

**CALIFORNIA COASTAL COMMISSION**

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**T 17a**

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Staff: Ryan Todaro-LB  
Staff Report: June 1, 2006  
Hearing Date: June 13-16, 2006  
Commission Action:

**STAFF REPORT: MATERIAL AMENDMENT**

**APPLICATION NO.:** A-5-RPV-02-324-A6

**APPLICANT:** Long Point Development, LLC

**PROJECT LOCATION:** 6610 Palos Verdes Dr. South, Rancho Palos Verdes (Los Angeles County)

**DESCRIPTION OF PROJECT ORIGINALLY APPROVED:**

Construction of a 582 room resort: (400 hotel rooms and 82 units consisting of 50 three-keyed "casitas", and 32 "villas", golf practice facility, club house, conference center, 4 restaurants, related commercial uses, public trails; 100 public parking spaces, open space and 784,550 cubic yards of grading on a 102.1 acre site. The proposed project includes Tentative Parcel Map No. 26073, which creates four parcels.

**DESCRIPTION OF AMENDMENT:**

Modify the site plan, including reducing the hotel building footprint, reducing the number of Villa buildings, eliminating the parking structure and reconfiguring the surface parking area, eliminating the two tennis courts, changing the golf amenity from a 3-hole practice facility to a 9-hole short game golf academy, extending a 28-foot wide (20 feet paved) fire road to the lower pool area on a graded bench below the bluff top, and modifying the Marineland Trail, ADA-Compliant Coastal Access For Disabled Trail, Resort Entry Trail and Shoreline Access Ramp.

**SUMMARY OF STAFF RECOMMENDATION:**

Commission staff recommends that the Commission approve the proposed changes. In addition, staff recommends a new condition to clarify the applicant's responsibility to maintain public access to the beach and bluff-edge trails during construction, consistent with public safety. Staff recommends no changes in the scope and intent of the special conditions that the Commission imposed in its previous actions, including requirements that the trails, beach, restaurants, spa, and golf facilities be open to the public remains in effect. However, many of the currently imposed special conditions refer to the reduced, marked up aerial photographs and renderings that the Commission reviewed when it approved the project in 2003. Subsequent to the approval, the Commission has approved changes to the site plan (amendment A2). With that amendment, and with this further amendment to the site

plan, references to the 2003 site plans found in the special conditions need to be updated to refer, when possible, to the detailed, accurate, and modified plans that the applicant has submitted. The proposed modified special conditions are found in Appendix A. Deletions are indicated in ~~strike through~~; insertions are indicated in **bold underline**.

Description of Amendment 1 withdrawn June 21, 2005 (A-5-RPV-02-324-A1):

Authorize the conversion of 70 units (106 hotel guestrooms) in a 582-room resort hotel to limited-occupancy resort condominiums, which will be operated by the hotel.

Description of Amendment 2 approved September 27, 2005 (A-5-RPV-02-324-A2):

Modifications to the project site plan including a reduction of the hotel building footprint and relocation of the specialty restaurant and adjustment of the boundary of the bluff top "Habitat Enhancement Area," Zone B, an "80 foot wide Coastal Bluff Scrub and Coastal Sage Scrub Zone" adjacent to the top of the bluff. The applicant proposed to provide a narrower buffer adjacent to a public parking lot at the northwest corner of the property, and adjacent to an emergency access road. The applicant proposed to balance these reductions in width by increasing the width of Zone B in areas adjacent to these modified areas to up to 150 feet. The applicant also proposed to widen an existing drainage in the southeast corner of the property in order to protect existing willows.

Description of Amendment 3 Approved August 9, 2005 (A-5-RPV-02-324-A3):

Authorize the conversion of 82 units (50 three-keyed "casitas" and 32 "villas") into 82 separate condominiums (with a total of 182 rentable spaces), enabling each of the 82 units to be sold as an independently owned condominium, which would be operated by the hotel as limited occupancy resort condominiums.

Description of Amendment 4 Approved November 17, 2005 (A-5-RPV-02-324-A4):

Request to amend A-5-RPV-02-324 in order to provide funding to partially offset the Commission's costs for its consideration of the permit application and condition compliance. This funding will provide additional temporary personnel so that a team of permanent Commission staff can expedite the review of documents prior to issuance of documents for Appeal A-5 RPV-02-324.

Description of Amendment 5 Approved May 2006 (A-5-RPV-02-324-A5):

Conversion of 70 units (106 hotel guestrooms) in a 582-room resort hotel to limited-occupancy resort condominiums, which will be operated by the hotel. Conversion will include 66 guestrooms located in the main hotel building, and 40 guestrooms located in twenty two-guestroom "bungalows." After conversion, the 70 units will continue to provide 106 rentable units (guestrooms). The hotel now provides 182 guestrooms within 82 for-sale units and 400 hotel-owned guestrooms. After the conversion, the hotel developer will continue to own 294 guestrooms.

**SUBSTANTIVE FILE DOCUMENTS:**

1. City of Rancho Palos Verdes, Certified Local Coastal Program, 1981
2. City of Rancho Palos Verdes, Coastal Development Permit No. 166.  
(Appealed)  
City of Rancho Palos Verdes, Grading Permit No. 2229
3. City of Rancho Palos Verdes, Variance No. 489
4. City of Rancho Palos Verdes, Conditional Use Permit # 21, Revisions A, B and C, September 2004 through October, 2005
5. City of Rancho Palos Verdes, Tentative Parcel Map No. 26073, as amended October, 2005 to permit four parcels and 152 condominium units  
Coastal Development Permit A-5-RPV-02-324
6. Revision 'D' to Conditional Use Permit #215 Staff Report, City of Rancho Palos Verdes
7. "Declaration of Restrictions," Draft Agreement between the City of Rancho Palos Verdes and the Applicant regarding the Management and Operation of the individually owned units
8. Declaration of Restrictions agreement A5-RPV-02-324-A3
9. Coastal Development Permit No. A-5-RPV-91-46 (York Assoc.)
10. Coastal Development Permit No. 5-96-282 (Seaview Development, Hermosa Beach);
11. Newport Coast Certified Local Coastal Program

**LOCAL APPROVALS RECEIVED:**

Approval in Concept from the City of Rancho Palos Verdes City Council dated October 4, 2005 (Revision C to Conditional Use Permit No. 215) and March 21, 2006 (Revision D to Conditional Use Permit No. 215)

**EXHIBITS:**

1. Vicinity Map
2. Site Plan Modifications
3. Tentative Parcel Map 26073
4. Public Access/Trails Amenities Plan
5. ADA-Compliant Coastal Access Trail

6. Landscape Improvement Plan
7. Exhibits 3 & 4 from CDP No. A-5-RPV-02-324 Staff Report, 2003

**PROCEDURAL NOTE:**

The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

The amendment request involves modifications to the site plan. The subject application is being forwarded to the Commission because the Executive Director has determined that the proposed amendment is a material change and affects conditions required for the purposes of protecting coastal resources or coastal access.

Section 13166 of the Commission Regulations also calls for the Executive Director to reject a permit amendment request if it would lessen the intent of the previously approved permit.

The proposed amendment to modify the site plan, including reducing the hotel building footprint, reducing the number of Villa buildings, eliminating the parking structure and reconfiguring the surface parking area, eliminating the two tennis courts, changing the golf amenity from a 3-hole practice facility to a 9-hole short game golf academy, extending a 28-foot wide (20 feet paved) fire road to the lower pool area on a graded bench below the bluff top, and modifying the Marineland Trail, ADA-Compliant Coastal Access For Disabled Trail, Resort Entry Trail and Shoreline Access Ramp, would not lessen the intended effect of A-5-RPV-02-324 because the proposed changes maintain the proposed uses, public trails, other public amenities, and habitat protection envisioned in the Commission's 2003 action approving the project with conditions. Therefore, the Executive Director accepted the amendment request.

**STANDARD OF REVIEW:**

The standard of review of a permit issued by the Commission on appeal is the certified LCP, and, when it is located between the sea and the first public road paralleling the sea, the access and recreation policies of the Coastal Act.

**STAFF RECOMMENDATION:**

Staff recommends that the Commission **APPROVE** the permit amendment application with special conditions.

**MOTION:**

***I move that the Commission approve permit amendment CDP #A-5-RPV-02-324-A6 pursuant to the staff recommendation.***

Staff recommends a **YES** vote. This will result in approval of the permit amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION:**

**I. APPROVAL WITH CONDITIONS**

The Commission hereby approves a coastal development permit amendment for the proposed development and adopts the findings set forth below on grounds that the development as conditioned, located between the first public road and the sea, will be in conformity with the certified LCP and the public access and recreation policies of the Coastal Act. Approval of the permit amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

**II. SPECIAL CONDITIONS**

The approval of this amendment does not modify the Special Conditions except those listed below. The full text of all conditions with proposed changes listed in a strike through and underline format can be found in Appendix A of this staff report.

**1. MODIFY SPECIAL CONDITION 1, DETAILED REVISED/FINAL PLANS, IN THE FOLLOWING WAY. (Changes indicated in ~~strike through~~ and underline)**

**A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit, for the review and approval of the Executive Director, revised, detailed final plans for all development approved in this permit. The revised plans shall have been approved by the City of

Rancho Palos Verdes, and shall conform to the requirements of the special conditions of this permit and indicate the final scale, location and elevation of all development. The plans shall include all development **approved through this permit**, including **parcel maps**, grading, staging, signage, structures, open space, parks, drainage facilities, landscaping, habitat restoration, trails and trail corridors (including their widths) and roads, and shall be consistent with the following criteria:

- 1) Bluff face protection. No development, with the exception of the following, and grading necessary for the approved trails and drainage facilities, shall occur seaward of the Coastal Setback Line established in the certified Local Coastal Program (CSL).
  - (a) Revegetation/habitat enhancement consistent with the requirements of Special Conditions 7 and 8 below;
  - (b) Grading necessary for the ADA accessible public trail to the beach and Shoreline Access Ramp 1. Prior to the issuance of the coastal development permit, the City of Rancho Palos Verdes shall certify that both the "ADA Accessible Trail" and the connecting trail, to the beach level, Shoreline Access Ramp 1, comply with California Disability Accessibility Guidelines and/or the California Department of Parks and Recreation "Proposed Guidelines for Developed Outdoor Recreation Areas, Regulatory Negotiation Committee Report".
  - (c) Construction of a hotel pool, public restroom, public snack bar and a public viewing deck **and picnic area** on an existing graded bench area on the eastern bluff face, **also known as the Lower Pool Facility**, consistent with project plans submitted **with amendment application A-5-RPV-02-324-A2 and as shown on** ~~by the applicant dated July 15, 2002~~ **Tentative Parcel Map No. 26073, Sheet 1, dated May, 24, 2006.**
  - (d) Construction of public trails and bike ways found in the Long Point Resort New Public Trails Plan shown in Exhibit 3 **of the Commission's June, 2003 approval staff report** and **on Tentative Parcel Map No. 26073, Sheet 1, dated May 24, 2006.**
  - (e) Installation of storm water conduits and Outfalls "B" and "C" shown on the S.U.S.M.P. Site Plan dated May 15, 2003;
  - (f) Removal of broken storm water drains identified for abandonment in "S.U.S.M.P." plan dated May 15, 2003; and

- (g) Installation of the fence delineating areas where no grading is permitted to take place, consistent with Special Condition 5A below.
- 2) Pursuant to this requirement:
- (a) The applicant shall eliminate all golf putting greens that are located seaward of the Coastal Setback Line.
  - (b) The applicant shall eliminate all grading for the hotel patio seaward of the Coastal Setback Line.
  - (c) The filter ("Stormfilter Unit 1") for Drainage "C", relocated inland of the Coastal Setback Line, shall be designed and built so as not to be visible from the beach or public trails.
  - (d) Drainage line "B" shown on the face of the bluff shall be installed by drilling so that no pipes are visible from the beach. Outfall "B" shall be relocated west of the location proposed ~~location~~ in 2002, as needed, in order to insure that the line can be drilled through competent bedrock material.
  - (e) Drainage line "C" shall be installed by trenching to the beach, with vertical shoring used on the sidewalls to minimize disturbance.
  - (f) Beach level dissipaters and outlets shall be constructed using native stone and/or concrete colored to blend in with adjacent rock.
- 3) Bluff Edge and Coastal Setback Line (CSL). All final grading plans shall delineate the Coastal Setback Line as designated in the certified LCP and the upper edge of the bluff defined consistent with the California Code of Regulations Section 13577(h).
- 4) Grading plans. Final grading plans shall be at a scale no less than 1:1200 (one inch to 100 feet). The grading plan shall include all trails, roads and final pads and shall conform to Condition 1A above.
- 5) View Corridors and Height. The plans shall show the pad elevations, building envelopes and elevations of all structures. In order to protect public automobile and pedestrian views from Palos Verdes Drive South, and pedestrian views from public trails to and along the bluffs and from beaches, the heights and view corridor dimensions shall be consistent with all view corridor and height requirements imposed by the City of Rancho Palos Verdes in its August 28, 2002

action on the Conditional Use Permit No. 215 and Coastal Development Permit No. 166.

- 6) Trails, Parks, and Streets. The plans shall show trails, parks, and streets consistent with specifications in Special Conditions 2A, B and D.

B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. **MODIFY SPECIAL CONDITION 2, PUBLIC ACCESS AND RECREATION/EASEMENT OFFERS, IN THE FOLLOWING WAY.**  
**(Changes indicated in strike-through and underline)**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record document(s) in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director an easement for public access and passive recreational **use** over (i) the approved public trails and trail corridors and park areas generally described by the applicant in Page 5 of the Public Benefits Summary dated December 24, 2002 and the Site Grading Plan dated March 17, 2003 and **as more specifically shown on Tentative Parcel Map No. 26073, Sheet 1, dated May 24, 2006 and** (ii) the roads and parking lots described in Section D of this condition. The areas **that must be covered by the easement** to be offered are listed below in Sections A, B and D of this condition and shown on **Exhibits 3 and 4 Tentative Parcel Map No. 26073, dated May 24, 2006.** Passive **recreational** use includes, but is not limited to, picnicking, viewing, sitting and hiking, but does not include organized sports. The easements shall include the right of the accepting agency to enter the easement areas and repair the trails or park or amenities associated therewith in the event the applicant/owner fails to maintain or repair those facilities as determined by the Executive Director and/or the accepting agency **subject to the limitation set forth in Section E.1(b), below.**

The recorded document(s) shall include legal descriptions and graphic depictions of both the permittee's entire parcel(s) and the easement areas. The recorded document(s) shall also reflect that development in the offered area is restricted as set forth in the **Section E of this** Special Conditions of ~~this permit~~. The offer shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State



of California. The offer shall be binding on all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording **recordation of the offer**.

A. Public Trails:

- (1) Long Point Bluff Top Trail: A 4-foot wide trail in a 10-foot wide corridor, extending from the northwestern corner of the site, adjacent to the Point Vicente Fishing Access, running parallel to the bluff edge and stopping at the southern tip of the ADA Compliant Trail and at the beginning of the existing shoreline access ramp that continues down to the beach.
- (2) Long Point Bluff Top Trail, Vanderlip Link: An ADA compliant, 6-foot wide trail in a 10-foot wide corridor that continues from the top of the ADA Compliant Trail described below in (54), running seaward of the Eastern Casitas, along the top of the bluff and connecting to the off-site Vanderlip Trail.
- (3) ~~Marineland Trail: A mixed bicycle and pedestrian 10-foot wide trail in a 16-foot wide corridor, extending from the northwestern corner of the site, adjacent to the Point Vicente Fishing Access, running east, parallel and adjacent to Palos Verdes Drive South and terminating at the western edge of the resort's main entrance at the northeastern corner of the site.~~
- (3) Flowerfield trail: A 4-foot wide trail in a 10-foot wide corridor, extending from the northern end of the Resort Entry Trail, running east to the eastern edge of the property and continuing south and terminating on the southeast corner bluff top and connecting to the off-site Vanderlip Trail that continues down coast. This trail also connects to the Long Point Bluff Top Trail.
- (4) ADA-Compliant Coastal Access For Disabled: An ADA compliant **10-foot wide trail located within a 28-foot wide paved fire department designated access road, extending south from the resort parking area, transitioning to a 6-foot wide trail in a within a 100-foot wide** corridor (area on bluff face identified for grading proposed switchbacks) and then continuing over and as part of the 20-foot wide emergency access road and running seaward, adjacent to the lower pool facility and **terminates terminating** at the eastern shoreline access ramp, Shoreline Access Ramp 1.
- (5) Resort Entry Trail: A ~~mixed bicycle and pedestrian 10~~ **6-foot wide** trail in a 16-foot wide corridor, extending from Palos Verdes Drive

South, running seaward along **either** the eastern **or western** edge of the resort entry road **shown on Tentative Parcel Map No. 26073, dated May 24, 2006**, terminating at the hotel.

- (6) Resort Entry Bike Trail: **Two 6-foot wide Class II bike lanes extending from Palos Verdes Drive South, running seaward along the eastern and western edges of the resort entry road shown on Tentative Parcel Map No. 26073, dated May 24, 2006, terminating at the hotel.**
- (7) Shoreline Access Ramp 1: An ADA compliant, 4 **6-foot wide** ADA access way in a 10-foot wide corridor **transitioning to a 100-foot wide corridor identified for grading switchbacks** located at the southern tip of the ADA accessible trail described in (54) above and connecting the ADA accessible trail to the beach level at the southeastern corner of the project site.
- (8) Shoreline Access Ramp 2: A **two 2-foot wide** access way in a 10-foot wide corridor that provides shoreline access, connecting the Long Point Bluff-Top Trail to the beach at the southern tip of the property.

B. Parks:

- (1) Public Bluff Top Park: 2.2 Acre Park at the bluff edge adjacent to the Point Vicente Fishing Access in the northwestern portion of the site **as shown on Exhibit #4 of the Commission's June 2003 approval staff report.**
- (2) Beach: All areas owned by the applicant located between the beach level property line (mean high tide) and a line drawn approximately at the toe of the bluff.

C. The easement for public access and passive recreation required to be offered pursuant to this Special Condition over the areas listed in sections 2A and 2B shall be subject to the limitation that it not provide for such access or recreation in those areas during the period between one hour after sundown each day and one after before dawn the next day. **However, the permittee shall not interfere with the public's right of access over those areas during their hours of operation (from one hour before dawn to one hour after sundown).**

D. Public streets and parking areas

- (1) The revised plans required by Special Condition 1 shall delineate all streets and parking areas of the project, including but not limited to, the following:
  - (a) The 50-car parking lot adjacent to the Point Vicente fishing access.
  - (b) The eastern parking lot in its entirety.
- (2) Streets, Roads and Public Parking Areas shall be provided as described on ~~Tentative Parcel Map 26073, dated May, 2002~~ **shown on Tentative Parcel Map No. 26073, dated May 24, 2006, shall include the 1,075 parking spaces shown on the** Long Point Parking Study Plan dated July 11, 2002 and shall be for public street purposes including, but not limited to, pedestrian, bicycle and vehicular access. **The easement shall specify that all streets and roads shall be open for use by the general public 24 hours per day. The public parking lots in section D1 of this special condition may be closed from one hour after sundown to one hour before sunrise each day.**

~~E. Parking shall be provided as described in the applicant's Parking Study Plan dated July 11, 2002 and the applicant's submittal dated March 25, 2003. The easement shall specify that all streets and roads shall be open for use by the general public 24 hours per day.~~

~~F. Final design and Construction. The applicant shall construct the trails and park consistent with the specifications of this permit and of the City of Rancho Palos Verdes. If the requirements of the City conflict with the requirements of this permit, the conditions of this permit shall prevail.~~

- ~~(1) Consultation during design of the ADA accessible trail and Shoreline Access Ramp 1. Prior to providing final designs of the ADA accessible trails, the applicant shall consult with the California Department of Parks and Recreation and local mobility and disabled rights advocate groups to assure that the trail will be usable by members of such groups. If there is any disagreement between the permittee and the City of Rancho Palos Verdes concerning the appropriate design of the trail, the Executive Director shall resolve the dispute consistent with the need for public safety, the protection of resources, the provision of maximum access and the feasibility of any alternative.~~
- ~~(2) Before occupancy of the hotel or restaurant and before opening the three-hole golf facility and driving range for play, the Executive Director shall certify in writing that the trails and park are complete, open and have been accepted by the City of Rancho~~

~~Palos Verdes or other public or private nonprofit agency that is able to operate the trails consistent with this permit.~~

- ~~(3) Fencing plan. Prior to issuance of a coastal development permit, the applicant shall prepare a fencing plan consistent with the public access policies of this permit for the review and approval of the Executive Director. With the exception of pool fences, fences shall be open appearing and no more than 42 inches high. Fencing shall be constructed of materials that allow views through them (such as glass panels or wrought iron). Use of fencing shall be minimized and shall be employed only for public safety and to protect habitat areas from disturbance.~~

GE. Development Restrictions:

(1) Public Trails and Bikeways

- ~~(a) The permittee shall not interfere with the public's right of access over the public trails or bikeways identified in Special Condition 2A, above, during their hours of operation (from one hour before dawn to one hour after sundown). The permittee may close the bluff edge and bluff face trails and prohibit access to these areas from one hour after sundown to one hour before dawn.~~

~~(b) No development, as defined in Section 30106 of the Coastal Act, shall occur within the access corridors identified above in Section A of this condition and as described and depicted in an exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit except for the following development:~~

- (a) Grading and construction necessary to construct, **install** and maintain, the trails, bikeways **public seating areas, habitat restoration, signs, interpretive facilities, benches, safety fencing, emergency fire roads, and drainage systems and devices and utilities** other development approved by this permit in accordance with and **as** identified in **the** construction, grading, landscaping and public amenity plans approved by the Executive Director as consistent with Special Conditions 1, **2, 3 and 7** of this permit.
- (b) Maintenance and repair of development authorized by this permit **referenced above in subsection (a)** that the Executive Director determines does not include significant grading or landform alteration.

