDOOR DIMENSIONS

It is unlawful to make any changes or alterations on this set of plans without written permission from the Planning Division of the City of Rancho Palos Verdes after the date of approval.

*Not valid unless accompanied by a completed clearance form.

SIGN LOCATIONS



Project No. **CUP 158-C, ET AL.**
 APPROVED BY THE PLANNING DIVISION
 OF THE CITY OF RANCHO PALOS VERDES

LI With Conditions* As Submitted

Date: **10/26/01**
Kitty

It is unlawful to make any changes or alterations to any part of plans without written permission from the Planning Division. Approval is VOID after 30 days, unless otherwise specified in the terms of approval.
 This plan must be accompanied by a completed form.

Concrete only

OCEANFRONT Rancho Palos Verdes COASTAL ACCESS SIGNAGE

LEGEND

- SIGN NUMBERS
- PRODUCTION PDU AREA
- CUSTOM OR PRECAST PDU AREA
- COPY
- SEWER PUMP STATION
- TRAIL
- BIKE TRAIL
- OPEN SPACE
- MAINTENANCE AREA

EXHIBIT # **8**
 PAGE **12** OF **12**
 CAPITAL PACIFIC HOLDINGS, Inc.
 4100 MACARTHUR BLVD.
 SUITE 200
 NEWPORT BEACH, CA 92658-7150

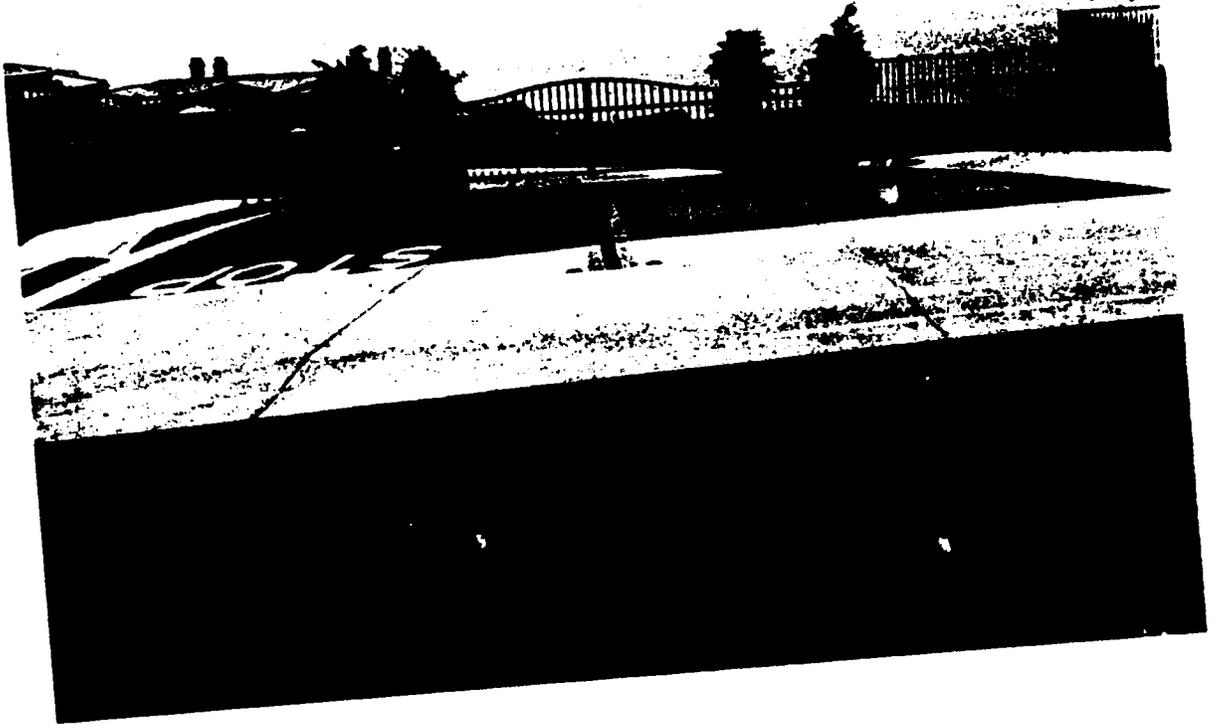


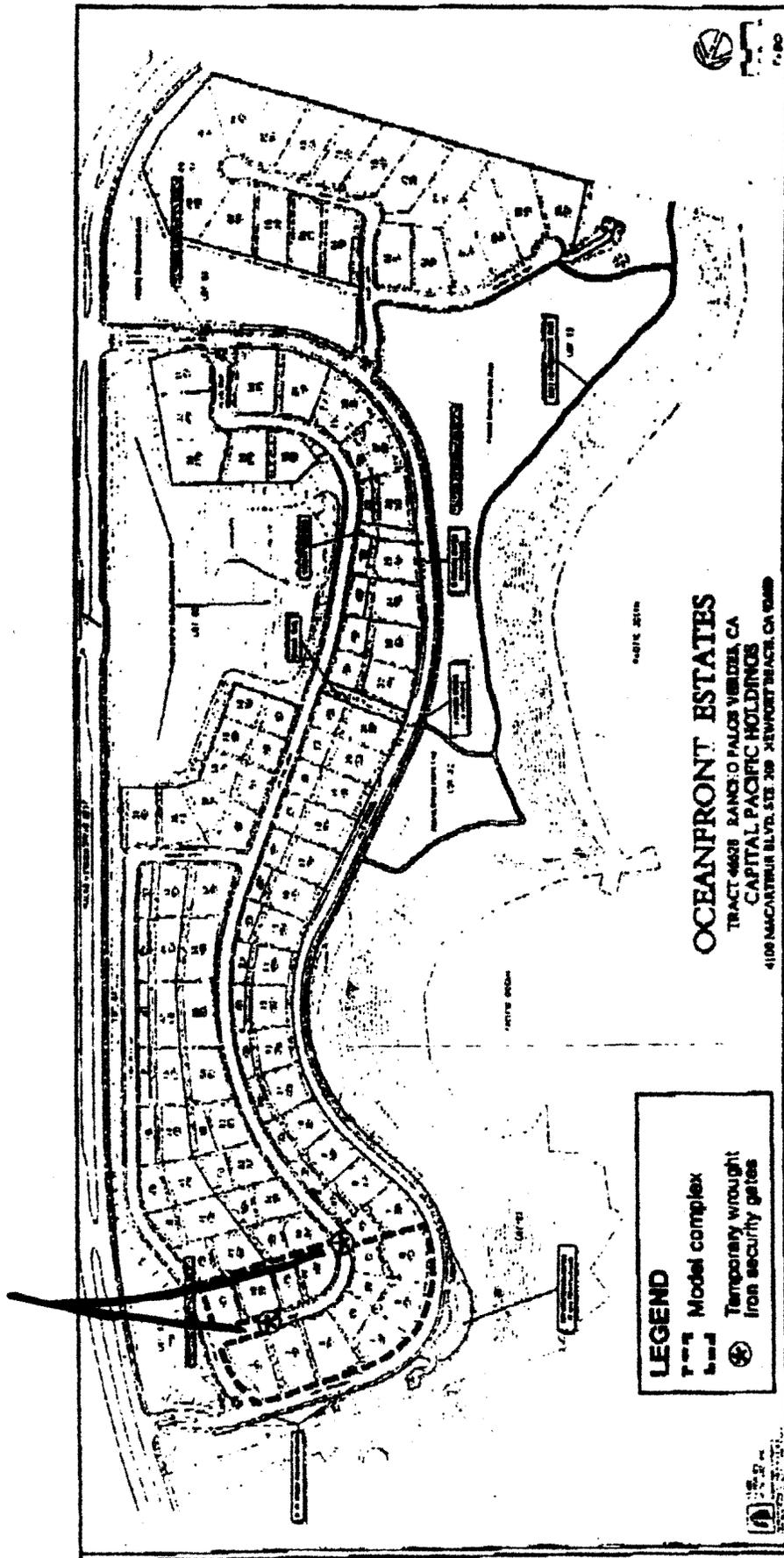
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A-5-RV-0166

COASTAL COMMISS

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Location of Iron Gates



COASTAL COMMISSION

EXHIBIT # 9

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FEB 8 2001

CALIFORNIA
COASTAL COMMISSION
NOTICE OF FINAL DECISION

February 7, 2001

NOTICE IS HEREBY GIVEN THAT on November 28, 2000, the Rancho Palos Verdes Planning Commission approved Coastal Permit No. 94-Revision 'A'. The Planning Commission's decision was appealed by the Rancho Palos Verdes City Council on December 16, 2000. On January 16, 2001 and February 6, 2001, the City Council reviewed the Planning Commission's action, denied its own appeal and upheld the Planning Commission's approval of Coastal Permit No. 94-Revision 'A'. The City Council's decision is now final.

Applicant: Robert Katherman, The Katherman Company
19300 S. Hamilton Ave., Suite 230, Gardena, CA 90248

Landowner: Tim Hamilton, Capital Pacific Holdings, Inc.
4100 MacArthur Blvd., Suite 200, Newport Beach, CA 92660

Location: Tract No. 46628 (*Oceanfront*)

Said decision is in conjunction with the approval of three (3) 250-square-foot, 12-foot-tall manned tract entry observation booths to be constructed on median islands at the entries to the interior public streets (Paseo de la Luz, Via del Cielo and Calle Viento) of the *Oceanfront* community, which lies within the City's Coastal Specific Plan District.

In granting Coastal Permit No. 94-Revision 'A', the following findings were made:

- 1) That the proposed development is in conformance with the Coastal Specific Plan; and,
- 2) That the proposed development, when located between the sea and the first public road, is in conformance with applicable public access and recreation policies of the Coastal Act.

Since the project site is located within an **Appealable Area** of the City's Coastal Specific Plan District, this decision may be appealed, in writing, to the California Coastal Commission within ten (10) working days of the receipt of this notice in the Coastal Commission's Long Beach office. Please contact Coastal Commission Staff at (562) 590-5071 for information regarding Coastal Commission appeal procedures.

COASTAL COMMISSION

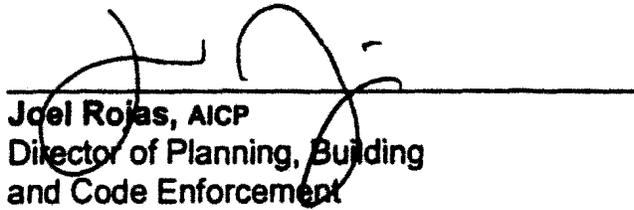
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Notice of Final Decision: Coastal Permit No. 94-Revision 'A'
February 7, 2001
Page 2

If you have any questions concerning this matter, please contact Senior Planner Kit Fox at (310) 544-5228 or via e-mail at kitf@rpv.com.



Joel Rojas, AICP
Director of Planning, Building
and Code Enforcement

Enclosures: Resolution No. 2001-08
P.C. Resolution No. 2000-41

cc: Applicant and Landowner
Interested Parties List (self-addressed/stamped envelopes)
Coastal Commission (via Certified Mail No. 7099 3220 0009 1742 6425)

COASTAL COMMISSION

A-5-RPV-01-66

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P.C. RESOLUTION NO. 2000-41

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES APPROVING THE REQUEST FOR CONDITIONAL USE PERMIT NO. 158-REVISION 'C' AND SIGN PERMIT NO. 1096 FOR SMALL SECTIONS OF MAXIMUM 6-FOOT-TALL PERIMETER WALL, FOUNTAINS AND TRACT IDENTIFICATION SIGNS, AND APPROVING WITH MODIFICATIONS THE REQUEST FOR COASTAL PERMIT NO. 94-REVISION 'A' AND ENCROACHMENT PERMIT NO. 32 FOR TRACT ENTRY OBSERVATION BOOTHS IN THE PUBLIC RIGHTS-OF-WAY OF PASEO DE LA LUZ, VIA DEL CIELO AND CALLE VIENTO, FOR THE OCEANFRONT PROJECT (TRACT MAP NO. 46628), LOCATED AT HAWTHORNE BOULEVARD AND PALOS VERDES DRIVE WEST

WHEREAS, on March 17, 1992, the City Council adopted Resolution No. 92-27, approving Conditional Use Permit No. 158 in conjunction with Vesting Tentative Tract Map No. 46628 for a residential planned development of seventy-nine single-family lots and five open space lots on a 132-acre vacant site, located seaward of the terminus of Hawthorne Boulevard at Palos Verdes Drive West, between the *Lunada Pointe* community on the north and the Point Vicente Interpretive Center on the south; and,

WHEREAS, on February 25, 1997, the Planning Commission adopted P.C. Resolution No. 97-12, approving Conditional Use Permit No. 158-Revision 'A' for minor revisions to certain conditions of approval related to the relocation of Lots 78 and 79 of Vesting Tentative Tract Map No. 46628, as required by the U.S. Fish and Wildlife Service; and this action was subsequently upheld by the City Council on March 11, 1997; and,

WHEREAS, April 14, 1998, the Planning Commission adopted P.C. Resolution No. 98-13, approving Conditional Use Permit No. 158-Revision 'B' for miscellaneous revisions to the development standards for Vesting Tentative Tract Map No. 46628; but this action was subsequently overturned on appeal to the City Council on June 16, 1998; and,

WHEREAS, on August 23, 2000 and September 28, 2000, the applicant, RPV Associates LLC, submitted applications for Conditional Use Permit No. 158-Revision 'C', Coastal Permit No. 94-Revision 'A', Encroachment Permit No. 32 and Sign Permit No. 1096 to allow the replacement of sections of 3-foot-tall tract perimeter fence with small sections of solid wall up to six feet in height at the tract entries, installation of two 14-foot-tall manned tract entry observation booths in the public rights-of-way of Via Vicente and Calle Entradero, and installation of tract identification signs for the *Oceanfront* project (Tract No. 46628); and,

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WHEREAS, on September 28, 2000, the applications for Conditional Use Permit No. 158-Revision 'C, Coastal Permit No. 94-Revision 'A', Encroachment Permit No. 32 and Sign Permit No. 1096 were deemed complete by Staff; and,

WHEREAS, on November 14, 2000, the City and the applicant agreed to a 90-day extension of the decision deadline for these applications; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), Staff found no evidence that Conditional Use Permit No. 158-Revision 'C, Coastal Permit No. 94-Revision 'A', Encroachment Permit No. 32 and Sign Permit No. 1096 would have a significant effect on the environment because the environmental impacts of the project have been previous addressed by the mitigation measures adopted pursuant to Final Environmental Impact Report No. 35, and the proposed revisions are within the scope of the project analyzed in Final Environmental Impact Report No. 35 and are consistent with the approved mitigation measures; and,

WHEREAS, after notice issued pursuant to the requirements of the Rancho Palos Verdes Development Code, the Planning Commission held a duly noticed public hearing on October 24, 2000, November 14, 2000 and November 28, 2000, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

Section 1: The Planning Commission makes the following findings of fact with respect to the applications for Conditional Use Permit No. 158-Revision 'C' and Sign Permit No. 1096 for the proposed modifications to the tract perimeter fencing and installation of tract identification signage:

- A. As originally adopted by the City Council, Condition No. L1c of P.C. Resolution No. 92-27 for Conditional Use Permit No. 158 stipulates that "a maximum three (3) foot high fence that allows 90% light and air to pass through shall be placed along the east property line adjacent to Palos Verdes Drive West." The purpose of this condition was to minimize the impairment of public and private views over the property. With respect to public views, the proposed segments of solid walls and taller pilasters constitute approximately one hundred sixty-four feet (164 ft.) of the perimeter fencing, out of a total site frontage of approximately eight-tenths (0.8) of a mile. This amounts to less than four percent (4%) of the total perimeter fencing. None of the proposed improvements will encroach upon the intersection visibility triangle at either intersection. With respect to private views, all of the homes that

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directly overlook the two tract entries are at a higher elevation such that the proposed solid wall sections will not impair ocean views. Therefore, the Planning Commission finds that the requested modification to Condition No. L1c of P.C. Resolution No. 92-27 is appropriate since it will not adversely effect views and will serve to enhance the appearance of the entries to the *Oceanfront* project.

- B. The permanent and temporary signs proposed by the applicant are consistent with the height and size limitations established for such signs in the Rancho Palos Verdes Development Code. In addition, the illumination of the permanent signs will be subject to the review and approval of the Director of Planning, Building and Code Enforcement within thirty (30) days of the installation of the permanent signs. Therefore, the Planning Commission finds that the proposed signs are appropriate and consistent with City standards.

Section 2: The Planning Commission makes the following findings of fact with respect to the applications for Coastal Permit No. 94-Revision 'A' and Encroachment Permit No. 32 for the proposed manned tract entry observation booths in the rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento:

- A. The installation of the proposed manned tract entry observation booths is consistent with the Coastal Specific Plan and the City's original approval of Coastal Permit No. 94. The Visual Corridors Section of the Corridors Element of the Coastal Specific Plan identifies the entire frontage of the *Oceanfront* project as a sensitive visual corridor. The modified 12-foot-tall booths at the entries to Paseo de la Luz, Via del Cielo and Calle Viento will not significantly impair ocean views from Palos Verdes Drive West or Hawthorne Boulevard. Therefore, as modified and conditioned by this action, the revised tract entry observation booths are consistent with the Visual Corridors Section of the Corridors Element of the Coastal Specific Plan.
- B. The installation of the proposed manned tract entry observation booths is consistent with the applicable public access policies of the Coastal Act and the City's original approval of Coastal Permit No. 94. The *Oceanfront* project was required to provide public coastal access in the form of the bluff-top loop road and trail system. Both of these public access features are primarily accessible at the two tract entry points on Palos Verdes Drive West. The modified 12-foot-tall booths at the entries to Paseo de la Luz, Via del Cielo and Calle Viento will not interfere with the general public's ability to access the public bluff-top loop road and trail system, nor the interior public streets of the tract. This is consistent with Section 30211 of the Coastal Act, which states that "[development] shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization." In addition, the modified booths may provide improved security for the residents of the *Oceanfront* community. This is consistent with Section 30214(b) of the Coastal

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Resolution No. 2000-41

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Act, which requires that "the public access policies of [the Coastal Act] be carried out in a reasonable manner that consider the equities and that balances the rights of the individual property owner with the public's constitutional right of access." Therefore, as modified and conditioned by this action, the revised tract entry observation booths are consistent with the applicable coastal access policies of the Coastal Act.

- C. The encroachment of the proposed manned tract entry observation booths into the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento is in the best interest of the City. The modified booths will have no significant adverse impact upon public or private views. In addition, the relocation of the booths away from the bluff-top loop road (Via Vicente/Calle Entradero) will not create a psychological barrier to public access to the community. The modified booths, as conditioned, will be consistent with the development standards for such structures, as established by City Council Policy No. 31, with the exception that they will exceed one hundred twenty square feet (120 ft²) in area. However, City Council Policy No. 31 also requires the booths to "be compatible with the character and architectural styles of surrounding residences," and the Planning Commission finds that booths at a maximum size of two hundred fifty square feet (250 ft²) in area would be more in keeping with the homes in the *Oceanfront* community. Therefore, as modified and conditioned by this action, the revised tract entry observation booths are in the City's best interest.
- D. The encroachment of the proposed manned tract entry observation booths into the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento is not detrimental to public health and safety. One of the primary purposes of these booths is to enhance the safety and security of the *Oceanfront* community. In addition, the booths will be required to be constructed in compliance with all applicable Building codes. Therefore, the revised booths will not be detrimental to public health and safety.
- E. There is no alternative location on private property to accommodate the proposed tract entry observation booths. The medians in Paseo de la Luz, Via del Cielo and Calle Viento are located within public rights-of-way. For the purposes of monitoring vehicles entering and exiting the community, the placement of the booths in these medians is the most logical location. In addition, the properties to one or both side at each of these entries are open space lots that have been dedicated to the City. As such, there are no alternative locations for these booths that will not be in either public right-of-way or on other public property. Therefore, there is no alternative location on private property for the revised booths.
- F. The encroachment of the proposed manned tract entry observation booths into the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento has been

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designed in the safest manner possible. The relocation of the proposed booths to the entries of the interior streets minimizes traffic conflicts on the bluff-top loop road (Via Vicente/Calle Entradero). In addition, the approval of the booths will be conditioned to incorporate features such as bollards that will protect the safety of the booths themselves. Therefore, the revised booths have been designed in the safest manner possible.

- G. The encroachment of the proposed manned tract entry observation booths into the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento does not result in significant impairment of either public or private views. The relocated booths no longer impair direct and indirect ocean views from the rights-of-way of Hawthorne Boulevard and Palos Verdes Drive West. In addition, the relocation of the booths minimizes the impairment of views from private property on Via Cambron and Rue Langlois, which are located on the inland side of Palos Verdes Drive West. Therefore, the revised booths will not result in significant view impairment.

Section 3: Any interested person aggrieved by this decision or by any portion of this decision may appeal to the City Council. Pursuant to Sections 17.60.060, 17.72.100 and 17.80.070 of the Rancho Palos Verdes Municipal Code, any such appeal must be filed with the City, in writing, and with the appropriate appeal fee, no later than fifteen (15) days following November 28, 2000, the date of the Planning Commission's final action.

Section 4: For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the Planning Commission of the City of Rancho Palos Verdes hereby approves Conditional Use Permit No. 158-Revision 'C' and Sign Permit No. 1096 for small sections of maximum 6-foot-tall perimeter wall, fountains and tract identification signs, and approves with modifications Coastal Permit No. 94-Revision 'A' and Encroachment Permit No. 32 for tract entry observation booths in the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento, for the *Oceanfront* project (Tract Map No. 46628), located at Hawthorne Boulevard and Palos Verdes Drive West, subject to the conditions contained in Exhibit 'A', attached hereto and made a part hereof, which are necessary to protect the public health, safety and welfare in the area.

COASTAL COMMISSION Resolution No. 2000-41
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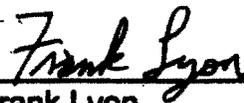
PASSED, APPROVED and ADOPTED this 28th day of November 2000, by the following vote:

AYES: Chairman Lyon, Commissioners Cartwright, Mueller and Paulson

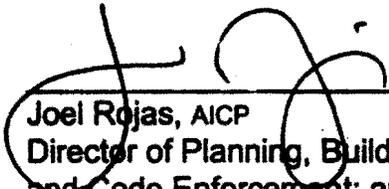
NOES: Commissioner Vannorsdall

ABSTENTIONS: none

ABSENT: Vice Chairman Clark and Commissioner Long



Frank Lyon
Chairman



Joel Rojas, AICP
Director of Planning, Building
and Code Enforcement; and Secretary
to the Planning Commission

COASTAL COMMISSION

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EXHIBIT 'A'
CONDITIONS OF APPROVAL
FOR CONDITIONAL USE PERMIT NO. 158-REVISION 'C',
COASTAL PERMIT NO. 94-REVISION 'A',
ENCROACHMENT PERMIT NO. 32
AND SIGN PERMIT NO. 1096
(Oceanfront, Tract No. 46628)

General

1. Prior to the submittal of plans into Building and Safety plan check, the applicant and the property owner shall submit to the City a statement, in writing, that they have read, understand, and agree to all conditions of approval contained in this Resolution. Failure to provide said written statement within ninety (90) days following date of this approval shall render this approval null and void.

2. This approval is for the replacement of sections of 3-foot-tall tract perimeter fence with small sections of solid wall up to six feet (6'0") in height, permanent and temporary tract identification signs and three (3) manned tract entry observation booths for the *Oceanfront* project (Tract No. 46628). The maximum height of the solid perimeter wall sections at the tract entries shall be six feet (6'0"), and the maximum height of the pilasters and the wall sections for the permanent and temporary signs shall be forty-two inches (42"). The maximum sign area shall be thirteen square feet (13 ft²), with one permanent and one temporary sign at each tract entry. The maximum height of the tract entry observation booths shall be twelve feet (12'0") and the maximum size of the booths shall be two hundred fifty square feet (250 ft²). The Director of Planning, Building and Code Enforcement is authorized to make minor modifications to the approved plans and any of the conditions of approval if such modifications will achieve substantially the same results as would strict compliance with the approved plans and conditions. Otherwise, any substantive change to the project shall require approval of a revision to Conditional Use Permit No. 158-Revision 'C', Coastal Permit No. 94-Revision 'A', Encroachment Permit No. 32 and/or Sign Permit No. 1096 by the Planning Commission and shall require new and separate environmental review.

3. All project development on the site shall conform to the specific standards contained in these conditions of approval or, if not addressed herein, in the RS-1 district development standards of the City's Municipal Code and the special development standards for the *Oceanfront* community pursuant to Conditional Use Permit No. 158 and revisions.

COASTAL COMMISSION

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P.C. Resolution No. 2000-4
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4. Failure to comply with and adhere to all of these conditions of approval may be cause to revoke the approval of the project by the Planning Commission after conducting a public hearing on the matter.
5. If the project has not been established (i.e., building permits obtained) within one year of the final effective date of this Resolution, or if construction has not commenced within one hundred eighty (180) days of the issuance of building permits, approval of the project shall expire and be of no further effect unless, prior to expiration, a written request for extension is filed with the Department of Planning, Building and Code Enforcement and approved by the Director. Otherwise, a conditional use permit and sign permit revision must be approved prior to further development.
6. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City department, the stricter standard shall apply.
7. Unless otherwise designated in these conditions, all construction shall be completed in substantial conformance with the plans stamped APPROVED by the City with the effective date of this Resolution.
8. Unless otherwise designated in these conditions, the approved project shall be subject to all of the conditions of approval for Vesting Tentative Tract Map No. 46628, Final Environmental Impact Report No. 35, Conditional Use Permit No. 158, Coastal Permit No. 94 and Grading Permit No. 1439, as adopted by the City Council on March 17, 1992. Said conditions of approval are incorporated herein by this reference.
9. The conceptual landscaping depicted on the approved plans is not a part of this approval. The landscaping at the tract entries shall be subject to the review and approval of a precise landscape plan by the Director of Planning, Building and Code Enforcement, and shall be installed and maintained so as not to significantly impair protected views from surrounding properties or public rights-of-way.
10. Prior to the construction of the booths, walls, fences, fountains and/or signs approved by this permit, or within thirty (30) days of the final effective date of the City's action on these applications, whichever occurs first, the developer shall open the bluff-top loop road (Via Vicente/Calle Entradero) to vehicular traffic and shall complete the off-street parking lot and the two on-street parking turnouts. The developer shall be responsible for the completion of any remaining paving, striping and signage for the loop road and parking areas, to the satisfaction of the Director of Public Works and the Director of Planning, Building and Code Enforcement. Once the bluff-top loop road is open to vehicular traffic, if the developer chooses to

COASTAL COMMISSION P.C. Resolution No. 2000-41

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retain security personnel on the site, they shall not act to impede general public access to the bluff-top loop road, parking areas or trail system by pedestrians, bicyclists and/or motorists. Within thirty (30) days of the final effective date of the City's action, the developer shall also submit a sign plan for public access and trail signage for the review and approval of the Director of Planning, Building and Code Enforcement, using the approved *Ocean Trails* sign program as a model.