- (c) ~~Maintenance of public access and recreation facilities and appurtenances (e.g. signs, interpretive facilities, benches, safety fencing),~~ **vegetation planting and removal of vegetation consistent with the final landscape plan approved by the Executive Director as consistent with Special Conditions 7C and 8 of this permit.**
- (d) **Construction of** underground utilities, drainage devices, and erosion control and repair consistent with **final plans reviewed and approved by the Executive Director as consistent with** the Long Point Site Grading Plan, dated March 17, 2003 **as consistent with Special Conditions 1, 19 and 20 of this permit, shown on Tentative Parcel Map No. 26073, dated May 24, 2006. Underground utilities, drainage devices, and erosion control systems and devices, and repair and maintenance of the same, shall not diminish** provided that development that diminishes public access through any identified corridor. shall be prohibited. The lands for public trails and bikeways, as depicted on final plans approved by the Executive Director but generally depicted on Long Point Resort, Public Benefits Summary, dated December 24, 2002.

(2) Public Park Areas

- (e) ~~The permittee shall not interfere with the public's right of access over the park areas identified in Special Condition 2B, above, during their hours of operation (from one hour before dawn to one hour after sundown).~~
- (b) No development, as defined in Section 30106 of the Coastal Act, shall occur within the public park areas identified in Section B **of this Special Condition** and as described and depicted in an exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit except for the following development:
- (a) **Within the park area identified in Section 2.B(1) of this Special Condition**
- (i) Grading and construction necessary to construct, **maintain and install** the trails, public access **facilities, public seating areas** and recreation facilities and appurtenances authorized in **sections 2.A (1)-(8), and 2.B(1)** by of this permit

development and more specifically described in the construction, grading, landscaping and public amenity plans approved by the Executive Director consistent with Special Conditions 1, 2 and 3 (e.g. signs, interpretive facilities, view points, benches, picnic tables, shade structures, safety fencing).

- (ii) Maintenance and repair of development authorized by this permit referenced above in subsection (i) that the Executive Director determines does not include significant grading or landform alteration;
  - (iii) Planting and removal of vegetation consistent with the final Landscape plan approved by the Executive Director consistent with special conditions 7.C and 8 of this permit.
  - (iv) Construction of underground utilities, drainage devices, and erosion control systems, and repair of these facilities, consistent with final plans approved by the Executive Director consistent with Special Conditions 1, 7, 19 and 20 of this permit and provided that development that diminishes public access through any identified corridor shall be prohibited.
- (b) Within the beach area identified in Section 2.B(2) of this Special Condition
- (i) Construction and installation of the public benches, and informational signs authorized in this permit.
  - (ii) Drainage facilities authorized by this permit, consistent with Special Condition 1 of this permit.
  - (iii) The following additional development may be also allowed in the areas covered by this condition if approved by the Coastal Commission as an amendment to this coastal development permit or by the Coastal

**Commission or its successor agency as a new coastal development permit: construction of lifeguard facilities for use by a public agency, or repair or maintenance of seawalls and revetments described in Special Conditions 15 and 16 of this permit.**

- (3) Public streets and parking areas
- (a) Long term or permanent physical obstruction of streets, roads and public parking areas in located within ~~Tentative Parcel Map 26073, dated May 2002 and Parking Study Plan dated July 11, 2002~~ **Tentative Parcel Map No. 26073, dated May 24, 2006** shall be prohibited. Public entry controls (e.g. gates, gate/guard houses, guards, signage, etc.) and restrictions on use by the general public (e.g. preferential parking districts, guests-only parking periods/permits, etc.) associated with any streets or public parking areas shall be prohibited.
- (4) **PRIOR TO ISSUANCE BY THE EXECUTIVE DIRECTOR OF THE NOTICE OF INTENT TO ISSUE A COASTAL DEVELOPMENT PERMIT FOR THIS PERMIT (NOI)**, the applicant shall submit for the review and approval of the Executive Director, and upon such approval, for attachment as an exhibit to the NOI, formal legal descriptions and graphic depictions of the portions of the subject property affected by this Section G of this condition, as generally described above and shown on Exhibits 3 and 4 attached to the findings in support of **the Commission's 2003** approval of this permit.

3. **MODIFY SPECIAL CONDITION 3, HABITAT ENHANCEMENT AND PROTECTION/EASEMENT OFFERS, IN THE FOLLOWING WAY. (Changes indicated in ~~strike-through~~ and underline)**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record document(s) in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director an easement for habitat restoration/enhancement and protection areas including: **over** all areas listed below in Section A, **as restoration/enhancement areas. These areas were** and as identified on the Long Point Resort Landscape Improvements Plan dated March 26 and 27, 2003 as depicted in Exhibits 6 and 7 of the Commission's June, 2003 approval staff report and modified by Special Condition 7, **and as shown in final plans approved by the Executive Director as consistent with Special Condition 7.** The easement shall include the right of the accepting agency to enter the

easement area and repair the habitat area if the permittee fails to maintain the restoration/enhancement and protection areas as required in Special Condition 7.

The recorded document(s) shall include legal descriptions of both the permittee's entire parcel(s) and the easement areas. The recorded document(s) shall also reflect that development in the offered area is restricted as set forth in the **Section B of this Special Conditions of this permit 3 and in Special Condition 7.** The offer shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California. The offer shall be binding on all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

**A. Habitat Restoration/Enhancement and Protection Areas**

- (1) Habitat Restoration/Enhancement and Protection Areas: All areas seaward of the Coastal Setback Line (CSL) **shown in the certified Local Coastal Program**, except for the subterranean areas identified for Drainages "B" and "C" **in the final plans approved by the Executive Director consistent with Special Condition 1, 19 and 20** and the areas identified for the lower pool facility, the "Lookout Bar" ~~in its present configuration~~ and the ADA compliant access **in amendment application A-5-RPV-02-324-A2 and as shown on Tentative Parcel Map No. 26073, Sheet 1, dated May, 24, 2006.**
- (2) Zone A, preserved naturalized vegetation zone (on the bluff face), **also identified as Zone A in Special Condition 7.B of this permit and on Page 1 of Tentative Parcel Map No. 26073, dated May 24, 2006.**
- (3) Zone B, the Coastal Bluff Scrub and Coastal Sage Scrub Zone, **also identified as Zone B in Special Condition 7.B of this permit:** an **average** approximately 80-foot wide restoration/buffer area, extending along the bluff top from the Long Point (just north of the "Lookout Bar") to the Point Vicente fishing access, also described as "buffer" and "enhancement" areas **Page 1 of Tentative Parcel Map No. 26073, dated May 24, 2006.**
- (4) Zone C, the **Roadside** Enhanced Native Planting Zone **also identified as Zone C in Special Conditions 7.B of this permit:** a strip of coastal sage scrub and "accent trees" adjacent to Palos Verdes Drive South from the Point Vicente fishing access parking lot to the entry road **and on Exhibits 6 and 7 of the**



**Commission's June 2003 approval staff report.**

- (5) Zone D, **also identified as the "Eastern Bluff Area" in Special Condition 7.B(5) of this permit: the area seaward of the coastal setback line** shown in the certified Local Coastal Program **adjacent to the eastern bluff, and the eastern bluff face outside of the area adjacent to the Lower Pool facility and area** surrounding the ADA compliant trail, **as shown in final landscape plans approved by the Executive Director as consistent with Special Condition 7 of this permit.**

B. Development Restrictions:

- (1) ~~Irrespective of whether the easement is accepted,~~ The permittee and its successors **in interest (until the easement offer is accepted or, if it is not accepted, in perpetuity) and any holder of the easement** shall maintain the areas described above in Special Condition 3A as habitat.
- (2) All planting within habitat areas shall conform to the requirements of Special Condition 7 addressing the preservation and/or planting of habitat and restoration areas, except that the applicant may retain the landmark grove of Canary Island palm trees located adjacent to the western bluff face **as shown in final landscape plans approved by the Executive Director as consistent with Special Condition 7 of this permit.**
- (3) No development, as defined in Section 30106 of the Coastal Act shall occur in habitat protection areas as described and depicted in an exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit except for:
- (a) Habitat restoration, fencing and informational signs, approved drainage devices, designated trails and the viewing areas all as approved in this permit and identified in Exhibits 3 and 4 **of the Commission's June, 2003 approval staff report and as shown on final plans approved by the Executive Director as consistent with Special Conditions 2, 3 and 7 of this permit.**
- (b) **Grading for, installation of, and maintenance of Drainage devices described on the S.U.S.M.P. Site Plan dated May 15, 2003 and consistent with Special Condition 1 of this permit.**

- (c) **Grading and construction for development approved pursuant to Section 3.B(3)(a) above.**
  - (d) **Repair and maintenance of the development listed in Sections 3.B(3)(a) through 3.B(3)(c) above.**
- (4) **Notwithstanding the foregoing restrictions listed in Sections 3.C, those portions of the areas listed in Section 3.B that are also listed in Section 2.A may be developed as indicated in Section 2.E.**
- C. **PRIOR TO ISSUANCE BY THE EXECUTIVE DIRECTOR OF THE NEW NOTICE OF INTENT TO ISSUE A COASTAL DEVELOPMENT PERMIT FOR THIS PERMIT, AS AMENDED THROUGH AMENDMENT A-5-RPV-02-324-A6 (NOI), the applicant shall submit for the review and approval of the Executive Director, and upon such approval, for attachment as an Exhibit to the NOI, formal legal descriptions of the portions of the subject property affected by this condition in ~~Section B~~, as generally described above and shown on Exhibits 6 and 7 attached to the findings in support of approval of this permit.**
4. **MODIFY SUBSECTIONS A1, A5, B1, B2, AND D1(a) OF SPECIAL CONDITION 5, MANAGEMENT/MAINTENANCE OF FACILITIES, IN THE FOLLOWING WAY. (Changes indicated in ~~strike through~~ and underline)**
- A. Construction Requirements:
- (1) Except as specified in Special Condition 1, before the commencement of demolition, construction or grading; a visible hazard fence shall be placed delineating the areas of approved grading, which shall be no less than 20 feet inland of the habitat restoration/enhancement and protection areas and no less than 30 feet inland of the edge of the bluff where there are no habitat restoration/enhancement and protection areas **(consistent with Exhibits 6 and 7 of the Commission's June, 2003 action) and Tentative Parcel Map No. 26073, Sheet 1, dated May 24, 2006.**
  - (2) Said fence may be temporarily moved or adjusted to accommodate construction of approved trails or drainage devices, but heavy equipment storage or stockpiling shall not occur in the areas listed above, in Section A(1).
  - (3) The applicant shall also place fencing to delineate all areas outside of the area identified for grading for the ADA accessible trail.

- (4) The Executive Director shall confirm in writing that the fencing is consistent with the condition. If the proposed fence is inconsistent with the adopted conditions of the permit, the permittee shall change the design to comply with the conditions, or if the inconsistency is due to a situation not anticipated in the Commission's action, submit an application to amend the permit.
- (5) No sediment shall be permitted to discharge onto the beach or intertidal area **other than through the existing drainage corridor located near the L.A. County sewer lift station near the southeastern corner of the site. Discharge through the corridor shall be minimized as described in the S.U.S.M.P. plan approved by the Executive Director, consistent with Special Condition 20.**

B. The permittee shall be responsible for maintaining the park, trails and habitat areas required in this permit and shall reimburse the accepting agency for costs incurred when/if the accepting agency takes over the maintenance of the public trails, park and/or habitat restoration/enhancement and protection areas. Prior to issuance of or transfer of this permit the permittees shall acknowledge in writing:

- (1) Nothing in this permit shall prevent the owner of land that is covered by this permit and is for sale, as a condition of sale, from requiring each buyer to contribute its fair and reasonable share of the costs of the maintenance of the area to the hotel operator to collect funds and carry out maintenance of the areas ~~pursuant to~~ **consistent with** Special Condition 5F below and to manage and maintain the area and drainage system in accordance with the terms and conditions of this coastal development permit. Nothing in this restriction condition imposes the obligation on the owner of an individually owned unit (a "casita" or "villa") to personally work on the streets, park or habitat areas.
- (2) The applicant and individual owners or lessees shall not install or maintain any invasive plant that is not indigenous to the Palos Verdes peninsula anywhere on the property ~~except as required in Special Conditions 7 and 8 of this permit and as shown on the 1997 Ocean Trails Invasive Plant List~~ **in the areas specified in Special Condition 7. Invasive plants shall mean the species described in Special Condition 7C(5)(c) of this permit.**

C. The permittee and its successors shall ensure that the entire storm water system, including but not limited to pipes, outfalls, stormfilters, trash traps, drainage systems, oil/water separators, Best Management Practices and other programs and devices required to protect habitat in ocean waters and

tide pools are maintained, in good and working condition. This obligation includes obligations for regular and ongoing maintenance and cleaning and for replacement of damaged or aging elements of the system. The accepting agency (City of Rancho Palos Verdes) shall maintain all public trails, park, public parking and habitat restoration/enhancement and protection areas as required by this permit when/if the permittee fails to do so.

D. Public and commercial recreation facilities. The resort, including the restaurants, health spa, banquet facilities, clubhouse and golf practice facility will remain as commercial visitor-serving facilities open to the general public, and any proposed change in the level of public use will require an amendment to this permit. The trails and public parking areas as identified in Special Condition 2 shall remain open to the general public with no fee for use. The public shall receive equal priority with hotel guests for use of all public facilities.

- (1) The permittee is required to maintain no fewer than 100 public parking spaces, consisting of 50 parking spaces adjacent to the Point Vicente Fishing Access and no fewer than 50 parking spaces located in reasonable proximity to the ADA accessible trail for public use of trails, parks and the beach.
  - (a) No fee shall be charged for the public's use of this parking **during the period between one hour before dawn until one hour after sundown each day.** If hotel and restaurant visitors occupy the fifty (50) "public spaces" within the eastern 128-car parking easement area, other spaces within the eastern 128-car parking easement area shall be identified as public parking available to the public by clear and directional signage.

5. **MODIFY SUBSECTION A6 OF SPECIAL CONDITION 7, RESTORATION AND ENHANCEMENT OF HABITAT AREAS, IN THE FOLLOWING WAY.**  
**(Changes indicated in ~~strike-through~~ and underline)**

- (6) A map and separate list consistent with subsection B below, showing the species, size, and number of all plant materials proposed to be installed including the common and scientific name of the plant and whether or not the plant is native to the Palos Verdes Peninsula plant community, whether the plant appears on any of the lists of invasive plants shown in Special Condition 7C(5)(c) ~~including~~ **or on** the 1997 Ocean Trails Invasive Plant list, the area devoted to the plant and the type of installation proposed. The map shall show all other features such as proposed trails and hardscape.

6. **MODIFY FIRST PARAGRAPH OF SPECIAL CONDITION 8, LANDSCAPE PLAN FOR GOLF COURSE AND TRANSITIONAL AND ORNAMENTAL PLANTING ZONES, IN THE FOLLOWING WAY. (Changes indicated in ~~strike through~~ and underline)**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final landscape plan prepared by a licensed landscape architect in consultation with the project biological consultant for the review and approval of the Executive Director. The plan shall apply to the areas identified as Zones D, E, F, G and H on the landscape plan **provided in the Commission's June 2003 approval staff report**. Prior to submittal of the plan to the Executive Director, the project geotechnical engineering and geologic consultants, the City of Rancho Palos Verdes geotechnical consultant, the Los Angeles County Fire Department and the Resources Agencies shall review the plans to ensure that the plans are in conformance with the project geologist and geotechnical engineer, the City and County consultants and public agencies' recommendations assuring public safety, the protection of endangered species and the protection of the near shore environment. The landscape plan shall conform with the following requirements:

7. **ADD NEW SPECIAL CONDITION 21, FINAL DESIGN AND CONSTRUCTION AS INDICATED BELOW AND CHANGE THE NUMBERING OF EXISTING SPECIAL CONDITIONS 21 THROUGH 30 ACCORDINGLY (note that language in this new Special Condition has been moved from Special Condition 2)**

Prior to occupancy of the hotel or newly constructed restaurants, the applicant shall construct the trails and parks consistent with the specifications of this permit and of the City of Rancho Palos Verdes. If the requirements of the City conflict with the requirements of this permit, the conditions of this permit shall prevail.

- A. Consultation during design of the ADA accessible trail and Shoreline Access Ramp 1. Prior to providing final designs of the ADA accessible trails, the applicant shall consult with the California Department of Parks and Recreation and local mobility and disabled rights advocate groups to assure that the trail will be usable by members of such groups. If there is any disagreement between the permittee and the City of Rancho Palos Verdes concerning the appropriate design of the trail, the Executive Director shall resolve the dispute consistent with the need for public safety, the protection of resources, the provision of maximum access and the feasibility of any alternative.
- B. Before occupancy of the hotel or restaurant and before opening the golf facility for play, the Executive Director shall certify in writing that the trails and park are complete, open and have been accepted by the

City of Rancho Palos Verdes or other public or private nonprofit agency that is able to operate the trails consistent with this permit.

- C. Fencing plan. Prior to issuance of a coastal development permit, the applicant shall prepare a fencing plan consistent with the public access policies of this permit for the review and approval of the Executive Director. With the exception of pool fences, fences shall be open appearing and no more than 42 inches high. Fencing shall be constructed of materials that allow views through them (such as glass panels or wrought iron). Use of fencing shall be minimized and shall be employed only for public safety and to protect habitat areas from disturbance.
- D. Before occupancy of the hotel or restaurant and before opening the golf facility for play, the applicant shall construct the following offsite trails:
- (1) Marineland Trail: A pedestrian 10-foot wide trail in a 16-foot wide corridor, extending from the northwestern corner of the site, adjacent to the Point Vicente Fishing Access, running east, parallel and adjacent to Palos Verdes Drive South and terminating at the western edge of the resort's main entrance at the northeastern corner of the site.
  - (2) Marineland Bike Trail: A 6-foot Class II bike trail on the south side of Palos Verdes Drive right-of-way, extending from the northwestern corner of the site, adjacent to the Point Vicente Fishing Access, running east, parallel and adjacent to Palos Verdes Drive South and terminating at the western edge of the resort's main entrance at the northeastern corner of the site.
8. **ADD NEW SPECIAL CONDITION 32, PUBLIC ACCESS TO BEACH DURING CONSTRUCTION**

A. The applicant shall maintain public access to the beach at all times except when construction activities require intermittent closures of the beach access trails. Pursuant to this requirement, **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and approval a detailed plan for protecting public access to the beach during construction. The plan shall include:

- (1) Temporary parking area for no fewer than 10 vehicles in the southeastern corner of the applicant's property, adjacent to Nantasket Drive, approved by the City of Rancho Palos Verdes.
- (2) A 4-foot wide temporary trail from Nantasket Drive to the bluff top down the existing maintenance road to the beach.