11. The shrubs and foliage along Palos Verdes Drive West shall be maintained so as not to exceed one foot (1'0") in height.

Conditional Use Permit No. 158-Revision 'C' and Sign Permit No. 1096

12. The maximum height of the solid perimeter wall sections for the fountains shall be six feet (6'0"), and the maximum width of these wall sections shall be fourteen feet (14'0"). The proposed fountains associated with these wall sections shall not exceed a depth of twenty-four inches (24").
13. No portion of any structures or improvements located within the intersection visibility triangles at either tract entry shall exceed a height of thirty inches (30") above the curb elevation of Palos Verdes Drive West, Via Vicente or Calle Entradero.
14. The maximum height of the solid perimeter wall sections for the permanent and temporary signs shall be forty-two inches (42"), and the maximum width of these wall sections shall be fourteen feet (14'0").
15. Notwithstanding the existing freestanding signs permitted in conjunction with the operation of the temporary sales office and model complex, a maximum of one permanent and one temporary (i.e., banner) sign is permitted at each tract entrance. Each sign shall not exceed thirteen square feet (13 ft²) in area. The existing non-permitted banner signs may be used as the one, permitted temporary sign at each entry under the terms of this condition.
16. Within thirty (30) days of the installation of the permanent signs, the Director shall inspect the method and level of illumination. The applicant shall be required to adjust the method and level of illumination as necessary to avoid or eliminate light and glare impacts upon surrounding private properties and public rights-of-way, to the satisfaction of the Director.

Coastal Permit No. 94-Revision 'A' and Encroachment Permit No. 32

17. The maximum height of the tract entry observation booths shall not exceed twelve feet (12'0"). No cupolas or other architectural features in excess of the 12-foot-

COASTAL COMMISSION

A-5-RPV-01-64 C. Resolution No. 2000-41
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- height limit will be permitted. No vehicle gates will be permitted, whether functional or non-functional.
18. The tract entry observation booths shall not exceed a maximum of two hundred fifty square feet (250 ft²) in area.
 19. Restroom facilities shall be provided within each tract entry observation booth for the use of security personnel. Said restrooms shall be handicap-accessible, subject to the review and approval of the City's Building Official.
 20. All necessary utilities for the tract entry observation booths shall be located underground. The developer shall be responsible for obtaining the applicable permits for all necessary utility connections.
 21. All minimum sight distances and turning radii shall be maintained, subject to review and approval by the City's Traffic Committee and/or engineering consultant.
 22. The tract entry observation booths shall be located entirely within the curbed, landscaped medians of Paseo de la Luz, Via del Cielo and Calle Viento.
 23. No portion of any eave and/or overhang shall extend beyond the edge of the curb of the landscape median, or into any travel lanes. The booths shall be designed to maintain appropriate lateral and overhead clearance to ensure that large and/or high-profile vehicles or trucks will not hit the overhangs on the building.
 24. Protective bollards shall be installed at each corner of the booths to reduce the potential for accidental damage caused by vehicles.
 25. The observation booths shall be compatible with the character and architectural styles of surrounding residences, subject to the final review and approval of the Director of Planning, Building and Code Enforcement.
 26. Directional and informational signage shall be permitted in association with construction of the observation booths. Said signage shall inform the general public of the public status of the streets and the availability of public access to the trails and other coastal resources within the *Oceanfront* community. The final language, design and placement of said signage shall be subject to the review and approval of the Director of Planning, Building and Code Enforcement, and the signs shall be installed prior to the commencement of use of the booths. Installation of signs with changeable copy intended to provide general information regarding upcoming events, meetings, etc., shall not be permitted within the public right-of-way.
 27. Any proposed exterior lighting shall be located on the facade of the booths or under the eaves, at a maximum height of ten feet (10'0"). All exterior lighting shall be

COASTAL COMMISSION Resolution No. 2000-41

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EXHIBIT # 10

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shielded and directed downwards to prevent direct illumination of or towards surrounding properties.

28. Ingress/egress vehicle lanes shall be a minimum of eighteen feet (18'0") wide at the observation booths to allow vehicles to pass a stopped vehicle. Wider travel lanes may be required at the discretion of the City.
29. Approval of Encroachment Permit No. 32 shall be subject to the following additional conditions:
 - a. The developer shall comply with all recommendations and requirements, if any, of the City's Planning Commission, Traffic Committee, or Traffic Engineer.
 - b. Prior to construction of the observation booths, the developer shall submit to the City a "Hold Harmless" agreement for recordation, to the satisfaction of the City Attorney.
 - c. Prior to construction of the observation booths, the developer shall submit to the City a Use Restriction Covenant for recordation, agreeing to remove the encroachments within sixty (60) days of notice given by the Director of Public Works, except in case of an emergency where less notice may be required. The owner shall also acknowledge that failure to remove the encroachments within the specified time will result in removal of the structures by the City, and that the developer shall be billed by the City for the costs of removal of the encroaching structures.
 - d. Prior to construction of the observation booths, the developer shall obtain a minimum of one million dollars (\$1,000,000) liability insurance, naming the City as an additional insured, subject to review and acceptance by the City Attorney. Proof of said insurance shall be provided to the City annually.
 - e. Prior to construction of the observation booths, the developer shall obtain an Encroachment Permit from the Department of Public Works. The owner shall be responsible for any fees associated with the issuance of said permit.
 - f. The encroachments shall be constructed and installed in accordance with the approved plans, and the developer shall comply with all conditions and requirements that are imposed on the project.
 - g. Prior to construction of the encroachments, the applicant shall submit to the City a covenant, subject to the satisfaction of the City Attorney, which records these requirements as conditions running with the land, and binding all future owners of the property which is benefited by the encroachment (i.e.,

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underlying right-of-way, adjacent property, or common area owned by a homeowners association, if any), until such time as the encroaching structures are removed from the right-of-way.

- h. No person and/or vehicle shall be required to present identification nor otherwise be restricted, prohibited, or denied access to any public right-of-way, including but not limited to streets, sidewalks, parks, and/or public trails as a result of construction of any attended or unattended observation booth.
 - i. Prior to construction of the encroachment, the developer shall submit to the City a Covenant agreeing to assume all responsibility for maintenance and upkeep of the structures.
30. Within six (6) months after the commencement of use of the tract entry observation booths, the Planning Commission shall review the operation of the booths to assess their effectiveness and any impacts they may have upon public access to coastal resources in the *Oceanfront* community. After conducting a duly-noticed public hearing on the matter, the Planning Commission may add, delete or modify any conditions of approval that it deems appropriate to protect public health, safety and general welfare.

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RESOLUTION NO. 2001-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, DENYING THE APPEAL AND THEREBY UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF COASTAL PERMIT NO. 94-REVISION 'A' AND ENCROACHMENT PERMIT NO. 32 FOR TRACT ENTRY OBSERVATION BOOTHS IN THE PUBLIC RIGHTS-OF-WAY OF PASEO DE LA LUZ, VIA DEL CIELO AND CALLE VIENTO, FOR THE OCEANFRONT PROJECT (TRACT MAP NO. 46628), LOCATED AT HAWTHORNE BOULEVARD AND PALOS VERDES DRIVE WEST

WHEREAS, on March 17, 1992, the City Council adopted Resolution No. 92-27, approving Conditional Use Permit No. 158 in conjunction with Vesting Tentative Tract Map No. 46628 for a residential planned development of seventy-nine single-family lots and five open space lots on a 132-acre vacant site, located seaward of the terminus of Hawthorne Boulevard at Palos Verdes Drive West, between the *Lunada Pointe* community on the north and the Point Vicente Interpretive Center on the south; and,

WHEREAS, on February 25, 1997, the Planning Commission adopted P.C. Resolution No. 97-12, approving Conditional Use Permit No. 153-Revision 'A' for minor revisions to certain conditions of approval related to the relocation of Lots 78 and 79 of Vesting Tentative Tract Map No. 46628, as required by the U.S. Fish and Wildlife Service; and this action was subsequently upheld by the City Council on March 11, 1997; and,

WHEREAS, on April 14, 1998, the Planning Commission adopted P.C. Resolution No. 98-13, approving Conditional Use Permit No. 158-Revision 'B' for miscellaneous revisions to the development standards for Vesting Tentative Tract Map No. 46628; but this action was subsequently overturned on appeal to the City Council on June 16, 1998; and,

WHEREAS, on August 23, 2000 and September 28, 2000, the applicant, RPV Associates LLC, submitted applications for Conditional Use Permit No. 158-Revision 'C', Coastal Permit No. 94-Revision 'A', Encroachment Permit No. 32 and Sign Permit No. 1096 to allow the replacement of sections of 3-foot-tall tract perimeter fence with small sections of solid wall up to six feet in height at the tract entries, installation of two 14-foot-tall manned tract entry observation booths in the public rights-of-way of Via Vicente and Calle Entradero, and installation of tract identification signs for the *Oceanfront* project (Tract No. 46628); and,

WHEREAS, on September 28, 2000, the applications for Conditional Use Permit No. 158-Revision 'C', Coastal Permit No. 94-Revision 'A', Encroachment Permit No. 32 and Sign Permit No. 1096 were deemed complete by Staff; and,

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WHEREAS, on November 14, 2000, the City and the applicant agreed to a 90-day extension of the decision deadline for these applications; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), Staff found no evidence that Conditional Use Permit No. 158-Revision 'C', Coastal Permit No. 94-Revision 'A', Encroachment Permit No. 32 and Sign Permit No. 1096 would have a significant effect on the environment because the environmental impacts of the project have been previously addressed by the mitigation measures adopted pursuant to Final Environmental Impact Report No. 35, and the proposed revisions to the project will not cause any new significant environmental effects and, therefore, are within the scope of the project analyzed in Final Environmental Impact Report No. 35 and are consistent with the approved mitigation measures; and,

WHEREAS, after notice issued pursuant to the requirements of the Rancho Palos Verdes Development Code, the Planning Commission held a duly noticed public hearing on October 24, 2000, November 14, 2000 and November 28, 2000, at which time all interested parties were given an opportunity to be heard and present evidence; and,

WHEREAS, on November 28, 2000, the Planning Commission adopted P.C. Resolution No. 2000-41, thereby conditionally approving Conditional Use Permit No. 158-Revision 'C' and Sign Permit No. 1096 for small sections of maximum 6-foot-tall perimeter wall, fountains and tract identification signs, and Coastal Permit No. 94-Revision 'A' and Encroachment Permit No. 32 for tract entry observation booths in the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento; and,

WHEREAS, on December 6, 2000, and within the 15-day appeal period prescribed by the Rancho Palos Verdes Development Code, Mayor Pro Tem John McTaggart filed a request with the City Manager for City Council consideration of an appeal of the Planning Commission's approval of Conditional Use Permit No. 158-Revision 'C', Coastal Permit No. 94-Revision 'A', Encroachment Permit No. 32 and Sign Permit No. 1096, pursuant to Section 17.80.130 of the Rancho Palos Verdes Development Code; and,

WHEREAS, on December 11, 2000, City Councilmember Douglas Stern filed a similar request with the City Manager; and,

WHEREAS, on December 19, 2000, a majority of the City Council agreed to appeal and review the Planning Commission's approval of Coastal Permit No. 94-Revision 'A' and Encroachment Permit No. 32 for the tract entry observation booths only; and,

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WHEREAS, after notice issued pursuant to the requirements of the Rancho Palos Verdes Development Code, the City Council held a duly noticed public hearing on January 16, 2001 and February 6, 2001, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

Section 1: The City Council makes the following findings of fact with respect to the applications for Coastal Permit No. 94-Revision 'A' and Encroachment Permit No. 32 for the proposed manned tract entry observation booths in the rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento:

- A. The installation of the proposed manned tract entry observation booths is consistent with the Coastal Specific Plan and the City's original approval of Coastal Permit No. 94. The Visual Corridors Section of the Corridors Element of the Coastal Specific Plan identifies the entire frontage of the *Oceanfront* project as a sensitive visual corridor. The modified 12-foot-tall booths at the entries to Paseo de la Luz, Via del Cielo and Calle Viento will not significantly impair ocean views from Palos Verdes Drive West or Hawthorne Boulevard. Therefore, as modified and conditioned by this action, the revised tract entry observation booths are consistent with the Visual Corridors Section of the Corridors Element of the Coastal Specific Plan.
- B. The installation of the proposed manned tract entry observation booths is consistent with the applicable public access policies of the Coastal Act and the City's original approval of Coastal Permit No. 94. The *Oceanfront* project was required to provide public coastal access in the form of the bluff-top loop road and trail system. Both of these public access features are primarily accessible at the two tract entry points on Palos Verdes Drive West. The modified 12-foot-tall booths at the entries to Paseo de la Luz, Via del Cielo and Calle Viento will not interfere with the general public's ability to access the public bluff-top loop road and trail system, nor the interior public streets of the tract. This is consistent with Section 30211 of the Coastal Act, which states that "[development] shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization." In addition, the modified booths may provide improved security for the residents of the *Oceanfront* community, as well as for members of the public who will use the trails and streets in this tract. This is consistent with Section 30214(b) of the Coastal Act, which requires that "the public access policies of [the Coastal Act] be carried out in a reasonable manner that consider the equities and that balances the rights of the individual property owner with the public's constitutional right of access." Therefore, as modified and conditioned by this action, the revised tract

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entry observation booths are consistent with the applicable coastal access policies of the Coastal Act.

- C. The encroachment of the proposed manned tract entry observation booths into the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento is in the best interest of the City. The modified booths will have no significant adverse impact upon public or private views. In addition, the relocation of the booths away from the bluff-top loop road (Via Vicente/Calle Entradero) will not create a psychological barrier to public access to the community. The modified booths, as conditioned, will be consistent with the development standards for such structures, as established by City Council Policy No. 31, with the exception that they will exceed one hundred twenty square feet (120 ft²) in area. However, City Council Policy No. 31 also requires the booths to "be compatible with the character and architectural styles of surrounding residences," and the Planning Commission finds that booths at a maximum size of two hundred fifty square feet (250 ft²) in area would be more in keeping with the homes in the *Oceanfront* community. Therefore, as modified and conditioned by this action, the revised tract entry observation booths are in the City's best interest.
- D. The encroachment of the proposed manned tract entry observation booths into the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento is not detrimental to public health and safety. One of the primary purposes of these booths is to enhance the safety and security of the *Oceanfront* community. In addition, the booths will be required to be constructed in compliance with all applicable Building codes. Therefore, the revised booths will not be detrimental to public health and safety.
- E. There is no alternative location on private property to accommodate the proposed tract entry observation booths. The medians in Paseo de la Luz, Via del Cielo and Calle Viento are located within public rights-of-way. For the purposes of monitoring vehicles entering and exiting the community, the placement of the booths in these medians is the most logical location. In addition, the properties to one or both sides at each of these entries are open space lots that have been dedicated to the City. As such, there are no alternative locations for these booths that will not be in either public right-of-way or on other public property that has been dedicated for open space purposes. Therefore, there is no alternative location on private property for the revised booths.
- F. The encroachment of the proposed manned tract entry observation booths into the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento has been designed in the safest manner possible. The relocation of the proposed booths to the entries of the interior streets minimizes traffic conflicts on the bluff-top loop road

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(Via Vicente/Calle Entradero). In addition, the approval of the booths will be conditioned to incorporate features such as bollards that will protect the safety of the booths themselves. Therefore, the revised booths have been designed in the safest manner possible.

- G. The encroachment of the proposed manned tract entry observation booths into the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento does not result in significant impairment of either public or private views. The relocated booths no longer impair direct and indirect ocean views from the rights-of-way of Hawthorne Boulevard and Palos Verdes Drive West. In addition, the relocation of the booths minimizes the impairment of views from private property on Via Cambron and Rue Langlois, which are located on the inland side of Palos Verdes Drive West. Therefore, the revised booths will not result in significant view impairment.

Section 2: The time within which the judicial review of the decision reflected in this Resolution, if available, must be sought is governed by Section 1094.6 of the California Code of Civil Procedure and other applicable short periods of limitation.

Section 3: For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the City Council of the City of Rancho Palos Verdes hereby denies the appeal, thereby upholding the Planning Commission's approval of Coastal Permit No. 94-Revision 'A' and Encroachment Permit No. 32 for tract entry observation booths in the public rights-of-way of Paseo de la Luz, Via del Cielo and Calle Viento, for the *Oceanfront* project (Tract Map No. 46628), located at Hawthorne Boulevard and Palos Verdes Drive West, subject to the conditions contained in Exhibit 'A', attached hereto and made a part hereof, which are necessary to protect the public health, safety and welfare in the area.

PASSED, APPROVED, AND ADOPTED this 6th day of February 2001.

/S/ MARILYN LYON

MAYOR

ATTEST:

/S/ JO PURCELL

CITY CLERK

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STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF RANCHO PALOS VERDES)

I, JO PURCELL, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the above Resolution No. 2001-08 was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on February 6, 2001.

City Clerk
City of Rancho Palos Verdes

COASTAL COMMISSION Resolution No. 2001-08

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EXHIBIT 'A'
CONDITIONS OF APPROVAL
FOR COASTAL PERMIT NO. 94-REVISION 'A'
AND ENCROACHMENT PERMIT NO. 32
(*Oceanfront*, Tract No. 46628)

General

1. Prior to the submittal of plans into Building and Safety plan check, the applicant and the property owner shall submit to the City a statement, in writing, that they have read, understand, and agree to all conditions of approval contained in this Resolution. Failure to provide said written statement within ninety (90) days following date of this approval shall render this approval null and void. —
2. This approval is for the installation of three (3) manned tract entry observation booths for the *Oceanfront* project (Tract No. 46628). The maximum height of the tract entry observation booths shall be twelve feet (12'0") and the maximum size of the booths shall be two hundred fifty square feet (250 ft²). The Director of Planning, Building and Code Enforcement is authorized to make minor modifications to the approved plans and any of the conditions of approval if such modifications will achieve substantially the same results as would strict compliance with the approved plans and conditions. Otherwise, any substantive change to the project shall require approval of a revision to Coastal Permit No. 94-Revision 'A' and Encroachment Permit No. 32 by the Planning Commission and shall require new and separate environmental review.
3. All project development on the site shall conform to the specific standards contained in these conditions of approval or, if not addressed herein, in the RS-1 district development standards of the City's Municipal Code and the special development standards for the *Oceanfront* community pursuant to Conditional Use Permit No. 158 and revisions thereto.
4. Failure to comply with and adhere to all of these conditions of approval may be cause to revoke the approval of the project by the Planning Commission after conducting a public hearing on the matter.
5. If the project has not been established (i.e., building permits obtained) within one year of the final effective date of this Resolution, or if construction has not commenced within one hundred eighty (180) days of the issuance of building permits, approval of the project shall expire and be of no further effect unless, prior to expiration, a written request for extension is filed with the Department of

COASTAL COMMISSION

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- Planning, Building and Code Enforcement and is approved by the Director. Otherwise, a coastal permit revision and encroachment permit revision must be approved prior to further development.
6. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City department, the stricter standard shall apply.
 7. Unless otherwise designated in these conditions, all construction shall be completed in substantial conformance with the plans stamped APPROVED by the City with the effective date of this Resolution.
 8. Unless otherwise designated in these conditions, the approved project shall be subject to all of the conditions of approval for Vesting Tentative Tract Map No. 46628, Final Environmental Impact Report No. 35, Conditional Use Permit No. 158, Coastal Permit No. 94 and Grading Permit No. 1439, as adopted by the City Council on March 17, 1992. Said conditions of approval are incorporated herein by this reference.
 9. The conceptual landscaping depicted on the approved plans is not a part of this approval. The landscaping at the tract entries shall be subject to the review and approval of a precise landscape plan by the Director of Planning, Building and Code Enforcement, and shall be installed and maintained so as not to significantly impair protected views from surrounding properties or public rights-of-way.
 10. Prior to the construction of the booths approved by this permit, or within thirty (30) days of the final effective date of the City's action on these applications, whichever occurs first, the developer shall open the bluff-top loop road (Via Vicente/Calle Entradero) and all other streets in this tract to vehicular traffic and shall complete the off-street parking lot and the two on-street parking turnouts. The developer shall be responsible for the completion of any remaining paving, striping and signage for the loop road and parking areas, to the satisfaction of the Director of Public Works and the Director of Planning, Building and Code Enforcement. Once the bluff-top loop road is open to vehicular traffic, if the developer chooses to retain security personnel on the site, they shall not act to impede or discourage general public access to the bluff-top loop road or any other streets in this tract, parking areas or trail system by pedestrians, bicyclists and/or motorists. Within thirty (30) days of the final effective date of the City's action, the developer shall also submit a sign plan for public access and trail signage for the review and approval of the Director of Planning, Building and Code Enforcement, using the approved *Ocean Trails* sign program as a model.

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Coastal Permit No. 94-Revision 'A' and Encroachment Permit No. 32

11. The maximum height of each tract entry observation booth shall not exceed twelve feet (12'0"). No cupolas or other architectural features in excess of the 12-foot-height limit will be permitted. No vehicle gates will be permitted, whether functional or non-functional.
12. Each tract entry observation booth shall not exceed a maximum of two hundred fifty square feet (250 ft²) in area.
13. Restroom facilities shall be provided within each tract entry observation booth for the use of security personnel. Said restrooms shall be handicap-accessible, subject to the review and approval of the City's Building Official.
14. All necessary utilities for the tract entry observation booths shall be located underground. The developer shall be responsible for obtaining the applicable permits for all necessary utility connections.
15. All minimum sight distances and turning radii shall be maintained, subject to review and approval by the City's Traffic Committee and/or engineering consultant.
16. The tract entry observation booths shall be located entirely within the curbed, landscaped medians of Paseo de la Luz, Via del Cielo and Calle Viento.
17. No portion of any eave and/or overhang shall extend beyond the edge of the curb of the landscape median, or into any travel lanes. The booths shall be designed to maintain appropriate lateral and overhead clearance to ensure that large and/or high-profile vehicles or trucks will not hit the overhangs on the building.
18. Protective bollards shall be installed at each corner of the booths to reduce the potential for accidental damage caused by vehicles.
19. The observation booths shall be compatible with the character and architectural styles of surrounding residences, subject to the final review and approval of the Director of Planning, Building and Code Enforcement.
20. Directional and informational signage shall be required in association with construction of the observation booths. Said signage shall inform the general public of the public status of the streets and the availability of public access to the trails and other coastal resources within the *Oceanfront* community. The final language, design and placement of said signage shall be subject to the review and approval of the Director of Planning, Building and Code Enforcement, and the signs shall be

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installed prior to the commencement of use of the booths. Installation of signs with changeable copy intended to provide general information regarding upcoming events, meetings, etc., shall not be permitted within the public right-of-way.

21. Any proposed exterior lighting shall be located on the facade of the booths or under the eaves, at a maximum height of ten feet (10'0"). All exterior lighting shall be shielded and directed downwards to prevent direct illumination of or towards surrounding properties.
22. Ingress/egress vehicle lanes shall be a minimum of eighteen feet (18'0") wide at the observation booths to allow vehicles to pass a stopped vehicle. Wider travel lanes may be required at the discretion of the City.
23. Approval of Encroachment Permit No. 32 shall be subject to the following additional conditions:
 - a. The developer shall comply with all recommendations and requirements, if any, of the City's Planning Commission, Traffic Committee, or Traffic Engineer.
 - b. Prior to construction of the observation booths, the developer shall submit to the City a "Hold Harmless" agreement for recordation, to the satisfaction of the City Attorney.
 - c. Prior to construction of the observation booths, the developer shall submit to the City a Use Restriction Covenant for recordation, agreeing to remove the encroachments within sixty (60) days of notice given by the Director of Public Works, except in case of an emergency where less notice may be required. The owner shall also acknowledge that failure to remove the encroachments within the specified time will result in removal of the structures by the City, and that the developer shall be billed by the City for the costs of removal of the encroaching structures.
 - d. Prior to construction of the observation booths, the developer shall obtain a minimum of one million dollars (\$1,000,000) liability insurance, issued by an insurance company admitted to do business in the State of California, naming the City as an additional insured, subject to review and acceptance by the City Attorney. Proof of said insurance shall be provided to the City annually.
 - e. Prior to construction of the observation booths, the developer shall obtain an Encroachment Permit from the Department of Public Works. The owner shall

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be responsible for any fees associated with the issuance of said permit.

- f. The encroachments shall be constructed and installed in accordance with the approved plans, and the developer shall comply with all conditions and requirements that are imposed on the project.
 - g. Prior to construction of the encroachments, the applicant shall submit to the City a covenant, subject to the satisfaction of the City Attorney, which records these requirements (including all provision of Condition Nos. 1 through 25 hereof) as conditions running with the land, and binding all future owners of the property which is benefited by the encroachment (i.e., underlying right-of-way, adjacent property, or common area owned by a homeowners association, if any), until such time as the encroaching structures are removed from the right-of-way.
 - h. No person and/or vehicle shall be required to present identification nor otherwise be stopped, discouraged, restricted, prohibited, or denied access to any public right-of-way, including but not limited to streets, sidewalks, parks, and/or public trails as a result of construction of any attended or unattended observation booth. Prior to the issuance of any permits for the construction of the booths, the developer shall submit to the City a written statement agreeing to enforce and abide by this condition.
 - i. Prior to construction of the encroachment, the developer shall submit to the City a Covenant agreeing to assume all responsibility for maintenance and upkeep of the structures.
24. Within six (6) months after the commencement of use of the tract entry observation booths, the Planning Commission shall review the operation of the booths to assess their effectiveness and any impacts they may have upon public access to coastal resources in the *Oceanfront* community. After conducting a duly-noticed public hearing on the matter, the Planning Commission may revoke the permit or may add, delete or modify any conditions of approval that it deems appropriate to protect public health, safety and general welfare.
25. Prior to the construction of the booths approved by this permit, or within thirty (30) days of the final effective date of the City's action on these applications, whichever occurs first, the developer shall relocate the existing temporary signs for the model sales complex away from the main entries at Palos Verdes Drive West and/or modify the text of the signs to clearly state that public access to the coastal access amenities of the project is not restricted. The final location and/or language of the signs shall be subject to the review and approval of the Director of Planning, Building and Code Enforcement.

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TRACKING INFORMATION

PRINT DATE: DECEMBER 13, 2000

LCP Information:

Jurisdiction: City of Rancho Palos Verdes
Local Permit #: CP 94
Contact Person: Brett Bernard, Planning Director

Local Action Information:

Pending Local Decision Date: 11/28/00
Final Local Action:
Final Local Action Date:
FLAN Received Date:
FLAN Deficiency Notice Sent: n/a

Appealable Status:

Is this project appealable? YES NO

Project Name:

Applicant(s): Capital Pacific Holdings, Inc., Attn: Tim Hamilton

Agent(s): The Katherman Company, Attn: Robert Katherman

Project Location: Oceanfront (Paseo de la Luz, Via del Cielo and Calle Viento), Rancho Palos Verdes (Los Angeles County)

APN(s):

Project Description: Approval of three (3) 250-square foot, 12 foot tall manned tract entry observation booths to be constructed on median islands at the entries to the interior streets of the Oceanfront community.

Comments:

Issues:

Development Types:

COASTAL COMMISSION
A 5-RPV-01-66

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RECEIVED

NOV 30 2000



RANCHO PALOS VERDES

DEPARTMENT OF PLANNING, BUILDING, AND CODE ENFORCEMENT

CALIFORNIA
COASTAL COMMISSION

November 29, 2000

NOTICE OF DECISION

NOTICE IS HEREBY GIVEN that on November 28, 2000, the Planning Commission of the City of Rancho Palos Verdes approved a request for Coastal Permit No. 94-Revision 'A'.

Applicant: Robert Katherman, The Katherman Company
19300 S. Hamilton Ave., Suite 230, Gardena, CA 90248

Landowner: Tim Hamilton, Capital Pacific Holdings, Inc.
4100 MacArthur Blvd., Suite 200, Newport Beach, CA 92660

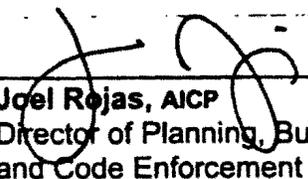
Location: Tract No. 46628 (*Oceanfront*)

Said decision is in conjunction with the approval of three (3) 250-square-foot, 12-foot-tall manned tract entry observation booths to be constructed on median islands at the entries to the interior streets of the *Oceanfront* community (Paseo de la Luz, Via del Cielo and Calle Viento), which lies within the City's Coastal Specific Plan District.

In granting Coastal Permit No. 94-Revision 'A', the following findings were made:

- 1) That the proposed development is in conformance with the Coastal Specific Plan; and,
- 2) That the proposed development, when located between the sea and the first public road, is in conformance with applicable public access and recreation policies of the Coastal Act.

This decision may be appealed, in writing, to the City Council within fifteen (15) calendar days of the date of the Planning Commission's decision, or by 5:30 PM on December 13, 2000.



 Joel Rojas, AICP
 Director of Planning, Building,
 and Code Enforcement

cc: Applicant and Landowner
 Interested Parties List (self-addressed/stamped envelopes)
 Coastal Commission

COASTAL COMMISSION

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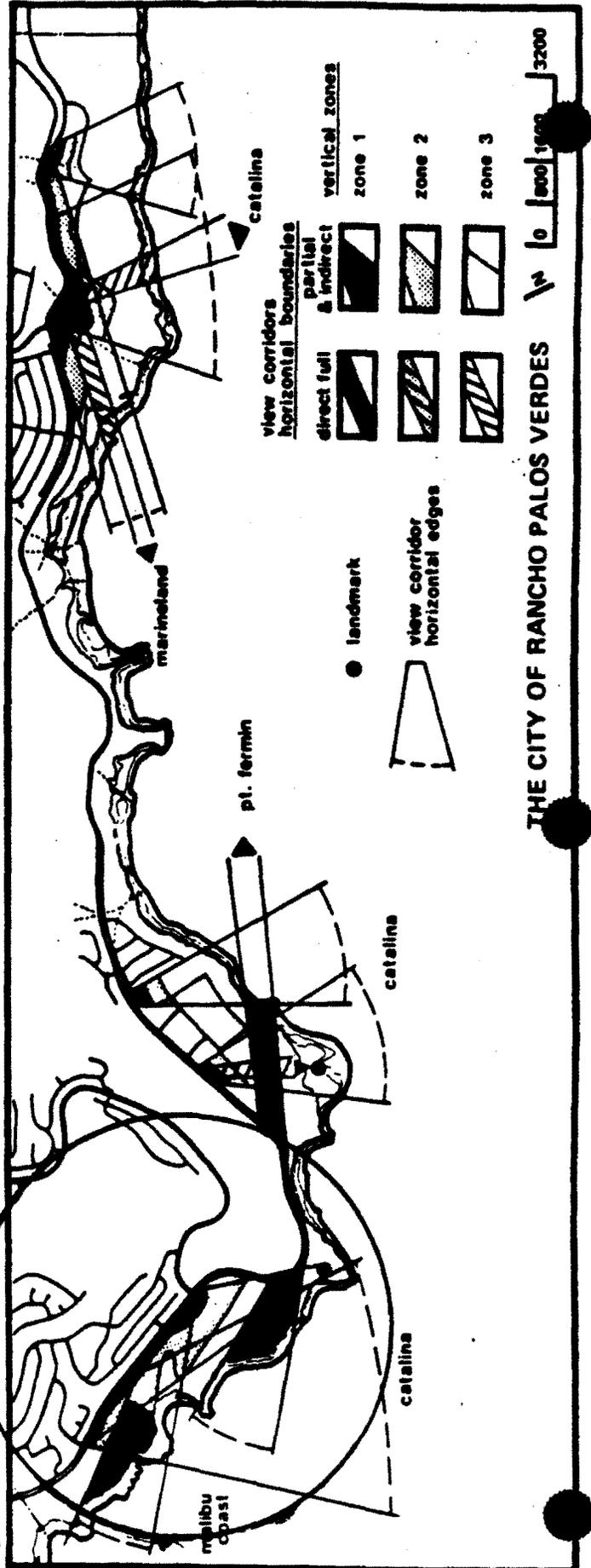
COASTAL COMMISSION

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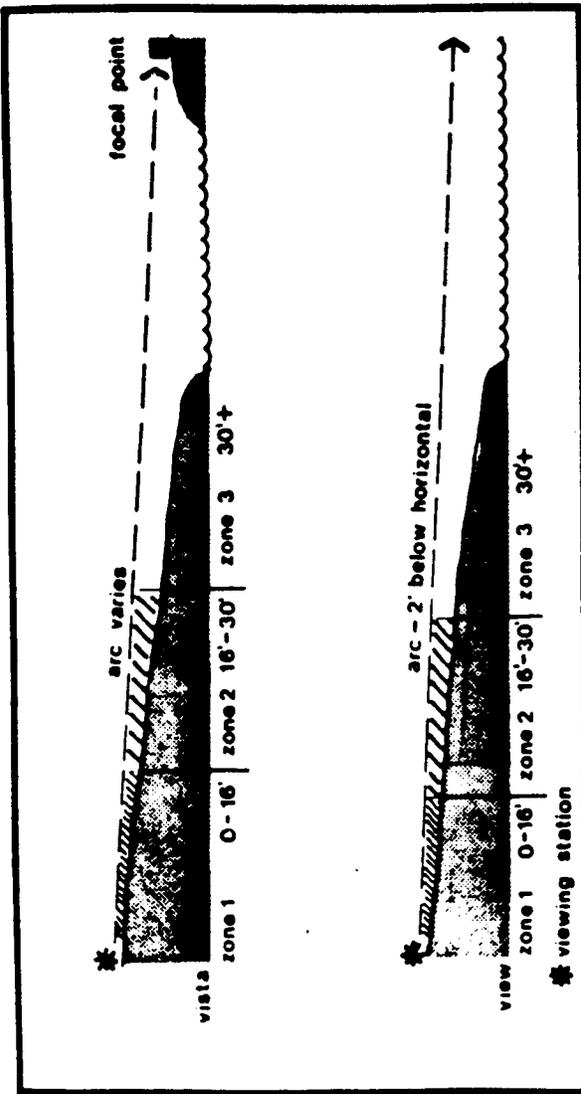
Project area

figure 26 view corridors



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figure 28 typical sections



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RESOLUTION NO. 92-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 35 AND MAKING CERTAIN ENVIRONMENTAL FINDINGS IN CONNECTION WITH VESTING TENTATIVE TRACT MAP NO. 46628, CONDITIONAL USE PERMIT NO. 158, COASTAL PERMIT NO. 94 AND GRADING NO. 1439 FOR A 79 LOT RESIDENTIAL PLANNED DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF PALOS VERDES DRIVE WEST AND HAWTHORNE BOULEVARD.

WHEREAS, H.M.D.I, Inc. has requested approval of a Vesting Tentative Tract Map, Conditional Use Permit, Coastal Permit and Grading Permit to allow a Residential Planned Development (RPD) on a 132 acre site located on Palos Verdes Drive West, northwest of Hawthorne Boulevard; and

WHEREAS, a Draft Environmental Impact Report was prepared and circulated for 45 days from September 6, 1991 to October 23, 1991, in order to receive written comments on the adequacy of the document from responsible agencies and the public; and

WHEREAS, the Planning Commission held a public hearing on October 22, 1991 in order to receive public testimony on the Draft Environmental Impact Report, at which time all interested parties were given an opportunity to address the Planning Commission; and

WHEREAS, a Final Environmental Impact Report was prepared, including written responses to all comments that were received on the Draft Environmental Impact Report during the circulation period, a mitigation monitoring program, a statement of overriding considerations and all Planning Commission staff reports, which was provided to the Planning Commission on January 14, 1992 and the Planning Commission considered the content and conclusions contained in the Final Environmental Impact Report at the hearing of January 14 and February 5, 1992, prior to recommending certification of Environmental Impact Report No. 35 to the City Council; and

WHEREAS, the City Council considered the content and conclusions contained in Environmental Impact Report No. 35 at the public hearing held on March 3, 1992.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

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Section 1: The EIR identifies as a potential significant environmental impact the cumulative effect of urban runoff from the project on the local marine environment, when combined with other area urban runoff. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen this cumulative impact. However, it is not possible to entirely eliminate this impact. Furthermore, a statement of overriding considerations will be adopted as discussed in Section 13. Prior to the issuance of grading permits, the developer will be required to submit a Runoff Management and Water Quality Plan for review and approval by the City's Director of Public Works, with concurrent submittal to the State Lands Commission. In addition, the on-site drainage system will be designed to reduce suspended particles carried in the urban runoff through the installation of stable drainage structures prior to discharging the water into the rocky intertidal zone at ocean level.

Section 2: The EIR identifies as a potential significant environmental impact the effect of short-term construction activities on air quality, due to fugitive dust generated by grading activity and air pollutants generated by heavy equipment and construction vehicle use which would exceed SCAQMD emission thresholds. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen this impact. However, it is not possible to entirely eliminate this impact. Furthermore, a statement of overriding considerations will be adopted as discussed in Section 13. The developer will implement a variety of measures to reduce fugitive dust and air pollutants, such as a regular site watering program, covering access roads with gravel, limiting on-site vehicle speeds during construction, periodically sweeping the public streets in the vicinity, using low sulfur fuels and following all SCAQMD and Air Resources Board requirements for dust control.

Section 3: The EIR identifies as a potential significant environmental impact the cumulative effect of air emissions associated with stationary and mobile sources, such as residential heating and cooling systems and resident and visitor vehicle trips to and from the development. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen this impact. However, it is not possible to entirely eliminate this impact. Furthermore, a statement of overriding considerations has been adopted as discussed in Section 13. The developer will make improvements to the intersection of Palos Verdes Drive West and Hawthorne Boulevard to allow through or left turns in order to mitigate future traffic impacts, which will result in a Level of Service C for the weekend peak hour.

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Section 4: The Draft EIR identifies as a potential significant environmental impact the effect of the original 93 lot tract map design on common and uncommon biological resources, including a wetlands area and the territory of a resident pair of California gnatcatchers. Changes or alterations have been required in, or incorporated into the revised 79 lot tract map design which avoid or substantially lessen this impact to an insignificant level. The existing wetlands area, coastal sage scrub habitat of the California gnatcatcher and the coastal bluff scrub habitat areas have been preserved within common open space lots. In addition to preserving the existing habitat areas on the site, the developer will implement a coastal sage scrub re-vegetation and habitat improvement plan which will be reviewed and approved by the U.S. Fish and Wildlife Service. Grading of the project site will not be conducted during the breeding season of the California gnatcatcher in order to minimize disturbance to the birds. In order to protect the sensitive coastal bluff and marine habitat areas, human access to the sensitive coastal bluff scrub will be reduced by installing an open guardrail along the bluff top and urban runoff and siltation will be controlled with stable drainage structures which prevent erosion and reduce suspended particles prior to discharge into the rocky intertidal zone at ocean level.

Section 5: The EIR identifies as a potential significant environmental impact the effect of short-term construction activities on off-site noise levels, due to an estimated eight month site preparation phase and eighteen month construction phase. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen this impact. However, it is not possible to entirely eliminate this impact. Furthermore, a statement of overriding considerations will be adopted as discussed in Section 13. The developer will provide on-site staging areas to minimize off-site transportation of heavy construction equipment, which will be located to maximize the distance between the activity area and adjacent residential areas. The City Engineer will review and approve all truck and equipment routes to minimize the number of affected residential areas for all construction personnel travelling to and from the project site.

Section 6: The EIR identifies as a potential significant environmental impact the effect of long-term increases in off-site noise levels which are currently in excess of state noise guidelines for residential land uses due to vehicular traffic on Palos Verdes Drive West. However, it is not possible to reduce or eliminate this impact. Furthermore, a statement of overriding considerations will be adopted as discussed in Section 13.

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Section 7: The EIR identifies as a potential significant environmental impact the effect of the proposed project on water service due to the current drought situation. However, it is not possible to entirely eliminate this impact. Furthermore, a statement of overriding considerations will be adopted as discussed in Section 13. Landscape and irrigation plans for the public and common open space areas will incorporate a variety of water conservation measures such as drought tolerant plant material, low-flow irrigation systems and a minimum use of lawn. Individual property owners will be required to include interior water conservation measures in household plumbing devices and appliances.

Section 8: The Draft EIR identifies as a potential significant environmental impact the effect of the original 93 lot tract map design on visual resources, including views of the bluff top, ocean and the Point Vicente Lighthouse from Palos Verdes Drive West and the residential area to the east of the subject property. Changes or alterations have been required in, or incorporated into the revised 79 lot tract map design which avoid or substantially lessen this impact to an insignificant level. Residential structures located nearest to Palos Verdes Drive and the coastal bluff top will be limited to a maximum height of 16 feet, where two story homes are permitted, the second story floor area will be limited to reduce the visual effect of the higher building mass and create wider visual corridors between adjacent homes and common area landscaping adjacent to Palos Verdes Drive West will be limited to groundcovers and small shrubs.

Section 9: A mitigation monitoring program has been prepared for the proposed project to ensure that the mitigation measures incorporated into the project will be properly implemented. Exhibit "A" hereto contains the mitigation monitoring program approved by the City Council, pursuant to the California Environmental Quality Act and which is incorporated herein by reference.

Section 10: In addition to the mitigation measures required in the EIR, other development measures have been identified and are incorporated in Exhibit "A". The developer and individual property owners are encouraged to implement these development measures to further reduce other environmental impacts which were identified in the EIR, but were not found to be significant.

Section 11: In addition to the mitigation measures required in the EIR, other mitigation measures appeared in the Draft EIR for the original 93 lot tract map design. Upon evaluation of the revised 79 lot tract map design, these mitigation measures were found to be no longer necessary or applicable, as the new tract map design avoids the impacts associated with these

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measures, that would have resulted from the original design. The mitigation measures that no longer apply to the revised tract map design are referred to in Exhibit "A".

Section 12: The EIR examined eight project alternatives: the No Project alternative, six alternative site configurations and one alternative site location. The EIR concluded that the environmentally superior alternative was Alternative 1, the No Project alternative, since it generates the least environmental impacts. As required by CEQA, if the No Project alternative is selected as the environmentally superior project, then a second alternative must be selected. After the No Project alternative, the second environmentally superior project was determined to be Alternative 3, a reduced density, single family alternative with 70 residential lots. The City Council rejected the No Project alternative as infeasible, as defined in CEQA Section 15364, since it would not further the goals of the Coastal Specific Plan to provide public recreational amenities and adequate public access along the coastline. Although Alternative 3 resulted in fewer single family residential lots, the City Council also rejected this alternative since the proposed tract design would not provide a bluff road, protect view corridors or preserve sensitive habitat areas on the site. Therefore, the City Council finds that the preferred alternative is the revised 79 lot tract map design, since it complies with the goals of the Coastal Specific Plan and reduces the impacts to biological and visual resources identifies in the EIR to an insignificant level.

Section 13: The recreational amenities, hydrological benefits and housing opportunities provided by the project outweigh any unavoidable adverse impacts that may occur. Public recreational amenities including the provision of vehicular access to the coastline, public parking, dedicated trails, vista points and passive recreational opportunities which are not currently available on the site. Hydrologic improvements include correcting existing drainage deficiencies on the site which have caused severe erosion in the past. In addition, the project implements the RS-1/RPD designation of the site in the General Plan and Coastal Specific Plan, providing a high quality residential development while preserving 53% of the site as open space, including sensitive habitat areas. Exhibit "B" hereto contains findings regarding the environmental effects and a statement of overriding considerations, pursuant to the California Environmental Quality Act, which has been reviewed by the City Council and incorporated herein by this reference.

Section 14: That Environmental Impact Report No. 35, which has been reviewed by the City Council, includes the documents titled Final Environmental Impact Report No. 35, Draft Environmental Impact Report No. 35, the list of persons and organizations consulted by the City upon the completion of the

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Draft EIR, any comments received, the written responses to the comments received and all staff reports that were prepared for the Planning Commission and City Council.

Section 15: For the foregoing reasons, and based on the information and findings contained in the public record, including the Draft and Final Environmental Impact Report, staff reports, minutes, records of the proceedings and evidence presented at the public hearings, the City Council of the City of Rancho Palos Verdes has reviewed and considered the information contained in the Draft and Final Environmental Impact Reports and hereby finds that said documents were completed in compliance with California Environmental Quality Act and State and local guidelines and hereby certifies Environmental Impact Report No. 35.

PASSED, APPROVED and ADOPTED this 17th day of March, 1992.

/S/ JOHN C. McTAGGART
MAYOR

ATTEST:

/S/ JO PURCELL
CITY CLERK
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF RANCHO PALOS VERDES)

I, Jo Purcell, City Clerk of the City of Rancho Palos Verdes, hereby certify that the above Resolution No. 92-25 was duly and regularly passed and adopted by the said City Council at a regular meeting hereof held on March 17, 1992.

CITY CLERK, CITY OF RANCHO PALOS VERDES

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RESOLUTION NO. 92-25
EXHIBIT "A"

MITIGATION MONITORING PLAN
for
VESTING TENTATIVE TRACT 46628

MARCH 17, 1992

Prepared for:

City of Rancho Palos Verdes
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90274

Prepared by:

Impact Sciences, Inc.
267 West Hillcrest Drive, First Floor
Thousand Oaks, CA 91360

Reviewed by:

Myra Frank and Associates
811 West Seventh Street, Suite 800
Los Angeles, CA 90017

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1.0 INTRODUCTION

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Section 21081.6 of the California Public Resources Code requires public agencies who have prepared an environmental impact report(EIR) or mitigated negative declaration (MND) for a project, to adopt a mitigation monitoring or reporting program for that project. The purpose of the mitigation monitoring effort is to ensure that the measures identified in the EIR or MND to mitigate the potentially significant environmental effects of the project are, in fact, properly carried out. In its findings concerning the environmental effects of a project for which an EIR or MND was prepared, a Lead Agency must also include a finding that a mitigation monitoring or reporting program has been prepared and provides a satisfactory program that will ensure avoidance or sufficient reduction of the significant environmental effects of the project.

The following mitigation monitoring plan provides a single reference point for all entities who will be involved in the implementation of the measures identified in the Final EIR for Vesting Tentative Tract 46628 (State Clearinghouse Number 91031057), which would mitigate the potentially significant environmental effects of this project. It will serve as the "guidebook" for the City of Rancho Palos Verdes and the project applicant to ensure that all of these measures are properly implemented, at the proper time.

Several measures listed in the Final EIR do not appear in this plan, since they are not required to mitigate potentially significant effects, but would help to reduce the overall magnitude of certain impacts that would further general environmental quality objectives. Such measures are referred to by the City of Rancho Palos Verdes as "Development Measures," which the subdivider is encouraged to implement, but which do not require formal monitoring or enforcement to prevent a significant impact on the environment. A list of these measures is presented in Section 5.0. Also, several other mitigation measures originally identified in the Draft EIR have been deleted entirely, as they are no longer necessary due to the avoidance of certain impacts in the revised 79-lot tract map design. These measures are also listed in Section 5.0.

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2.0 MITIGATION MONITORING PLAN

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MITIGATION MONITORING PLAN

Vesting Tentative Tract 46628

EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
6-2	GEOTECHNICAL	<p>The geology report prepared for this project by Karl Vonder Linden, Ph.D. (November, 1989) entitled <u>Geology of VMS Rancho Palos Verdes Venture 1 Parcel, City of Rancho Palos Verdes</u> (Appendix C) has identified some small portions of the bluff edge as being unsuitable for development. However, the report concludes that the majority of the site is stable and suitable for the type of development that is proposed, with proper mitigation measures, and that the proposed subdivision plan is located completely landward of the coastal setback line, outside of the seacliff area.</p> <ol style="list-style-type: none"> 1. Grading practices shall follow those recommended in Chapter 70 of the Uniform Building Code (UBC) and the current standards of the City of Rancho Palos Verdes. 2. Grading shall be performed under the direct supervision of a Certified Engineering Geologist or a Registered Civil Engineer. 3. Compaction of all fills shall be inspected in the field by a trained soil technician using currently accepted testing methods. 4. Where old fill (1972 vintage) exists in areas to be graded, these materials shall be inspected for integrity, and if and where these units are determined to be unsatisfactory, they shall be removed and recompacted. 5. All lots shall be graded so that water drains away from structures. 	<p>Plan Check, Field Inspection</p> <p>Field Inspection</p> <p>Field Inspection</p> <p>Field Inspection</p> <p>Plan Check, Field Inspection</p>	<p>Subdivider</p> <p>Subdivider</p> <p>Subdivider</p> <p>Subdivider</p> <p>Subdivider</p>	<ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading plan check; grading <ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading <ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading <ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading <ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading plan check; grading

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UN APPROVED

MITIGATION MONITORING PLAN

Vesting Tentative Tract 46628

EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	Enforcement Agency Monitoring Agency Monitoring Phase
2	GEOTECHNICAL (cont.)	6. All vegetative material and loose soil shall be removed from the affected areas prior to the placing of any fill.	Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading
		7. The area of soil-piping and collapse in the southeastern part of the property shall be mitigated prior to or during grading.	Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading
		8. Expansive soils shall be identified and grading shall be staged so as to minimize their effects. Foundation designs shall incorporate appropriate measures to counteract any expansive soil characteristics.	Plan Check, Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading and building plan check; field inspection
		9. Transition (cut-fill) lots shall be over excavated and back-filled with engineered fill as necessary.	Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading
		10. No oversteepened or unstable slope shall be created by grading.	Plan Check, Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading plan check; field inspection

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MITIGATION MONITORING PLAN

Vesting Tentative Tract 46628

EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	Enforcement Agency
6-2	GEOTECHNICAL (cont.) be subject to approval	11. An erosion control plan shall be prepared by the subdivider and approved by the City Engineer, which shall include, but not be limited to, sand bags, construction of temporary berms and ditches, placement of temporary pipes, temporary use of plastic or gunite linings, etc. The plan shall specify when and where sand bags and other control devices are to be in place, the stockpiling of bags and other items, and any other control measures as specified by the City Engineer.	Plan Check, Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading plan check; field inspection
		12. "As-graded" soils and geologic maps shall be prepared by a Registered Civil Engineer, at the termination of grading, and submitted to the City's Building Official, to be placed on file in the City's Building and Safety Department.	Verify receipt of maps	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Post-grading
		13. No blasting or rock-crushing activities shall be permitted.	Plan Check, Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading plan check; field inspection

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MITIGATION MONITORING PLAN

Vesting Tentative Tract 46628

EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase	
46	HYDROLOGY	<p>Construction of the proposed project would result in increased on-site peak discharges during a design-year storm which would be channeled from the project site to the Pacific Ocean. The increased runoff and types of storm drainage facilities proposed as part of this project would have no adverse or significant on-site or off-site impacts if the facilities are designed to accommodate upstream flows in accordance with Los Angeles County Flood Control District and City Engineer criteria and if the recommended mitigation measures are properly implemented.</p>	<p>14. All stormwater conveyance systems proposed on the project site and in Palos Verdes Drive shall be designed in accordance with the most current standards and criteria of the City Engineer and the Los Angeles County Flood Control District.</p>	Plan Check	Subdivider	<ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Storm Drain System Plan Check
		<p>15. Prior to the issuance of grading permits, the subdivider shall submit Runoff Management and Water Quality Control Plans, for review and approval by the City of Rancho Palos Verdes Director of Public Works. These plans shall include a variety of measures intended to mitigate the effects of erosion, siltation, urban runoff, and flooding, relative to both on and off-site impacts. The subdivider will provide a copy of these plans to the State Lands Commission, coincident with the submittal to the City of Rancho Palos Verdes.</p>	Plan Check	Subdivider	<ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Storm Drain System Plan Check 	