- (3) During grading of the ADA-compliant access trail, the applicant may construct stairs or other temporary alternative access ways subject to the approval of the Executive Director and the City of Rancho Palos Verdes. Such temporary access ways shall be left in place no longer than 30 days and the applicant shall remove all associated debris immediately after construction.
- (4) Upon notification of and approval by the Executive Director, the applicant may temporarily close the trails for reasons of safety. 30 days prior to closure, the applicant shall submit to the Executive Director for review and approval a detailed construction schedule. Such closure shall last no more than 30 days unless extended by the Executive Director for cause.

B. The permittee shall undertake development and shall operate the site in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required

### **III. FINDINGS AND DECLARATIONS**

The Commission hereby finds and declares as follows:

#### **A. Project Location, Description and History**

The project site is located at 6610 Palos Verdes Dr. South, in the City of Rancho Palos Verdes (Exhibit #1). The site forms a triangular peninsula that is seaward of Palos Verdes Drive South. It is the former Marineland Aquatic Park property that closed down in 1985. The site consists of flat graded areas and steep cliffs that support coastal bluff scrub habitat areas for the endangered El Segundo blue butterfly. The site has some existing development including large surface parking lots, vacant buildings and the Catalina Room banquet facility. Urgency Ordinances adopted by the Rancho Palos Verdes City Council upon the closure of Marineland established a requirement for coastal access and public parking on the Long Point property. The parking and coastal access remain open during daytime hours 8:30 a.m. and 4:00 p.m.

The applicant is proposing to modify the site plan. The changes include:

1. Reducing the hotel building footprint from 500,000 square feet to 415,000 square feet.
2. Reducing the number of Villa buildings (although not changing the guestrooms that are identified as “Villas”).
3. Eliminating the parking structure, placing all parking in surface lots and reconfiguring the surface parking area.
4. Eliminating the two tennis courts.
5. Changing the golf amenity from a 3-hole practice facility to a 9-hole short game golf academy.
6. Moving the trails that are sited parallel to the main road (Marineland Trail and Marineland Bike Trail), to the public right of way, widening the ADA-Compliant Coastal Access For Disabled Trail and Shoreline Access Ramp, and changing the trail from the main road to the hotel (Resort Entry Trail) to separate the bicyclists and the pedestrians.
7. Extending a 28 foot fire road from the hotel level to the lower Pool facility. The middle 20 feet of the fire road will be paved.

#### Modifications to the Hotel Building Footprint

The applicant is proposing to reduce the hotel support and administration areas, otherwise referred to in the industry as the “back of house.” The hotel building would be reduced from 500,000 square feet to approximately 415,000 square feet for an overall reduction of approximately 85,000 square feet of gross buildable area. The reduction of the building footprint in turn reduces the overall footprint of the building and moves the hotel building more landward (approximately 36 feet) of the bluff edge. The modification to the hotel building also results in a reduction to grading, specifically earth excavation, by limiting the amount of earth material removed from the southern areas below the ballroom of the hotel building.

The proposed redesign would also result in the reconfiguration of some hotel guest rooms by stacking some rooms and creating double loaded interior hallway (previously single loaded hallways). The proposed change to the hotel building footprint would not reduce the number of hotel guest rooms, guest amenities, banquet facilities, retail space, services or the number of total parking spaces. The proposed modification to the hotel building footprint does not affect the maximum building height, as the hotel building would continue to be within the building envelope approved by the City.

#### Reconfiguration of the Villa Units

The applicant is proposing to reduce the number of buildings to a total of ten from eleven buildings by converting three of the tri-plex “Villa” buildings to a four-plex configuration. Furthermore, the layout of the remaining Villa triplexes has been slightly reconfigured to adjust for the reduction of one building. This change further reduces the amount of grading. In addition, the applicant proposes to reconfigure



the street serving the villa units to improve fire access. The redesigned Villa units would continue to be within the building envelope approved by the City (26 feet).

#### Elimination of the Parking Structure and Reconfiguration of Parking Lot

The approved project included the construction of a parking structure that was to be partially notched into the ground, thus giving the visual appearance of an on-grade surface parking lot as seen from Palos Verdes Drive South. The applicant is now proposing to eliminate the parking structure. Instead, the applicant proposes to accommodate the parking in 2 surface lots, which will be notched into the slope, relocating some parking to small satellite lots. According to the applicant, with the reduction of the hotel building footprint and the elimination of the tennis courts (to be discussed in the next section) adjacent to the hotel motor entry, additional area is now available for surface parking. The total number of parking spaces will remain the same (1,075 spaces).

The surface parking area is now proposed to be divided into two tiers, by utilizing the down-slope nature of the site, grading, and landscaping. The upper tier parking area is designed to connect to the parking lot serving the upper west casitas and the entry driveway (the original driveway for the parking structure). The parking spaces provided in the upper tier will be non-valet spaces with the exception of 46-valet parking spaces. The lower tier, separated by a landscaped transitional slope, will provide a contained parking area for valet spaces only. The total number of valet-parking spaces has been reduced from 203-spaces to 198-spaces. The applicant asserts that the amount of impervious surface in the parking lots will not increase as a result of these changes.

The overall parking plan has been slightly reconfigured to adjust for changes to the site layout, including the emergency vehicle access throughout the property. The proposed changes include widening the driveway aisles throughout the project site to accommodate parking evenly throughout the site. In addition, the applicant has increased the landscape features surrounding the parking areas in order to soften the overall appearance of the paved areas. The Commission has required that 1,075 parking spaces be provided (200 more spaces than the City required). The applicant proposes to provide 1,075 parking spaces, meeting the Coastal Commission's parking requirements and exceeding the City required parking by 200 spaces. According to the City, The applicant's current proposal results in approximately 26% lot coverage, for a total reduction of 4%.

#### Elimination of the Tennis Courts

The applicant is proposing to eliminate the two tennis courts from the project. According to the applicant, the elimination of the tennis courts would create additional space for surface parking, allow for increased landscape planters and enhance the appearance of the hotel building from the entry driveway.

### 9-Hole Short Game Golf Academy

The project originally approved allowed for 32-acres of the overall project site (102 acres) to be improved with a 3-hole golf practice facility and driving range. The approved golf amenity was to be located along the upper portion of the subject property nearest to Palos Verdes Drive South and the hotel entry drive, immediately below the villas. The area designated for the golf facility is located on both sides of the entrance driveway, between the hotel and Palos Verdes Drive South.

The applicant now proposes to develop a 9-hole short game golf academy rather than the approved 3-hole golf practice facility and a driving range. The 9 hole facility will occupy the same amount of land on the site (32 acres) and in the same area, but has required careful analysis of its safety to assure that it will not conflict with the proposed public trails. The amount of turf area will not change. There is a combined bike and jogging trail planned to be located along the project driveway. Additionally, the applicant proposes to include a chipping green and putting green adjacent to hole no. 1 and the golf clubhouse. The applicant's current proposal includes a revised golf cart path. The two water features, approved for the water quality plan, will remain in the approved locations.

In order to address safety concerns as part of the original project's review, the City and its EIR consultant retained Golf Safety Expert, Kipp Shulties. Mr. Shulties analyzed the original project and provided suggestions on improving the overall safety of the golf design. These suggestions were incorporated in the project design, which the City approved. The City and its golf consultant indicate that the 9-hole course will not pose hazards to the access driveway or to the public trail. Special condition 6 already requires that if safety hazards arise, the applicant will redesign the golf facility, not the trail. In addition, the applicant is required not to install wire cage tunnel or "slinky" or similar visually obtrusive safety devices.

### Trail Modifications

The project originally approved included several public trails, including the Marineland Trail (mixed bicycle and pedestrian 10-foot wide trail in a 16-foot wide corridor adjacent to Palos Verdes Drive South on the northern edge of the property), an ADA-Compliant Trail (6-foot wide trail leading from the eastern casitas to a café-swimming pool facility on a bluff face bench), a Resort Entry Trail (mixed 10-foot wide bicycle and pedestrian trail in a 16-foot wide corridor leading from Palos Verdes Drive South to the trail head of the ADA-Compliant trail; parallel to and adjacent to the project driveway) and a Shoreline Access Ramp (an ADA-compliant, 4-foot wide ADA access way in a 10-foot wide corridor leading from the café-swimming pool on the bluff face bench down the slope to the beach). When the City approved the project in 2002, the applicant did not have detailed descriptions of these trails. When the Commission approved the project in 2003, the Commission imposed special conditions which described these trails in greater detail, including the widths of each trail. In the process of developing the public amenities plan with the City,

which includes these trails and through discussions with both the City and the Los Angeles County Fire Department, the applicant now proposes several changes to these trails, as depicted in Exhibit #4 of this report and described below.

The applicant proposes to separate pedestrian and bicycle access. The Marineland Trail was described as a mixed bicycle and pedestrian 10-foot wide trail in a 16-foot wide corridor, running east, parallel and adjacent to Palos Verdes Drive South and terminating at the western edge of the resort's main entrance at the northeastern corner of the site. The applicant is proposing to make this a pedestrian only trail, and to move the bicycle trail onto Palos Verdes Drive as a Class 2 bicycle trail (a Class 2 trail is designated by lane markers but is located on a roadway shared with motor vehicles. This on-road trail would connect with existing Class 2 bicycle trails on Palos Verdes Drive).

Moreover the City and the applicant, after more detailed review of the site plan, noted that the area designated for this trail is actually located on City right-of-way. This area of City right-of-way includes a paved roadway that had been designated for the pedestrian trail. Accordingly, staff recommends changes in Special Condition 2 to eliminate the requirement to dedicate land for these trails, but to add these two trails to the list of trails found in Special Condition 2F, which is a list of improvements for which the applicant is responsible.

The project approved by the Commission included the ADA-Compliant Coastal Access Trail, which was described as a 6-foot wide trail in a 100-foot corridor (area on bluff face identified for grading proposed switchbacks), extending from the resort public parking area, running seaward, adjacent to the lower pool facility and terminating at the eastern shoreline access ramp, Shoreline Access Ramp 1. The applicant is proposing to construct a 20-foot wide fire road in this same general location, sharing the handicapped ramp, except where the ADA trail requires switchbacks. The applicant now proposes to provide a 10-foot wide ADA trail located within a 28-foot fire department designated access road, extending south from the resort parking area, transitioning to a 6-foot wide trail in the switchback areas (area on bluff face identified for grading proposed switchbacks) and then continue over as part of the 20-foot wide emergency access road and running seaward, adjacent to the lower pool facility and terminating at the eastern shoreline access ramp, Shoreline Access Ramp 1 (Exhibits #4 & #5). The applicant is proposing this change to accommodate Los Angeles County Fire Department Fire Access and Emergency Vehicle Requirements, which requires emergency vehicle access to the snack bar and pool area.

The project approved by the Commission included the Resort Entry Trail, which was described as a mixed bicycle and pedestrian 10-foot wide trail in a 16-foot wide corridor, extending from Palos Verdes Drive South, running seaward along the western edge of the resort entry road, terminating at the trail head of the ADA-Compliant trail. The applicant proposes to reduce the width of this trail by 4 feet and make this a 6-foot wide pedestrian only trail and to relocate the bicycle trail along

both sides of the entry road as a class 2 Bike trail (Exhibit #4). According to the applicant, the City suggested this change because the change would result in a pattern of pedestrian and on-road bike trails that would be consistent with the trails on Palos Verdes Drive South.

The project approved by the Commission included the Shoreline Access Ramp 1, which was described as an ADA compliant, 4-foot wide ADA access way in a 10-foot wide corridor located at the southern tip of the ADA accessible trail described in (5) above and connecting the ADA accessible trail to the beach level at the southeastern corner of the project site. The applicant proposes to widen this access way by 2 feet, which would result in a 6-foot wide access way (Exhibit #4). According to the applicant, the City requested this change because the City thought 4 feet would not accommodate a diverse group of users in a narrow corridor, noting that the divers could be carrying scuba gear, families may be carrying picnic baskets etc., and people with ADA needs could all potentially be using the access way simultaneously. The revised plans show an additional area that would be graded for switchbacks. Therefore, the description of the trail has been modified to include this area.

The proposed amendment has received an approval in concept from the City of Rancho Palos Verdes City Council dated October 4, 2005 (Revision C to Conditional Use Permit No. 215 and March 21, 2006 (Revision C to Conditional Use Permit No. 215). The City, in granting its approval, agreed with the applicant that the changes to the site plan layout are not significant and are in substantial compliance with the original site plan approved by the City.

Because of the changes listed above, the trails exhibits in Exhibit #3 of the original approval have been superseded with new exhibits consistent with the trails described above. The proposed modifications to Special Condition 2 reflect these changes.

**B. Public Access and Recreation**

The proposed project, which is between the first public road and the sea, must conform with the following public access and recreation policies of the Coastal Act:

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.*

Section 30211 of the Coastal Act states:

*Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30213 of the Coastal Act states:

*Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

*The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.*

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.*

Section 30222 of the Coastal Act states:

*The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

The project is also governed by the LCP policies that address public access and development plans for this area. The Corridors Element of the Land Use Plan related to use and access are as follows:

The Corridors (Access Corridor) Element of the Land Use Plan portion of the certified LCP states:

*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 residences within these developments.*

The Subregion 2 Section of the LCP addresses the former Marineland Aquatic Park property, which is the project site of the present application. Subregion 2 Section of the LCP states in part:

*Any future development on the site will require City approval in the form of a Conditional Use Permit. Compatible uses could include those of a Commercial Recreational nature, visitor-oriented, such as additional oceanarium attractions, retail facilities, recreation uses, motel, convention facility, restaurants, museum, etc. Those considered not compatible are uses of a "carnival" nature.*

Section 17.24 of the certified LCP<sup>1</sup> states in part:

Chapter 17.24 Commercial Recreation District.

17.24.010 Purpose. *This district permits those entertainment and recreational activities which are of a commercial nature.*

17.24.020 Uses and Development Conditionally Permitted. *The following uses may be permitted in the (CR) Commercial Recreational District subject to approval of a conditional use permit:*

- a. *Any new or reestablished use which is of an entertainment, visitor serving or recreational nature, including but not limited to a resort/conference hotel, restaurant, limited theme retail, tennis court, golf course and other entertainment and banquet facilities compatible with existing uses and the surrounding area. Such use, if located within the coastal specific plan district, shall be required to provide public access to and along the bluff and coastline;*
- b. *Grower and produce stands, wholesale plant nurseries, and similar commercial/agricultural uses.*
- c. *Commercial antenna.*
- d. *Other uses determined by the director to be similar to the use described in section 17.24.020(a) with the exception of the following.*
  - i. *Amusement Park.*

17.24.30 Operation and maintenance. *All uses shall be operated and maintained in a way that does not create a public nuisance.*

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<sup>1</sup> Now renumbered and expanded as section 17.22.030 of the Municipal Code

- a. *Buildings or structures that are not in use or operation may only be secured in a manner approved by the director of environmental services.*
- b. *Routine landscaping and ground maintenance shall continue whether or not the use is currently in operation or open to the public.*

*Any use located within the coastal zone shall be operated and/or maintained to preserve public coastal access whether or not the use is current operation or open to the public. Such access may be restricted on a temporary basis with the approval of the director of environmental services, if necessary to protect the public health, safety, and welfare. Parking requirements for any proposed development shall be as specified in chapter 17.44. Ten percent of any required parking shall be designated as public parking for coastal access as indicated by the coastal specific plan (p. U-18 Policy No. 3).*

The certified LCP designates the former Marineland site as Commercial/Recreational and requires that future development shall be visitor serving, recreational or agricultural.

The Coastal Act provides that visitor and recreation serving facilities be given priority over other private uses, and that such visitor-serving facilities include visitor-serving uses such as hotels. The certified LCP designates the former Marineland site as commercial/recreational and requires that future development shall be visitor serving or recreational in nature. Under the previously approved coastal development permit (#A-5-RPV-02-324), the applicant proposed to redevelop a mass-market park (Marineland) that formerly served large numbers of the general public and that also provided a site for overflow parking for the City's trail system. In 1983 the Commission approved a hotel on this site, along with other facilities, such as trails, that would continue to provide public access to the bluffs and beaches on the site, consistent with Sections 30210, 30211 and 30222 of the Coastal Act and the use designations and corridor policies of the certified LCP.

While the project is a visitor serving facility, it is not a lower cost facility, and by its design, will serve significantly fewer visitors than the previous use. The hotel includes some facilities that are open for public use as well as resort guest use. These are a golf facility, conference facility, banquet and meeting rooms, spa/fitness center and restaurants and bars (including the Lookout Bar on the western bluff edge and a public snack bar at the resort pool located on a bench on the eastern bluff face), which are all available to the public. The project and the City approval did not address provisions of lower-cost visitor accommodations, but the Commission required an in-lieu fee for lower cost overnight accommodations to assure consistency with Section 30213 of the Coastal Act. In addition and to assure consistency with Section 30211 of the Coastal Act, as well as the corridors policies

of the certified LCP, the hotel is dedicating a public park on the western end of its site, maintaining public access to existing trails, including access to a popular diving site and maintaining public parking on some of its parking lots.

The principal use of this site will now be a commercial hotel that is open to the public, however, the project will continue to provide significant free access to the beach and bluff to the general public. The applicant asserts that the proposed changes are not significant because the changes are consistent with the intent of the project conditions as approved by the Commission.

The changes to the site plan are in conformance with original approved project. The new site plan continues to provide public trails and parking, as well as visible access to the trails, etc. The new site plan does not change the number or general location of the public trails proposed. It does propose to change a mixed pedestrian and bike trail to two separate parallel trails, to widen a handicapped access trail so that it can share its right-of-way with an emergency access road, and to widen the shoreline access ramp. It also proposes to reroute a portion of the trail that follows the entry road so that it crosses the entry road at one point. The purpose of this rerouting is to diminish conflict with the golf facility.

In review of the conditions, staff noted that conditions requiring completion of the trails were located in a condition that was devoted to describing the land that was to be dedicated for trails. Staff is recommending that these be separated into two conditions. In addition, ambiguous cross references within the special condition have been made more specific, and to the extent that can be done consistent with the Commission's previous actions, references to newer trail and road maps and to the Tentative Parcel Map have been substituted for the references to very general plans cited in the special conditions. Where that is not possible, the older exhibits are still cited. As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. The proposed development, as conditioned, does not interfere with public recreational use of coastal resources. The proposed development, as conditioned, protects coastal areas suited for recreational activities. Therefore, the Commission finds that the proposed project as amended with the recommended changes to the special conditions, is in conformity with Sections 30210 through 30214 and Sections 30220 through 30223 of the Coastal Act regarding the promotion of public recreational opportunities, and with the public access policies of the certified LCP.

### **C. Habitat**

During initial review of the project, environmentally sensitive habitat was identified on the project site. This environmentally sensitive habitat (coastal bluff scrub), which supports the El Segundo blue butterfly, was discovered primarily on the western facing bluffs on the property. The eastern bluff supports some remaining coastal bluff plants. However, the portions of the eastern bluffs and bluff top area, which had previously been graded by Marineland, were not identified as



environmentally sensitive habitat. Because of the presence of environmentally sensitive habitat on the site, the project must conform to the following LCP policies:

The Natural Element Section of the certified LCP (P. N-44) states in part:

*CRM 9 – Wildlife Habitat*

*Existing wildlife habitats can be retained with vegetation and natural drainage patterns maintained to provide water and foraging material in the habitat. It is important to review any proposed development within or adjacent to wildlife habitat districts for the nature of the impact upon the wildlife habitat and possible mitigation measures to fully offset any impacts.*

*Significant marine life habitats have also been included in this CRM district. All development will be reviewed with regard to the increased drainage induced and its possible impacts on the marine environment, the intensified use of the habitats by the induced population, and possible design factors or mitigation measures to assure the protection of this threatened resource.*

The Natural Element Section of the certified LCP, Policy No. 8 states:

*It is the policy of the City to require developments within or adjacent to wildlife habitats (CRM 9) to describe the nature of the impact upon the wildlife habitat and provide mitigation measures to fully offset the impact.*

Urban Environment Element Landscape/Hardscape guidelines of the certified LCP state in part:

*The use of plant materials and planting designs which reflect the natural coastal sage scrub character of the peninsula, and the Southern California coastline in general, is encouraged for open and common areas within developments rather than the use of extensive decorative materials and plans requiring extensive maintenance/watering, and which are in contrast with species/materials in remaining natural vegetation areas of the City.*

The Vegetation and Wildlife Habitats Terrestrial Section (Natural Element Section) of the LCP states in part:

*Despite the intensive development that has taken place over the past decade, the Rancho Palos Verdes coastal region still possesses areas which are in a natural or near-natural state as well as some areas which had previously been scarred by extensive grading activity but are reverting to a natural state. These areas include the coastal bluff area, natural ravines and drainage canyons, a few hillsides and coastal plains, and the active portion of the Portuguese Bend landslide.*

*The basis for the habitat areas is the Coastal Sage Scrub. This is the characteristic plant community found on sandy marine terraces and dry rocky slopes below the 3000-foot elevation along Southern California.*

The Corridors Element Section of the LCP states in part:

*Where a protection/preservation corridor is located adjacent to an area involving human use (access, habitation), some buffer area should be designed/planned/maintained so as to avoid adverse impacts.*

The Corridors Element of the certified 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 corridor guidelines are found throughout the Corridors Element section of the certified LCP including the guideline listed above.

The Natural Element Section of the LCP states in part:

*All factors of the natural environment inherently interact with one another. A change in any one factor may have a resulting series of reactions in any other factor. An example of this type of interaction is natural topography alteration resulting in change in hydrologic patterns which in turn may deprive natural vegetation of adequate irrigation causing a degradation of wildlife habitat.*

*There also exists in the coastal region a number of significant wildlife habitats which are directly associated with vegetation communities. These are generally found on bluff faces and natural canyon areas where wildlife thrives due to the protection and food found from natural vegetation. Though there are no formally recognized endangered or rare species of wildlife or vegetation, these wildlife habitats are significant because of the wide variety and numbers of wildlife which are associated with them. Additionally, the natural vegetation of grasses and wild flowers found on the hillsides and canyons gives a unique environmental character to the City which, if to be preserved, requires consideration of the natural drainage system and topography.*

Natural Corridor Element of the certified LCP states in part:

*Three distinct natural corridor types are evident:*

- *Natural vegetation and drastic topographic change characteristic of the sea bluff edge and face, and related drainage course "mouths" at the bluff edge creating corridors containing extensive vegetation. This is*

*both a horizontal and vertical corridor, with existing and proposed access routes to and down the bluff face representing the primary human intrusions which must be carefully integrated into these corridors.*

The certified LCP identifies coastal bluff scrub as habitat area and requires the protection of the cliff faces where it is found. The LCP states in part:

*Despite the intensive development that has taken place over the past decade, the Rancho Palos Verdes coastal region still possesses areas which are in a natural or near-natural state as well as some areas which had previously been scarred by extensive grading activity but are reverting to a natural state. These areas include the coastal bluff scrub area, natural ravines and drainage canyons, a few hillsides and coastal plains, and the active portion of the Portuguese Bend Landslide. The basis for the habitat areas is the coastal sage scrub. This is the characteristic plant community found on sandy marine terraces and dry rocky slopes below the 3000-foot elevation along the Southern California Coastline.*

As noted above, the permit as approved by the Commission in 2003 did not identify environmentally sensitive habitat on the portion of the eastern bluff face that had been graded by Marineland to provide an access road and a sea water tank. It did require, however that the eastern bluff, outside of the area graded for the handicapped ramp, should be restored to take advantage of the native vegetation that has persisted on parts of the bluff face. The Commission enlarged the area of restored natural vegetation, the Commission required all areas seaward of the coastal setback line, outside of the area graded for the ramp and lower pool facility, to be restored with coastal bluff scrub plants, and it required the area "outside" of the handicapped access ramp to be dedicated for open space. These requirements are found in special conditions 3.A.(5). and 7.B.(5). In this report, the staff is recommending some clarifications to both of these special conditions to enable the location of this area, required to be dedicated for open space and habitat protection to be more easily mapped.

In its 2003 action, the Commission identified the western bluff as environmentally sensitive habitat. However, the western bluff face supports the federally listed El Segundo blue butterfly. In order to protect this bluff face, the Commission required the applicant to re-vegetate a 1.05 acre, 80-foot wide buffer/restoration area between the hotel and the western bluff face with coastal bluff scrub plants in Special Condition 7.

Special Condition 7 required a natural habitat conservation and enhancement area and bluff face habitat (Zone A) on the bluff face, and an 80-foot wide coastal bluff scrub enhancement area adjacent to the western bluff face (Zone B). Special Condition 7.B.(2) requires (with regard to planting in Zone B) that the first 30 feet to be restored as native habitat, the second 50 feet to be planted with native coastal

bluff scrub vegetation, except that some public access was allowed. Inland of this area, the Commission approved a turf park area that the City required. Special Condition 3 limited development in the habitat restoration enhancement area, essentially to re-vegetation, a trail and two viewpoints (identified in Exhibits 3 and 4 of the June 2003 approval staff report), and some (underground) drainage facilities (approved in Special Condition 1).

In Amendment 2, the applicant requested that parts of this habitat enhancement and/restoration area, which was to act as a buffer between the habitat of the bluff face and the hotel, be narrowed to accommodate a fire access road on the seaward side of the casitas, and an expanded public parking area at the westernmost end of the project. This action narrowed the buffer to as little as 30 feet in three locations. To balance this change, the applicant offered to widen the buffer area in order to maintain an average 80-foot width (and same acreage.) This area encompassed almost the entire area between the fire road and the bluff top. In this present amendment, the applicant is reconfiguring the habitat enhancement area to make room for a turf park area outside of the 80-foot enhancement area. The applicant, in its last approval at the City agreed to provide a turf area and a park area. The applicant has reconfigured the habitat enhancement area a second time so that this turf area is located outside of the restoration area required by the Commission's condition, although some access will be possible in the re-vegetated area (outside the 30 foot area). The proposed turf park area remains 80 feet from the bluff, but some parts of the enhancement area that were more than 80 feet wide have been relocated to the northwestern corner of the project, nearer to the public parking lot at the fishing access. This leaves room for the public turf area in an area with prime views of the bluff.

Special Condition 3 however, continues to refer to the exhibit that the applicant submitted in 2003. With this amendment, the applicant proposes to substitute new exhibits showing the buffer area (Exhibits #3 & #6 of this staff report). With this amendment, the applicant requests that the Commission amend Special Conditions 3 and 7 to reflect the change in dimensions authorized in amendment 2. A new section of Special Condition 3 requires that prior to issuance of the CDP, the applicant shall provide clear revised plans that distinguish the area where an active "turf park" requested by the City is located and the Coastal bluff scrub area required by the Special Conditions 3 and 7 is located.

Special Condition 3, references activities allowed in the habitat enhancement and restoration areas. Special Condition 7, specifies the content of the Landscape Improvement Plan and activities allowed in the four different kinds of restoration/enhancement areas. The lack of specificity in Special Condition 3 with respect to activities allowed and in some instances, the location of the restricted area, made the special condition difficult to understand. The Commission is adopting changes to Special Conditions 3 and 7 which are consistent with its previous actions, but which clarifies that the intended cross references are to Special Condition 7. Moreover, attempting to comply with Special Condition 7, the applicant has provided draft landscape plans. These plans clearly show the 80-foot wide

habitat enhancement/restoration areas adjacent to the western bluff face. Unfortunately these draft plans show four, rather than two, viewing point areas within the habitat /enhancement areas. Two Viewing points were shown on Exhibits 3 and 4 provided to the Commission in 2003 (shown on Exhibit #7 of this staff report). Rather than benches within this area, which were the development explicitly mentioned in Special Condition 3 of the Commission's previous action, the draft plans show graded decomposed granite pads, and from one to three picnic tables in each view point, in addition to benches.

In response to this change, Staff Ecologist, Dr. John Dixon responded that "Picnic tables should be beyond the 30 ft, preferably with no pad, and definitely with covered trashcans that are frequently emptied. Picnic areas will inevitably get much heavier use than benches. It would be better if [the path] it were also outside the 30 ft with a few spurs going to viewing areas."—Dixon, electronic communication, May, 2006.

The Commission notes that the applicant has not proposed these changes to the number of viewing areas (from 2 to 4) as an amendment, and Special Condition 3 now requires minimal activity adjacent to the western bluff. These revised plans have not been accepted as an amendment to the permit and are not before the Commission. At any rate, the staff could not have accepted them because of the limitations on the staff's ability to accept an amendment that is inconsistent with the Commission's previous action. With the clarifications adopted in this report, it will be clear that benches are allowed at the two view points, and that the functions of the restoration and enhancement area is to assure that the bluff face retains its integrity as environmentally sensitive habitat, consistent with the natural corridors element of the certified LCP.

On the eastern bluff face, the Commission resolved a dispute about re-use of a large flat area on the bluff face. The draft landscape plans do not yet show the expanded restoration areas required in Special Condition 7.A (5), which requires restoration of all areas outside of the area graded for the handicapped access ramp, including all areas seaward of the coastal setback line adopted in the certified LCP. In this case, the applicant has not yet updated these plans to reflect the Commission's action. Clarifications to these special conditions adopted in this present action will make it easier to identify areas that should be restored and then preserved as open space. Staff will continue to work with the applicant to ensure compliance with the Commission's conditions of approval.

The Commission agreed that parts of the eastern bluff face area are disturbed and approved an ADA-compliant access trail as long as it went down to the beach, a hotel swimming pool, a public snack bar and picnic area. To balance this grading, and to mitigate for any disturbance of any remaining bluff face plants, the Commission expanded the coastal bluff scrub restoration area to include an area previously proposed for installation of a new native grass area within 30 feet of the eastern bluff face and required the bluff face outside the graded area and within those 30 feet (Zone D), to be replanted with coastal bluff scrub plants (see Special

Condition 7.B.(5). The Commission allowed public access and use down the face of the eastern bluff, but also set back turf areas from potential restoration areas. The Commission found that these conditions gave maximum protection to the sensitive habitat of the area consistent with the Corridors Element of the LCP. The applicant now proposes to extend a fire road to the snack bar that the Commission approved at the lower pool on the bench. The fire road is within the area that was already considerably disturbed. The City also has suggested that the applicant widen the proposed ADA access route so that it will accommodate more people. These changes do not seem to create additional impacts to habitat, because the proposed additional grading for the ADA-compliant trail and shoreline access ramp are not in areas the Commission previously identified as having sensitive habitat. In addition, recent site visits by staff confirmed what previous staff site visits observed on the site; that the area identified for additional grading is disturbed, part of it is paved or compacted, and that vegetation is sparse, including a high percentage of introduced species.

The Commission finds that the project as amended with the recommended changes to the special conditions is consistent with the Natural Corridors Element and the Corridors Element sections of the certified LCP.

#### **D. Visual Impacts**

In addition to protection of resources, the Rancho Palos Verdes LCP protects view corridors. These corridor policies encourage clustering of development to allow views from public roads to the shoreline. They identify certain views from major roads and turnouts to the bluffs as public view corridors. The policies do not identify views from the beach of the bluffs as public view corridors. Instead the policies that discuss bluffs are found in the Natural Corridors section, which provide that bluffs should be as much as possible protected in their current state.

*Natural Corridors should, where desirable and feasible, be utilized as pedestrian access corridors providing access to the coastal bluff areas and should have appropriate design treatment to insure pedestrian safety as well as retention and enhancement of natural features.*

*Natural Corridors should be utilized as landscape and open space buffers separating and defining developed areas and where pedestrian access is present, linking to pedestrian access corridors within these developments.*

*Where Natural Corridors can be utilized to expand, or otherwise enhance, a protected corridor as open space within visual corridors, the opportunity should also consider the possibility of providing controlled access corridors for viewing selected habitat areas for education or scientific purposes.*

The LCP addresses development on bluff faces in the Natural Corridor section of the certified LCP.

The Visual Corridor Section of the Corridors Element in the LCP states in part:

*The Visual Corridors which have been identified in the General Plan and are discussed here are those which are considered to have the greatest degree of visual value and interest to the greatest number of viewers; and are thus a function of Palos Verdes Drive as the primary visual corridor accessible to the greatest number of viewers, with views of irreplaceable natural character and recognized regional significance.*

The Corridors Element of the certified 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 changes to the site plan are in conformance with the originally approved project and do not involve any changes to the project's consistency with height and view corridor standards of the certified LCP. The City carefully analyzed whether the structures in their new locations would encroach into view corridors or would have a greater impact on the views from the main road, Palos Verdes Drive.

The standard of review for development on the bluff face under the LCP is whether the proposed development interferes with "irreplaceable views of recognized regional significance" or whether or not the proposed development is consistent with the "enhancement of natural features". The applicant proposes to widen a fire access road from the bluff top to an existing graded bench on the bluff face (the approved site of the Lower Pool Facility). Grading for the new road and the widened handicapped access trail would occur within an area of the eastern bluff that has been extensively graded in the past. The changes would leave the western bluff face intact. Because of the curve of the slope, the path and road would not be visible from the beach. This area is not visible from the bluff top or from Palos Verdes Drive South.

The proposed changes to the golf amenity do not introduce new visual impacts because the modified golf course is entirely within the previously approved golf course area. The new design utilizes the natural down-sloping nature of the lot; earth berms used to contain errant golf balls are also designed to enhance the natural topography. The Commission finds that as conditioned the project as amended is consistent with the View Corridor and Natural Corridor section of the certified LCP.

**E. California Environmental Quality Act (CEQA)**

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect

that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



**APPENDIX A**  
**RECOMMENDED STANDARD AND SPECIAL CONDITIONS**  
**A-5-RPV-02-324-A6**

**STANDARD CONDITIONS**

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the original application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**SPECIAL CONDITIONS**

NOTE: IF THE SPECIAL CONDITIONS REQUIRE THAT DOCUMENT(S) BE RECORDED WITH THE COUNTY RECORDER, YOU WILL RECEIVE THE LEGAL FORMS TO COMPLETE (WITH INSTRUCTIONS). IF YOU HAVE ANY QUESTIONS, PLEASE CALL THE DISTRICT OFFICE.

1. **DETAILED REVISED/FINAL PLANS**

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit, for the review and approval of the Executive Director, revised, detailed final plans for all development approved in this permit. The revised plans shall have been approved by the City of Rancho Palos Verdes, and shall conform to the requirements of the special conditions of this permit and indicate the final scale, location and elevation of all development. The plans shall include all development **approved through this permit**, including **parcel maps**, grading, staging, signage, structures, open space, parks, drainage facilities, landscaping, habitat restoration, trails and trail corridors (including their widths) and roads, and shall be consistent with the following criteria:

- 1) Bluff face protection. No development, with the exception of the following, and grading necessary for the approved trails and drainage facilities, shall occur seaward of the Coastal Setback Line established in the certified Local Coastal Program (CSL).
  - (a) Revegetation/habitat enhancement consistent with the requirements of Special Conditions 7 and 8 below;
  - (b) Grading necessary for the ADA accessible public trail to the beach and Shoreline Access Ramp 1. Prior to the issuance of the coastal development permit, the City of Rancho Palos Verdes shall certify that both the "ADA Accessible Trail" and the connecting trail, to the beach level, Shoreline Access Ramp 1, comply with California Disability Accessibility Guidelines and/or the California Department of Parks and Recreation "Proposed Guidelines for Developed Outdoor Recreation Areas, Regulatory Negotiation Committee Report".
  - (c) Construction of a hotel pool, public restroom, public snack bar and a public viewing deck **and picnic area** on an existing graded bench area on the eastern bluff face, **also known as the Lower Pool Facility**, consistent with project plans submitted **with amendment application A-5-RPV-02-324-A2 and as shown on** by the applicant dated July 15, 2002 **Tentative Parcel Map No. 26073, Sheet 1, dated May, 24, 2006.**
  - (d) Construction of public trails and bike ways found in the Long Point Resort New Public Trails Plan shown in Exhibit 3 **of the Commission's June, 2003 approval staff report and on Tentative Parcel Map No. 26073, Sheet 1, dated May 24, 2006.**

- (e) Installation of storm water conduits and Outfalls "B" and "C" shown on the S.U.S.M.P. Site Plan dated May 15, 2003;
  - (f) Removal of broken storm water drains identified for abandonment in "S.U.S.M.P." plan dated May 15, 2003; and
  - (g) Installation of the fence delineating areas where no grading is permitted to take place, consistent with Special Condition 5A below.
- 2) Pursuant to this requirement:
- (a) The applicant shall eliminate all golf putting greens that are located seaward of the Coastal Setback Line.
  - (b) The applicant shall eliminate all grading for the hotel patio seaward of the Coastal Setback Line.
  - (c) The filter ("Stormfilter Unit 1") for Drainage "C", relocated inland of the Coastal Setback Line, shall be designed and built so as not to be visible from the beach or public trails.
  - (d) Drainage line "B" shown on the face of the bluff shall be installed by drilling so that no pipes are visible from the beach. Outfall "B" shall be relocated west of the location proposed ~~location~~ in 2002, as needed, in order to insure that the line can be drilled through competent bedrock material.
  - (e) Drainage line "C" shall be installed by trenching to the beach, with vertical shoring used on the sidewalls to minimize disturbance.
  - (f) Beach level dissipaters and outlets shall be constructed using native stone and/or concrete colored to blend in with adjacent rock.
- 3) Bluff Edge and Coastal Setback Line (CSL). All final grading plans shall delineate the Coastal Setback Line as designated in the certified LCP and the upper edge of the bluff defined consistent with the California Code of Regulations Section 13577(h).
- 4) Grading plans. Final grading plans shall be at a scale no less than 1:1200 (one inch to 100 feet). The grading plan shall include all trails, roads and final pads and shall conform to Condition 1A above.
- 5) View Corridors and Height. The plans shall show the pad elevations, building envelopes and elevations of all structures. In order to protect public automobile and pedestrian views from Palos Verdes Drive South,

and pedestrian views from public trails to and along the bluffs and from beaches, the heights and view corridor dimensions shall be consistent with all view corridor and height requirements imposed by the City of Rancho Palos Verdes in its August 28, 2002 action on the Conditional Use Permit No. 215 and Coastal Development Permit No. 166.

- 6) Trails, Parks, and Streets. The plans shall show trails, parks, and streets consistent with specifications in Special Conditions 2A, B and D.

B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. **PUBLIC ACCESS AND RECREATION/EASEMENT OFFERS**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record document(s) in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director an easement for public access and passive recreational use over (i) the approved public trails and trail corridors and park areas generally described by the applicant in Page 5 of the Public Benefits Summary dated December 24, 2002 and the Site Grading Plan dated March 17, 2003 and **as more specifically shown on Tentative Parcel Map No. 26073, Sheet 1, dated May 24, 2006 and** (ii) the roads and parking lots described in Section D of this condition. The areas **that must be covered by the easement** to be offered are listed below in Sections A, B and D of this condition and shown on Exhibits 3 and 4 **Tentative Parcel Map No. 26073, dated May 24, 2006**. Passive **recreational** use includes, but is not limited to, picnicking, viewing, sitting and hiking, but does not include organized sports. The easements shall include the right of the accepting agency to enter the easement areas and repair the trails or park or amenities associated therewith in the event the applicant/owner fails to maintain or repair those facilities as determined by the Executive Director and/or the accepting agency **subject to the limitation set forth in Section E.1(b), below**.

The recorded document(s) shall include legal descriptions and graphic depictions of both the permittee's entire parcel(s) and the easement areas. The recorded document(s) shall also reflect that development in the offered area is restricted as set forth in the **Section E of this Special Conditions of this permit**. The offer shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California. The offer shall be binding on all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording **recording of the offer**.