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MITIGATION MONITORING PLAN

Vesting Tentative Tract 46628

EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
6-46	HYDROLOGY (cont.)	16. If it is found that the on-site swale near the southern boundary of the project site has inadequate capacity to handle upstream and project site flows during a design-year storm, the swale shall be improved to handle these flows prior to issuance of project building permits.	Plan Check, Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Storm Drain System Plan Check, Field Inspection
		17. All building pads shall be elevated at least twelve inches (or as recommended by the City of Rancho Palos Verdes) above their immediately surrounding finished grade to protect them from overland storm flows.	Plan Check, Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading plan check; field inspection
		18. The rear yard storm drains and drainage easements shall be dedicated to the City of Rancho Palos Verdes and remain accessible for periodic maintenance by responsible agencies.	Plan Check, Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes (easements), Homeowners Association (maintenance) 3. Final Map Check, Post Development and ongoing

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MITIGATION MONITORING PLAN

Vesting Tentative Tract 46628

EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
-46	HYDROLOGY (cont.)	<p>19. CC&Rs shall be prepared by the subject to approval subdivider, approved by the Director of Public Works and recorded with the Final Map which includes, among other provisions, a condition requiring all owner/tenants of lots where stormwater flows to rear yards, to prevent obstruction to flows to the rear yard storm drain and to ensure that the rear yard storm drains remain accessible for periodic maintenance by Los Angeles County Department of Public Works.</p>	Check Final Map	Subdivider	<ol style="list-style-type: none"> Homeowners Association (maintenance) City of Rancho Palos Verdes (easements) Final Map Check
		<p>20. CC&Rs shall be prepared by the subdivider, approved by the Director of Public Works and recorded with the final map, which include, among other provisions, the requirement that maintenance responsibility for the downdrain outlet structure shall be by the on-site homeowners association.</p>	Check Final Map	Subdivider	<ol style="list-style-type: none"> Homeowners Association City of Rancho Palos Verdes Final Map Check

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MITIGATION MONITORING PLAN

Vesting Tentative Tract 46628

EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	<ol style="list-style-type: none"> 1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
6-46	HYDROLOGY (cont.)	<p>21. If necessary, improvements shall be made to Palos Verdes Drive West to ensure that it can retain surface flows during a 50-year frequency storm so that no water overflows the street onto lots fronting onto Palos Verdes Drive West.</p>	Check Storm Drain Plans	Subdivider	<ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Storm Drain Plan Check
		<p>22. In accordance with Section 1600 et. Seq. of the California Fish and Game Code, the State Department of Fish and Game shall be notified and any necessary permits obtained, prior to commencement of grading or vegetation removal within the major drainage courses crossing the project site.</p>	Verify receipt of 1603 Permit	Subdivider	<ol style="list-style-type: none"> 1. California Department of Fish and Game 2. City of Rancho Palos Verdes 3. Grading plan check
		<p>23. Pursuant to Section 404 of the Federal Clean Water Act, the applicant shall contact the U.S. Army Corps of Engineers, prior to commencement of grading, to determine their jurisdiction and permit requirements, if any, relative to alteration of the on-site drainage areas.</p>	Verify compliance with Army Corps requirements	Subdivider	<ol style="list-style-type: none"> 1. U.S. Army Corps of Engineers 2. City of Rancho Palos Verdes 3. Grading plan check

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MITIGATION MONITORING PLAN

Vesting Tentative Tract 46628

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
65	AIR QUALITY				
	Short-term air quality in the form of fugitive dust generated by grading activity and air pollutants generated by heavy equipment and construction vehicle use would exceed SCAQMD emission thresholds. Long-term emissions associated with project traffic would not be significant.	24. Implement a regular watering program to reduce fugitive dust. Water graded portions of the project site once during the work day and at the end of the work day to create a "crust" surface. This is estimated to reduce the amount of dust generated by up to 50 percent.	Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading
		25. Cease all clearing, grading, earth moving, or excavation operations during periods of high winds (i.e., Santa Ana winds 30 mph or greater in one hour).	Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading
		26. Cover site access roads with gravel during all construction periods.	Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading
		30. Periodically sweep public streets in the vicinity of the site to remove silt (i.e., fine earth material transported from the site by wind, vehicular activities, water runoff, etc.) which may have accumulated from construction activities.	Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading, site preparation
		32. Use low sulfur fuel (0.05 percent by weight) for construction equipment.	Verify Fuel Mix	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading site preparation

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MITIGATION MONITORING PLAN

Vesting Tentative Tract 46628

EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
6-65	AIR QUALITY (cont.)	34. Discontinue grading during second stage smog alerts.	Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading
		35. Follow all County of Los Angeles, SCAQMD, and Air Resources Board (ARB) requirements for dust control to ensure the proper and appropriate level of mitigation is applied at all times.	Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading
	Long term emissions generated by both mobile and stationary sources would not exceed SCAQMD emission thresholds. Since the project site is located within a non-attainment airshed, however, the City considers any long-term increase in emissions to be a significant impact on local air quality.	37. Implement all transportation improvement measures identified in Section 6.7 (Traffic and Circulation) of this EIR, ←	Street Improvements Plan Check, Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Street Improvements Plan Check, Site Preparation
		• The intersection of Palos Verdes Drive and Hawthorne Boulevard is the only one of the three studied intersections requiring mitigation. Modification of the westbound through lane to allow through or left turns would mitigate future traffic impacts with or without proposed development. Implementation of this measure would result in Level of Service C (with a volume to capacity ratio of 0.76) for the weekend peak hour.			

to Hawthorne Boulevard

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
6-102 BIOLOGICAL RESOURCES					
Implementation of the project as proposed would result in the elimination of both common and uncommon biological resources including the territory of a resident pair of California gnatcatchers, a very rare and sensitive species.	45. Utilize plant species native to the area in landscaping, wherever feasible. Plant species shall be selected from a list recommended by the South Coast Chapter of the California Native Plant Society. This would offset the loss of native vegetation incurred by implementation of the project, and also would serve to increase the usefulness of the site for local wildlife.	Review Landscape Plan	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Landscape Plan Check	
	46. In the open space area of the site currently being used by the California gnatcatcher (Lot 80 on the revised 79-lot tract map), a revegetation and habitat improvement plan shall be implemented as soon as possible , focusing on the habitat preferences of the California gnatcatcher. This plan shall be reviewed and approved by the U.S. Fish and Wildlife Service prior to implementation. The Service shall determine the total acreage to be included in the restoration area. Native shrub	Verify approval of plan by USFWS	Subdivider	1. USFWS 2. City of Rancho Palos Verdes 3. Landscape Plan Check	
		prior to the issuance of grading permits			

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
6-102	BIOLOGICAL RESOURCES (cont.)	species, particularly California sage (<i>Artemisia californica</i>) shall be used as a primary component of this revegetation effort. The habitat should be provided in contiguous blocks, rather than linear strips, a minimum of 3.673 acres in size. Provisions to prevent erosion and control weeds shall be included in the revegetation plan. Structural characteristics of the plantings would be based on the characteristics of the area presently used by the gnatcatchers. Measures to control predators, barriers to human access, noise and light shields and other appropriate means of avoiding or minimizing human disturbance shall also be included, along with provisions for periodic monitoring to ensure ongoing habitat protection. This program should be implemented as soon as possible, prior to the issuance of grading permits			

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MITIGATION MONITORING PLAN

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	Enforcement Agency
102	BIOLOGICAL RESOURCES (cont.)	<p>47. Grading of the proposed project site shall not be conducted during the breeding season of the California gnatcatcher (April-June) in order to minimize disturbance to the birds, provided that a breeding pair is present on the site during this season. In order to determine if the birds are present, a qualified biologist shall conduct monitoring visits to the site beginning in mid-April to determine if a breeding pair is present. If no breeding pair has been identified by mid-May, two weeks after the latest known breeding date on this site, grading operations will be allowed to proceed. If a breeding pair is identified, no grading will be allowed until two weeks after fledging of the chicks, as determined by the monitoring biologist. In no case shall grading be permitted within the identified gnatcatcher habitat area.</p> <p>49. Preserve and maintain 2.95 acres of wetlands area in the permanent open space in the northeast corner of the site (Lot 83 of revised 79-lot tract map) and provide and maintain an appropriate water source for this area.</p>	<p>Field Inspection</p> <p>Check Final Map and Storm Drain Plan; periodically check water source</p>	<p>City of Rancho Palos Verdes</p> <p>Subdivider</p>	<ol style="list-style-type: none"> 1. USFWS 2. City of Rancho Palos Verdes 3. April-mid-May <ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Final Map Check, semi-annually post development

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
6-102	BIOLOGICAL RESOURCES (cont.)	<p>50. Reduce human access to sensitive coastal bluff scrub by installing an open, guardrail structure along the bluff edge. This would prevent direct pedestrian access to the bluff area and would also slow erosion by reducing the number of footpaths down the bluff face, without affecting the movement of wildlife to and from the bluff areas. An open, rather than solid, structure would permit ocean views through the fence.</p>	Plan Check, Field Inspection	Subdivider	<ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Site Plan Check; site preparation
		<p>51. Effects of urban runoff and siltation generated by the developed project site shall be controlled with stable drainage structures which prevent erosion and by directing urban runoff into the natural drainages or special detention basins within the largest open space area (Lot 82 of the revised 79-lot tract map) that filter and slow the runoff via sediment, traps, energy dissipators, dry ponds, etc., prior to discharge into the rocky intertidal zone at ocean level.</p>	Plan Check, Field Inspection	Subdivider	<ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Storm drain improvements plan check; site preparation

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	<ol style="list-style-type: none"> 1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
54	NOISE	Implementation of the proposed project would result in unavoidably significant off-site construction noise impacts for the eight-month site preparation phase and the 18 month construction phase.	Pre-Construction Conference, Field Inspection	Subdivider	<ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Pre-grading, grading
		54. Staging areas shall be provided on-site to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between activity and existing residential areas.			
		55. Truck/equipment routes that travel through a minimum number of residential areas shall be designated by the City Engineer and followed by all construction personnel travelling to and from the project site.	Check contractor specifications	Subdivider	<ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading plan check

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
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6-183 TRAFFIC AND CIRCULATION

Project-generated traffic would not result in any significant adverse traffic impacts to local or regional roadways, intersections, or the local circulation system, if the westbound through lane at Palos Verdes Drive West/Hawthorne Boulevard is modified to allow optional through movements and left turns. This modification would involve lane restriping only.

58. The intersection of Palos Verdes Drive and Hawthorne Boulevard is the only one of the three studied intersections requiring mitigation. Modification of the westbound through lane to allow through or left turns would mitigate future traffic impacts with or without proposed development. Implementation of this measure would result in Level of Service C (with a volume to capacity ratio of 0.76) for the weekend peak hour. at this intersection.

Check street improvement plans, field inspection

Subdivider

1. City of Rancho Palos Verdes
2. City of Rancho Palos Verdes
3. Street improvement plan check, site preparation

6-207 FIRE PROTECTION

Implementation of the revised 79-unit single-family residential development would increase the development density and the human population on the proposed project site. This would result in an increase in the potential for fire occurrence and the potential for loss of life.

59. Prior to the recordation of the Final Map the subdivider shall demonstrate to the Director of Environmental Services that all County of Los Angeles Fire Department requirements pertaining to subdivision design and the water system, have been met.

Review evidence of satisfaction of Fire Department requirements.

Subdivider

1. City of Rancho Palos Verdes
2. City of Rancho Palos Verdes
3. Final Map check

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
227	WATER SERVICE	<p>62. The City shall ensure that construction plans and specifications for all proposed homes shall include the following interior water conservation measures for the following plumbing devices and appliances:</p> <ul style="list-style-type: none"> • reduce water pressure to 50 pounds per square inch or less by means of a pressure-reducing valve • install water-conserving clothes washers • install water-conserving dishwashers and/or spray emitters that are retrofitted to reduce flow • install one-and-one-half gallon, ultra-low flush toilet 	Check individual home plans and specifications	Homebuilders	<ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Home plan check

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
6-227	WATER SERVICE (cont.)	<p>63. Landscaping and irrigation plans for the public and common open space areas shall be submitted by the developer and approved by the Director of Environmental Services, prior to the issuance of grading permits. Said plans shall incorporate, at a minimum, the following water conservation measures:</p> <ul style="list-style-type: none"> • low water-demand plants • minimum use of lawn or, when used, installation of warm season grasses • grouped plants of similar water demand to reduce over-irrigation of low water demand plants • extensive use of mulch in all landscaped areas to improve the soil's water-holding capacity • drip irrigation, soil moisture sensors, and automatic irrigation systems • use of reclaimed wastewater, stored rainwater or grey water for irrigation 	Check landscape and irrigation plans subject to approval	Subdivider	<ol style="list-style-type: none"> 1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Prior to grading permits

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EIR Page	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
27	WATER SERVICE (cont.)	64. The applicants shall contact the Department of Water Resources for information on other water conservation techniques which could be incorporated into the project design. Evidence of compliance with such other recommendations shall be submitted to the Director of Environmental Services, prior to the issuance of building permits.	Verify compliance with DWP water conservation recommendations	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Prior to issuance of building permits
6-244	SEWER	65. If, at the time occupancy permits are requested by the developer, there is inadequate treatment plant capacity to service the proposed project, the occupancy permits shall be withheld until adequate capacity to serve the proposed project is ensured.	Check capacity of Joint Water Pollution Control Plant	City of Rancho Palos Verdes	1. City of Rancho Palos Verdes 2. Homebuilder 3. Prior to release of occupancy of any new homes
	Construction of the proposed project would result in the generation of approximately 0.02 million gallons per day (MGD) of wastewater, which would be treated at the Joint Water Pollution Control Plant. At the present time, the sewerage infrastructure which serves the project site has adequate capacity to accommodate the proposed project. Cumulative development activities will require incremental expansions of the wastewater collection and treatment systems, which are dependent upon an adequate financing program.	66. Prior to recordation of the Final Map, the developer shall annex the project site to the Consolidated Sewer Maintenance District, of the Los Angeles County Department of Public Works.	Verify annexation of site to Consolidated Sewer Maintenance District	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Final Map check

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
6-244	SEWER (cont.) subject to approval	67. Project wastewater collection and pumping system plans shall be prepared in accordance with the specifications of and shall be approved by the City's Director of Public Works and the Los Angeles County Sanitation Districts.	Check wastewater system plans	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Final Map check
6-255	CULTURAL RESOURCES A limited potential does exist for previously undetected subsurface cultural and paleontological resources to be disturbed during site grading activities.	72. The developer shall retain a qualified archaeologist and paleontologist to periodically monitor rough grading operations in previously undisturbed areas. In the event undetected buried cultural or paleontological remains are encountered during the course of grading activities, work shall be halted or diverted from the location in question and the archaeologist and/or paleontologist shall evaluate the remains. If cultural resources are found, the cultural specialist(s) shall submit documentation of such findings and the recommended dispensation of the resources to the Director of Environmental Services.	Field Inspection	Subdivider	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Grading

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
59	VISUAL RESOURCES				
	<p>As proposed, the project would have a substantial impact on the visual character of the site and views from the surrounding area. Given the normal by-product of site urbanization, approximately 70 percent of the disturbed (but now naturally appearing) project site would be transformed from its current condition to a man-made environment. The developed project site would be visible to a number of residents that occur in close proximity to the site and from the mobile viewing population on Hawthorne Boulevard and Palos Verdes Drive West.</p>	<p>74. Limit structure height on lots along Palos Verdes Drive West and those that occur nearest the coastal bluff to a maximum height of 16 feet.</p> <p>75. Where two-story homes are permitted, limit second story areas to 80 percent of total first floor area, to reduce the visual effect of the higher building mass and to create wider visual corridors between homes on adjacent lots.</p> <p>76. Prior to approval of the overall site landscaping plan, the Department of Environmental Services shall ensure that landscaping to be planted along the perimeter of Palos Verdes Drive West is limited to low groundcovers and small shrubs only.</p>	<p>Check home plans</p> <p>Check home plans</p> <p>Check landscape plan</p>	<p>Homebuilders</p> <p>Homebuilders</p> <p>Subdivider</p>	<p>1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Home plan check</p> <p>1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Home plan check</p> <p>1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Landscape plan check</p>

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
6-259	VISUAL RESOURCES (cont.) subject to approval	77. CC&Rs shall be prepared by the subdivider, and approved by the Director of Environmental Services, which shall include, among other provisions, restrictions on the type of landscape materials allowed on individual lots that limit permissible species to those with low or medium height.	Check CC&Rs	Subdivider, Homebuilders	1. Homeowners Association 2. City of Rancho Palos Verdes 3. Final map check; prior to occupancy of each home
		78. All homes shall be designed so that rooflines are articulated in a way that provides visual relief. Flat roofs shall be prohibited. Roof lines and building orientations along Palos Verdes Drive West shall be varied to include perpendicular, parallel and angled exposures to the roadway. This measure would incrementally reduce the view blocking effects of the proposed structures and permit greater visibility of the coastline and Pacific Ocean. Further, this measure would provide greater visual relief when the project is viewed from above.	Check home plans	Homebuilders	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Home plan check

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EIR Page No.	Description of Adverse Impacts	Mitigation Measures and Conditions of Approval	Monitoring Action	Party Responsible for Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
259	VISUAL RESOURCES (cont.)	82. Roof materials shall be non-reflective. This measure is also proposed to eliminate glare from roof tops that could impact the existing residential areas located east of and above the proposed project site.	Check home plans	Homebuilders	1. City of Rancho Palos Verdes 2. City of Rancho Palos Verdes 3. Home plan checks

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3.0 NON-CONFORMANCE PENALTY

Performance of all measures to be implemented by the Subdivider shall be secured and guaranteed by the posting of an improvement bond, deposit, or in-lieu fee in an amount to be determined by the Director of Environmental Services. Such security shall be posted with the City of Rancho Palos Verdes prior to the issuance of a grading permit for this project and shall be held by the City in an interest bearing account (with interest inuring to Subdivider) until all the measures have been fully and properly implemented. In the event the Subdivider fails to satisfy any one or more of the mitigation measures and persists and fails to do so upon written notice from the City, the City may, without further notice, draw upon the security to fulfill the required measure and to reimburse the City for any costs or expenses incurred in so doing. This shall be in addition to any other remedy provided under the authority of the Rancho Palos Verdes Municipal Code and its various development codes.

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4.0 COMPLIANCE/REPORTING FORM

The following form will be used as the principal medium for recording compliance or non-compliance with the various elements of the mitigation monitoring plan. These forms are to be completed by the responsible monitoring entity, immediately following a monitoring or enforcement action, and placed on file in the office of the Department of Environmental Services. A report reviewing the current status of all mitigation measures listed in the mitigation monitoring plan will be prepared semiannually by the Department of Environmental Services. This report will be updated semiannually until the first home is occupied.

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MONITORING REPORT

Mitigation Measure Number(s):

Description of Measures:

Observations Made in the Field or During Plan Check:

Compliance: Acceptable []
 Unacceptable []

Remedial Actions Taken or Recommended:

Environmental Coordinator

Date

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Technical Consultant

Date

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5.0 DEVELOPMENT MEASURES AND MITIGATION MEASURES NO LONGER APPLICABLE

Development Measures

The following mitigation measures found in the Final EIR are not required in order to avoid a significant impact upon the environment. They are, however, measures that the project subdivider is encouraged to implement to further minimize the impacts of this project.

27. Seed and water all inactive portions of the construction site until grass cover is grown.

28. Apply chemical stabilizers to completed cut and fill areas. This measure can reduce fugitive dust emissions from inactive portions of a project site by up to 80 percent.

29. Limit on-site vehicular traffic to no more than 15 mph during construction. This measure could reduce fugitive dust emissions from unpaved roads and areas of construction sites by up to 60 percent.

31. Maintain equipment engines in good condition and in proper tune as per manufacturers' specifications.

33. Keep all grading and construction equipment on or near the site until those phases of development are completed.

36. Use building materials that produce less dust (e.g., bricks, stones, water-based paints).

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38. Orient structures and pool areas to optimize the effectiveness of solar energy units and water heaters. This measure could encourage the use of solar water heating equipment and reduce emissions from standard electricity and natural gas-fueled heating units.
39. Provide landscaping to shade buildings and parking areas for energy efficiency. This measure would reduce the amount of energy needed to cool structures and automobiles on warm days.
40. When possible, use light-colored roofing materials and concrete as opposed to asphalt parking areas and dark roofing materials, to reflect, rather than absorb, sunlight. This measure would minimize heat gains in buildings and parking areas and lessen the overall demand for mechanical air conditioning systems.
41. Specify energy-efficient air conditioners, refrigerators, etc., when built-in units are provided.
42. Increase attic and wall insulation over the minimum standards currently required.
43. Install special sunlight-filtering window coatings or double-paned windows, to reduce thermal gain or loss.
44. Provide conveniently-located recycling centers on-site with adequate access for haulers. Recycling can reduce both solid waste and energy consumption, and as a result, decrease emissions. By reducing waste sent to landfills, increases in methane gas build-up and emissions can be slowed.

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- 57. There shall be no useable second floor balconies facing Palos Verdes Drive West in the dwelling units with direct lines-of-sight to this roadway.

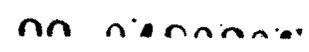
- 60. Although the project site is not located in a high fire hazard area, the Fire Department recommends the installation of fire sprinkler systems in residential structures, to reduce the potential for loss of life and property damage. The Fire Department indicates that such systems are now technically and economically feasible for residential use.

- 61. Prior to the issuance of building permits, the developer shall contact the Lomita Sheriff Station for specific recommendations for providing on-site security and safety, throughout the grading and home construction periods, and for improving site visibility and access to facilitate responses by local patrol units.

- 68. Above and beyond water conservation measures required by State law, future home builders should implement the Department of Water Resources' recommendations for interior water conservation and water reclamation, as outlined in Section 6.11 of this EIR (mitigation measure 64).

- 69. The City's Building Official shall ensure that trash compactors are included in plans for all new homes and that such compactors are installed in each new home. By compacting trash on site, larger volumes of trash can be stored and transported in the same size containers, thus reducing the number of transport trips to the BKK landfill and the Surf

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Incineration Plant, and using landfill space more efficiently by disposing of a heavier concentration of trash within the same amount of space.

70. The Director of Environmental Services shall ensure that the final site plan includes facilities for trash separation to facilitate recycling of reusable materials. Alternately, the developer shall arrange for curbside pick-up service at each homesite by the local trash pick-up company, which includes special receptacles for recyclable materials. Such an arrangement shall be verified by the Director of Environmental Services, prior to the occupancy of any new homes.

71. The subdivider shall coordinate with the Director of Public Works and the County Fire Department to create informational materials to be provided to each original home owner that includes an explanation of various mandatory and voluntary solid waste reduction and recycling techniques along with safe methods of hazardous material identification and disposal.

73. Subsequent to site grading activities all graded portions of the site shall be hydroseed with a annual rye grass. This would incrementally reduce visual impacts as well a provide a significant erosion control feature.

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Mitigation Measures No Longer Applicable

The following mitigation measures appeared in the Draft EIR for the original 93-lot tract map design. Upon evaluation of the revised 79-lot tract map, they were found to be unnecessary, as the new tract map design avoids the impacts associated with these measures, that would have resulted from the original map design.

48. Provide guzzlers or access to other water sources near the existing northerly drainage area. This would offset the loss of the small wetland areas by providing an alternate water source.

52. If on-site replacement of coastal sage scrub is determined to be infeasible or unlikely to succeed in supporting gnatcatchers, the applicant shall be required to purchase, restore, or enhance an amount of coastal sage scrub habitat for California gnatcatchers equivalent in size to the amount of territory to be lost on site (approximately 6.23 acres) for permanent preservation. This would be accomplished under the direction of the U.S. Fish and Wildlife Service.

53. In coordination with the U.S. Fish and Wildlife Service and California Department of Fish and Game, the Cities of Rancho Palos Verdes, Palos Verdes Estates, Rolling Hills, and Rolling Hills Estates, and the County of Los Angeles, will develop a Peninsula-wide species management plan for the California gnatcatcher. This plan would include: a census of gnatcatcher populations on the Peninsula during the breeding season, identification of critical habitat areas for preservation, identification of potential areas for

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gnatcatcher habitat restoration on the Peninsula, and identification of mechanisms for acquisition and preservation of critical habitat areas. It is recommended that in addition to the gnatcatcher, the plan include other sensitive species on the Peninsula, most of which have similar habitat requirements. This multi-species planning approach is preferred by federal and state agency personnel.

56. Based on representative cross-sections, construction of a solid block masonry wall of three feet in height (from road grade) along the project site's eastern boundary adjacent to Palos Verdes Drive West could be designed to achieve a reduction in on-site noise levels necessary to comply with state noise guidelines for residential land uses.

79. CC&Rs shall be prepared by the subdivider and approved by the Director of Environmental Services, which include, among other provisions, the requirement for review and approval of all individual home designs by a City appointed architectural review committee, to ensure compliance with the design policies of the Coastal Specific Plan. The C.C.&R. provisions shall also include the right of the City to charge a reasonable fee to recover the costs of this plan review effort.

80. The City will encourage split-level home design, through allowing substantial modification of rough-graded pads to allow for lowering and splitting the pads to allow for step-down foundations that enable the construction of essentially two-story homes with the visual impact of a one story home.

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81. Install only ground level street lights that incorporate hoods that ^{will} ~~would~~ eliminate the upward transmission of light on-site. This measure ^{will} ~~would~~ also reduce light and glare impacts in those areas east of the project site.

83. The Directors of Public Works and Environmental Services shall ensure, during review of project plans that include street lighting, common area and walkway lighting and any illuminated signs, that all such lighting elements conform to the lighting policies in the Coastal Specific Plan (pages U-10 and U-11).

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RESOLUTION NO. 92-25

EXHIBIT "B"

STATEMENT OF OVERRIDING CONSIDERATIONS

ENVIRONMENTAL IMPACT REPORT NO. 35
(VESTING TENTATIVE TRACT MAP NO. 46628)

The Planning Commission of the City of Rancho Palos Verdes finds that the mitigation measures discussed in the Environmental Impact Report will, when implemented, mitigate or substantially reduce all but six of the significant effects identified in the Final Environmental Impact Report. Only the environmental effects of the project on hydrology (cumulative urban runoff), air quality (short-term construction activities and long-term emissions from stationary and mobile sources), noise (short-term construction activities and long-term traffic noise on Palos Verdes Drive West) and water service (due to the current drought condition) were found to be unavoidable, even after the incorporation of all feasible mitigation measures.