**APPENDIX A**  
**RECOMMENDED STANDARD AND SPECIAL CONDITIONS**

A. Public Trails:

- (1) Long Point Bluff Top Trail: A 4-foot wide trail in a 10-foot wide corridor, extending from the northwestern corner of the site, adjacent to the Point Vicente Fishing Access, running parallel to the bluff edge and stopping at the southern tip of the ADA Compliant Trail and at the beginning of the existing shoreline access ramp that continues down to the beach.
- (2) Long Point Bluff Top Trail, Vanderlip Link: An ADA compliant, 6-foot wide trail in a 10-foot wide corridor that continues from the top of the ADA Compliant Trail described below in (54), running seaward of the Eastern Casitas, along the top of the bluff and connecting to the off-site Vanderlip Trail.
- (3) ~~Marineland Trail: A mixed bicycle and pedestrian 10-foot wide trail in a 16-foot wide corridor, extending from the northwestern corner of the site, adjacent to the Point Vicente Fishing Access, running east, parallel and adjacent to Palos Verdes Drive South and terminating at the western edge of the resort's main entrance at the northeastern corner of the site.~~
- (3) Flowerfield trail: A 4-foot wide trail in a 10-foot wide corridor, extending from the northern end of the Resort Entry Trail, running east to the eastern edge of the property and continuing south and terminating on the southeast corner bluff top and connecting to the off-site Vanderlip Trail that continues down coast. This trail also connects to the Long Point Bluff Top Trail.
- (4) ADA-Compliant Coastal Access For Disabled: An ADA compliant **10-foot wide trail located within a 28-foot wide paved fire department designated access road, extending south from the resort parking area, transitioning to a 6-foot wide trail in a within a 100-foot wide** corridor (area on bluff face identified for grading proposed switchbacks) and then continuing over and as part of the 20-foot wide emergency access road and running seaward, adjacent to the lower pool facility and ~~terminates~~ **terminating** at the eastern shoreline access ramp, Shoreline Access Ramp 1.
- (5) Resort Entry Trail: A ~~mixed bicycle and pedestrian 10~~ **6-foot wide** trail in a 16-foot wide corridor, extending from Palos Verdes Drive South, running seaward along **either** the eastern **or western** edge of the resort entry road **shown on Tentative Parcel Map No. 26073, dated May 24, 2006,** terminating at the hotel.
- (6) Resort Entry Bike Trail: **Two 6-foot wide Class II bike lanes extending from Palos Verdes Drive South, running seaward along**

**the eastern and western edges of the resort entry road shown on Tentative Parcel Map No. 26073, dated May 24, 2006, terminating at the hotel.**

- (7) Shoreline Access Ramp 1: An ADA compliant, 4 ~~6~~-foot wide ADA access way in a 10-foot wide corridor **transitioning to a 100-foot wide corridor identified for grading switchbacks** located at the southern tip of the ADA accessible trail described in (54) above and connecting the ADA accessible trail to the beach level at the southeastern corner of the project site.
- (8) Shoreline Access Ramp 2: A ~~two~~2-foot wide access way in a 10-foot wide corridor that provides shoreline access, connecting the Long Point Bluff-Top Trail to the beach at the southern tip of the property.

B. Parks:

- (1) Public Bluff Top Park: 2.2 Acre Park at the bluff edge adjacent to the Point Vicente Fishing Access in the northwestern portion of the site **as shown on Exhibit #4 of the Commission's June 2003 approval staff report.**
- (2) Beach: All areas owned by the applicant located between the beach level property line (mean high tide) and a line drawn approximately at the toe of the bluff.

C. The easement for public access and passive recreation required to be offered pursuant to this Special Condition over the areas listed in sections 2A and 2B shall be subject to the limitation that it not provide for such access or recreation in those areas during the period between one hour after sundown each day and one after before dawn the next day. **However, the permittee shall not interfere with the public's right of access over those areas during their hours of operation (from one hour before dawn to one hour after sundown).**

D. Public streets and parking areas.

- (1) The revised plans required by Special Condition 1 shall delineate all streets and parking areas of the project, including but not limited to, the following:
  - (a) The 50-car parking lot adjacent to the Point Vicente fishing access.
  - (b) The eastern parking lot in its entirety.

- (2) Streets, Roads and Public Parking Areas shall be provided as described on Tentative Parcel Map 26073, dated May, 2002 **shown on Tentative Parcel Map No. 26073, dated May 24, 2006, shall include the 1,075 parking spaces shown on the** Long Point Parking Study Plan dated July 11, 2002 and shall be for public street purposes including, but not limited to, pedestrian, bicycle and vehicular access. **The easement shall specify that all streets and roads shall be open for use by the general public 24 hours per day. The public parking lots in section D1 of this special condition may be closed from one hour after sundown to one hour before sunrise each day.**

~~E. Parking shall be provided as described in the applicant's Parking Study Plan dated July 11, 2002 and the applicant's submittal dated March 25, 2003. The easement shall specify that all streets and roads shall be open for use by the general public 24 hours per day.~~

~~F. Final design and Construction. The applicant shall construct the trails and park consistent with the specifications of this permit and of the City of Rancho Palos Verdes. If the requirements of the City conflict with the requirements of this permit, the conditions of this permit shall prevail.~~

- ~~(1) Consultation during design of the ADA accessible trail and Shoreline Access Ramp 1. Prior to providing final designs of the ADA accessible trails, the applicant shall consult with the California Department of Parks and Recreation and local mobility and disabled rights advocate groups to assure that the trail will be usable by members of such groups. If there is any disagreement between the permittee and the City of Rancho Palos Verdes concerning the appropriate design of the trail, the Executive Director shall resolve the dispute consistent with the need for public safety, the protection of resources, the provision of maximum access and the feasibility of any alternative.~~
- ~~(2) Before occupancy of the hotel or restaurant and before opening the three-hole golf facility and driving range for play, the Executive Director shall certify in writing that the trails and park are complete, open and have been accepted by the City of Rancho Palos Verdes or other public or private nonprofit agency that is able to operate the trails consistent with this permit.~~
- ~~(3) Fencing plan. Prior to issuance of a coastal development permit, the applicant shall prepare a fencing plan consistent with the public access policies of this permit for the review and approval of the Executive Director. With the exception of pool fences, fences shall be open appearing and no more than 42 inches high. Fencing shall be constructed of materials that allow views through them (such as glass~~

~~panels or wrought iron). Use of fencing shall be minimized and shall be employed only for public safety and to protect habitat areas from disturbance.~~

**GE.** Development Restrictions:

(1) Public Trails and Bikeways

~~(a) The permittee shall not interfere with the public's right of access over the public trails or bikeways identified in Special Condition 2A, above, during their hours of operation (from one hour before dawn to one hour after sundown). The permittee may close the bluff edge and bluff face trails and prohibit access to those areas from one hour after sundown to one hour before dawn.~~

~~(b) No development, as defined in Section 30106 of the Coastal Act, shall occur within the access corridors identified above in Section A of this condition and as described and depicted in an exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit except for the following development:~~

- (a) Grading and construction necessary to construct, **install** and maintain, the trails, bikeways **public seating areas, habitat restoration, signs, interpretive facilities, benches, safety fencing, emergency fire roads, and drainage systems and devices and utilities** other development approved by this permit in accordance with and **as** identified in **the** construction, grading, landscaping and public amenity plans approved by the Executive Director as consistent with Special Conditions 1, **2, 3 and 7** of this permit.
- (b) Maintenance and repair of development authorized by this permit **referenced above in subsection (a)** that the Executive Director determines does not include significant grading or landform alteration.
- (c) ~~Maintenance of public access and recreation facilities and appurtenances (e.g. signs, interpretive facilities, benches, safety fencing), vegetation~~ Planting and removal **of vegetation consistent with the final landscape plan approved by the Executive Director as consistent with Special Conditions 7C and 8 of this permit.**
- (d) **Construction of** underground utilities, drainage devices, and erosion control and repair consistent with **final plans reviewed and**



approved by the Executive Director as consistent with the Long Point Site Grading Plan, dated March 17, 2003 as consistent with Special Conditions 1, 19 and 20 of this permit, shown on Tentative Parcel Map No. 26073, dated May 24, 2006. Underground utilities, drainage devices, and erosion control systems and devices, and repair and maintenance of the same, shall not diminish provided that development that diminishes public access through any identified corridor. shall be prohibited. The lands for public trails and bikeways, as depicted on final plans approved by the Executive Director but generally depicted on Long Point Resort, Public Benefits Summary, dated December 24, 2002.

(2) Public Park Areas

- (e) The permittee shall not interfere with the public's right of access over the park areas identified in Special Condition 2B, above, during their hours of operation (from one hour before dawn to one hour after sundown).
- (b) No development, as defined in Section 30106 of the Coastal Act, shall occur within the public park areas identified in Section B **of this Special Condition** and as described and depicted in an exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit except for the following development:
- (a) **Within the park area identified in Section 2.B(1) of this Special Condition**
- (i) Grading and construction necessary to construct, **maintain and install** the trails, public access **facilities, public seating areas** and recreation facilities and appurtenances authorized in **sections 2.A (1)-(8), and 2.B(1)** by of this permit development **and more specifically described in the construction, grading, landscaping and public amenity plans approved by the Executive Director consistent with Special Conditions 1, 2 and 3** (e.g. signs, interpretive facilities, view points, benches, picnic tables, shade structures, safety fencing).
- (ii) **Maintenance and repair of development authorized by this permit referenced above in subsection (i) that the Executive Director determines does not include significant grading or landform alteration;**

- (iii) Planting and removal of vegetation consistent with the final Landscape plan approved by the Executive Director consistent with special conditions 7.C and 8 of this permit.
  - (iv) Construction of underground utilities, drainage devices, and erosion control systems, and repair of these facilities, consistent with final plans approved by the Executive Director consistent with Special Conditions 1, 7, 19 and 20 of this permit and provided that development that diminishes public access through any identified corridor shall be prohibited.
- (b) Within the beach area identified in Section 2.B(2) of this Special Condition
- (i) Construction and installation of the public benches, and informational signs authorized in this permit.
  - (ii) Drainage facilities authorized by this permit, consistent with Special Condition 1 of this permit.
  - (iii) The following additional development may be also allowed in the areas covered by this condition if approved by the Coastal Commission as an amendment to this coastal development permit or by the Coastal Commission or its successor agency as a new coastal development permit: construction of lifeguard facilities for use by a public agency, or repair or maintenance of seawalls and revetments described in Special Conditions 15 and 16 of this permit.
- (3) Public streets and parking areas
- (a) Long term or permanent physical obstruction of streets, roads and public parking areas in located within Tentative Parcel Map 26073, dated May 2002 and Parking Study Plan dated July 11, 2002 Tentative Parcel Map No. 26073, dated May 24, 2006 shall be prohibited. Public entry controls (e.g. gates, gate/guard houses, guards, signage, etc.) and restrictions on use by the general public (e.g. preferential parking districts, guests-only parking

periods/permits, etc.) associated with any streets or public parking areas shall be prohibited.

- (4) **PRIOR TO ISSUANCE BY THE EXECUTIVE DIRECTOR OF THE NOTICE OF INTENT TO ISSUE A COASTAL DEVELOPMENT PERMIT FOR THIS PERMIT (NOI)**, the applicant shall submit for the review and approval of the Executive Director, and upon such approval, for attachment as an exhibit to the NOI, formal legal descriptions and graphic depictions of the portions of the subject property affected by this Section G of this condition, as generally described above and shown on Exhibits 3 and 4 attached to the findings in support of **the Commission's 2003** approval of this permit.

3. **HABITAT ENHANCEMENT AND PROTECTION/EASEMENT OFFERS**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record document(s) in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director an easement for habitat restoration/enhancement and protection areas including: **over** all areas listed below in Section A, **as restoration/enhancement areas. These areas were** and as identified on the Long Point Resort Landscape Improvements Plan dated March 26 and 27, 2003 as depicted in Exhibits 6 and 7 of the Commission's June, 2003 approval staff report and modified by Special Condition 7, **and as shown in final plans approved by the Executive Director as consistent with Special Condition 7.** The easement shall include the right of the accepting agency to enter the easement area and repair the habitat area if the permittee fails to maintain the restoration/enhancement and protection areas as required in Special Condition 7.

The recorded document(s) shall include legal descriptions of both the permittee's entire parcel(s) and the easement areas. The recorded document(s) shall also reflect that development in the offered area is restricted as set forth in **the Section B of this Special Conditions of this permit 3 and in Special Condition 7.** The offer shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California. The offer shall be binding on all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

A. **Habitat Restoration/Enhancement and Protection Areas**

- (1) Habitat Restoration/Enhancement and Protection Areas: All areas seaward of the Coastal Setback Line (CSL) **shown in the certified Local Coastal Program**, except for the subterranean areas identified for Drainages "B" and "C" **in the final plans approved by the Executive**

**Director consistent with Special Condition 1, 19 and 20** and the areas identified for the lower pool facility, the "Lookout Bar" in its present configuration and the ADA compliant access **in amendment application A-5-RPV-02-324-A2 and as shown on Tentative Parcel Map No. 26073, Sheet 1, dated May, 24, 2006.**

- (2) Zone A, preserved naturalized vegetation zone (on the bluff face), **also identified as Zone A in Special Condition 7.B of this permit and on Page 1 of Tentative Parcel Map No. 26073, dated May 24, 2006.**
- (3) Zone B, the Coastal Bluff Scrub and Coastal Sage Scrub Zone, **also identified as Zone B in Special Condition 7.B of this permit: an average** approximately 80-foot wide restoration/buffer area, extending along the bluff top from the Long Point (just north of the "Lookout Bar") to the Point Vicente fishing access, also described as "buffer" and "enhancement" areas **Page 1 of Tentative Parcel Map No. 26073, dated May 24, 2006.**
- (4) Zone C, the **Roadside** Enhanced Native Planting Zone **also identified as Zone C in Special Conditions 7.B of this permit:** a strip of coastal sage scrub and "accent trees" adjacent to Palos Verdes Drive South from the Point Vicente fishing access parking lot to the entry road **and on Exhibits 6 and 7 of the Commission's June 2003 approval staff report.**
- (5) Zone D, **also identified as the "Eastern Bluff Area" in Special Condition 7.B(5) of this permit:** the **area seaward of the coastal setback line** shown in the certified Local Coastal Program **adjacent to the eastern bluff, and the eastern bluff face outside of the area adjacent to the Lower Pool facility and** area surrounding the ADA compliant trail, **as shown in final landscape plans approved by the Executive Director as consistent with Special Condition 7 of this permit.**

B. Development Restrictions:

- (1) Irrespective of whether the easement is accepted, The permittee and its successors **in interest (until the easement offer is accepted or, if it is not accepted, in perpetuity) and any holder of the easement** shall maintain the areas described above in Special Condition 3A as habitat.
- (2) All planting within habitat areas shall conform to the requirements of Special Condition 7 addressing the preservation and/or planting of habitat and restoration areas, except that the applicant may retain the landmark grove of Canary Island palm trees located adjacent to the

western bluff face **as shown in final landscape plans approved by the Executive Director as consistent with Special Condition 7 of this permit.**

- (3) No development, as defined in Section 30106 of the Coastal Act shall occur in habitat protection areas as described and depicted in an exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit except for:
- (a) Habitat restoration, fencing and informational signs, approved drainage devices, designated trails and the viewing areas all as approved in this permit and identified in Exhibits 3 and 4 **of the Commission's June, 2003 approval staff report and as shown on final plans approved by the Executive Director as consistent with Special Conditions 2, 3 and 7 of this permit.**
  - (b) **Grading for, installation of, and maintenance of Drainage devices described on the S.U.S.M.P. Site Plan dated May 15, 2003 and consistent with Special Condition 1 of this permit.**
  - (c) **Grading and construction for development approved pursuant to Section 3.B(3)(a) above.**
  - (d) **Repair and maintenance of the development listed in Sections 3.B(3)(a) through 3.B(3)(c) above.**
- (4) **Notwithstanding the foregoing restrictions listed in Sections 3.C, those portions of the areas listed in Section 3.B that are also listed in Section 2.A may be developed as indicated in Section 2.E.**

C. PRIOR TO ISSUANCE BY THE EXECUTIVE DIRECTOR OF THE **NEW NOTICE OF INTENT TO ISSUE A COASTAL DEVELOPMENT PERMIT FOR THIS PERMIT, AS AMENDED THROUGH AMENDMENT A-5-RPV-02-324-A6 (NOI)**, the applicant shall submit for the review and approval of the Executive Director, and upon such approval, for attachment as an Exhibit to the NOI, formal legal descriptions of the portions of the subject property affected by this condition in ~~Section B~~, as generally described above and shown on Exhibits 6 and 7 attached to the findings in support of approval of this permit.

#### 4. **PARKING MANAGEMENT PLAN**

A. PRIOR TO THE ISSUANCE OF COASTAL DEVELOPMENT PERMIT, the applicant shall submit a parking management plan for the review and approval of the Executive Director that ensures the provision of no fewer than 1075 parking spaces on the property subject to this permit as a whole. These parking spaces

include no fewer than fifty (50) public parking spaces within the eastern parking area adjacent to the trail head of the ADA compliant trail described in Special Condition 2A(5) and The 50 public spaces in the lot adjacent to the Point Vicente fishing access. Spaces on the on-site eastern parking lot shall be available from one hour before dawn until one hour after dusk. The plan shall include:

- (1) Signage on site identifying public parking and hours available in the public parking areas;
- (2) A written policy indicating that valets shall not park cars in these areas;
- (3) Signs shall indicate that if public spaces are occupied the public is welcome to park in any unoccupied space within the eastern 128-car parking easement area.
- (4) All contracts with conferences and weddings and other special events shall require that these programs direct attendees to areas outside of the public parking area.
- (5) Contracts shall provide that weddings, conferences and other events that increase parking demand over the number of spaces provided on site shall provide off-site valet parking or other methods to preserve no less than 50 parking spaces in the eastern parking lot for beach and trail visitors.

B. The permittee will undertake development and continue to operate in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**5. MANAGEMENT /MAINTENANCE OF FACILITIES**

A. Construction Requirements:

- (1) Except as specified in Special Condition 1, before the commencement of demolition, construction or grading; a visible hazard fence shall be placed delineating the areas of approved grading, which shall be no less than 20 feet inland of the habitat restoration/enhancement and protection areas and no less than 30 feet inland of the edge of the bluff where there are no habitat restoration/enhancement and protection areas (Exhibits 6 and 7).

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- (2) Said fence may be temporarily moved or adjusted to accommodate construction of approved trails or drainage devices, but heavy equipment storage or stockpiling shall not occur in the areas listed above, in Section A(1).
  - (3) The applicant shall also place fencing to delineate all areas outside of the area identified for grading for the ADA accessible trail.
  - (4) The Executive Director shall confirm in writing that the fencing is consistent with the condition. If the proposed fence is inconsistent with the adopted conditions of the permit, the permittee shall change the design to comply with the conditions, or if the inconsistency is due to a situation not anticipated in the Commission's action, submit an application to amend the permit.
  - (5) No sediment shall be permitted to discharge onto the beach or intertidal area.

B. The permittee shall be responsible for maintaining the park, trails and habitat areas required in this permit and shall reimburse the accepting agency for costs incurred when/if the accepting agency takes over the maintenance of the public trails, park and/or habitat restoration/enhancement and protection areas. Prior to issuance of or transfer of this permit the permittees shall acknowledge in writing:

- (1) Nothing in this permit shall prevent the owner of land that is covered by this permit and is for sale, as a condition of sale, from requiring each buyer to contribute its fair and reasonable share of the costs of the maintenance of the area to the hotel operator to collect funds and carry out maintenance of the areas pursuant to Special Condition 5F below and to manage and maintain the area and drainage system in accordance with the terms and conditions of this coastal development permit. Nothing in this restriction condition imposes the obligation on the owner of an individually owned unit (a "casita" or "villa") to personally work on the streets, park or habitat areas.
- (2) The applicant and individual owners or lessees shall not install or maintain any invasive plant that is not indigenous to the Palos Verdes peninsula anywhere on the property as required in Special Conditions 7 and 8 of this permit and as shown on the 1997 Ocean Trails Invasive Plant List.

C. The permittee and its successors shall ensure that the entire storm water system, including but not limited to pipes, outfalls, stormfilters, trash traps, drainage systems, oil/water separators, Best Management Practices and other programs and devices required to protect habitat in ocean waters and tide pools are maintained, in good and working condition. This obligation includes obligations for regular and ongoing maintenance and cleaning and for replacement of damaged or aging elements of the system. The accepting agency (City of Rancho Palos Verdes) shall

maintain all public trails, park, public parking and habitat restoration/enhancement and protection areas as required by this permit when/if the permittee fails to do so.