The Planning Commission has balanced the benefits of the project against these effects in recommending approval of the proposed project to the City Council. In this regard, the Planning Commission of the City of Rancho Palos Verdes hereby finds that all feasible mitigation measures identified in the Final Environmental Impact Report, which are summarized in the Summary of Project Impacts and Mitigation Measures table included in the addendum of said document, have been and will be implemented with the project through the Mitigation Monitoring Program and that the six remaining significant unavoidable effects are acceptable due to the following specific benefits which outweigh the significant environmental effects and justify approval of the project as conditioned:

1. The proposed project will implement the goals of the City's Coastal Specific Plan to provide public vehicular access, via a bluff road, and parking facilities within the coastal zone. No residential lots will be located seaward of the bluff road.
2. The proposed project will implement the goals of the City's Coastal Specific Plan by providing public recreational opportunities in the coastal zone through the dedication of 12 acres of useable open space, located between the bluff road and the top of the bluff, to the City to provide for public enjoyment of the coastal environment and vistas.
3. The proposed project will implement the goals of the City's Coastal Specific Plan and Conceptual Trails Plan by providing public recreational opportunities through the dedication and/or construction of pedestrian, equestrian and bicycle trails adjacent to and within the project boundaries.

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4. Within the dedicated public open space area, 45 acres will be retained for the maintenance and enhancement of three sensitive habitat areas: coastal sage scrub (California gnatcatcher territory), coastal bluff scrub and riparian wetland.
5. The proposed project will improve and control the existing hydrologic conditions on the site by providing stable drainage facilities to control storm runoff to prevent flooding, siltation and erosion and to minimize urban runoff into the adjacent marine environment.
6. In conformance with projected housing needs of the City, and the low density single family residential zoning designation of the site in the City's General Plan, Coastal Specific Plan and Official Zoning Map, the project will provide an additional 79 dwelling units in the City.

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RESOLUTION NO. 92-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES APPROVING VESTING TENTATIVE TRACT MAP NO. 46628 FOR A RESIDENTIAL SUBDIVISION WITH 79 SINGLE FAMILY RESIDENTIAL LOTS AND 5 COMMON OPEN SPACE LOTS LOCATED AT THE NORTHWEST CORNER OF PALOS VERDES DRIVE WEST AND HAWTHORNE BOULEVARD.

WHEREAS, H.M.D.I., Inc. has requested approval of a Vesting Tentative Tract Map for the creation of ninety-three (93) single family residential lots and one (1) common open space lot on a 132 acre site located northwest of the intersection of Palos Verdes Drive West and Hawthorne Boulevard, pursuant to the Residential Planned Development provisions of the City's Development Code; and

WHEREAS, Draft and Final Environmental Impact Reports were prepared and circulated in compliance with the California Environmental Quality Act and the Planning Commission considered the information, conclusions and mitigation measures contained in these documents in making a recommendation to the City Council for approval of the proposed residential project; and

WHEREAS, after notice issued pursuant to the provisions of the City Development Code, the Planning Commission held a public hearing on the environmental review of the project applications on October 8, 1991, and held public hearing on the project on October 22, November 12, and November 26, 1991 and January 14 and February 5, 1992, at which time all interested parties were given an opportunity to be heard and present evidence; and

WHEREAS, after notice issued pursuant to the provision of the City Development Code, the City Council held a public hearing on March 3, 1992, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

Section 1: That the creation of seventy-nine (79) single family residential lots, five (5) common open space lots and related improvements, as conditioned, is consistent with the type of land use and density identified in the City's General Plan and Coastal Specific Plan.

Section 2: That the creation of seventy-nine (79) single family residential lots, as conditioned, is consistent with the City's Development Code for projects within the RS-1 zoning district under a Residential Planned Development. In addition, the deletion of fourteen (14) lots from the original submittal

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preserved 51% of the site as open space, increased the average size and dimensions of the residential lots, protected public views over the site and preserved natural habitat areas.

Section 3: That the use of the lots shall be for single family residential dwelling units, common open space and related improvements, which is compatible with the objectives, policies, programs and land use specified in the General Plan and the Urban, Natural and Socio/Cultural Overlay Control Districts, which have been established to protect existing drainage courses, natural vegetation and extreme slopes within the City.

Section 4: That the subject property is physically suitable to accommodate Vesting Tentative Tract Map No. 46628, as conditioned, in terms of design and density and will not result in substantial environmental damage based on consideration of information contained in Environmental Impact Report No. 35, implementation of mitigation measures, which have been incorporated into the conditions of this approval and compliance with the City's Development Code and General Plan.

Section 5: That the creation of the lots, single family residential dwelling units, and associated improvements will not be materially detrimental to property values, jeopardize, endanger, or otherwise constitute a menace to the surrounding area, since physical improvements, dedications and maintenance agreements are required.

Section 6: That the division and development of the property will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and or easements within the tract.

Section 7: That the discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

Section 8: That the design of the subdivision and the type of improvements associated with it are not likely to cause serious public health problems.

Section 9: That the design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

Section 10: That the vesting tentative tract map design provided for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible,

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Section 11: That the vesting tentative tract map does not propose to divide land which is subject to a contract entered into pursuant to the California Land Conservation Act of 1965.

Section 12: That dedications required by local ordinance are shown on the tentative map and/or are set forth in the conditions of approval attached hereto in Exhibit "A".

Section 13: That the City Council considered the effect of approval of the subdivision on the housing needs of the region in which the City is situated and balanced these needs against the public service needs of its residents and available fiscal and environmental resources.

Section 14: That the proposed project, as conditioned, mitigates or reduces significant adverse effects to adjacent properties or the permitted uses thereof. - The City Council finds that social, recreational and other benefits of the project outweigh any unavoidable adverse environmental impacts that may occur. Due to the overriding benefits and considerations, the City Council hereby finds that any unavoidable adverse environmental impacts of the project are acceptable. Resolution No. 92-25, including the detailed statements of overriding considerations, is made part of this resolution, by reference, pursuant to the California Environmental Quality Act.

Section 15: That all of the mitigation measures required in Environmental Impact Report No. 35 are hereby incorporated into the conditions of approval for the vesting tentative tract map.

Section 16: For the foregoing reasons, and based on information and findings contained in the public record, including all staff reports, minutes, records of proceeding and evidence presented at the public hearings, the City Council of the City of Rancho Palos Verdes hereby approves Vesting Tentative Tract Map No. 46628, subject to the conditions of approval contained in the attached Exhibit "A", which are necessary to protect the public health, safety and general welfare in the area.

PASSED, APPROVED and ADOPTED this 17th day of March, 1992.

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/S/ JOHN C. McTAGGART
MAYOR

ATTEST:

/S/ JO PURCELL
CITY CLERK
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF RANCHO PALOS VERDES)

I, Jo Purcell, City Clerk of the City of Rancho Palos Verdes, hereby certify that the above Resolution No. 92-26 was duly and regularly passed and adopted by the said City Council at a regular meeting hereof held on March 17, 1992.

CITY CLERK, CITY OF RANCHO PALOS VERDES

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RESOLUTION NO. 92-26

EXHIBIT "A"

VESTING TENTATIVE TRACT MAP NO. 46628

CONDITIONS OF APPROVAL

A. GENERAL

1. Within thirty (30) days of approval of the tentative map the developer shall submit, in writing, a statement that they have read, understand and agree to all of the conditions of approval contained in this exhibit.
2. The City's fee for processing a Final Map shall be paid within six (6) months of approval of the Vesting Tentative Tract Map by the City Council.
3. All lots shall conform to minimum development standards as specified in Resolution No. for Conditional Use Permit No. 158, Coastal Permit No. 94 and Grading No. 1439.
4. This approval expires twenty-four (24) months from the date of approval of the Vesting Tentative Tract Map by the City Council unless the Final Map has been recorded. Extensions of up to one (1) year may be granted by the Planning Commission, if requested in writing prior to expiration.
5. The developer shall supply the City with one brownline and one print of the recorded Final Map.
6. Within sixty (60) days of approval of this vesting tentative tract map by the City Council, the developer shall enter into a development agreement or other agreement with the City of Rancho Palos Verdes, which is completely satisfactory to the City. The City shall have the exclusive discretion to extend the sixty (60) day time limit and/or to relieve the developer of the obligation of complying with this condition of approval.

B. SUBDIVISION MAP ACT

1. Prior to submitting the Final Map for recording pursuant to Section 66442 of the Government Code, the developer shall obtain clearances from all affected departments and divisions, including a clearance from the City Engineer for the following items: mathematical accuracy, survey analysis, correctness of certificates and signatures, etc.

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C. COUNTY RECORDER

1. If signatures of record or title interests appear on the Final Map, the developer shall submit a preliminary guarantee. A final guarantee will be required at the time of filing of the final map with the County Recorder. If said signatures do not appear on the final map, a preliminary title report/guarantee is needed that covers the area showing all fee owners and interest holders.
2. The account for this preliminary title report guarantee referenced in Condition C1 shall remain open until the Final Map is filed with the County Recorder.

D. ARCHAEOLOGY AND PALEONTOLOGY

1. A qualified archaeologist shall be present during all rough grading operations in previously undisturbed areas to further evaluate cultural resources on the site. If archaeological resources are found, all work in the affected area shall be temporarily suspended and the resources shall be removed and donated to the City. All "finds" shall be immediately reported to the Director of Environmental Services.
2. A qualified paleontologist shall be present during all rough grading operations to further evaluate pre-historic resources on the site. If paleontological resources are found, all work in the affected area shall be temporarily suspended and the resources shall be removed and donated to the City. All "finds" shall be immediately reported to the Director of Environmental Services.

E. SEWERS

1. Approval of this subdivision of land is contingent upon the installation, dedication and use of local main line sewer and separate house laterals to serve each lot of the land division.
2. If, because of future grading, or for other reasons, it is found that the requirements of the Plumbing Code cannot be met on certain lots, no building permit will be issued for the construction of homes on such lots.
3. Sewer Easements are tentatively required, subject to review by the City Engineer, to determine the final locations and requirements.
4. Prior to construction, the developer shall obtain approval of the sewer improvement plans from the County Engineer Sewer Design and Maintenance Division.
5. Prior to approval of the Final Map, the developer shall

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submit to the Director of Environmental Services a written statement from the County Sanitation District approving the design of the tract with regard to the existing trunk line sewer. Said approval shall state all conditions of approval, if any, and shall state that the County is willing to maintain all connections to said trunk lines.

6. Prior to the recordation of the Final Map or start of work, whichever occurs first, the developer shall post a bond, cash deposit, or other City approved security to cover costs for construction of a sanitary sewer system, in an amount to be determined by the City Engineer.
7. The sewer pump station mechanical equipment (including, but not limited to, chambers and pumps) shall be enclosed in subterranean vaults and adequately baffled to minimize sound attenuation. Any above ground equipment associated with the stations (including, but not limited to, electronic controls and vents) shall be adequately screened from public view.

F. WATER

1. There shall be filed with the City Engineer a "will serve" statement from the water purveyor indicating that water service can be provided to meet the demands of the proposed development. Said statement shall be dated no more than six (6) months prior to the issuance of the building permits for the first phase of construction.
2. Prior to recordation of the Final Map or prior to commencement of work whichever occurs first, the developer must submit a labor and materials bond in addition to either:
 - a. An agreement and a faithful performance bond in the amount estimated by the City Engineer and guaranteeing the installation of the water system; or
 - b. An agreement and other evidence satisfactory to the City Engineer indicating that the developer has entered into a contract with the servicing water utility to construct the water system, as required, and has deposited with such water utility security guaranteeing payment for the installation of the water system.
3. There shall be filed with the City Engineer a statement from the water purveyor indicating that the proposed water mains and any other required facilities will be operated by the purveyor, and that, under normal operating conditions, the system will meet the needs of the developed tract.
4. At the time the final subdivision improvement plans are submitted for checking, plans and specification for the water systems facilities shall be submitted to the City

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Engineer for checking and approval, and shall comply with the City Engineer's standards. Approval for filing of the land division is contingent upon approval of plans and specifications mentioned above.

5. All lots shall be served by an adequately sized water system which shall include fire hydrants of the size and type and location as determined by the Los Angeles County Fire Department. The water mains shall be of sufficient size to accommodate the total domestic and fire flows required for the land division. Domestic flow requirements shall be determined by the City Engineer. Fire flow requirements shall be determined by the Los Angeles County Fire Department and evidence of approval by the Fire Chief is required.
6. Framing of structures shall not begin until after the Los Angeles County Fire Department has determined that there is adequate fire fighting water and access available to the said structures.

G. DRAINAGE

1. Drainage plans and necessary support documents to comply with the following requirements must be approved prior to the recordation of the Final Map or commencement of work, whichever occurs first:
 - a. Provide drainage facilities to remove the flood hazard to the satisfaction of the City Engineer and dedicate and show easements on the Final Map.
 - b. Eliminate sheet overflow and ponding or elevate the floors of the buildings, with all openings in the foundation walls to be at least twelve inches above the finished pad grade.
 - c. Provide drainage facilities to protect the lots from high velocity scouring action.
 - d. Provide for contributory drainage from adjoining properties.
 - e. Protect the existing wetlands area identified in the northeast corner of the property during a 50 year storm frequency and preserve this area during normal low-flow conditions.
2. All storm drain facilities shall be designed and constructed so as to be accepted for maintenance by the Los Angeles County Public Works Department, Flood Control Division, subject to review and approval by the City Engineer. The one exception is that the outlet structures of slant drilled drains are to be maintained by others, pursuant to

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Condition G3. The developer shall provide all necessary easements associated with the above referenced storm drain facilities.

3. All storm drain facilities shall be designed, constructed and maintained in compliance with applicable requirements of the California Clean Water Act.
4. The City shall form a maintenance district, consisting of the residential property owners within the tract, to cover the maintenance costs associated with all drainage outlet structures that carry storm water generated by, or passing through, the residential areas on the site to the ocean.
5. If it is found that the on-site swale near the southern boundary of the project site has inadequate capacity to handle upstream and project site flows during a 50 year storm, the swale shall be improved to handle these flows prior to issuance of project building permits.
6. In accordance with Section 1601 and 1602 of the California Fish and Game Code, the State Department of Fish and Game, 350 Golden Shore, Long Beach, California 90802, telephone (310) 435-7741, shall be notified prior to commencement of work within any natural drainage courses affected by this project.
7. All drainage swales and any other on-grade drainage facilities, including gunite, shall be of an earth tone color and shall be reviewed and approved by the Director of Environmental Services.
8. It shall be the responsibility of each property owner to maintain and prevent obstruction of all at-grade bench drains located on their residential lot.

H. STREETS

1. Prior to recordation of the Final Map or commencement of work, whichever occurs first, the developer shall post a bond, cash deposit, or other City approved security to cover costs for the full improvement of all proposed on-site and off-site streets and related improvements, in an amount to be determined by the Director of Public Works.
2. The proposed on-site streets shall be public and designed to the satisfaction of the Director of Public Works, pursuant to the following specifications:
 - a. "A" Street, between Hawthorne Boulevard and "B" Street, shall be 66 feet in width, from flow line to flow line. On-street parking shall be prohibited. Parkway width shall be 20 feet on each side. The total right-of-way width shall be 86 feet.

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- b. "A" Street, between "B" Street and the east side of the off-street parking area, shall be twenty-six (26) feet in width, from flow-line to flow-line. On-street parking shall be prohibited, except as provided in Condition H2c. The total right-of-way width shall be fifty (50) feet. The roadway shall be placed as far to the east side of the right-of-way as possible adjacent to the rear property lines of Lots 6 through 14 to increase the linear distance between the roadway and the top of the bluff.
 - c. An on-street public parking area shall be provided on the landward side of "A" Street between Lots 20 and 22, and between Lots 24 and 26. Each parking area shall be at the same grade as the roadway, shall contain a minimum of six (6) parking spaces and one space in each area shall be reserved for handicapped use. The design of the on-street parking area shall be reviewed and approved by the Director of Public Works.
 - d. An off-street public parking area shall be provided in the northwest portion of Lot 82, on the seaward side of "A" Street, and shall contain twenty-five (25) parking spaces.
 - e. "A" Street, between the east side of the off-street parking area and Palos Verdes Drive West shall be thirty-six (36) feet in width from flow line to flow line. On street parking shall be provided on the north side of the street. The design of the parking shall be reviewed and approved by the Director of Public Works. The total right-of-way width shall be fifty (50) feet.
 - f. Parking in the off-street lot referenced in Condition H2d and the on-street areas referenced in Conditions H2c, H2e and H4 shall be prohibited after dusk.
 - g. "B" Street, "C" Street, "D" Street and "E" Street shall be thirty-four (34) feet in width, measured from flow-line to flow-line. Parkway width shall be a minimum of eight (8) feet on each side. The total right-of-way width shall be fifty (50) feet. On-street parking shall be prohibited on that section of "C" Street between "A" Street and "B" Street and along the entire length of "D" Street.
 - h. All streets shall have a vertical type curb. The landowner may request roll type curbs, subject to the review and approval of the Director of Public Works.
 - i. Sidewalks, where required, shall be concrete, a minimum of four (4) feet wide, located four (4) foot behind the flow line.

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- j. Handicapped access ramps which conform to all standards and specifications in Title 24 of the Uniform Building Code and equestrian ramps to be reviewed by the Trails Committee shall be provided at all locations where public trails intersect with streets in or adjacent to the subject development.
 - k. Cul-de-sacs shall be designed to the specifications of the Director of Public Works.
 - l. Street and traffic signs shall be placed at all intersections and/or corners as specified by the Director of Public Works, conform to City Standards and be shown on a signage and striping plan to be attached to the street plans.
 - m. Except for the intersections of "A" Street and Palos Verdes Drive West, as required by the Director of Public Works, no street lights shall be permitted within the tract.
 - n. All proposed streets shall be designed in substantially the same alignment as shown on the approved Vesting Tentative Tract Map No. 46628.
3. The developer shall post a security, bond or cash deposit acceptable to the City in an amount to be determined by the Director of Public Works to cover the cost of re-signalizing and re-constructing, if necessary, the intersection of Hawthorne Boulevard and Palos Verdes Drive West as a four-way intersection.
 4. The developer shall construct a vehicular turn-out and parking area on the west side of Palos Verdes Drive West, just north of the intersection with Rue Beaupre, to accommodate a minimum of five (5) parking spaces. The design of the turn-out shall be reviewed and approved by the Director of Public Works.
 5. The developer shall be responsible for repairs to any City streets which may be damaged during development of the tract. Prior to issuance of grading permits, the developer shall post a bond, cash deposit or City approved security, in an amount sufficient to cover the costs to repair any damage to City streets and related structures as a result of this project.
 6. The developer shall pay traffic impact fees in an amount determined by the Director of Public Works upon the completion of all on-site public improvements, including, but not limited to streets, drainage and utility improvements.

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7. Unless already dedicated to the City, the developer shall dedicate to the City vehicular access rights to Palos Verdes Drive West. A note to this effect shall be placed on the Final Map.

I. UTILITIES

All utilities to and on the lots shall be provided underground, including cable television, telephone, electrical, gas and water. All necessary permits shall be obtained for their installation. Cable television shall connect to the nearest trunk line at the developer's expense.

J. GEOLOGY

1. Prior to recordation of the Final Map or commencement of work, whichever occurs first, a bond, cash deposit, or combination thereof, shall be posted to cover costs for any geologic hazard abatement in an amount to be determined by the City Engineer.
2. Prior to recordation of the final map or prior to commencement of work whichever occurs first, a bond, cash deposit, or other City approved security, shall be posted to cover the costs of grading in an amount to be determined by the City Engineer.

K. EASEMENTS

1. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication or other easements until after the Final Map is filed with the County Recorder, unless such easements are subordinated to the proposed grant or dedication. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the Final Map.
2. The developer shall construct a Class II, painted bike lane, within the public right-of-way along the length of the project's frontage on Palos Verdes Drive West between the north property boundary and Hawthorne Boulevard.
3. The developer shall construct a Class I, paved bike lane, within the public parkway along the length of the project's frontage on Palos Verdes Drive West between Hawthorne Boulevard and the south property boundary.
4. The developer shall construct a public pedestrian/equestrian trail, a minimum of 6 feet in width, within the public parkway along the entire length of the project's frontage on Palos Verdes Drive West.

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5. The developer shall dedicate to the City of Rancho Palos Verdes, record on the Final Map and construct a continuous eight (8) foot wide Class I bicycle trail within the parkway along the seaward side of "A" Street beginning at the north entrance on Palos Verdes Drive West and ending at the south entrance at Hawthorne Boulevard.
6. The developer shall dedicate to the City of Rancho Palos Verdes, record on the Final Map and construct a four (4) foot wide pedestrian trail within a ten (10) foot wide public pedestrian trail easement beginning at the Seascape Trail in the Lunada Point development, along the bluff top to the Interpretive Center Trail on the Interpretive Center property.
7. The developer shall dedicate to the City of Rancho Palos Verdes, record on the Final Map and construct a continuous four (4) foot wide pedestrian trail within the parkway along the seaward side of "A" Street beginning at the southwest corner of the intersection of Palos Verdes Drive West and Hawthorne Boulevard and connecting with the bluff top pedestrian trail referenced in Condition K6. The pedestrian trail shall be located on the seaward side of the bicycle trail referenced in Condition K5.
8. The developer shall dedicate to the City of Rancho Palos Verdes, record on the Final Map and construct a four (4) foot wide public pedestrian trail within a 40 foot wide access easement between Lots 19 and 20, connecting "B" Street to open space Lot 82.
9. The developer shall dedicate to the City of Rancho Palos Verdes and record on the Final Map a 40 foot wide wildlife access easement between Lots 26 and 27, connecting "A" Street and "B" Street. The developer shall fence and landscape the easement with native plant materials, subject to the review and approval of the project biologist.
10. The developer shall be responsible for the construction of all public trails specified in Conditions K2, K3, K4, K5, K6, K7 and K8 and shall provide a bond or other money surety for the construction of such public trails, in an amount to be determined by the Director of Public Works. Construction of said trails shall coincide with the project grading activity and shall be completed upon certification of rough grading. Dedication of the public trails shall occur at the time that the Final Map is recorded.
11. All easements are subject to review by the City Engineer to determine the final locations and requirements.

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L. SURVEY MONUMENTATION

1. Prior to recordation of the Final Map, a bond, cash deposit, or combination thereof, shall be posted to cover costs to establish survey monumentation, in an amount to be determined by the City Engineer.
2. Within twenty-four (24) months from the date of filing the Final Map, the developer shall set remaining required survey monuments and center line tie points and furnish the center line tie notes to the City Engineer.
3. All lot corners shall be referenced with permanent survey markers in accordance with City Municipal Code.

M. STREET NAMES AND NUMBERING

1. Any street names and house numbering plans shall be provided to the City by the developer for approval by the City Engineer.
2. The north and south portions of "A" Street shall have street names that are clearly different from each other, and may not include only a reference to direction (i.e. North "A" Street and South "A" Street).

N. PARK DEDICATION

1. At the time of recordation of the Final Map, the developer shall dedicate to the City of Rancho Palos Verdes all common open space, including Lots 80, 81, 82, 83 and 84. This parkland dedication shall be accepted by the City in lieu of payment of a park dedication fee.

O. RELATED APPLICATIONS

1. This approval is conditioned upon compliance with all conditions of approval for Conditional Use Permit No. 158, Coastal Permit No. 94, Grading Application No. 1439 and Environmental Impact Report No. 35.
2. This approval is conditioned upon compliance with all mitigation measures contained in Environmental Impact Report No. 35, which are herein incorporated as conditions of approval of this permit.

P. MITIGATION MONITORING PROGRAM

1. All costs associated with implementation of the Mitigation Monitoring Program shall be the responsibility of the developer.

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RESOLUTION NO. 92-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES UPHOLDING THE H.M.D.I., INC. APPEAL AND DENYING THE LARUE APPEAL OF CONDITIONAL USE PERMIT NO. 158, COASTAL PERMIT NO. 94 AND GRADING PERMIT NO. 1439 AND THEREBY APPROVING A RESIDENTIAL PLANNED DEVELOPMENT CONSISTING OF 79 SINGLE FAMILY RESIDENTIAL LOTS AND 5 COMMON OPEN SPACE LOTS LOCATED ON THE NORTHWEST CORNER OF PALOS VERDES DRIVE WEST AND HAWTHORNE BOULEVARD.

WHEREAS, the H.M.D.I., Inc. has requested approval of a Conditional Use Permit, Coastal Permit and Grading Permit to allow a Residential Planned Development (RPD) with ninety-three (93) single family lots and one (1) open space lot on a 132 acre site located on Palos Verdes Drive West, northwest of Hawthorne Boulevard, in the City's coastal zone (Subregion 1); and

WHEREAS, Draft and Final Environmental Impact Reports were prepared and circulated in compliance with the California Environmental Quality Act and the Planning Commission and City Council considered the information, conclusions and mitigation measures contained in these documents in their approval of the proposed residential project; and

WHEREAS, after notice issued pursuant to the provisions of the City's Development Code, the Planning Commission held a public hearing on the environmental review of the project applications on October 8, 1991, and held public hearings on the project on October 22, November 12, and November 26, 1991 and January 14, 1992, at which time all interested parties were given an opportunity to be heard and present evidence.

WHEREAS, on February 5, 1992, the Planning Commission adopted P.C. Resolution No. 92-6 approving the Conditional Use Permit, Coastal Permit and Grading Permit for seventy-nine (79) single family lots and five (5) open space lots; and

WHEREAS, on February 6, 1992, H.M.D.I., Inc. submitted an appeal of the Planning Commission's approval of the Conditional Use Permit, Coastal Permit and Grading Permit, so that the City Council could consider these applications in conjunction with the Vesting Tentative Tract Map. On February 14, 1992, Lois Larue, a city resident, submitted a second appeal of the Planning Commission's approval of the project, claiming that the project is inconsistent with the City's Coastal Specific Plan. Both appeals were filed within the required fifteen (15) day appeal period; and

WHEREAS, the City Council held a public hearing on the appeal on March 3, 1992, and all interested parties were given an opportunity to be heard and present evidence.

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NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

Section 1: Pursuant to Section 17.56.060 of the Development Code, the City Council in approving the conditional use permit, finds as follows:

A. That the subject use is consistent with the General Plan and Coastal Specific Plan which both designate the permitted land use on the site as low density single family residential, less than or equal to one dwelling unit per acre, on the gently sloping bluff top area and hazard on the steep coastal bluff faces.

B. That the subject use is specifically permitted, and the proposed residential density is consistent with the Residential Single Family, One Unit Per Acre (RS-1) zoning designation and the requirements of a Residential Planned Development (RPD) special district, as shown on the Official Zoning Map.

C. That given the adjacent land uses and the project's location and design, as modified by the Planning Commission and City Council, the 132 acre site is adequate in size and configuration to accommodate the proposed residential and open space project. In addition, the proposed project complies, or is conditioned to be consistent with, the Development Standards contained in Development Code Section 17.06.040.

D. That the site is served by Palos Verdes Drive West and Hawthorne Boulevard, which are both improved streets designed to carry the type and quantity of traffic that would be generated by the proposed project.

E. That given the site location, project design, and conditions imposed through this permit, the proposed use will not significantly adversely affect the peace, health, safety, or general welfare of the area, nor will it be materially detrimental to property values, jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and welfare of persons in the surrounding area.

F. That the proposed project, as conditioned, mitigates or reduces significant adverse effects to adjacent properties or the permitted uses thereof. The City Council finds that the social, recreational and other benefits of the project outweigh any unavoidable adverse environmental impacts that may occur. The project implements the RS-1/RPD designation of the site in the General Plan and Coastal Specific Plan, while preserving much of the site as natural and recreational open spaces, with a bluff road, public parking, trails and vista points that will provide public recreational opportunities and preserve public vistas and habitat areas. Due to the overriding benefits and considerations, the City Council finds that any unavoidable adverse environmental impacts of the project are acceptable. Resolution

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No. 92-25, including the detailed statement of overriding considerations, is made part of this resolution, by reference, pursuant to the California Environmental Quality Act.

Section 2: Pursuant to Section 17.67.060 of the Development Code, the City Council in approving the coastal permit, finds as follows:

A. That the subject use is in conformance with the Coastal Specific Plan, which designates the site as appropriate for Single Family Residential uses and that the proposed project, as conditioned by the Planning Commission and City Council, preserves the view corridors identified in the visual corridors section of the Coastal Specific Plan.

B. That the proposed project, which is located between the sea and the first public road, is in conformance with applicable public access and recreational policies of the Coastal Act, in that the proposed project includes a bluff road and will provide public parking, vista points, open space and trails along the bluff top.

Section 3: Pursuant to Section 17.50.070 of the Development Code, the City Council in approving the grading permit, finds as follows:

A. That the grading associated with the project is not excessive beyond that necessary for the permitted primary use of the property since the earthwork will be balanced on site with no export of excavated material.

B. That the grading and/or construction does not significantly adversely affect the visual relationships with, nor the views from, neighboring sites since the proposed grading will lower the pad elevations of the proposed residential lots to preserve view corridors of the ocean, Point Vicente Lighthouse and Catalina Island, as identified in the Coastal Specific Plan, when viewed from Palos Verdes Drive West, Hawthorne Boulevard and adjacent properties.

C. That the nature of the grading minimizes disturbance to the natural contours and finished contours are reasonably natural since the site was extensively graded in the past to form terraced building pads for a multi-family development in 1972 and the construction and grading for the proposed residential development and open space will create a more natural, sloping topography on the site.

Section 4: All mitigation measures required in Environmental Impact Report No. 35 are hereby incorporated into the conditions of approval for the conditional use permit, coastal permit and grading permit.

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Section 5: For the foregoing reasons, and based on information and findings contained in the public record, including staff reports, minutes, records of proceedings, and evidence presented at the public hearings, the City Council of the City of Rancho Palos Verdes hereby upholds the H.M.D.I., Inc. appeal and denies the Larue appeal, thereby approving Conditional Use Permit No. 158, Coastal Permit No. 94 and Grading Permit No. 1439 subject to the conditions of approval contained in the attached Exhibit "A" which are necessary to protect the public health, safety and general welfare in the area.

PASSED, APPROVED, and ADOPTED this 17th day of March, 1992.

/S/ JOHN C. McTAGGART
MAYOR

ATTEST:

/S/ JO PURCELL
CITY CLERK
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF RANCHO PALOS VERDES)

I, Jo Purcell, City Clerk of the City of Rancho Palos Verdes, hereby certify that the above Resolution No. 92-27 was duly and regularly passed and adopted by the said City Council at a regular meeting hereof held on March 17, 1992.

CITY CLERK, CITY OF RANCHO PALOS VERDES

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RESOLUTION NO. 92-27

EXHIBIT "A"

CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 158
COASTAL PERMIT NO. 94 AND GRADING NO. 1436
(VESTING TENTATIVE TRACT MAP NO. 46628)

DEVELOPMENT OF THE TRACT

A. DEVELOPER AGREEMENT

1. Within thirty (30) days of approval of the conditional use permit, coastal permit and grading permit, the developer shall submit, in writing, a statement that they have read understand and agree to all of the conditions of approval contained in this exhibit.
2. Approval of the conditional use permit, coastal permit and grading permit is subject to the approval of Vesting Tentative Tract Map No. 46628.
3. The developer shall participate in a proportionate share of any City Housing Element program that is in place at the time that the finished tract grading is certified. The determination of the developer's fair share shall be determined by the appropriate individual or entity, in accordance with such housing programs and with appropriate appeal rights.
4. The developer shall participate in, and pay any fees required by, the City's Public Art Program. Any proposal for participation shall be submitted to the City prior to the issuance of grading permits.
5. In compliance with Fish and Game Code Section 711.4, the developer shall submit to the City a cashier's check payable to the Los Angeles County Clerk in the amount of \$850.00 for a filing fee and a cashier's check in the amount of \$25.00 for a documentary handling fee within 48 hours of City approval of this permit. The developer shall also pay any fine imposed by the Department of Fish and Game, if required.
6. Within sixty (60) days of approval of this vesting tentative tract map by the City Council, the developer shall enter into a development agreement or other agreement with the City of Rancho Palos Verdes, which is completely satisfactory to the City. The City shall have the exclusive discretion to extend the sixty (60) day time limit and/or to relieve the developer of the duty of complying with this condition of approval.

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B. PROJECT DESIGN REVIEW

1. Prior to the issuance of grading permits, a tract site plan shall be submitted to the Director of Environmental Services for review and approval, identifying the location including drainage structures and features, building pad areas and elevations, and utility easements, as depicted on Vesting Tentative Tract Map No. 46628.
2. Prior to the issuance of grading permits, an open space plan shall be submitted to the Director of Environmental Services for review and approval, identifying the location of habitat preservation and restoration areas, public parking areas, trails and public recreational areas. Said plan shall also include detailed trail and signage standards and a description of all recreational amenities, including, but not limited to, benches, picnic tables and water fountains.
3. All residential development shall conform to the specific standards contained in this permit or, if not addressed herein, the RS-1 development standards of the Development Code shall apply.
4. Any significant changes in the development characteristics of the project, including but not limited to number of dwelling units, street and lot configuration or modifications to the finished contours, shall require that an application for a major revision to the conditional use permit be filed. The scope of the review shall be limited to the request for modification and any items reasonably related to the request, and shall be subject to approval by the Planning Commission. Before any minor changes are made to the development, the Director of Environmental Services shall report to the Planning Commission a determination of significance. The Planning Commission may call up any proposed minor change for their consideration, as they determine to be appropriate. The Planning Commission may call up any proposed minor changes for their review, as they determine to be appropriate.

C. PERMIT EXPIRATION AND COMPLETION DEADLINE

1. If finished grading and construction of the street and utilities have not been completed and accepted within two (2) years from the date of recordation of the Final Map, the conditional use permit shall expire and be of no further effect, unless, pursuant to Section 17.56.080 of the City's Development Code an extension request is filed with the Department of Environmental Services and is granted by the Planning Commission. Otherwise, a new conditional use permit must be approved prior to further development of the tract.

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D. NUMBER OF DWELLING UNITS

1. No more than seventy-nine (79) dwelling units shall be permitted.

E. CONSTRUCTION PLAN

1. Prior to the issuance of grading permits, a construction plan shall be submitted to the Director of Environmental Services for review and approval. Said plan shall include, but not limited to a phasing plan, limits of grading, estimated length of time for rough grading and construction of improvements, location of construction trailers, construction signs and equipment storage areas and the location and type of temporary utilities.
2. The use of a rock crusher on the site is prohibited.
3. The hours of operation for grading and construction activities shall be limited from Monday to Friday, 7:00 a.m. to 7:00 p.m. and Saturday, 7:00 a.m. to 5:00 p.m. No on-site maintenance of equipment or vehicles shall be permitted before or after the hours indicated. No truck queuing shall occur before 7:00 a.m. No work shall be permitted on Sundays or national holidays, unless a special construction permit is approved by the Director of Environmental Services.
4. Flagmen shall be used during all construction activities as required by the Director of Public Works.
5. Prior to the issuance of grading permits and/or building permits, a program to control and prevent dust and windblown earth problems shall be submitted to the Director of Environmental Services for review and approval. Methods may include, but shall not be limited to on-site watering and vegetative planting.
6. Noncompliance with the above construction and/or grading restrictions shall be grounds for the City to stop work immediately on the property.

F. COMPLETION PER APPROVED PLANS

1. All lots shall be rough graded concurrently in accordance with the approved grading plans and mitigation measures specified in Environmental Impact Report No. 35. All mitigation measures set forth in Environmental Impact Report No. 35 are incorporated as conditions of approval of this resolution.
2. The developer shall designate appropriate workable phases (portions of lots, their streets of access, finish grading phases,

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supporting off-site improvements and on-site drainage and utility improvements) that shall be approved by the Director of Environmental Services and the Director of Public Works.

3. Any workable phase not under construction which has been scarified through grading operations shall be irrigated and landscaped. Temporary irrigation lines may be approved by the Director of Environmental Services.
4. Prior to the issuance of grading permits, the developer shall post a bond, cash deposit, or other City approved security to guarantee substantial vegetative cover and maintenance of all finish graded lots which have not been sold for development.
5. No building permits shall be issued prior to finish grading within the workable phase of the site in which the lot is located and until the Director of Environmental Services has determined that all drainage facilities and common area and off-site improvements in the workable phase of the site as depicted in the approved construction plan in which the lot or structure is located are completed, to the extent that the lot or structure is accessible and able to support development.

G. COMMON OPEN SPACE BONDS

1. Prior to recordation of the Final Map or commencement of work, whichever occurs first, the developer shall post a bond, cash deposit, or other City approved security to ensure the completion of all common area improvements including: rough grading, landscaping, irrigation, public trails, recreational amenities, drainage facilities, and other site features as per approved plans.

H. CC&R'S

1. Prior to approval of the final map, copies of Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the Director of Environmental Services and City Attorney for review and approval. Said CC&R's shall reflect standards provided in Chapter 17.14 (Homeowners Association) of the Development Code, including those items identified herein, and any applicable conditions of Tentative Tract Map No. 46628.
2. All necessary legal agreements and documents, including homeowner's association, deed restrictions, covenants, dedication of development rights, public easements, and proposed methods of maintenance and perpetuation of drainage facilities and any other hydrological improvements shall be submitted and approved by the City Attorney and the Director of Environmental Services prior to approval of the Final

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Map. Said CC&R's shall include, but not be limited, to the following provisions:

- a. All provisions required by Section 17.14 (Homeowners' Association) of the City's Development Code.
- b. Membership in the Homeowners Association shall be inseparable from ownership in the individual lots.
- c. Identification of all materials which affect structure appearance and use restrictions, including but not limited to architectural controls, structure and roof materials, exterior finishes, walls/fences, exterior lighting, and Standards of Development of Individual Lots as contained in subsections M-V of this document (Grading, Development Plans for Construction of Individual Residences, Private Lot Open Space, Setbacks, Minimum Open Space Requirements of Individual Residences, Building Facades and Rooflines, Heights, Solar System, Lighting, and Appliances). A manual containing this information shall be provided by the developer and/or Homeowner's Association to each individual landowner upon purchase of any lot or residence.
- d. All future residential structures, accessory structures, and other improvements, excluding landscaping, shall be subject to review by the Director of Environmental Services and construction and installations of said structures and improvements shall conform to the City approved plans.
- e. Dedicate to the City the right to prohibit construction of residential structures on slopes greater than 3:1 gradient, except on 2:1 transitional slopes between split level pads.
- f. Exterior residential lighting shall be limited to the standards of the Environmental Protection Section 17.54 of the City Development Code.
- g. Lot coverage, setback, height and private open space shall comply with the requirements for each residential structure as detailed in these Conditions of Approval.
- h. Requirements for solar installations shall conform to the Development Standards of Section 17.40 and Extreme Slope restrictions of Section 17.57 of the Development Code.
- i. All landscaping (including parkway trees) shall be selected and maintained so that no trees or group of trees obstructs views from the public right-of-way or adjacent properties consistent with City Council policy regarding street trees.

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- j. No landscaping or accessory structure shall block or significantly obstruct solar access to any lot.
 - k. The outlet structures for the on-site drainage improvements shall be preserved and maintained by the City through the establishment of an assessment district comprised of the members of the Homeowners Association. A note to this effect shall be placed on the Final Map.
 - l. All owner/tenants of lots where storm water flows to the rear yard shall be responsible for preventing obstruction to flows to the rear yard storm drain and to ensure that the rear yard storm drains remain accessible for periodic maintenance by the Los Angeles County Department of Public Works.
 - m. Information detailing covenants prohibiting the developer and any successors in interest of the developer, including but not limited to, any purchaser of an individual lot in this subdivision, from contesting the formation of an assessment district referred to in Condition No. G3 of Resolution No. 92-7.
 - n. Identify the presence of all public trail easements for pedestrian and equestrian use. The CC&R's shall also prohibit structures, accessory structures, fences, walls, hedges, landscaping of any other such obstacle within said trail easements without the written approval from the City Council of the City of Rancho Palos Verdes.
 - o. Identify the presence of the City's Covenant to Maintain Property to protect views on each residential lot and describe the individual landowners responsibilities to trim and maintain foliage to protect views, as defined in the Development Code.
3. Within thirty (30) days following recordation of the CC&R's, the developer shall submit a recorded copy of the document to the Director of Environmental Services.

I. GRADING

- 1. Prior to issuance of grading permits or recordation of the Final Map, which ever occurs first, the project geologist will review and approve the final grading plans and specifications by manual signature.
- 2. Prior to issuance of grading permits or recordation of the Final Map, which ever occurs first, a final grading plan shall be approved by the City Engineer and City Geologist. This grading plan shall be based on a detailed engineering, geology and/or soils engineering report and shall specifically show all recommendations submitted by them. It

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shall also be consistent with the tentative map and conditions as approved by the City.

3. Prior to the issuance of grading permits, the project biologist shall review and approve the final grading plan for compliance with the mitigation measures required in Environmental Impact Report No. 35 in the open space lots and habitat areas on the site. Grading shall be prohibited within the identified California gnatcatcher habitat area.
4. All geologic hazards associated with this proposed development shall be eliminated or the City Geologist shall designate a Restricted Use Area on the Final Map, in which the erection of buildings or other structures shall be prohibited.
5. All natural and created slopes greater than 3:1, excluding split level pad transitional slopes, shall be designated as Restricted Use Areas on the Final Map, in which the erection of buildings and other structures shall be prohibited.
6. Prior to issuance of grading permits, a bond, cash deposit, or combination thereof, shall be posted to cover costs for any geologic hazard abatement in an amount to be determined by the City Engineer.
7. Prior to issuance of grading permits, written approval must be obtained from the owners of properties within the City for which off-site grading for trails is proposed or may result.
8. A note shall be placed on the approved grading plan that requires the Director of Environmental Services approval of rough grading prior to final clearance. The Director (or a designated staff member) shall inspect the graded sites for accuracy of pad elevations, created slope gradients, and pad size. The developer or their designee shall provide certification for all grading related matters.
9. All of the recommendations made by the City Engineer and the City Geologist during their on-going review of the project shall be incorporated into the approved grading plans.
10. Prior to issuance of a building permit, an as-graded soils and geologic report, complete with geologic map, shall be submitted to and approved by the City Geologist in conformance with accepted City practice.
11. Prior to issuance of a building permit, an as-built geological report for structures founded on bed rock and an as-built soils and compaction report for structures founded on fill and all engineered fill areas shall be submitted to and approved by the City Geologist in conformance with accepted City practice.

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12. All grading shall be monitored by a licensed engineering geologist and/or soils engineer in accordance with applicable provisions of the Municipal Code and the recommendations of the City Engineer.
13. All grading shall be balanced on-site. However, should earth, rock or other material be required to be hauled from the project site, a major revision to the grading permit, pursuant to requirements of the Development Code, shall be subject to the review and approval of the Planning Commission.
14. All graded slopes shall be "landform" graded so as to recreate a more natural appearance to the topographic contours. Slope gradients shall be natural and no abrupt changes between natural and graded slopes will be permitted.
15. All grading shall conform to Chapter 29, "Excavations, Foundations, and Retaining Walls", and Chapter 70, "Excavation and Grading of the Uniform Building Code".
16. Unless otherwise provided in these conditions of approval or permitted by the Director of Environmental Services, the project shall comply with all appropriate provisions of the City's grading ordinance (Chapter 17.50 Grading).
17. All grading activity on the site shall occur in accordance with all applicable City safety standards.
18. With the exception of the existing 1.5:1 slope adjacent to Palos Verdes Drive West, all created slopes within the tract shall not exceed 2:1, unless approved by the Director of Environmental Services.
19. All graded slopes shall be properly planted and maintained. Plants shall be selected that are drought tolerant, capable of developing deep root systems and shall generally consist of low ground cover to impede water flow on the surface. Watering for establishment of said plant material shall be done on cycles that will promote deep rooting. Watering shall be diminished or stopped just prior to and during the rainy season or upon establishment of the plant material, whichever comes first. To provide greater slope protection against scour and erosion, all graded slopes shall be covered with a jute mat to provide protection while the ground cover is being established. If appropriate, the Director of Environmental Services may approve an alternative material or method to control erosion.

K. LANDSCAPING FOR ALL COMMON AREAS

1. Prior to issuance of grading permits, the developer shall submit a **COASTAL COMMISSION** irrigation plan to the Director of Environmental Services for review and approval of all

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open space areas, habitat areas, roadway medians and public trails. Landscape and irrigation plans shall include the following:

- a. A minimum of eighty percent (80%) drought tolerant plant materials for all ornamental landscaped areas.
 - b. Landscaping within all open space areas shall be planted in such a manner so that views from adjacent properties and any public right-of-way are not affected and so that solar access to all dwelling units is protected.
 - c. All trees selected shall be of a species which reasonably could be maintained at 16 feet. Said trees shall be maintained not to exceed 16 feet in height. Proposed parkway trees shall be of a small canopy type.
 - d. The re-seeding and re-establishment of native plant species for all of the disturbed open space areas, including, but not limited to the wetlands, the northern drainage course, the wildlife corridor between Lots 26 and 27 and the California gnatcatcher habitat enhancement area.
 - e. Landscaping and irrigation plans for all rough graded surfaces on individual lots which have been scarified through grading operations.
 - f. The landscaped entries and buffer zones shall meet the standards for Intersection Visibility (Section 17.42.060) as identified in the Development Code.
 - g. Irrigation systems shall utilize drip and bubbler systems wherever possible. Controlled spray systems may be used where drip or bubbler systems are not appropriate. All sprinkler heads shall be adjusted to avoid overspray.
 - h. All high water use areas shall be irrigated separately from drought tolerant areas.
 - i. Irrigation systems shall be on automatic timers and shall be adjusted for seasonal water needs.
2. Within 30 days after Final Tract Map approval, or before sale of any individual lot, which ever occurs first, the developer shall submit to the City a Covenant to Maintain Property to protect views for each lot. All fees associated with recording said covenants shall be paid by the developer.

L. TRACT FENCING PLANS

1. A complete project plan (including public trails, habitat areas, parking signage and proposed fence and wall

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details) shall be approved by the Director of Environmental Services prior to issuance of grading permits. Said fencing plan shall incorporate the following:

- a. A 42 inch high pipe rail fence, of suitable design, placed along the length of the bluff top on the seaward side of the bluff top pedestrian trail. It shall be the responsibility of the developer to install this fencing and warning signage to coincide with the construction of the bluff top pedestrian trail.
- b. A fence around the wetlands and the California gnatcatcher habitat enhancement area on Lot 80, and wildlife corridor between Lot 26 and 27. Said fencing shall satisfy all requirements of the project biologist, incorporate a method to prevent domesticated animals from entering the habitat areas, include appropriate warning signage and shall be black or dark green in color. Temporary fencing shall be installed around the existing habitat areas prior to the issuance of grading permits and the permanent fencing shall be installed prior to the sale of any lot within adjacent workable phases.
- c. Except for the fencing specified in Condition No. L1b, a maximum three (3) foot high fence that allows 90% light and air to pass through shall be placed along the east property line adjacent to Palos Verdes Drive West.
- d. Any change to the fence design criteria shall be approved by the Director of Environmental Services.

DEVELOPMENT OF INDIVIDUAL LOTS

M. GRADING FOR CONSTRUCTION OF INDIVIDUAL RESIDENCES

1. Prior to issuance of a building permit, an independent Geology and/or Soils Engineer's report on the expansive properties of soils on all building sites shall be submitted to and approved by the City Geologist in conformance with accepted City practice. Such soils are defined by Building Code Section 2904 (b).
2. Remedial grading, consisting of over-excavation and recompaction for geologic stability which will not alter the contours shown on the approved tract grading plan shall be reviewed and approved by the Director of Environmental Services. In addition, grading up to 1,000 cubic yards for residential use of an individual lot shall be subject to review and approval by the Director of Environmental Services. Grading in excess of 1,000 cubic yards, or grading to alter the finished pad elevations shall require approval by the Planning Commission.

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3. No construction and/or grading on individual lots, except for 2:1 transitional slopes between split level pad areas on the same lot, shall be permitted on 3:1 or greater slopes.
4. All retaining walls shall be subject to review by the Director of Environmental Services with subsequent reporting to the Planning Commission, if required, for review and approval pursuant to Section 17.50 of the City Development Code.
5. Foundations and floor slabs cast on expansive soils will be designed in accordance with Los Angeles County Code Section 2907-i.

N. DEVELOPMENT PLANS FOR CONSTRUCTION OF INDIVIDUAL RESIDENCES

1. Prior to issuance of any grading or construction permits for individual lots, final improvement plans for each lot and structure shall be submitted to the Director of Environmental Services for review and approval. Said plans shall include, but are not limited to, plot plan, section and elevation drawings, grading and exterior lighting plans. The plot plan shall clearly show existing and proposed topography, all proposed structures, all easements, and setbacks. The section and elevation drawings shall clearly indicate maximum proposed height and ridge elevation for all structures, fences, walls, accessory structures, and equipment.
2. Unless otherwise specified in these conditions of approval, all structures and development on individual lots shall comply with RS-1 development standards.

O. PRIVATE OUTDOOR LIVING SPACE

1. Each residential lot shall provide a private outdoor living area in an amount not less than four hundred (400) square feet for each bedroom in the unit. This area shall be adjacent to and provide a private, usable area for each dwelling unit.

P. MINIMUM OPEN SPACE REQUIREMENTS OF INDIVIDUAL RESIDENCES

1. Maximum lot coverage, including building footprint, driveway, parking areas and other accessory structures, shall not exceed 30%.
2. In addition to the above open space requirements, the square footage of habitable space in each residence shall be limited to eight thousand (8,000) square feet.

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Q. SETBACKS

1. The minimum front yard setback shall vary from twenty-five (25) feet to thirty-five (35) feet throughout the development, as established in the attached Exhibit "B", which is hereto incorporated into this condition of approval.
2. The minimum combined side yard setback shall be thirty-five (35) feet, with a minimum of fifteen (15) feet on one side, so that no two homes are closer than thirty (30) feet to one another.
3. The minimum street side setback shall be twenty (20) feet.
4. The minimum rear yard setback shall be twenty-five (25) feet on Lots 31 to 57 and Lots 58 to 68. No accessory structures (except pools and in-ground spas) and minor equipment shall be permitted within the rear yard setback of these lots.
5. The minimum rear yard setback shall be fifty (50) feet on Lots 1 to 30 and Lots 69 to 79. No accessory structures (except pools and in-ground spas) and minor equipment shall be permitted within the rear yard setback of these lots.

R. BUILDING FACADES AND ROOFLINES

1. On those pad lots with a maximum building height of 26 feet, per Condition S1, and on all split level pad lots, no unbroken, vertical two story facades shall be allowed in order to avoid solid, unarticulated two story facades. The upper level of these structures shall be a minimum of twenty (20) percent smaller than the footprint of the structure, including the garage. On the rear and front facades of those pad lots with a maximum building height of 26 feet, and on the rear facade of all split level lots, a minimum of seventy (70) percent of the upper level elevation shall be setback from the lower level. In no case shall the upper level setback be less than six (6) feet, as measured from the building face of the lower elevation. This setback area shall be used only as a roof area or an uncovered deck or balcony.
2. The roof of the main structure on each residence shall have a pitch of at least 2 in 12 except where it is necessary to have small areas with less pitch in order to comply with Building Code criteria.
3. On lots 31 to 33, 39 to 45 and 70 to 71 which are closest to Palos Verdes Drive West, the main ridge of the structure shall be perpendicular to Palos Verdes Drive West.
4. Roofing material shall be Class A and non-combustible.