D. Public and commercial recreation facilities. The resort, including the restaurants, health spa, banquet facilities, clubhouse and golf practice facility will remain as commercial visitor-serving facilities open to the general public, and any proposed change in the level of public use will require an amendment to this permit. The trails and public parking areas as identified in Special Condition 2 shall remain open to the general public with no fee for use. The public shall receive equal priority with hotel guests for use of all public facilities.

- (1) The permittee is required to maintain no fewer than 100 public parking spaces, consisting of 50 parking spaces adjacent to the Point Vicente Fishing Access and no fewer than 50 parking spaces located in reasonable proximity to the ADA accessible trail for public use of trails, parks and the beach.
  - (a) No fee shall be charged for the public's use of this parking. If hotel and restaurant visitors occupy the fifty (50) "public spaces" within the eastern 128-car parking easement area, other spaces within the eastern 128-car parking easement area shall be identified as public parking available to the public by clear and directional signage.
  - (b) No more than three special events that result in closure of this parking shall occur during any calendar year. Permitted special events shall be available to the general public, but they may charge a fee. No more than one of these events shall occur between the week before Memorial Day and the week after Labor Day. Operators of the event shall provide alternate parking for beach users and shall not interfere with the public's access to the public park, trails along the bluff and from the bluff top to the beach.
- (2) The permittee shall notify all tenants and all future buyers that the ADA compliant trail and other trails and access points will be used by the public to access fishing, surfing, diving and kayak areas, and such activities are frequently undertaken at early hours of the morning.
- (3) CASITA BUILDINGS ADJACENT TO TOP OF SHORELINE ACCESS ADA COMPLIANT TRAIL. The permittee shall install soundproofing such as thermal insulation and double-paned glass on these buildings.
- (4) CLUBS PROHIBITED. No club or other arrangement that will restrict use of the golf course by the general public shall be permitted.
- (5) OPERATIONS. The permittee and its successors in interest shall open these facilities as identified in the Long Point Resort Public Benefits



Summary, dated December 24, 2002, to the public from one hour prior to dawn to one hour following dusk. No fee or validation shall be required for use of these facilities.

- (6) PUBLIC USE. The restaurants, overnight facilities, health spa, Lookout Bar, banquet facility and golf practice facility shall be open to the general public.
- (7) SIGNS. The designated public parking lots, restrooms and public access trails shall be identified as open to the public by appropriate visible signs subject to the review and approval of the Executive Director. The signs shall be erected in areas accessible to the public, including trail entrances and the resort entrance.
- (8) CASITA, VILLA, BUNGALOW AND INDEPENDENTLY OWNED HOTEL ROOM OCCUPANCY RESTRICTION. There are 582 guestrooms/keys, maximum, available at the resort. Of these, 288 guestrooms/keys are within the 152 independently owned units (all 50 "casitas", all 20 "bungalows", all 32 "villas" and 50 "independently owned units within the hotel.") These units, and the guestrooms/keys within them, are to be operated by the hotel as limited-occupancy resort condominiums pursuant to a restriction whereby any independently owned unit shall not be occupied by an owner for more than 29 consecutive days and no more than 60 days per year for the "Casitas," "Bungalows," and "independently owned hotel units" and no more than 90 days per year for the "Villas". When not occupied by an owner, each unit and each guestroom/key will be available as a hotel accommodation. The hotel will be a designated booking agent for all unoccupied units/guestrooms/keys, including those under contract to a third-party company for rental services. The rental management company will be required to notify the hotel of its available inventory for all units under contract and shall be required to accept bookings made through the hotel for rental to the general public. The hotel operator shall maintain records of owner use of all independently owned units and utilization of all guestrooms/keys, including the room rates charged. Further conversions of any portion of this project, including the individually owned units approved in Amendments A3 and A5, to any time-restricted or multiple ownership programs including, but not limited to, condominium, time-shares or other type of project that differs from the approved limited occupancy project requires an amendment to this coastal development permit. Pursuant to this condition:
  - (a) Prior to issuance of this permit, the applicant shall submit for the review and approval of the Executive Director a signed and recorded Declaration of Restrictions/Agreement with the City of

Rancho Palos Verdes and the Coastal Commission that substantially conforms to the conditions of this permit and guarantees that the applicant and its successors in interest shall maintain all units guestrooms/keys, including the individually-owned units, as hotel units, which shall be available to the general public on an equal basis. The recorded Declaration shall not be revised without the consent of the Commission, either through the Executive Director or with an amendment to this permit. Pursuant to this condition, the applicant shall ensure the following:

- (i) The operator of the hotel shall manage the condominiums as part of the hotel inventory, which management will include the booking of reservations through the rental agent, mandatory front desk check-in and check-out, maintenance, cleaning services and preparing the units for use by guests/owners. In addition, if the hotel operator is not the owner's rental agent, or if the owner is acting without a rental agent, then the operator shall have the right, working through the owner or its designated rental agent, to book any unoccupied room/key to fulfill demand, at a rate similar to comparable accommodations in the hotel. The owner or an owner's rental agent may not withhold units/guestrooms/keys from use. In all circumstances, the operator shall have full access to the condominiums' reservation and booking schedule so that the operator can fulfill its booking and management obligations hereunder. The keys shall be electronic and created upon each new occupancy to control the use of the condominium units. The hotel operator shall provide monthly reports of owner and non-owner use to the City of Rancho Palos Verdes.
- (ii) The use of each "Casita", "Bungalow" or "independently owned hotel unit" by the owner(s) (no matter how many owners there are) shall be limited to a maximum of 60 days per calendar year, no more than 29 consecutive days, and a minimum 7-day period between 29-day periods of owner occupancy. Each "Casita", "Bungalow" or "independently owned hotel unit", and each separate guestroom/key within such unit is required to be available as a hotel accommodation and managed by the hotel.
- (iii) The use of each "Villa", by the owner(s) (no matter how many owners there are) shall be limited to a maximum of 90 days per calendar year, no more than 29 consecutive days, and a minimum 7-day period between 29-day periods of

owner occupancy. Each "Villa" is required to be available as a hotel accommodation and managed by the hotel.

- (iv) The use of the hotel by any guest or owner shall be limited to no more than 29 consecutive days.
  - (v) All owners shall explicitly acknowledge that the public has access to the parks, trails, spa, restaurant, and other public amenities and facilities of the site.
- (b) In addition to the recordation of the Declaration of Restrictions referenced herein, and prior to the issuance of this permit amendment, the applicant shall submit a management plan that specifies the hotel operational procedures and condominium ownership restrictions that will ensure the on-going availability and retention of the resort units for public and visitor use. The management plan shall include the provision of an annual report to the Executive Director that aggregates the monthly reports of owner, non-owner and hotel use of the 582 units-guestrooms/keys. The management plan shall be submitted to and approved in writing by the Executive Director. No changes to the management plan shall be made without an amendment to this permit unless the Executive Director determines that no amendment is required.

E. Other agreements. The applicant shall assure that all covenants and agreements with the City of Rancho Palos Verdes that address the operation of these public facilities, including the parking lots, the golf facility, the clubhouse, banquet room, restrooms and other public facilities, are consistent with this permit. Pursuant to this requirement, any agreements or covenants that delegate maintenance or operation of these public facilities to a third party shall be consistent with all terms and Conditions herein, and shall be provided to the Executive Director for review and approval with evidence of such consistency prior to their execution.

F. Prior to issuance of Coastal Development Permit A-5-RPV-02-324, the applicant shall submit a written agreement, subject to the review and approval of the Executive Director, that requires the owner of the property to have the hotel operator physically maintain and keep in good repair all public trails, habitat, recreation facilities and drainage systems. The agreement shall apply to all parcels created by Tentative Parcel Map No. 26073 and to any parcels created by any subsequent division of the land covered by the map including subdivision for condominium purposes. The agreement shall acknowledge all the responsibilities and limitations of this permit.

G. The permittee shall undertake all development and construct and operate all facilities on the property consistent with these restrictions.

**6. TRAIL REPLACEMENT**

A. By acceptance of this permit, Coastal Development Permit A-5-RPV-02-324, the applicant acknowledges and agrees that if any of the bluff top trails (Long Point Bluff Top Trail, the ADA-Compliant Coastal Access Trail and the trail link between Long Point Bluff Top Trail and the Vanderlip Trail, an offsite trail) fails, and cannot be reasonably repaired within two weeks of damage, the applicant shall submit a report to the Executive Director for a determination of whether a permit amendment is necessary within two weeks of the event. If the Executive Director determines that an amendment is needed, the applicant agrees to submit an amendment application within two (2) months of the date the Executive Director notifies the applicant in writing that a permit amendment is necessary, and complete all replacement trails within one (1) year of time amendment is approved unless the Executive Director grants an extension for good cause. Said replacement trail(s) will be proposed in a safe area between the bluff edge and the structures. In such relocation the applicant shall take all reasonable measures to assure the public safety from golf balls. No cage or "slinky" shall be permitted in lieu of golf facility redesign. The design for such trails shall be accompanied by redesign and relocation, as necessary, of other improvements on the property, including the golf practice facility. The trail redesign or relocation shall provide the same quality of trail and level of access and shall provide access to and from the same areas as the original trail.

**7. RESTORATION AND ENHANCEMENT OF HABITAT AREAS**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a restoration and enhancement final plan for protection, enhancement and restoration of habitat areas described in Special Condition 7B. The plan shall be prepared by a licensed landscape architect or restoration specialist in consultation with the project biological consultant for the review and approval of the Executive Director. Prior to submittal of the plan to the Executive Director, the project geotechnical engineering and geologic consultants, the City of Rancho Palos Verdes geotechnical consultant, the Los Angeles County Fire Department and the Resources Agencies shall review the plans to ensure that the plans are in conformance with the project geologist and geotechnical engineer, the City and County consultants and public agencies' recommendations assuring public safety, the protection of endangered species and the protection of the near shore environment. The applicant shall provide, as part of the habitat and restoration plan, a plan and an agreement, for the review and approval of the Executive Director, for collecting seeds and cuttings from locally native plants found on this and adjacent properties. Seed collection shall be consistent with the approved plan. The habitat restoration/enhancement final plan shall conform with the following requirements:

A. Preparation/format of plan: The plan shall include, at a minimum, the following components:

- (1) A summary and map, based on the Final Environmental Impact Report (EIR) for the Long Point Resort Project, dated July 31, 2001 and the Addendum to the Certified EIR dated August 21, 2002 showing which species of native plants are found on the site and the topography of the developed site.
- (2) A survey of intact nearby bluff face and bluff top habitats, showing in each instance the degree of coverage, the species mix and the type of soil, the degree of sun exposure and the sources of moisture available for each habitat.
- (3) A list of goals for each of the habitat, enhancement and restoration areas listed in Special Condition No. 3, including but not limited to the needs of the El Segundo blue butterfly, needs of migrating coastal sage scrub species such as the coastal California gnatcatcher, and fire protection. Such goals shall be established in part by the performance of test plots.
- (4) A list of goals for timing and coverage. Timing and coverage shall be based on the expected growth rate of the plants the applicant proposes to use and the typical coverage of nearby sites in the bluff top and bluff face plant communities similar to the area addressed by the proposed plan.
- (5) Plans and measures to slow surface erosion appropriate to the expected growth rate of the plants. Alternative erosion control measures shall be identified and maintained until coverage is adequate to prevent surface erosion.
- (6) A map and separate list consistent with subsection B below, showing the species, size, and number of all plant materials proposed to be installed including the common and scientific name of the plant and whether or not the plant is native to the Palos Verdes Peninsula plant community, whether the plant appears on any of the lists of invasive plants shown in Special Condition 7C(5)(c) including or on the 1997 Ocean Trails Invasive Plant list, the area devoted to the plant and the type of installation proposed. The map shall show all other features such as proposed trails and hardscape.
- (7) A map showing proposed temporary irrigation. Temporary, above ground (e.g., "monitored drip") irrigation to allow the establishment of the

plantings is allowed, but no permanent irrigation is permitted in habitat areas.

- (8) A schedule for installation of plants;
- (9) A plan for site preparation indicating (1) method of cultivation, (2) soil preservation and (3) any herbicides proposed to be used and methods of application; and
- (10) A maintenance plan.

B. (Unless otherwise specified, the areas below are those identified on the Long Point Resort Landscape Improvement Plans dated March 26 and 27, 2003). Plans for the following areas shall conform with the following criteria:

- (1) All areas seaward of the edge of the bluff including but not limited to Zone A Preserved Naturalized Vegetation Zone (6.7 acres of habitat on the bluff face). The applicant shall identify and if feasible remove aggressive invasive plants listed by the California Exotic Pest Plant Council. In areas disturbed by excavation, the applicant shall replant with plants of the coastal bluff scrub community.
- (2) Zone B, the Coastal Bluff Scrub and Coastal Sage Scrub Zone: An 80-foot wide "buffer" and "enhancement" area extending from the edge of the bluff inland and from the northwestern corner of the site, adjacent to the Point Vicente Fishing Access parking lot consisting of 1.05 acre of natural habitat consisting of coastal bluff scrub, and a landmark grove of Canary Island palms of approximately .15 acre. The applicant shall not disturb native vegetation. Except for the existing group of Canary Island palms located along the western bluff top and adjacent to the Long Point Bluff Top Trail, the applicant shall remove those invasive plants listed on the Ocean Trails list of invasive plants (1997) and on the California Exotic Pest Plant Council list of invasive plants. Plantings shall consist of coastal sage scrub plant species native to Rancho Palos Verdes and suitable to El Segundo blue butterfly. The first 30-foot wide "buffer" area of Zone B, adjacent to the bluff edge shall be fenced to discourage human encroachments. The applicant shall use *Eriogonum parvifolium* and shall not use *Eriogonum fasciculatum*. No "accent trees" are permitted in this area with the exception of the existing landmark grove of Canary Island palms. The applicant shall use only local seeds and cuttings.
- (3) Drainage Line "C": All surface area disturbed by the installation of Drainage Line "C" shall be revegetated with locally collected seed and

cuttings of coastal bluff scrub species native to Rancho Palos Verdes. No *Eriogonum fasciculatum* shall be used.

- (4) Existing drainage channel in southeastern corner of site: Invasive plants as identified on the "Ocean Trails list" shall be removed within 30 feet of the drainage. The applicant shall install riparian species native to Rancho Palos Verdes obtained, as feasible, from local cuttings.
- (5) Eastern Bluff Area: that part of the Eastern Bluff Area formerly identified as "Naturalized Coastal Grass Planting Zone with Native Accents" (also known as "Zone D") and the portions of "Zone H" or "turf zone" located seaward of the coastal setback line, with the exception of the portion of "Zone H" located adjacent to the lower pool facility, on the Long Point Resort Landscape Plan dated March 26 and 27, 2003, shall be restored with coastal bluff scrub (CBS) including *Eriogonum cinereum*; a 1.5 acre area of adjacent bluff face slopes also within the Eastern Bluff Area shall be restored with coastal sage scrub species native to Rancho Palos Verdes and suitable to El Segundo blue butterfly, from local seed and cuttings. No trees, no turf and no *Eriogonum fasciculatum* shall be employed.
- (6) Zone C Roadside Enhanced Native Planting Zone. Applicant shall install plants adjacent to Palos Verdes Drive South that provide food and cover for wildlife, including gnatcatchers, migration between the nearby offsite habitat areas to the northeast and northwest under consideration for inclusion in the City's Natural Communities Conservation Plan (NCCP) Program as depicted in Exhibit 24. Species outside of expected shade canopies shall be predominantly coastal sage scrub plants. Tree canopies shall be limited to ten percent of the area. All plant materials shall be native to the Palos Verdes peninsula.

C. General Provisions for the Project Site

- (1) Planting will maintain views from Palos Verdes Drive South and to and along the bluffs and shall be consistent with the preservation of public views through the view corridors identified in the certified LCP for the project site.
- (2) Time limits for installation and completion of re-vegetation and enhancement of the bluff face, bluff ADA Compliant Trail and coastal bluff scrub and coastal sage scrub enhancement areas (includes Zones A, B, C and areas expected to be disturbed by grading.): The applicant shall provide a timetable consistent with the following: consistent with the experience of other projects in the area; for review and approval of the Executive Director; the surveys conducted as a result of the

requirements of subsection A above; and with the results of test plots in the identified areas.

- (a) The applicant may begin securing seeds and cuttings of native CBS materials found on the site and on the Palos Verdes peninsula within ten days of the Commission's action on this permit.
  - (b) Before the first rainy season following the issuance of the permit, the applicant shall remove invasives in the habitat restoration/enhancement and protection areas (Zones A, B, C and areas expected to be disturbed by grading).
  - (c) With the exception of areas identified for grading the ADA Compliant Trail and for disturbance for drainage lines, the applicant shall install the plants in the coastal bluff scrub enhancement areas Zones A, B and C within ten days after the second rain in the first rainy season after issuance of the coastal development permit. Installation shall continue until the end of the rainy season.
  - (d) In the case of areas approved for grading, the Drainage line "B" and Zone D, the area disturbed by grading for the ADA compliant trail on the bluff face and in a 1.5 acre area of bluff face adjacent to the trail and its supporting slopes, the applicant shall reserve topsoil and shall install plants at the beginning of the first rainy season after grading is complete. The applicant shall remove invasives and install plants of the coastal bluff scrub and coastal sage scrub communities before grading and install plants after the second rain in the first winter after the completion of grading of the bluff face access facilities.
- (3) All required plantings shall be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the habitat enhancement restoration plan. Invasive plants identified above shall be removed.
  - (4) Pursuant to this requirement, all landscape personnel shall be provided training, and understandable manuals concerning the plant materials on the site and the requirements of this condition.
  - (5) Except for the existing landmark grove of Canary Island palms located along the western bluff top and adjacent to the Long Point Bluff Top Trail, the permittee shall not install or allow to persist plants that are



incompatible with habitat restoration and protection of native butterflies that have been identified anywhere on the property. These incompatible plants include:

- (a) *Eriogonum fasciculatum* (California buckwheat)
  - (b) *Eucalyptus* spp.
  - (c) Invasive plants. Such plants are those identified on the "Ocean Trails Invasive Plant List" a list prepared for a project in Rancho Palos Verdes in consultation with the resources agencies, in the California Native Plant Society publication "California Native Plant Society, Los Angeles -- Santa Monica Mountains Chapter handbook entitled Recommended List of Native Plants for Landscaping in the Santa Monica Mountains, February 5, 1996, and/or those species listed by the California Exotic Plant Pest Council (UC Davis) on any of their watch lists as published in 1999 and as updated periodically (See exhibit 25).
- (6) The applicant shall use no insecticides. Any herbicides proposed for use and the methods of application shall be identified in initial plans. The Executive Director shall reject any chemicals that may adversely impact off shore habitat or that are persistent or that are listed as inconsistent with habitat or water quality in Special Conditions 7, 9 and 20 below.

D. Monitoring. The applicant will actively monitor the site for three years after permit issuance, remove non-natives in habitat areas identified in Special Condition 7B and reinstall plants that have failed.

- (1) The applicant will inspect the site no less than every 30 days during the first rainy season (November-March), and no less than every 60 days during the first year, every three months thereafter or on a maintenance schedule provided as part of the habitat enhancement/ restoration plan, whichever is more frequent. A written record of such inspection shall be prepared.
- (2) If shown to be necessary by the inspections, the applicant shall remove invasive plants and replace plants that fail to establish.
- (3) On two occasions, three years and again five years from the date of the implementation of the restoration plan, the applicants shall submit for the review and approval of the Executive Director, a habitat area monitoring report, prepared by a licensed Landscape Architect that certifies the on-site habitat restoration is in conformance with the restoration plan approved pursuant to this Special Condition. The

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monitoring report shall include photographic documentation of plant species and plant coverage.