COASTAL COMMISSION
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99 0480301

S. HEIGHTS

1. Building heights for all residential structures are limited as follows:

Lots 1 - 3	26 feet
Lots 4 - 28	16 feet upslope/26 feet downslope
Lots 29 - 35	16 feet
Lots 36 - 37	16 feet upslope/26 feet downslope
Lots 38 - 39	16 feet
Lots 40 - 53	16 feet upslope/26 feet downslope
Lots 54 - 57	26 feet
Lots 58 - 68	16 feet upslope/24 feet downslope
Lots 69 - 72	16 feet
Lots 73 - 79	16 feet upslope/24 feet downslope

2. All heights shall be measured pursuant to View Preservation and Restoration Section 17.02.040 of the Rancho Palos Verdes Development Code.

T. SOLAR SYSTEM

1. All dwelling units shall be designed and constructed so that the plumbing and circulation system will allow utilization of solar energy as part of the hybrid system for providing hot water. Solar panels shall not exceed the ridgeline of the structure on which they are placed.
2. All proposed solar installation shall be reviewed by the Director of Environmental Services and for consistency with the provisions of the Development Code.

FENCING ON INDIVIDUAL LOTS

Prior to the sale of any lot within each workable phase, the developer shall install a decorative, maximum six (6) foot high fence which allows a minimum of 90% light and air to pass through along the rear property lines of Lots 31 to 79, along the south street side setback line of Lot 31 and within the rear yard setback (rear and side property lines) of Lots 1 to 30.

2. No fencing shall be permitted within the required front yard setback on all residential lots.

U. LIGHTING

1. Exterior residential lighting should be limited to the standards of Section 17.54.030 of the Development Code.

V. APPLIANCES

1. All residences shall install and maintain in proper working

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Resol. 92-27, Exhibit "A"
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99 0480301

- order an electronic garage door opener for each garage door.
2. All units shall be required to install and maintain low water use plumbing fixtures including, but not limited to, low flow toilets and shower heads.

W. TRAILS PLAN IMPLEMENTATION

1. Construction of the public trails and related signage shall be the obligation of the developer. Construction shall coincide with the project grading activity and shall be completed upon certification of rough grading. No physical obstructions shall be permitted or constructed within any trail easement which may interfere with the public's ability to use the trail for its dedicated purpose. Dedication of the public trails shall occur at the time the final map is recorded.

COASTAL COMMISSION
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RESOLUTION NO. 92-27

EXHIBIT "B"

VARIABLE FRONT YARD SETBACKS

CONDITIONAL USE PERMIT NO. 158
COASTAL PERMIT NO. 94 AND GRADING NO. 1436
(VESTING TENTATIVE TRACT MAP NO. 46628)

<u>LOT</u>	<u>MINIMUM FRONT YARD SETBACK</u>
1	35'
2	35'
3	35'
4	35'
5	35'
6	35'
7	35'
8	35'
9	30'
10	30'
11	25'
12	25'
13	25'
14	30'
15	30'
16	30'
17	35'
18	35'
19	35'
20	35'
21	35'
22	35'
23	35'
24	35'
25	35'
26	30'
27	25'
28	30'
29	35'
30	35'
31	25'
32	30'
33	35'
34	30'
35	25'
36	35'
37	35'
38	25'
39	25'
40	30'
41	25'

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PAGE 77 OF 78

LOT

MINIMUM FRONT YARD SETBACK

42	25'
43	25'
44	30'
45	35'
46	35'
47	35'
48	35'
49	30'
50	35'
51	35'
52	35'
53	30'
54	30'
55	25'
56	25'
57	30'
58	35'
59	35'
60	35'
61	35'
62	35'
63	35'
64	30'
65	25'
66	25'
67	25'
68	30'
69	35'
70	35'
71	35'
72	35'
73	25'
74	25'
75	30'
76	30'
77	35'
78	35'
79	35'

COASTAL COMMISSION
A-5-RP1-0166

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99 0480201



CULBERTSON, ADAMS & ASSOCIATES
PLANNING CONSULTANTS

October 17, 2001

California Coastal Commission
South Coast Area
200 OceanGate, Suite 1000
Long Beach, CA 90802

Attn: Ms. Melissa Stickney

Subject: Supplemental Information, Appeal No. A-5-RPV-01-066

Dear Ms. Stickney:

Recently we discussed providing additional information regarding the subject appeal. I have itemized the items as follows:

Letter of Authorization

Attached for your review is an updated letter of authorization. Please note that there is a change (in name only) of the owner. The owner is now known as "Makallon RPV Associates, LLC." As mentioned in the letter the owner was previously known as "RPV Associates, I.L.C., who's managing member was Capital Pacific Holdings.

Addition of Temporary Safety Fencing Gates for Model Site Use

Per our latest discussion, on behalf of our client, it is requested that, as a part of the review of the appeal, the Coastal Commission approve including the two existing decorative wrought iron gates located on Via Del Cielo at the model site for this project. These gates had been installed across the street at the model site primarily as a safety measure to protect pedestrians crossing the street from vehicular traffic. It has been brought to the owner's attention that while the installation of the gates and adjacent fencing was approved by the City of Rancho Palos Verdes, it had not been approved as part of a Coastal Development Permit procedure. It is therefore requested that the fencing be included as part of this appeal procedure.

Attached for your use is an exhibit showing the location of the two gates at the model site. The gates are decorative wrought iron approximately 5 feet in height. It is requested that the gates be



allowed to remain for the duration of the model site use, which is anticipated to be approximately three years.

Coastal Access Signage Program

On September 24, 2001, a draft signage program was submitted for your review. I wish to make it clear that the signage program is an element to be approved with the appeal hearing. The City of Rancho Palos Verdes has requested that several of the signs shown with the earlier submittal be changed to a more "generic" sign (see attached example). This is due to the fact that the City will be responsible for maintenance and, if necessary, the signs will be more economical to replace. The signs are typically 12" x 18" in size to be mounted on existing fencing or 4" x 4" redwood posts. A few directional signs have been eliminated from the signage program as being redundant and a distraction to the natural amenities of the site.

I expect to provide you with a City approved plan by the end of the week.

Revised Entry Plans

I mentioned earlier that there were minor changes being considered by the City of Rancho Palos Verdes to the entry exhibits included in the appeal staff report. We want to make sure the entry plans are considered in the appeal process. I expect to have a plan in your office by Friday that will be approved - or at least approved in concept - by the City.

I appreciate your assistance in this matter. Please feel free to give me a call if I can be of service.

Sincerely,

A handwritten signature in cursive script that reads "Ellis Delameter".

Ellis Delameter, Vice President
Planning and Engineering Coordination

c: Joe Fleischaker, CPH
David Neish, CAA
Kit Fox, City of Rancho Palos Verdes

Attachments:

Letter of Authorization
Model Site Safety Gate Exhibit
Identification Signage Exhibit

COASTAL COMMISSION
A-5-RAV-01-66
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PAGE 2 OF 3



October 15, 2001

CALIFORNIA COASTAL COMMISSION
South Coast District
200 Oceangate, Suite 1000
Long Beach, CA 90802-4416

Attn: Ms. Melissa Stickney

Subject: Letter of Authorization, Palos Verdes Coastal Development Permit No. 94, Revision 'A', and Appeal No. A-5-RPV-01-066

Dear Ms. Stickney:

Please accept this letter as MAKALLON RPV ASSOCIATES, LLC (formally known as RPV Associates, LLC) authorization for Ellis Delameter, Andi Culbertson and Dave Neisich of Culbertson, Adams & Associates to Act as our agents for the purpose of obtaining all necessary permits associated with our project.

Sincerely,

MAKALLON RPV ASSOCIATES, LLC (formally known as RPV ASSOCIATES, LLC) a Delaware limited liability company

By: MAKRPV, LLC, a Delaware limited liability company

By: MAKALLON, LLC, a Delaware limited liability company, its Member

By: Makar Properties, LLC, a Delaware limited liability company, its Managing Member

By: 
Clark Wardle
Executive Vice President

COASTAL COMMISSION
A-5-RPV-01-66

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PAGE 3 OF 3

Office Hospitality Golf Land Development Industrial Residential
Makar Properties, LLC
4100 MacArthur Blvd., Suite 150
Newport Beach, CA 92660



CULBERTSON, ADAMS & ASSOCIATES
PLANNING CONSULTANTS

August 28, 2001

COASTAL COMMISSION

AUG 29 2001

EXHIBIT # 15

PAGE 1 OF 5

California Coastal Commission
South Coast Area
200 Oceangate, Suite 1000
Long Beach, CA 90802

A-5-RPV-01-066

ATTN: Ms. Pamela Emerson

SUBJECT: Coastal Commission Appeal A-5-RPV-01-066, Rancho Palos Verdes

Dear Ms. Emerson:

On behalf of our client, Capital Pacific Holdings (CPH), we wish to respond to the action taken by the California Coastal Commission to find that substantial issue is raised with action taken by the City of Rancho Palos Verdes on Capital Pacific Holdings' *Oceangate* project. We have reviewed the project history with City staff and the Coastal Commission appeal staff report dated March 29, 2001, and wish to offer a response to the comments included in the report. We would like to meet with you to discuss the project revisions in more detail.

Background

Briefly, this project was originally approved in 1992 by the City of Rancho Palos Verdes with Vesting Tentative Tract Map 46628, Conditional Use Permit No. 158 and Coastal Permit No. 94. The project is for the development of 79 single family lots and 5 open space lots.

On August 17, 2000, CPH began the processing of an application to revise the project to include the construction of two entry observation booths and other main entry improvements including sign walls, wall fountains and enhanced entry pavement. Plans and applications were filed with the City as an revision to the tentative tract map, amendment to Conditional Use Permit 158 and Coastal Permit 94 (CP 94-Revision 'A'). The project was further revised through the review process and subsequently approved by the City for the construction of three interior observation booths at the entrance to 3 interior public streets and improvements to the main entries including decorative walls, community identification signage, decorative paving and wall fountains.

After final action was taken by the City Council to approve these changes, an appeal to the approval of CP 94-Revision 'A' was filed by Coastal Commissioners Sara Wan and Cecelia Estolano. William

Ms. Pam Emerson
August 28, 2001
Page 2

EXHIBIT # 15
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and Marianne Hunter, and Rowland Driskell as members of the public also appealed the approval. Aaction was taken on April 10, 2001 by the California Coastal Commission to find that a substantial issue exists with the City approval and approval process of the revision to the coastal permit. Specifically, Coastal Commission staff contends that the local action raises issues with "a) the City of Rancho Palos Verdes certified Local Coastal Program policies addressing public access and visual resources, b) the requirement of the LCP that development in the City's coastal zone requires a coastal development permit and c) the public access policies of the Coastal Act." We respectfully disagree with the staff position and offer comments as summarized below:

LCP Policies Addressing Public Access and Visual Resources

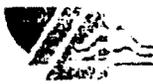
Staff Contention: The staff report states a substantial issue exists regarding the project's conformance with the public access policies of the certified LCP because, "The proposed manned tract entry observation booths would reduce access to the public streets, parking, bike path, pedestrian and equestrian trails accessed via the bluff loop road and interior public streets of the Oceanfront community."

Response: We disagree with the staff assumption that the placement of the observation booths will reduce access to the public streets, parking, bike path, pedestrian trails, and equestrian trails accessed via the bluff loop road and interior public streets.

- We believe that the design of the observation booths, as well as their locations away from the bluff loop street, does not reduce public access or discourage the public from utilizing the bluff loop road for public access.
- At the main entries to the *Oceanfront* community the public will readily note from the proposed signage that project is open to the public. This is reinforced by the proposed signage located throughout the community.
- The original project approval in 1992 by the City of Palos Verdes clearly states that the plan, which was found to be conformance with the LCP, was to require the bluff top road to be the source of public access to the coastal amenities and the interior open space lots.
- There was never an intent to require the interior streets to be used for public parking and access to the coastal resources. The conditions of approval for the project require the specific creation of 25 off-street parking spaces as well as 12 identified on-street spaces. CPH has constructed the 25 off-street parking spaces and 16 on-street spaces where the requirement was for 12. In addition, the City required parking spaces on the north side of Calle Entradero between the off-street parking lot and Palos Verdes Drive West. This provided for 16 additional 31 spaces bringing the total number to 72 public parking spaces.

↗
ADDITIONAL PARKING PROPOSED

EXHIBIT # 15
PAGE 2 OF 5
A-E-DAI-01-16



- While public access to the open space lots is important, it is also important to point out that two of the lots (Lots 80 and 83) contain identified wetlands. It has been past Coastal Commission policy to preserve wetlands and to provide a buffer to prevent intrusion by people and pets. This is also evident in that a wildlife corridor has been required between the interior open space lot and the bluff top open space lot.
- The Access Corridors section of the LCP states that “Physical separation of pedestrian, bicyclists, and automobiles within multi-use access corridors should be accomplished through physical barriers (fences, curbs/grade differences) and landscaping where possible.” While the bluff top loop road and trail system clearly demonstrates compliance with this policy, the interior streets do not. We believe encouraging the public to use the interior streets where the street and adjacent sidewalk is proposed for access, is inconsistent with this policy.

Public Access Policies of the Coastal Act

Staff Contention: The staff report states that a substantial issue exists with respect to the project's conformance with the public access policies of the Coastal Act as, “the proposed manned tract entry observation booths would reduce access to the public streets, parking, bike path, pedestrian and equestrian trails accessed via the bluff loop road and interior public streets of the Oceanfront community.”

Response: The argument is basically the same as stated above in responding to the statement that the project is not consistent with the City's Local Coastal Plan with regard to access. We make the following additional observations.

- We believe that the location of the booths combined with the signage are sufficient to inform the general public of the public access opportunities. Access to the bluff loop road is not hindered in any way. Access to the interior streets, while possible, is not necessary for the public to access the bike path, and pedestrian trails. There are no equestrian trails proposed or required.
- We also point out that Section 30210 of the Coastal Act states that recreational opportunities are to be provided for all the people with public safety needs and the need to protect public rights, **rights of private property owners, and natural resource areas from overuse** (emphasis added). We believe the project as revised complies in every respect with this section of the Coastal Act. Protecting the rights of the private property owners and the natural resources is important as stated in this section of the Coastal Act.

COASTAL COMMISSION

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Public Views/Visual Resource Policies of the Certified LCP

***Staff Contention:** The proposed manned tract entry observation booth at the entry to Calle Viento would interrupt a view corridor identified in the LCP*

Coastal Commission staff had determined that the observation booth would impact an identified visual corridor.

Response: Capital Pacific Holdings has placed 12-foot-high story poles on the Calle Viento site in order to determine any visual impacts to the view corridors identified in the LCP. The LCP identifies viewing points as being from vehicular corridors, specifically Palos Verdes Drive and from specific site or turnouts along Palos Verdes Drive. A view analysis has been conducted along Palos Verdes Drive West specifically for the Calle Viento location. Attached for your review is a site map showing where the photographs were taken, an exhibit showing each view and an enlargement of View No. 6 which is the only photograph where the story poles can be seen. This view demonstrates that the observation booth would be barely visible from Palos Verdes Drive West and therefore does not have a significant impact on the view corridor.

Local Coastal Plan Coastal Development Permit Required

***Staff Contention:** The staff report indicates that the City Planning Commission did not amend the original coastal development permit (CP No. 94) or approve a new permit for the "small sections of 6-foot-tall perimeter wall, fountains and tract identification signs." Therefore, this component of the revised Conditional Use Permit "... was denied the public and the Commission the opportunity to appeal." The City contends that their action did include these changes as part of CP 94-Revision 'A'. The staff report also indicates that the Notice of Final Decision filed by the City did not include findings and conditions of approval for the perimeter wall, fountains, and tract identification signs.*

Response: The original application for CP 94-Revision 'A' filed on September 28, 2000 included two ornamental stucco sign walls with project identification attached to each wall. There may have been confusion at the City due to the changes made during the review process and compounded when the approving action of the Planning Commission (construction of the observation booths) was appealed to the City Council. Subsequently, when the Notice of Final Decision was filed, it described only the action taken by the City Council to approve the observation booths.

- Regardless of the intentions of the City of Rancho Palos Verdes and the finding by the Coastal Commission staff, as part of this appeal it is requested that the Coastal Commission approve the sections of perimeter wall, enhanced paving and decorative fountains previously approved by the City Planning Commission. Since that time the applicant has worked with the City to modify the entry treatment landscaping and a final signage program has been prepared and is being processed with the City. Attached for your reference is a set of plans showing the

A-5-RPV-01-66



proposed entry treatment and accompanying landscaping. The landscape plan and signage program will be approved by the City within the next few days. Copies will be forwarded to you attention as soon as this occurs, to be included for consideration at the de Novo hearing.

Also, it was mentioned in the staff report that the perimeter wall may have an adverse impact to public access. We do not believe the perimeter walls have an adverse impact, particularly with the implementation of the proposed signage.

We are eager to meet with you as soon as possible to review and answer any questions you may have regarding the submitted plans. Please give me a call when you have had the opportunity to review the attachments.

Sincerely,

Ellis Delameter, Vice President
Planning and Engineering Coordination

c: Clark Wardle, CPH
Joe Fleischaker, CPH
David B. Neish, CAA

Attachments:

- 1) View Analysis Exhibits
- 2) Oceanfront Estates Entry Plans

COASTAL COMMISSION

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CULBERTSON, ADAMS & ASSOCIATES
PLANNING CONSULTANTS

September 28, 2001

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South Coast Region

OCT 1 2001

California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802

CALIFORNIA
COASTAL COMMISSION

SUBJECT: Coastal Commission Appeal A-5-RPV-01-066, Rancho Palos Verdes

Dear Ms. Emerson:

This is a follow up my letter dated August 28, 2001 regarding public parking needs for this project.

The staff report for the subject appeal under the section identified as Public Access Policies of the Certified LCP, raised a concern that public parking might not be adequate if the public is discouraged from using the interior streets for parking. The report states, "By discouraging the public from entering the interior public streets, the proposed manned tract entry observation booths would prevent the public from using parking that could be made available along the interior public streets..." This concern was also raised in the report regarding Public Access Policies of the Coastal Act, in referencing Section 30221 of the Coastal Act that, "...placement of booths at the interior public streets would adversely affect public access to, at a minimum, the interior public streets and potential support parking."

We pointed out in our letter that the City of Palos Verdes project approval in 1992 made it clear that it was never the intent to require the interior streets to be used for public parking and access to coastal resources. While we do not agree that the observation booths as planned discourage use of the interior streets for public parking or access, we believe that the public parking required on the loop street is adequate to meet current and future public needs.

In order to determine the adequacy of the public parking, a parking survey was conducted by Linscott Law and Greenspan. Attached for your review is a public parking analysis which was prepared as the result of the survey conducted in August. This report concludes on page 3 that the existing designated parking spaces are adequate to meet the public need. This does not include an additional 31 spaces which are to be provided by the applicant as required by the City of Rancho Palos Verdes. The additional spaces are shown on the exhibit I forwarded to your office on September 24, 2001.

COASTAL COMMISSION

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PAGE 1 OF 12



We would like to meet with you to discuss the project further but understand your time constraints. Please feel free to give me a call should you have any questions in this regard.

Sincerely,

CULBERTSON, ADAMS & ASSOCIATES, INC.

Ellis Delameter, Vice President
Planning and Engineering Coordination

c: Joe Fleischaker, Makar Properties
David Neish, Culbertson, Adams and Associates

Attachments:

2 ea., Linscott Law and Greenspan Report dated September 26, 2001

COASTAL COMMISSION
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ENGINEERS & PLANNERS • TRAFFIC, TRANSPORTATION, PARKING

1580 Corporate Drive, Suite 122 • Costa Mesa, California 92626
Phone: 714 641-1587 • Fax: 714 641-0139

September 26, 2001

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South Coast Region

OCT 1 2001

CALIFORNIA
COASTAL COMMISSION

Mr. Joseph K. Fleischaker II
MAKAR PROPERTIES, LLC
4100 MacArthur Boulevard, Suite 150
Newport Beach, California 92660

LLG Reference No. 2-012283-1

**SUBJECT: PUBLIC PARKING ANALYSIS FOR THE OCEANFRONT COMMUNITY,
VESTING TENTATIVE TRACT 46628
Rancho Palos Verdes, California**

Dear Mr. Fleischaker:

Linscott, Law, & Greenspan, Engineers (LLG) is pleased to submit this Public Parking Analysis for the Oceanfront Community project, located in the City Rancho Palos Verdes.

As requested, we have conducted parking surveys on two typical summer weekends to determine if the existing designated public parking spaces provided in this project are adequate to meet the current demand. Our method of analysis, findings, and conclusions are described in detail in the following sections of this report.

PROJECT LOCATION AND DESCRIPTION

The project site (Vesting Tentative Tract 46628) is generally located along the Pacific Ocean shoreline in the City of Rancho Palos Verdes, California. This residential neighborhood, which is currently developed with a few homes, is bound by Palos Verdes Drive West to the east, Calle Entradero to the north and west, and Via Vicente to the south.

This development is served entirely by public streets. Calle Entradero/Via Vicente is a loop street, which provides two access points from Palos Verdes Drive West. Observation booths are proposed at three interior street intersections with Calle Entradero/Via Vicente. The booths are proposed to be located on Paseo De La Luz, Calle Viento, and Via Del Cielo.

Exhibit 1, located at the rear of this letter report, presents a Vicinity Map that illustrates the general location of the proposed project and depicts the surrounding street system.

COASTAL COMMISSION

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PAGE 3 OF 12

Based on the Master Site Plan for the project, Vesting Tentative Tract 46628 will ultimately be developed with a total of 79 single family detached homes. Access to the project site is provided via signalized intersections along Palos Verdes Drive West at Calle Entradero and Via Vicente.

EXISTING PARKING SUPPLY

Public parking within the Rancho Palos Verdes Oceanfront project is currently provided via four separate parking areas with a total parking supply of 97 spaces.¹ The first parking area is a parking lot with a total of 25 spaces, located on Calle Entradero, west of Pasco De La Luz. The second and third parking areas are marked, parallel parking spaces, located along the east side of Calle Entradero, north of Calle Viento. These parallel parking areas provide a total parking supply of 18 spaces (i.e., 9 spaces each). The fourth parking area provides unmarked, parallel parking spaces along the north and south sides of Pacifica Del Mar. The on-street parking supply along Pacifica Del Mar is estimated to total 54 spaces.² An additional 31 marked, parallel parking spaces will be provided along Calle Entradero, between Palos Verdes Drive West and the existing 25-space parking lot.

Table 1, located at the rear of this letter report following the exhibits, summarizes the existing parking supply for the Rancho Palos Verdes Oceanfront project.

EXISTING PARKING SURVEYS

To determine the existing parking demand of the Rancho Palos Verdes Oceanfront project, parking surveys were conducted by Transportation Studies, Inc. (TSI) on two consecutive, typical summer weekends. The parking surveys, performed at half-hour intervals between 8:00 AM and 6:00 PM, were conducted on the following days:

- Saturday, August 4, 2001
- Sunday, August 5, 2001
- Saturday, August 11, 2001
- Sunday, August 12, 2001

COASTAL COMMISSION

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Please note that the parking surveys were conducted on these four summer weekend days in an attempt to capture the peak time of week and year at which the public would visit and utilize the public amenities.

Tables 2 through 5 summarize the parking count data for each count day. These tables present the number of occupied parking spaces within each parking area, as well as the corresponding percent utilization. This data is also summarized for the overall parking supply (i.e., last column).

¹ A parking inventory was conducted by LLG on August 4, 2001.

² The unmarked, parallel parking supply along Pacifica Del Mar were estimated by assuming a parking length of 22 feet per parking stall.

As shown in each of the four summary tables, the majority of visitors utilize the designated parking lot along Calle Entradero, west of Paseo De La Luz. In addition, during the four survey days, this parking lot was never fully utilized. A parking surplus within the range of 4 and 23 spaces were experienced throughout the four survey days.

Similarly, the three additional parking areas also experienced a parking surplus on each survey day. These three parking areas were either utilized by 7 or less vehicles at any time during the four count days.

Table 6 summarizes the total number of occupied parking spaces and percent utilization for each of the four count days. As shown, of the four counts days, the peak parking demand was found to occur at 6:00 PM on Sunday, August 5, 2001, with a peak parking demand of 31 vehicles (32% utilization). At this time, a parking surplus of 66 spaces remained available.

It should be noted that the vehicles parked along the internal network of streets located within Vesting Tentative Tract 46628 were also surveyed during the four weekend days. It was determined that all vehicles parked within these local streets were not visitors of the Rancho Palos Verdes Ocean Trail, but residents and/or visitors of the existing homes.

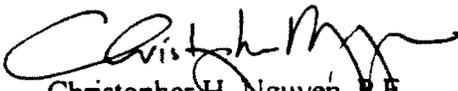
CONCLUSION

As stated earlier, our task was to determine if the total numbers of designated parking spaces, which are located along Calle Entradero, are adequate to serve the public need. Based on our survey results, the current maximum demand for public parking is 31 spaces. Therefore, the existing designated public parking supply of 43 spaces is adequate to meet current demand. With the additional 31 marked, parallel spaces (for a total of 74 spaces) to be added along Calle Entradero, between Palos Verdes Drive West and the existing 25-space lot, there would be a surplus of 43 spaces on the loop road. While additional unmarked parking spaces are available within the project, the spaces provided along the loop road could be expected to meet any future need.

* * * * *

We appreciate the opportunity to prepare this analysis. Should you have questions and/or comments, please do not hesitate to contact our office at (714) 641-1587.