- (4) If the restoration/enhancement monitoring report indicates the habitat restoration/enhancement and protection areas are not in conformance with or has failed to meet the performance standards specified in the restoration and enhancement plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental restoration plan for the review and approval of the Executive Director. The revised restoration plan must be prepared by a licensed Landscape Architect and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

E. The permittee shall undertake development in accordance with the approved habitat restoration and enhancement final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

8. **LANDSCAPE PLAN FOR GOLF COURSE AND TRANSITIONAL AND ORNAMENTAL PLANTING ZONES**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final landscape plan prepared by a licensed landscape architect in consultation with the project biological consultant for the review and approval of the Executive Director. The plan shall apply to the areas identified as Zones D, E, F, G and H on the landscape plan **provided in the Commission's June 2003 approval staff report**. Prior to submittal of the plan to the Executive Director, the project geotechnical engineering and geologic consultants, the City of Rancho Palos Verdes geotechnical consultant, the Los Angeles County Fire Department and the Resources Agencies shall review the plans to ensure that the plans are in conformance with the project geologist and geotechnical engineer, the City and County consultants and public agencies' recommendations assuring public safety, the protection of endangered species and the protection of the near shore environment. The landscape plan shall conform with the following requirements:

- A. Preparation/format of plan: The plan shall include, at a minimum, the following components:
- (1) A map and separate list showing the species, size, number of all plant materials proposed to be installed including the common and scientific name of the plant and whether or not the plant is native to the Palos Verdes Peninsula, the area devoted to the plant and the type of

installation proposed. The plan shall show other landscape features such as proposed trails and hardscape.

- (2) A map showing proposed permanent irrigation for approved golf areas, for approved non-invasive, ornamental planting areas and for approved turf areas located around the hotel structures ("Zone F" and portions of "Zone H" landward of the coastal setback line) and temporary irrigation.
- (3) A list of goals for timing and coverage and of measures to slow surface erosion. Timing and coverage shall be based on the expected growth rate of the plants the applicant proposes to use and the typical coverage of the plants that are proposed. Alternative erosion control measures shall be identified and maintained until coverage is adequate to prevent surface erosion.

B. Plans shall conform with the following criteria:

- (1) Hotel/Resort Area Zones E, F, G, H and Zone D areas that are not located on the eastern bluff area as defined by the Coastal Setback Line, except for the portion of "Zone H" located adjacent to the lower pool facility, and as described in Special Condition No. 7B(5) (excluding golf and turf areas and non-invasive, ornamental planting areas located inland of the coastal setback line and located outside all habitat areas): All plantings shall consist of Palos Verdes natives and/or low and very low water use plants as defined by the University of California Cooperative Extension and the California Department of Water Resources in their joint publication: "Guide to Estimating Irrigation Water needs of Landscape Plantings in California" for Region 3. Conventional lawn areas shall be prohibited.
- (2) "Zone H" area adjacent to the lower pool facility. All plantings shall consist of Palos Verdes indigenous natives with no invasive plants as defined in Special Condition 7.C(5)(c).
- (3) Golf and Turf areas or those portions of "Zone H" that are located inland of the coastal setback line (not on the eastern bluff and outside of the habitat areas). The applicant shall provide evidence that proposed grass species is not invasive. No turf or golf holes shall be installed anywhere on the eastern bluff.
- (4) Ponds. Applicant shall install no less than 9 feet by 24 feet (area of lost habitat at the northwestern cement v-ditch identified in the Jurisdictional Delineation for Long Point, dated May 30, 2001 (Revised January 14, 2003) of mule fat and riparian species adjacent to pond areas.

C. General Provisions for the Project Site

- (1) Planting will maintain views from Palos Verdes Drive South and to and along the bluffs and shall be consistent with the preservation of public views through the view corridors identified in the certified LCP for the project site.
- (2) With the exception of the golf facility, the non-invasive ornamental planting areas and turf areas surrounding the hotel structures, the applicant shall install no permanent irrigation system on the project site. Temporary, above ground (e.g., "monitor drip") irrigation to allow the establishment of the plantings is allowed.
- (3) The applicant shall install efficient computerized irrigation systems in the golf and hotel turf areas, and the non-invasive ornamental planting areas. A professional golf course irrigation designer licensed in the State of California shall design the irrigation system. The irrigation system shall include, but not be limited to, the following components:
  - (a) The irrigation design will use current technology that maximizes control and efficiency of irrigation water.
  - (b) The irrigation design will use data collected from on-site and local weather stations to determine evapo-transpiration and irrigation requirements for turfgrass species used at the site.
  - (c) The sprinkler spacing, nozzle type and design will be such that maximum efficiency is achieved.
  - (d) A golf and turf approved area irrigation computer program will assist the superintendent in irrigation scheduling, pump efficiency, and record keeping.
- (4) The permittee shall not install or allow to persist plants that are incompatible with restoration and protection of native butterflies that have been identified anywhere on the property. These include:
  - (a) *Eriogonum fasciculatum* (California buckwheat)
  - (b) *Eucalyptus* spp.
  - (c) Invasive plants as defined in Special Condition 7 above.

**9. INTEGRATED PEST MANAGEMENT PLAN**

**A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for review and approval of the Executive Director, a final revised Integrated Pest Management Plan (IPM Plan). The final plan shall demonstrate substantial conformance with the Proposed Long Point Destination Resort Integrated Pest Management Plan, dated March 28, 2003, prepared by James Connolly Consulting, Ltd. (Proposed IPM Plan). Where the "Proposed IPM Plan" is inconsistent with the specific requirements of this condition, this condition shall prevail. The plan shall also be in substantial conformance with the following requirements:

The IPM Plan shall favor non-chemical strategies over chemical strategies for managing pests on site. Chemical strategies shall only be employed after all other strategies have been used and proven ineffective. This shall be demonstrated by providing written notice to the Executive Director of the non-chemical strategies that were used, the reasons for their ineffectiveness, and the chemical strategies that are being considered. If the IPM is inconsistent with the conditions of this permit, the permit conditions shall prevail.

- (1) This IPM Plan shall be designed and implemented for all of the proposed landscaping/planting on the project site and shall include an analysis of the benefits of the selected landscaping materials on the native wildlife species that may use this vegetation. Any more restrictive provisions that apply specifically to the habitat restoration/enhancement and protection areas pursuant to Special Condition No. 7, above, apply either in addition to the provisions of this IPM plan or, in the event of a conflict, in place of any such conflicting provisions of this IPM Plan. The measures that the applicant shall employ include but are not limited to the following:
  - (a) Introduction of native natural predators. Native, non-invasive bacteria, viruses and insect parasites shall be considered and employed as a pest management measure, where feasible.
  - (b) Weeding, hoeing and trapping manually.
  - (c) Use of non-toxic, biodegradable, alternative pest control products.
  - (d) No insecticides may be employed anywhere at the site in order to protect the El Segundo Blue butterfly, a federally endangered native species of California, that has been found at the site.

- (e) In the golf area only, when pesticides and/or herbicides are deemed necessary in conjunction with the IPM program, the following shall apply:
- (i) All state and local pesticide handling, storage, and application guidelines, such as those regarding timing, amounts, method of application, storage and proper disposal, shall be strictly adhered to.
  - (ii) Pesticides consisting of or containing chemicals listed on the California Clean Water Act Section 303(d) List of Water Quality Limited Segments (California 303(d) List) as causing an exceedance of water quality standards in the receiving waters for this site shall not be employed. The 1998 California 303(d) list includes DDT under "Long Point Beach", indicating that DDT is causing impairment of the waters of Long Point Beach adjacent to the development. "Santa Monica Bay Offshore and Nearshore" (which includes the waters adjacent to the development) is listed for DDT and chlordane. The 2002 California 303(d) list, which is pending approval by the US Environmental Protection Agency, makes no changes to these listings. In addition, none of the following chemicals (known as the Group A Pesticides or Chem A list), which have been found to impair waters tributary to Santa Monica Bay and in some cases are banned by the US Environmental Protection Agency, shall be employed: aldrin, chlordane, dieldrin, endrin, heptachlor, heptachlor epoxide, hexachlorocyclohexane (including lindane), endosulfan and toxaphene.
- (2) Time Limits for Hotel Landscaping. Final landscaping for all areas addressed in this condition shall be completed prior to the occupation of the adjoining hotel/restaurant structures approved by this permit.
- B. Monitoring. The applicant will actively monitor the site for five years after permit issuance, remove invasive plants noted above and reinstall plants that have failed.
- (1) Five years from the date of the implementation of the landscaping plan, the applicants shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

- (2) If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

C. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

10. **SIGNAGE**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall provide a signage plan for the review and approval of the Executive Director. The plan shall provide at a minimum:

A. The project identification sign at Palos Verdes Drive South shall include notice of the public park, the public parking, and the presence of public trails.

- (1) The project identification sign shall be visible and legible from Palos Verdes Drive South.
- (2) The wording "public parking/beach access" shall appear on the sign in a typeface that is equal or larger in size to the words identifying the commercial facilities, such as resort or golf.

B. Signs identifying public parking areas and trail heads shall be present on the site in sufficient number to direct the public to these facilities.

- (1) Such signs shall be easily legible and no less than 30 inches by 24 inches and
- (2) Such signs shall direct the public to available parking and trails.

C. Interpretive signs/cautionary signs; the permittee may place small low-key interpretive and cautionary signs near habitat areas and near the bluff edge and at the entrance to steep trails.

D. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the

Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**11. PROJECT LIGHTING**

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall provide lighting plans for the review and written approval of the Executive Director. The plans shall provide:
- (1) Illumination shall be at the lowest levels that will still provide the amount necessary for safety.
  - (2) No lights, with the exception of low intensity path lights, shall spill over into the buffer area.
  - (3) Exterior building lights and path lights shall be directed downward so that direct spillover outside the immediate area of the buildings shall not exceed ten feet.
  - (4) No night work or night construction lighting shall be permitted.
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**12. IN-LIEU FEE FOR THE PROVISION OF LOWER COST VISITOR ACCOMMODATIONS**

For purposes of this condition, the acronym "LAC-AYH" means the Los Angeles Council of American Youth Hostels, Inc., and the term "AYH Agreement" refers to the June 26, 2002 agreement between the Coastal Commission and LAC-AYH. **PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT**, but only after the Executive Director of the Coastal Commission has indicated, in writing, that the Commission has entered into an agreement (the "New Agreement") modeled upon the AYH Agreement, the applicant shall provide, through a financial instrument subject to the review and approval of the Executive Director, a mitigation fee of not less than \$540,000 payable to the public agency or private non-profit association designated, in writing, by the Executive Director (including, but not necessarily limited to, LAC-AYH) to be used generally for the acquisition of land and/or construction of a low-cost visitor serving hostel facility in the urban coastal area of Los Angeles County and specifically in accordance with the terms and conditions of the New Agreement.



13. **CONFORMANCE OF DESIGN AND CONSTRUCTION PLANS TO  
GEOTECHNICAL REPORT AND REQUIREMENTS OF CITY GEOTECHNICAL  
REVIEW**

A. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in Geotechnical Review of the Proposed Grading Plan for Destination Development, **titled** *Destination Development Corporation – Geotechnical Consultation*, Law/Crandall Project 70131-2-0076.0002, all subsequent, supplemental recommendations identified in the geologic reports listed under Substantive File Documents in the Commission Staff Report dated May 28, 2003, and the specific requirements of the City of Rancho Palos Verdes addressing geologic safety/site stability. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit, for the Executive Director's review and approval, evidence that an appropriate licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluations approved by the California Coastal Commission for the project site.

B. The applicant shall amend its final plans so that the underlying soils are protected from increased saturation by the following methods:

- (1) Implementation of water-efficient, computerized irrigation system as described in Special Condition 8.C.(2) and (3) for the golf course and turf areas surrounding the hotel structures outside of the habitat restoration areas.
- (2) The applicant shall install separate water meters for pools and for permanent and temporary supply lines for irrigation. Permanent lines are only acceptable in hotel/golf turf areas; and on the major supply lines for each group of individual structures. All such lines shall incorporate (i) alarms that sound if there is a significant change in the rate or duration of flow or gross quantity of water in a particular period without a manual override in advance and (ii) automatic cutoff if the duration and rate of flow exceeds that anticipated by more than 100% or by a rate determined by the project geologist to be hazardous.

C. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**14. ASSUMPTION OF RISK, WAIVER OF LIABILITY AND INDEMNITY**

By acceptance of this permit, the permittee acknowledges and agrees (i) that the site may be subject to hazards from landslide, bluff retreat, erosion, and earth movement; (ii) to assume the risks to the permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

**15. NO FUTURE SEAWARD EXTENSION OF SHORELINE PROTECTIVE DEVICE**

A. By acceptance of this permit, the applicant agrees, on behalf itself and all successors and assigns, that no future repair or maintenance, enhancement, reinforcement, or any other activity affecting the shoreline protective device, installed prior to Feb. 2 1973, as described and depicted on an Exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit, shall be undertaken if such activity enlarges the footprint of the subject shoreline protective device either seaward or laterally. By acceptance of this permit, the applicant waives, on behalf of itself and all successors and assigns, any rights to such activity that may exist under Public Resources Code Section 30235.

1) Inspection/Repair of Revetment. The applicant shall have an inspection of the existing riprap revetment completed by a licensed civil or geotechnical engineer prior to the issuance of the coastal development permit. Based on the inspection and in conjunction with construction, the applicant shall be responsible for repositioning any rocks onto the revetment that have migrated onto the beach to assure beach encroachment has been minimized. The inspection shall be completed within 30 days of Commission action on this permit. The repositioning of rocks shall be completed within 30 days of commencement of construction.

**B. PRIOR TO THE ISSUANCE BY THE EXECUTIVE DIRECTOR OF THE NOI FOR THIS PERMIT**, the applicant shall submit for the review and approval of the Executive Director, and upon such approval, for attachment as an Exhibit to the NOI, a formal legal description of the shoreline protective device approved by Commission staff report dated May 28, 2003, as generally described above and shown on Exhibit 8c attached to this staff report, showing the footprint of the device and the elevation of the device referenced to NGVD (National Geodetic Vertical Datum).

**16. SHORELINE PROTECTION MONITORING PLAN**

**A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a monitoring plan, prepared by a licensed civil or geotechnical engineer for the review and written approval of the Executive Director. The plan shall be sufficient to assess the performance of the existing revetment and shall include at a minimum:

- (1) A description of the approved shoreline protection device;
- (2) A discussion of the goals and objectives of the plan, which shall include maintenance of the revetment to assure its optimum designed performance without adversely affecting surrounding development or public access along the coast, public views, or fill of tidelands.
- (3) Provisions for taking measurements of the reconfigured revetment documenting the location of the toe, sides and elevation of the revetment and the alignment of the 8 foot-wide public access path between the existing restaurant and patio areas and the revetment. The plan shall identify exactly where such measurements will be taken, e.g. by reference to benchmarks, survey positions, or points shown on an exhibit, and the frequency with which such measurements will be taken;
- (4) Provisions for submission of "as-built" plans for the repaired revetment and public access path, showing the permitted structures in relation to the existing topography and showing the measurements described in subsection (3) above, within 30 days after completion of construction of the repairs to the revetment and removal of obstructions in the public access path;
- (5) Provisions for inspection of the condition of the shoreline protection device by May 1 of every year by a licensed civil or geotechnical engineer, including the scope and frequency of such inspections.
- (6) Provisions for submittal to the Executive Director by May 1 of every 3 years and after every major storm (greater than 25 year event) for the life of the structure of a monitoring report that has been prepared by a licensed civil or geotechnical engineer. Each monitoring report shall contain the following:
  - (a) An evaluation of the condition and performance of the approved shoreline protection device, including an assessment of whether any weathering or damage has occurred that could adversely impact future performance of the device,
  - (b) All measurements taken in conformance with the approved monitoring plan,

(c) A description of any migration or movement of rock that has occurred on the site, and

(d) Recommendations for repair, maintenance, modifications or other work to the device.

B. If a monitoring report contains recommendations for repair, maintenance or other work, the permittee shall contact the Coastal Commission District Office to determine whether such work requires a coastal development permit.

C. The permittee shall undertake development in accordance with the approved final plans. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

**17. NO FUTURE BLUFF OR SHORELINE PROTECTIVE DEVICE**

A. By acceptance of this Permit, the applicant agrees, on behalf of itself and all successors and assigns, that no bluff or shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. A-5-RPV-02-324, as amended, including, but not limited to, (582 room resort, golf practice facility, club house, conference center, 4 restaurants, related commercial uses, public trails; 100 public parking spaces and open space) in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards in the future. By acceptance of this Permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

B. By acceptance of this Permit, the applicant further agrees, on behalf of itself and all successors and assigns, that the landowner shall remove the development authorized by this Permit, including (describe the development, e.g., the house, garage, foundations, and septic system), if any government agency has ordered that the structures are not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

**18. FUTURE DEVELOPMENT RESTRICTION**

This permit is only for the development described in Coastal Development Permit No. A-5-RPV-02-324 as amended. Pursuant to Title 14, California Code of Regulations, sections 13250(b)(6) and 13253(b)(6), the exemptions otherwise

provided in Public Resources Code, Sections 30610(a) and 30610(b) shall not apply. Accordingly, any future improvements to the development described in this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Code, Sections 30610(d) and Title 14, California Code of Regulations, Sections 13252(a)-(b), shall require an amendment to Permit No. A-5-RPV-02-324 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government, unless the Executive Director of the Commission determines that no amendment or new permit is required.

**19. EROSION CONTROL DURING CONSTRUCTION**

A. Erosion and siltation control. Prior to the commencement of grading, the applicant shall provide to both the City and the Executive Director, for their joint review and approval, plan notes and general standards for erosion control. On or before September 15th of each year of construction, the applicant shall provide to both the City and the Executive Director for their joint review and approval, interim (time period prior to completion of project) erosion and sediment control plans that will prevent siltation and/or deposition of construction debris onto the beach, tide pools and habitat areas adjacent to the site. All sediment, construction debris, and waste products should be retained on-site until they can be removed to an approved disposal location. The approved plans shall be subject to the following requirements and include the following components:

1. Erosion on the site shall be controlled to avoid adverse impacts to beaches, intertidal and habitat areas. This shall include erosion due to on-site drainage or on-site release of water or off-site water that travels through on-site drainage channels, construction activities, and the existence of roads and graded pads on the site. The applicant shall take all safe and reasonable measures to control siltation attributable to a landslide or other earth movement.
2. The following temporary erosion control measures shall be used during construction activity: a combination of temporary measures (e.g., geo-fabric blankets, spray tackifiers, silt fences, fiber rolls, sand bags and gravel bags), as appropriate, during each phase of site preparation, grading and project construction, except that straw bales shall not be employed. The applicant shall also provide containment methods to prevent manmade debris and/or chemicals from slope stabilization from entering the intertidal or offshore waters.
3. Following construction and throughout the interim period, erosion on the site shall be controlled to avoid adverse impacts on dedicated trails, public roadways, beaches, tide pools and habitat areas.
4. A copy of the Storm Water Pollution Prevention Plan (SWPPP) and any amendments thereto, prepared for compliance with the State Water Resources

Control Board General Construction Activity Permit, which specifies BMPs appropriate for use during each phase of site preparation, grading and project construction, and procedures for their installation, based on soil loss calculations. The submitted calculations will account for factors such as soil conditions, hydrology (drainage flows), topography, slope gradients, vegetation cover, use of chemicals or fixatives, the type of equipment or materials proposed for use near shoreline areas and groundwater elevations.

5. A site plan showing the location of all temporary erosion control measures. Such site plan may acknowledge that minor adjustments in the location of temporary erosion control measures may occur if necessary to protect downstream resources. Such measures shall be noted on project grading plans.
  6. A plan to mobilize crews, equipment, and staging areas for BMP installation during each phase of site preparation, grading and project construction, with timing of deployment based on the forecast percentage of rainfall occurrence. The plan shall also address provisions for delivery of erosion prevention/control materials, or access to onsite supplies including specifications for adequate storage capabilities.
  7. A plan for landscaping, consistent with Special Conditions No. 7, 8 and 9.
  8. Limitations on grading activities during the rainy season, from October 15 to April 15 of each year, wherein grading may only occur in increments as determined by the City Engineer so that exposed soils do not exceed what is proposed in the interim erosion control plans. Should grading take place during the rainy season (October 15 - April 15), sediment basins (including debris basins, desilting basins, or silt traps) shall be required on the project site prior to or concurrent with the initial grading operations, and maintained throughout the development process to control erosion, and to trap and remove manmade debris, coarse sediment and fine particulates from runoff waters leaving the site during construction activity, prior to such runoff being conveyed off site. All areas disturbed, but not completed, during the dry season, including graded pads, shall be stabilized in advance of the rainy season.
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**20. WATER QUALITY**

**A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, a final

revised Standard Urban Storm Water Mitigation Program (SUSMP) (i.e., site-specific water quality management plan) for the post-construction project site. The revised SUSMP shall be prepared by a licensed water quality professional and shall include project plans, hydrologic calculations, and details of the structural and non-structural Best Management Practices (BMPs) that shall be included in the project.