Very truly yours,
LINSCOTT, LAW & GREENSPAN, ENGINEERS


Christopher H. Nguyen, P.E.
Transportation Engineer II

COASTAL COMMISSION

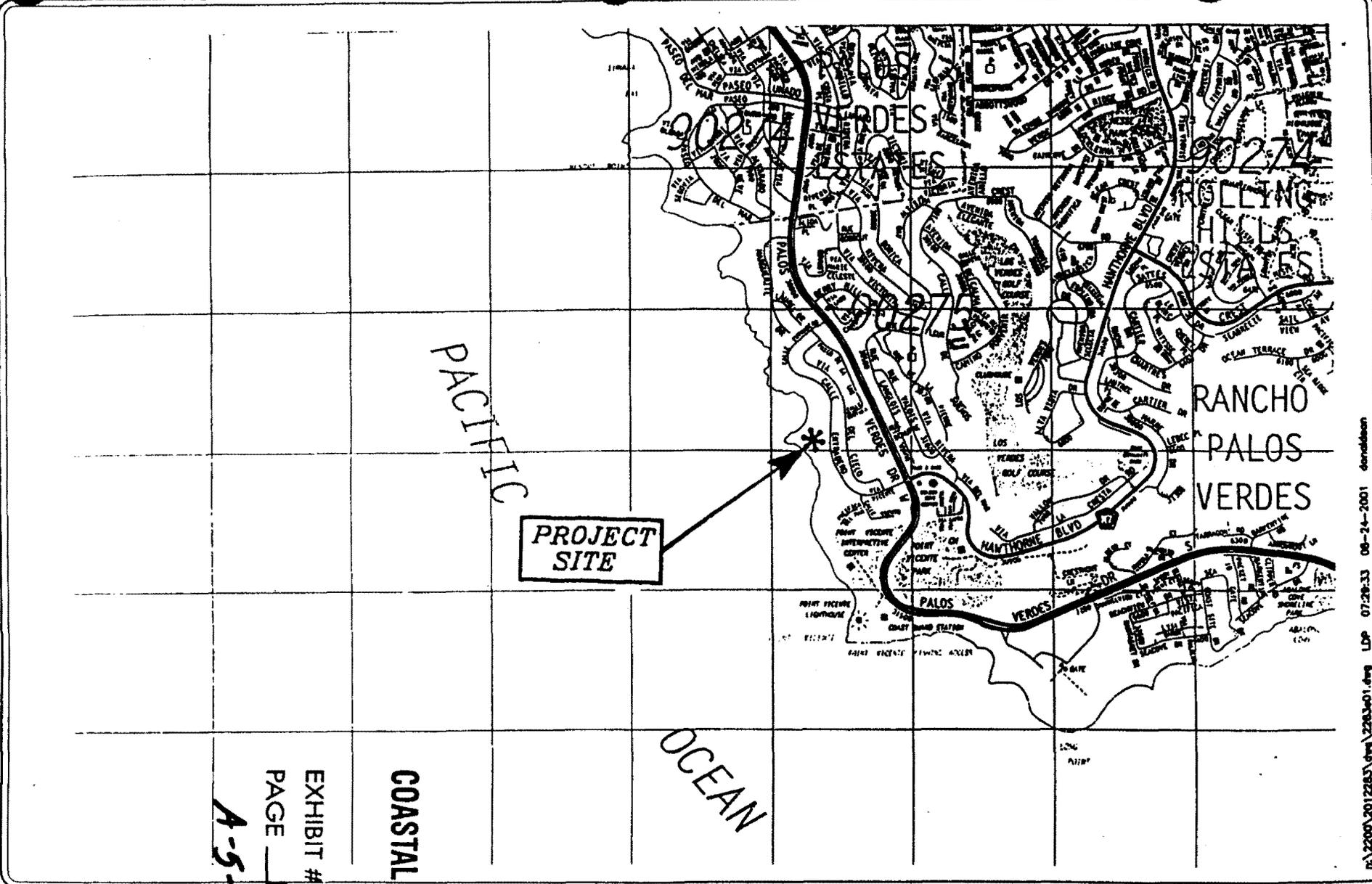
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Attachments

N:\2200\2012283\report\2283 Updated Public Parking Analysis Letter.doc



Map 10403001\Map\1582100\0000\21 07:28:33 08-24-2001 d:\admin

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COASTAL COMMISSION

 NO SCALE
 LINSOTT
 LAW &
 GREENSPAN
 ENGINEERS

EXHIBIT 1

VICINITY MAP
 TENTATIVE TRACT 46625, RANCHO PALOS VERDES

TABLE 1

**EXISTING PARKING SUPPLY FOR THE
RANCHO PALOS VERDES OCEAN TRAIL
Tentative Tract No. 46628, Rancho Palos Verdes**

Parking Area	Parking Supply		
	Standard	Handicap	Total
Parking Lot	24	1	25
Marked Parallel Spaces on Calle Entradero (northerly)	7	2	9
Marked Parallel Spaces on Calle Entradero (southerly)	8	1	9
Pacifica Del Mar On-Street	54	0	54
TOTAL OCEAN TRAILS PARKING SUPPLY	93	4	97

n:\2200\2012283\tables\2283 Table 1 Parking Supply.xls

COASTAL COMMISSION

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TABLE 2

**PARKING SURVEY DATA
SATURDAY, AUGUST 4, 2001
Tentative Tract No. 46628, Rancho Palos Verdes**

Time of Day	Observed Parked Vehicles										Surplus (+)/ Deficiency (-)
	Lot 1 [1]		Calle Entradero 1 [2]		Calle Entradero 2 [3]		Pacifica Del Mar [4]		Total		
	25 Spaces		9 Spaces		9 Spaces		54 Spaces		77 Spaces		
	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	
8:00 AM	14	56%	0	0%	0	0%	1	2%	15	15%	+82
8:30 AM	14	56%	0	0%	0	0%	1	2%	15	15%	+82
9:00 AM	15	60%	0	0%	1	11%	1	2%	17	18%	+80
9:30 AM	14	56%	1	11%	1	11%	0	0%	16	16%	+81
10:00 AM	11	44%	1	11%	0	0%	0	0%	12	12%	+85
10:30 AM	12	48%	0	0%	0	0%	1	2%	13	13%	+84
11:00 AM	11	44%	0	0%	0	0%	1	2%	12	12%	+85
11:30 AM	9	36%	0	0%	0	0%	2	4%	11	11%	+86
12:00 PM	10	40%	0	0%	0	0%	2	4%	12	12%	+85
12:30 PM	10	40%	0	0%	0	0%	2	4%	12	12%	+85
1:00 PM	7	28%	1	11%	0	0%	0	0%	8	8%	+89
1:30 PM	5	20%	0	0%	0	0%	0	0%	5	5%	+92
2:00 PM	4	16%	0	0%	0	0%	1	2%	5	5%	+92
2:30 PM	7	28%	0	0%	0	0%	1	2%	8	8%	+89
3:00 PM	6	24%	0	0%	0	0%	2	4%	8	8%	+89
3:30 PM	4	16%	0	0%	0	0%	3	6%	7	7%	+90
4:00 PM	4	16%	2	22%	0	0%	2	4%	8	8%	+89
4:30 PM	3	12%	1	11%	0	0%	3	6%	7	7%	+90
5:00 PM	5	20%	1	11%	0	0%	5	9%	11	11%	+86
5:30 PM	5	20%	0	0%	0	0%	1	2%	6	6%	+91
6:00 PM	4	16%	0	0%	0	0%	1	2%	5	5%	+92

Notes:

- [1] Parking lot along Calle Entradero, west of Paseo De La Luz
- [2] Parallel parking via curb cut out along Calle Entradero, north of Pacifica Del Mar (northerly location)
- [3] Parallel parking via curb cut out along Calle Entradero, north of Pacifica Del Mar (southerly location)
- [4] Estimated on-street parking along Pacifica Del Mar

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TABLE 3

PARKING SURVEY DATA
SUNDAY, AUGUST 5, 2001
Tentative Tract No. 46628, Rancho Palos Verdes

Time of Day	Observed Parked Vehicles										Surplus (+) Deficiency (-)
	Lot 1 [1]		Calle Entradero 1 [2]		Calle Entradero 2 [3]		Pacifica Del Mar [4]		Total		
	25 Spaces		9 Spaces		9 Spaces		54 Spaces		97 Spaces		
	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	
8:00 AM	5	20%	0	0%	0	0%	0	0%	5	5%	+92
8:30 AM	3	12%	0	0%	0	0%	0	0%	3	3%	+94
9:00 AM	5	20%	0	0%	0	0%	1	2%	6	6%	+91
9:30 AM	5	20%	0	0%	1	11%	1	2%	7	7%	+90
10:00 AM	4	16%	0	0%	2	22%	2	4%	8	8%	+89
10:30 AM	8	32%	0	0%	0	0%	0	0%	8	8%	+89
11:00 AM	12	48%	2	22%	0	0%	2	4%	16	16%	+81
11:30 AM	9	36%	2	22%	0	0%	2	4%	13	13%	+84
12:00 PM	6	24%	1	11%	0	0%	1	2%	8	8%	+89
12:30 PM	7	28%	1	11%	1	11%	1	2%	10	10%	+87
1:00 PM	5	20%	1	11%	2	22%	1	2%	9	9%	+88
1:30 PM	6	24%	1	11%	1	11%	3	6%	11	11%	+86
2:00 PM	6	24%	0	0%	0	0%	3	6%	9	9%	+88
2:30 PM	6	24%	0	0%	0	0%	1	2%	7	7%	+90
3:00 PM	3	12%	1	11%	0	0%	6	11%	10	10%	+87
3:30 PM	11	44%	2	22%	0	0%	5	9%	18	19%	+79
4:00 PM	13	52%	3	33%	0	0%	2	4%	18	19%	+79
4:30 PM	14	56%	3	33%	1	11%	3	6%	21	22%	+76
5:00 PM	17	68%	3	33%	1	11%	5	9%	26	27%	+71
5:30 PM	19	76%	4	44%	0	0%	7	13%	30	31%	+67
6:00 PM	21	84%	5	56%	0	0%	5	9%	31	32%	+66

Notes:

- [1] Parking lot along Calle Entradero, west of Paseo De La Luz
- [2] Parallel parking via curb cut out along Calle Entradero, north of Pacifica Del Mar (northerly location)
- [3] Parallel parking via curb cut out along Calle Entradero, north of Pacifica Del Mar (southerly location)
- [4] Estimated on-street parking along Pacifica Del Mar

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TABLE 4

PARKING SURVEY DATA
SATURDAY, AUGUST 11, 2001
Tentative Tract No. 46628, Rancho Palos Verdes

Time of Day	Observed Parked Vehicles										Surplus (+)/ Deficiency (-)
	Lot 1 [1]		Calle Entradero 1 [2]		Calle Entradero 2 [3]		Pacifica Del Mar [4]		Total		
	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	
8:00 AM	13	52%	0	0%	3	33%	1	2%	17	18%	+80
8:30 AM	11	44%	0	0%	2	22%	0	0%	13	13%	+84
9:00 AM	13	52%	1	11%	2	22%	1	2%	17	18%	+80
9:30 AM	11	44%	0	0%	2	22%	0	0%	13	13%	+84
10:00 AM	9	36%	1	11%	3	33%	1	2%	14	14%	+83
10:30 AM	11	44%	1	11%	3	33%	3	6%	18	19%	+79
11:00 AM	14	56%	1	11%	3	33%	3	6%	21	21%	+76
11:30 AM	7	28%	2	22%	3	33%	2	4%	14	14%	+83
12:00 PM	8	32%	0	0%	2	22%	0	0%	10	10%	+87
12:30 PM	3	12%	0	0%	2	22%	0	0%	5	5%	+92
1:00 PM	2	8%	1	11%	1	11%	1	2%	5	5%	+92
1:30 PM	6	24%	1	11%	0	0%	3	6%	10	10%	+87
2:00 PM	4	16%	1	11%	1	11%	1	2%	7	7%	+90
2:30 PM	6	24%	1	11%	0	0%	2	4%	9	9%	+88
3:00 PM	3	12%	1	11%	0	0%	1	2%	5	5%	+92
3:30 PM	8	32%	0	0%	2	22%	0	0%	10	10%	+87
4:00 PM	6	24%	1	11%	2	22%	3	6%	12	12%	+85
4:30 PM	7	28%	0	0%	0	0%	3	6%	10	10%	+87
5:00 PM	6	24%	0	0%	0	0%	2	4%	8	8%	+89
5:30 PM	9	36%	1	11%	1	11%	0	0%	11	11%	+86
6:00 PM	7	28%	1	11%	2	22%	0	0%	10	10%	+87

Notes:

- [1] Parking lot along Calle Entradero, west of Paseo De La Luz
- [2] Parallel parking via curb cut out along Calle Entradero, north of Pacifica Del Mar (northerly location)
- [3] Parallel parking via curb cut out along Calle Entradero, north of Pacifica Del Mar (southerly location)
- [4] Estimated on-street parking along Pacifica Del Mar

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TABLE 5

**PARKING SURVEY DATA
SUNDAY, AUGUST 12, 2001
Tentative Tract No. 46628, Rancho Palos Verdes**

Time of Day	Observed Parked Vehicles										Surplus (+)/ Deficiency (-)
	Lot 1 [1]		Calle Entradero 1 [2]		Calle Entradero 2 [3]		Pacifica Del Mar [4]		Total		
	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	No. of Cars Observed	Parking Utilization	
8:00 AM	7	28%	0	0%	0	0%	0	0%	7	7%	+90
8:30 AM	9	36%	0	0%	0	0%	0	0%	9	9%	+88
9:00 AM	10	40%	1	11%	0	0%	0	0%	11	11%	+86
9:30 AM	10	40%	1	11%	0	0%	1	2%	12	12%	+85
10:00 AM	8	32%	0	0%	0	0%	1	2%	9	9%	+88
10:30 AM	10	40%	0	0%	0	0%	1	2%	11	11%	+86
11:00 AM	10	40%	1	11%	0	0%	3	6%	14	14%	+83
11:30 AM	4	16%	0	0%	0	0%	0	0%	4	4%	+93
12:00 PM	9	36%	0	0%	0	0%	0	0%	9	9%	+88
12:30 PM	4	16%	0	0%	0	0%	0	0%	4	4%	+93
1:00 PM	4	16%	1	11%	0	0%	0	0%	5	5%	+92
1:30 PM	3	12%	0	0%	0	0%	0	0%	3	3%	+94
2:00 PM	6	24%	2	22%	0	0%	0	0%	8	8%	+89
2:30 PM	7	28%	2	22%	1	11%	2	4%	12	12%	+85
3:00 PM	8	32%	2	22%	2	22%	0	0%	12	12%	+85
3:30 PM	10	40%	2	22%	0	0%	1	2%	13	13%	+84
4:00 PM	4	16%	2	22%	1	11%	2	4%	9	9%	+88
4:30 PM	4	16%	2	22%	1	11%	4	7%	11	11%	+86
5:00 PM	5	20%	0	0%	2	22%	2	4%	9	9%	+88
5:30 PM	6	24%	0	0%	1	11%	3	6%	10	10%	+87
6:00 PM	5	20%	0	0%	1	11%	2	4%	8	8%	+89

Notes:

- [1] Parking lot along Calle Entradero, west of Paseo De La Luz
- [2] Parallel parking via curb cut out along Calle Entradero, north of Pacifica Del Mar (northerly location)
- [3] Parallel parking via curb cut out along Calle Entradero, north of Pacifica Del Mar (southerly location)
- [4] Estimated on-street parking along Pacifica Del Mar

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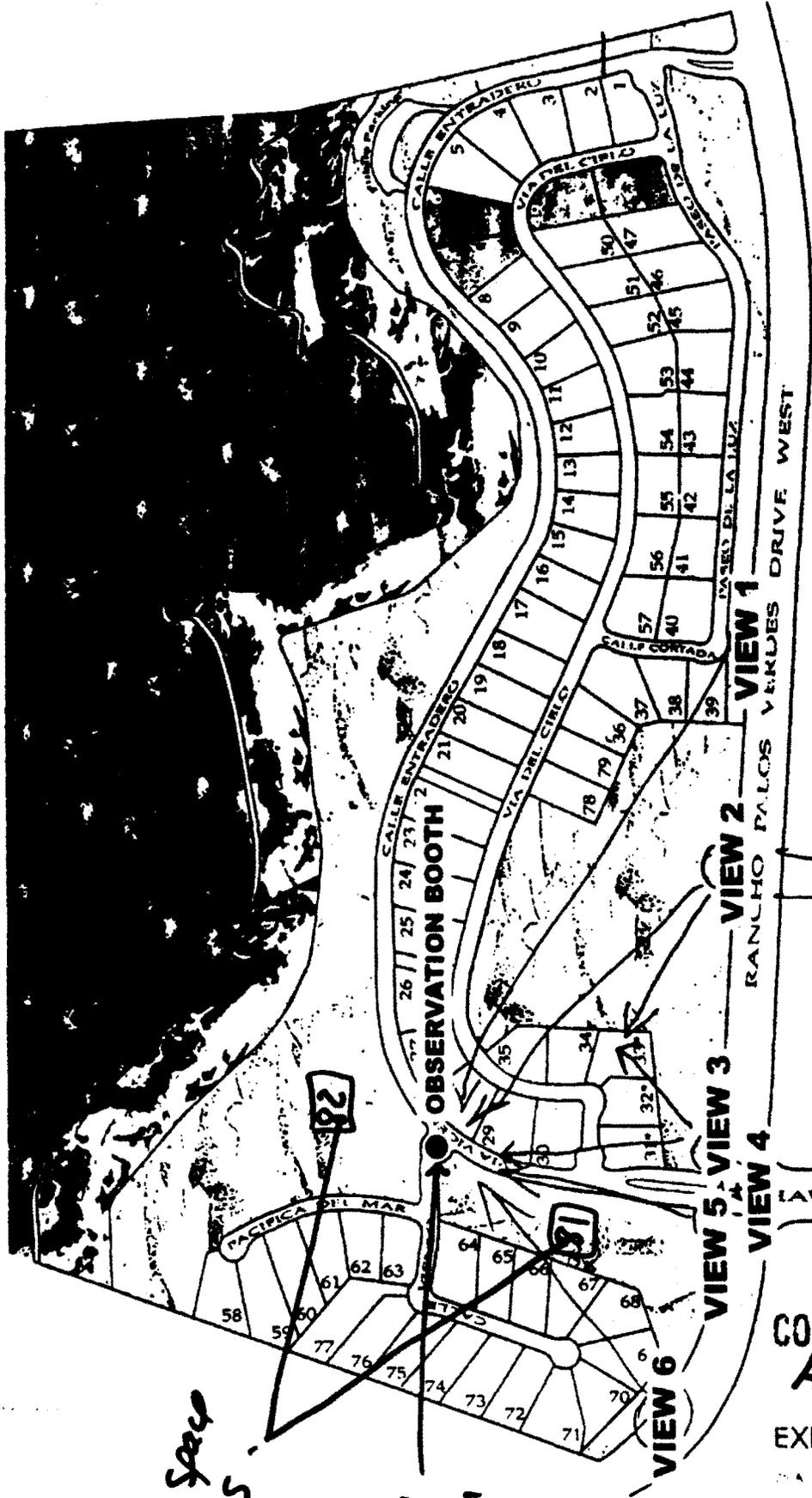
TABLE 6

PARKING SURVEY DATA
Tentative Tract No. 46628, Rancho Palos Verdes

Time of Day	Observed Parked Vehicles											
	Saturday, 8/4/01			Sunday, 8/5/01			Saturday, 8/11/01			Sunday, 8/12/01		
	No. of Cars Observed	Parking Utilization	Surplus (+)/ Deficiency (-)	No. of Cars Observed	Parking Utilization	Surplus (+)/ Deficiency (-)	No. of Cars Observed	Parking Utilization	Surplus (+)/ Deficiency (-)	No. of Cars Observed	Parking Utilization	Surplus (+)/ Deficiency (-)
8:00 AM	15	15%	+82	5	5%	+92	17	18%	+80	7	7%	+90
8:30 AM	15	15%	+82	3	3%	+94	13	13%	+84	9	9%	+88
9:00 AM	17	18%	+80	6	6%	+91	17	18%	+80	11	11%	+86
9:30 AM	16	16%	+81	7	7%	+90	13	13%	+84	12	12%	+85
10:00 AM	12	12%	+85	8	8%	+89	14	14%	+83	9	9%	+88
10:30 AM	13	13%	+84	8	8%	+89	18	19%	+79	11	11%	+86
11:00 AM	12	12%	+85	16	16%	+81	21	22%	+76	14	14%	+83
11:30 AM	11	11%	+86	13	13%	+84	14	14%	+83	4	4%	+93
12:00 PM	12	12%	+85	8	8%	+89	10	10%	+87	9	9%	+88
12:30 PM	12	12%	+85	10	10%	+87	5	5%	+92	4	4%	+93
1:00 PM	8	8%	+89	9	9%	+88	5	5%	+92	5	5%	+92
1:30 PM	5	5%	+92	11	11%	+86	10	10%	+87	3	3%	+94
2:00 PM	5	5%	+92	9	9%	+88	7	7%	+90	8	8%	+89
2:30 PM	8	8%	+89	7	7%	+90	9	9%	+88	12	12%	+85
3:00 PM	8	8%	+89	10	10%	+87	5	5%	+92	12	12%	+85
3:30 PM	7	7%	+90	18	19%	+79	10	10%	+87	13	13%	+84
4:00 PM	8	8%	+89	18	19%	+79	12	12%	+85	9	9%	+88
4:30 PM	7	7%	+90	21	22%	+76	10	10%	+87	11	11%	+86
5:00 PM	11	11%	+86	26	27%	+71	8	8%	+89	9	9%	+88
5:30 PM	6	6%	+91	30	31%	+67	11	11%	+86	10	10%	+87
6:00 PM	5	5%	+92	31	32%	+66	10	10%	+87	8	8%	+89

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* Location of these lots are subject to change

Models

LAWTHORNE BLVD

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V.V.V



VIEW 3



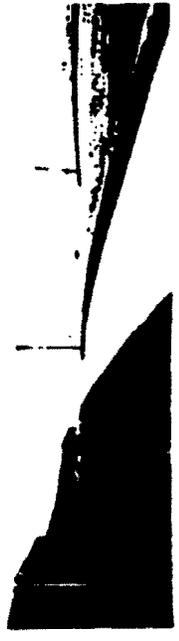
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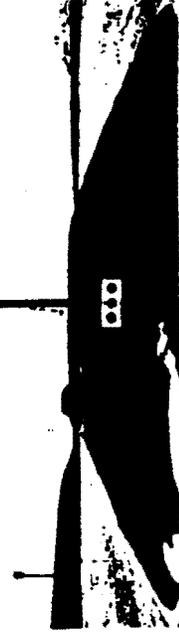
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VIEW 6



VIEW 5



VIEW 4

N



FRONT

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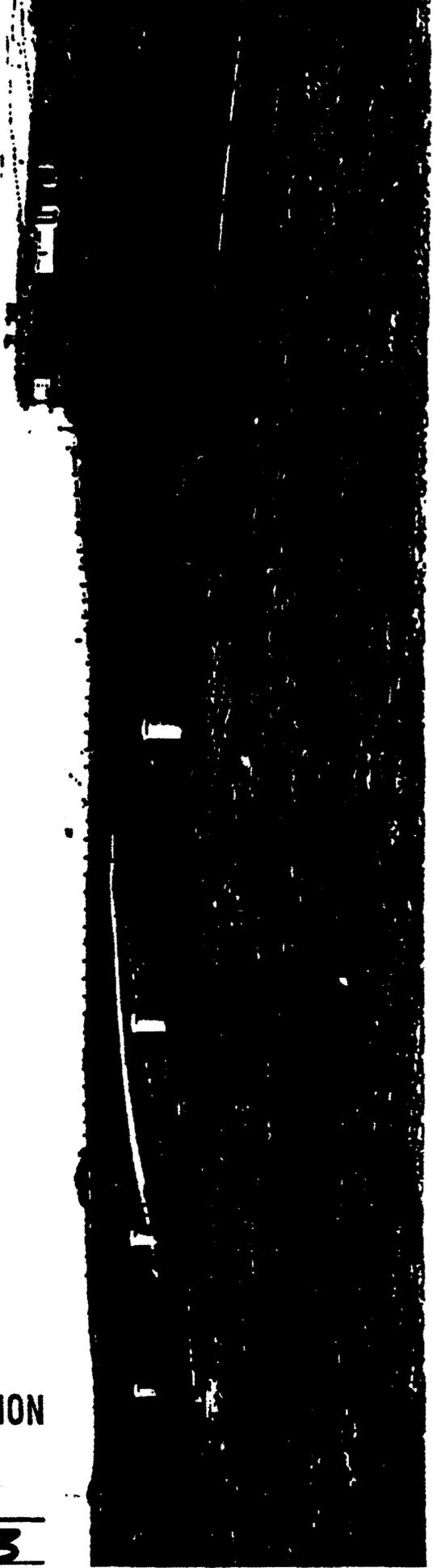
VIEW 1

VISUAL ASSESSMENT 2014

COASTAL COMMISSION

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VIEW 6

OCEANFRONT
Remote Data System

ASSESSMENT

TRANSFERRED ITS INFORMATION AND THE CITY BEGAN A FURTHER INVESTIGATION OF THE MATTER. THERE WERE NUMEROUS DISCUSSIONS AMONG THE CITY ATTORNEY, COUNTY COUNSEL, AND ATTORNEY GENERAL. THE FINAL DETERMINATION WAS THAT IN ORDER TO PROCEED THE CITY WOULD HAVE TO PURSUE RATHER COSTLY LITIGATION AND, SINCE LAND USE PLANNING WAS NOT COMPLETED FOR THE NEW CITY, THE DETERMINATION OF PRECISE ACCESS TRAILS FOR WHICH TO SUE COULD NOT BE MADE. INSTEAD, THE CITY DECIDED TO COMPLETE ITS GENERAL PLAN AND COASTAL PLAN, WHICH WOULD INCLUDE PUBLIC ACCESS TO THE COAST, AND AS DEVELOPMENT OCCURRED THE CITY WOULD REQUIRE DEDICATIONS AND/OR EASEMENTS TO IMPLEMENT THE PLANS.

ANALYSIS FACTORS

THE APPROACH IN THIS COASTAL SPECIFIC PLAN WAS TO ANALYZE ALL OF THE PREVIOUSLY USED PUBLIC ACCESSES BASED ON THREE FACTORS: (1) SAFETY, (2) POTENTIAL DEGRADATION OF THE MARINE ENVIRONMENT, AND (3) COMPATABILITY WITH FUTURE DEVELOPMENT.

(1) SAFETY

MANY OF THE PREVIOUSLY USED TRAILS DOWN THE BLUFF ARE EXTREMELY STEEP AND/OR ERODED. THE PLAN PROPOSES THAT THESE TRAILS BE RESTRICTED, IF NECESSARY, WITH A SAFETY RAILING ALONG THE BLUFF. OTHERS ARE IN AREAS WHICH MIGHT NEED TO BE TEMPORARILY RESTRICTED DUE TO POTENTIAL TSUNAMIS OR TIMES OF SIMULTANEOUS HIGH TIDE AND WAVE ACTION.

figure 20 corridors and access points