The final SUSMP shall be reviewed by the consulting engineering geologist to ensure conformance with geotechnical recommendations. The final SUSMP shall demonstrate substantial conformance with the Standard Urban Storm Water Mitigation Program (SUSMP) for Long Point Destination Resort dated May 15, 2003, prepared by The Keith Companies. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

1. Best Management Practice Specifications

- a. Site Design, Source Control, and Treatment Control BMPs shall be designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of storm water and nuisance flow leaving the developed site.
- b. Runoff shall be conveyed off site in a non-erosive manner.
- c. Energy dissipating measures shall be installed at the terminus of outflow drains, where necessary to prevent erosion.
- d. Following construction, erosion on the site shall be controlled to avoid adverse impacts on dedicated trails, public roadways, beaches, tide pools and habitat areas.
- e. The BMPs shall be selected to address the pollutants of concern for this development, including, but not limited to, sediments, nutrients, pesticides, fertilizers, metals, petroleum hydrocarbons, trash and debris, and organic matter.
- f. Source control BMPs shall be preferred over treatment control BMPs.
- g. Maintain, to the maximum extent practicable, pre-development peak runoff rates and average volume of runoff;
- h. Runoff from all new and redeveloped surfaces (e.g., roads, parking lots, maintenance areas) shall be collected and directed through a system of appropriate structural BMPs.
- i. Post-construction structural BMPs (or suites of BMPs) shall be designed to treat or filter the volume of water resulting from 3/4 of an inch of

rainfall in a 24-hour period over the entire tributary drainage area. (The Los Angeles Regional Water Quality Control Board has determined that in the Los Angeles area this is equivalent to the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor [i.e., 2 or greater], for flow-based BMPs).

- j. The structural BMPs shall be constructed prior to or concurrent with the construction of infrastructure associated with the development within Tentative Parcel Map No. 26073. Prior to the occupancy of the resort structures approved by this permit, the structural BMPs proposed to service those structures and associated support facilities shall be constructed and fully functional in accordance with the final SUSMP approved by the Executive Director.
- k. All structural and non-structural BMPs shall be maintained in a functional condition throughout the life of the approved development to ensure the water quality special conditions are achieved. Maintenance activity shall be performed according to the specifications in the SUSMP. At a minimum, maintenance shall include the following:
  - (1) All structural BMPs shall be inspected, cleaned and repaired, as needed prior to the onset of the storm season, no later than October 1st of each year; after every major storm event; and at least once during the dry season;
  - (2) Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
  - (3) It is the applicant's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specification and to ensure maximum pollutant removal efficiencies.
  - (4) Wetlands vegetation installed within the wet ponds shall be monitored and maintained in a manner that ensures successful establishment of the vegetation and ongoing ability of the vegetation to remove pollutants for the life of the development. All such maintenance shall be conducted under the supervision of a qualified wetlands biologist or qualified professional for the life of the development.



- (5) Adequate storage capacity shall be maintained above the permanent "pool" in the wet pond in order to detain stormwater runoff and promote pollutant settling.
  - (6) Should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system and restoration of the eroded area. Should repairs or restoration become necessary, prior to commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work. If the Executive Director determines that an amendment or a new permit is required to authorize the work, no such work shall begin or be undertaken until it is approved in accordance with the process outlined by the Executive Director;
  - (7) Should a qualified water quality professional(s) determine that the Recommended Maintenance Procedures as proposed in the SUSMP need to be revised due to site-specific data, the applicant shall submit revisions and supporting information describing the reason for the revisions for review and approval of the Executive Director.
2. Nuisance Flow (Low Flow) Pumped to a Wet Pond
    - a. All nuisance flow (low flow) shall be pumped to and treated by Wet Pond 1 ("Wet Pond A") on a year round basis.
    - b. The applicant shall submit final design specifications for the installation of the low flow diversion pump(s). Prepared by a licensed water quality professional, the design shall demonstrate sufficient sizing of pump(s) and/or pump structures to divert all dry weather/nuisance flows from the storm drain system.
  3. Restaurants
    - a. Wash down areas for restaurant equipment and accessories and food preparation areas shall be designed to meet the following:
      - (1) The area shall be self-contained, equipped with a grease interceptor, and properly connected to a sanitary sewer. The grease interceptor shall have the capacity to capture grease to the maximum extent practicable.

- (2) If a wash area is to be located outdoors, it shall be covered, paved, have primary containment, and be connected to the sanitary sewer.
- (3) The grease interceptor shall be regularly maintained according to manufacturer's specifications to ensure maximum removal efficiencies.
- (4) The applicant shall be responsible for ensuring that restaurant owners, managers, and staff are educated about the use and maintenance of grease interceptors, as well as BMPs designed to limit, to the maximum extent practicable, the contribution of pollutants from restaurants, wash areas, loading areas, trash and recycling storage areas.
- (5) The applicant shall not use or distribute any polystyrene or foamed polystyrene product (including, but not limited to, foamed polystyrene cups, plates, and "to go" food boxes).
- (6) Informational signs around the establishments for employees and customers about water quality and the BMPs used on-site shall be provided.
- (7) The above restaurant management practices shall be incorporated into a lease agreement with the concessionaire or operator of such facilities so that such requirements are binding upon them.

4. Trash and recycling containers and storage areas

The applicant shall construct trash and recycling containers and storage areas that, if they are to be located outside or apart from the principal resort structures, are fully enclosed and water-tight in order to prevent stormwater contact with waste matter which can be a potential source of bacteria, grease, and particulates and suspended solids in runoff, and in order to prevent dispersal by wind and water. Trash container areas must have drainage from adjoining roofs and pavement diverted around the area(s), and must be screened or walled to prevent off-site transport of trash.

5. Sweeping

The applicant shall, on a weekly basis, sweep the parking areas and roads to remove sediment, debris, and vehicular residues. Washing-down of impervious surfaces is prohibited, unless these nuisance flows are captured and treated on site by diversion to Wet Pond "A" and do not contribute any additional pollutants to the runoff.

6. Pools, Spas, and Fountains

Pool, spa, and fountain water shall not be discharged into the storm drain system, the Pacific Ocean, or any other receiving water. For maintenance and repair of the pool, spa, and fountain structures, BMPs shall be utilized to ensure no pollutants are discharged to receiving waters. If drainage is necessary, pool and fountain water shall only be drained into a pipe connected to the sanitary sewer system.

7. Education and Training

- a. Annual verbal and written training of employees, tenants, landscapers, BMP maintenance crews, property managers and other parties responsible for proper functioning of BMPs shall be required.
- b. Outdoor drains shall be labeled/stenciled to indicate whether they flow to an on-site treatment device, a storm drain, or the sanitary sewer, as appropriate.
- c. Storm drain stenciling ("No Dumping, Drains to Ocean" or equivalent phrase) shall occur at all storm drain inlets in the development.
- d. Informational signs about urban runoff impacts to water quality and the BMPs used on-site shall be provided (e.g., at trail heads, at centralized locations near storm drain inlets, near the wet ponds, etc.).
- e. The applicant or responsible party shall be responsible for educating all landscapers or gardeners on the project site about the IPM program and other BMPs applicable to water quality management of landscaping and gardens. Education shall include distribution of written materials, illustrations and verbal instruction.

B. Water Quality Monitoring Program

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for review and approval of the Executive Director, a revised final Water Quality Monitoring Program Plan (monitoring plan), designed to characterize and evaluate the potential effects of stormwater and dry weather runoff from the proposed development on receiving waters. The final plan shall demonstrate substantial conformance with the Monitoring Program included in chapter VI of the Standard Urban Storm Water Mitigation Program (SUSMP) for Long Point Destination Resort dated March 14, 2003 and revised May 15, 2003, prepared by The Keith Companies, and it shall be consistent with the requirements of these special conditions:

1. Water quality monitoring shall comply with the following requirements:
  - (a) The monitoring plan shall identify the pollutants of concern for this site (or any appropriate indicator parameters) that will be monitored. The Monitoring Plan shall identify a process for adding to or deleting parameters from the plan.
  - (b) The plan shall specify sampling protocols to be used for each water quality parameter. Measurements must be precise enough to evaluate whether receiving waters are meeting applicable water quality standards.
  - (c) The plan shall specify the sampling locations (e.g., upgradient site boundary, wet ponds, discharge points).
  - (d) The plan shall specify the sampling frequencies (e.g., baseline, dry weather, first flush, subsequent storm events).
2. The Monitoring Program plan shall include a map of the proposed sampling locations.
3. Annual reports and semiannual updates containing data and analytical assessment of data in comparison to any applicable water quality objectives and other criterion specified herein, shall be submitted to the Executive Director of the Commission and to the Los Angeles Regional Water Quality Control Board after all construction approved by this permit has been completed.

C. The permittee shall undertake development and shall operate the site in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

21. **FINAL DESIGN AND CONSTRUCTION**

**Prior to occupancy of the hotel or newly constructed restaurants, the applicant shall construct the trails and parks consistent with the specifications of this permit and of the City of Rancho Palos Verdes. If the requirements of the City conflict with the requirements of this permit, the conditions of this permit shall prevail.**

- A. Consultation during design of the ADA accessible trail and Shoreline Access Ramp 1. Prior to providing final designs of the ADA accessible trails, the applicant shall consult with the California Department of Parks and Recreation and local mobility and disabled rights advocate groups to assure that the trail will be usable by members of such groups. If there is any disagreement between the permittee and the City of Rancho Palos Verdes concerning the appropriate design of the trail, the Executive Director shall resolve the dispute consistent with the need for public safety, the protection of resources, the provision of maximum access and the feasibility of any alternative.
- B. Before occupancy of the hotel or restaurant and before opening the golf facility for play, the Executive Director shall certify in writing that the trails and park are complete, open and have been accepted by the City of Rancho Palos Verdes or other public or private nonprofit agency that is able to operate the trails consistent with this permit.
- C. Fencing plan. Prior to issuance of a coastal development permit, the applicant shall prepare a fencing plan consistent with the public access policies of this permit for the review and approval of the Executive Director. With the exception of pool fences, fences shall be open appearing and no more than 42 inches high. Fencing shall be constructed of materials that allow views through them (such as glass panels or wrought iron). Use of fencing shall be minimized and shall be employed only for public safety and to protect habitat areas from disturbance.
- D. Before occupancy of the hotel or restaurant and before opening the golf facility for play, the applicant shall construct the following offsite trails:
- (1) Marineland Trail: A pedestrian 10-foot wide trail in a 16-foot wide corridor, extending from the northwestern corner of the site, adjacent to the Point Vicente Fishing Access, running east, parallel and adjacent to Palos Verdes Drive South and terminating at the western edge of the resort's main entrance at the northeastern corner of the site.
  - (2) Marineland Bike Trail: A 6-foot Class II bike trail on the south side of Palos Verdes Drive right-of-way, extending from the northwestern corner of the site, adjacent to the Point Vicente Fishing Access, running east, parallel and adjacent to Palos Verdes Drive South and terminating at the western edge of the resort's main entrance at the northeastern corner of the site.

**22. UNITED STATES ARMY CORPS OF ENGINEERS APPROVAL**

**PRIOR TO COMMENCEMENT OF CONSTRUCTION**, permittee shall provide to the Executive Director a copy of a permit issued by United States Army Corps of Engineers, or letter of permission, or evidence that no permit or permission is required. The applicant shall inform the Executive Director of any changes to the project required by the United States Army Corps of Engineers. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.

**23. RETENTION OF LOCAL GOVERNMENT CONDITIONS OF APPROVAL**

Nothing in this action is intended to or does change any action taken by the local government, including the conditions of approval for CDP No. 166 approved by the Rancho Palos Verdes City Council on August 28, 2002, except as explicitly stated herein or to the extent that any such conditions are in conflict with the Commission's special conditions listed herein. For purposes of condition compliance, the City of Rancho Palos Verdes shall remain responsible for reviewing and determining compliance with special conditions imposed through CDP No. 166 as contained in Exhibit 2.

**24. INSPECTIONS**

The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.

**25. COMPLIANCE**

All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any changes approved in this permit and any **approved** amendments and subject to any revised plans provided in compliance with the Commission's special conditions and any other special conditions noted above. Any proposed change from the approved plans must be reviewed and approved by the Executive Director to determine if an amendment is necessary. Pursuant to this, all development/uses on site shall conform to the proposed project description as submitted, dated March 25, 2003, including but not limited to a public golf practice facility, 582-room hotel with health spa, restaurants and banquet facilities, four public access trails, a connecting trail to the existing offsite adjacent Vanderlip Trail and no fewer than one hundred (100) public parking spaces, as modified by the Commission's action. If there are inconsistencies, the conditions of this permit shall prevail.

**26. PROOF OF LEGAL ABILITY TO COMPLY WITH CONDITIONS**

Prior to issuance of the coastal development permit, the permittee shall provide 1) proof of undivided legal interest in all the properties subject to this permit, or 2) proof of the permittee's ability to comply with all the terms and conditions of this coastal development permit.

**27. SURRENDER OF ALL PREVIOUS PERMITS APPLYING TO THIS PROPERTY INCLUDING CDP NO. A-5-RPV-91-046**

**PRIOR TO ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT**, the applicant(s) and all legal owners of the property shall surrender in writing all rights to construct under all previous coastal development permits that apply to this property including but not limited to Coastal Development Permit A-5-RPV-91-046.

**28. FUTURE SUBDIVISION/TRACT MAPS**

**PRIOR TO ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT**, the applicant permittee shall acknowledge in writing that all future conversions to independent ownership, including but not limited to parcel maps or tract maps, will require an amendment to this coastal development permit.

**29. BUYER(S) ACKNOWLEDGMENT**

**A. PRIOR TO ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT**, the owner(s) of the property that is the subject of this permit shall agree that before any sale or transfer of any of that property or any interest in that property that occurs before completion of all public amenities required in this permit and establishment of habitat restoration areas required in this permit (collectively, the "Improvements"), the owner-seller shall secure a letter from the buyer of the property (1) acknowledging (a) that the conditions imposed by this permit, as amended, run with the land, (b) that the use and/or development of the land is restricted by the special conditions of the permit and restrictions recorded on the property pursuant thereto, and development of the property is contingent on the implementation of habitat preservation and enhancement described in the final habitat restoration plan and the construction and opening to the public of public trails and other public access and recreation amenities, (c) that pursuant to the special conditions of the permit and the special offers recorded pursuant thereto or otherwise required in this coastal development permit, the public has certain rights with respect to future use of project streets and trails; and (2) agreeing that, prior to any further sale or transfer of any of the property or any interest in the property that occurs before completion of the Improvements, that that buyer-turned-seller shall secure from its buyer a letter to the same effect.

B. Subsequent to the issuance of this coastal development permit, and prior to the sale or transfer of any of the property or any interest in the property that is the subject of this permit that occurs before completion of all of the Improvements, the owner of the property being sold shall secure a letter from the buyer (1) acknowledging (a) that the conditions imposed by this permit, as amended, run with the land, (b) that the use and/or development of the land is therefore restricted by the special conditions of this permit and restrictions recorded on the property pursuant thereto, and development of the property is contingent on the implementation of habitat preservation and enhancement described in the final habitat restoration plan and the construction and opening to the public of public trails and other public access and recreation amenities, and furthermore, (c) that pursuant to the special conditions of the permit and the special offers recorded pursuant thereto or otherwise required in this coastal development permit, the public has certain rights with respect to future use of project streets and trails; and (2) agreeing that, prior to close of escrow on any further sale or transfer of any of the property or any interest in the property that occurs before completion of the Improvements, that that buyer-turned-seller shall secure from its buyer a letter to the same effect.

C. A copy of such letter(s) shall be provided to the Executive Director, and the Planning Director of the City of Rancho Palos Verdes before close of escrow.

30. **GENERIC DEED RESTRICTION**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the landowners have executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

31. **SPECIAL CONDITIONS TO REMAIN IN EFFECT**

Unless specifically altered by this amendment, all standard and special conditions attached to Coastal Development Permit A-5-RPV-02-324, remain in effect. All



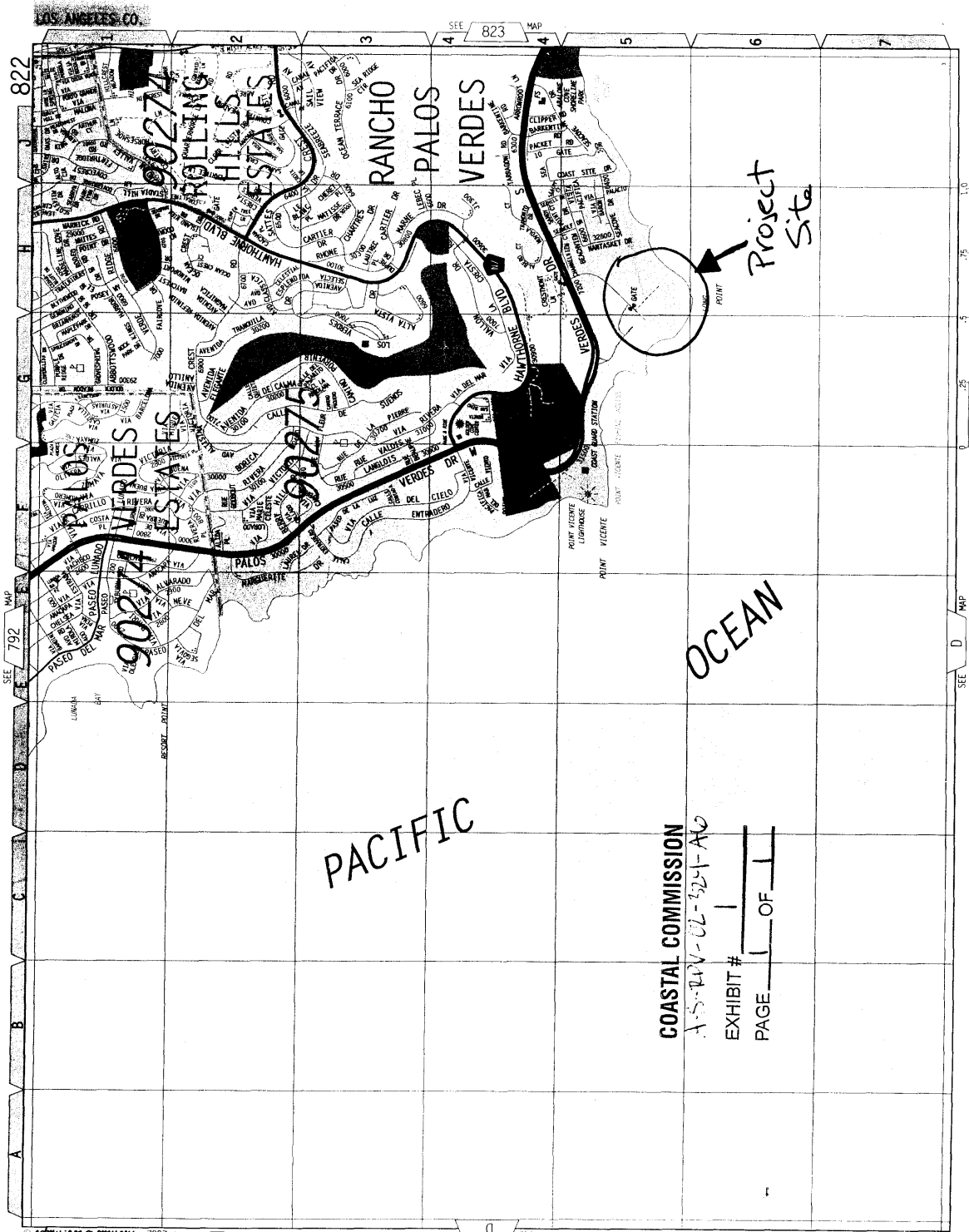
standard and special conditions previously imposed under CDP A-5-RPV-02-324, apply equally to the amendment. In general, when a special condition refers to "this permit" the language shall be interpreted to mean "this permit, as amended."

**32. PUBLIC ACCESS TO BEACH DURING CONSTRUCTION**

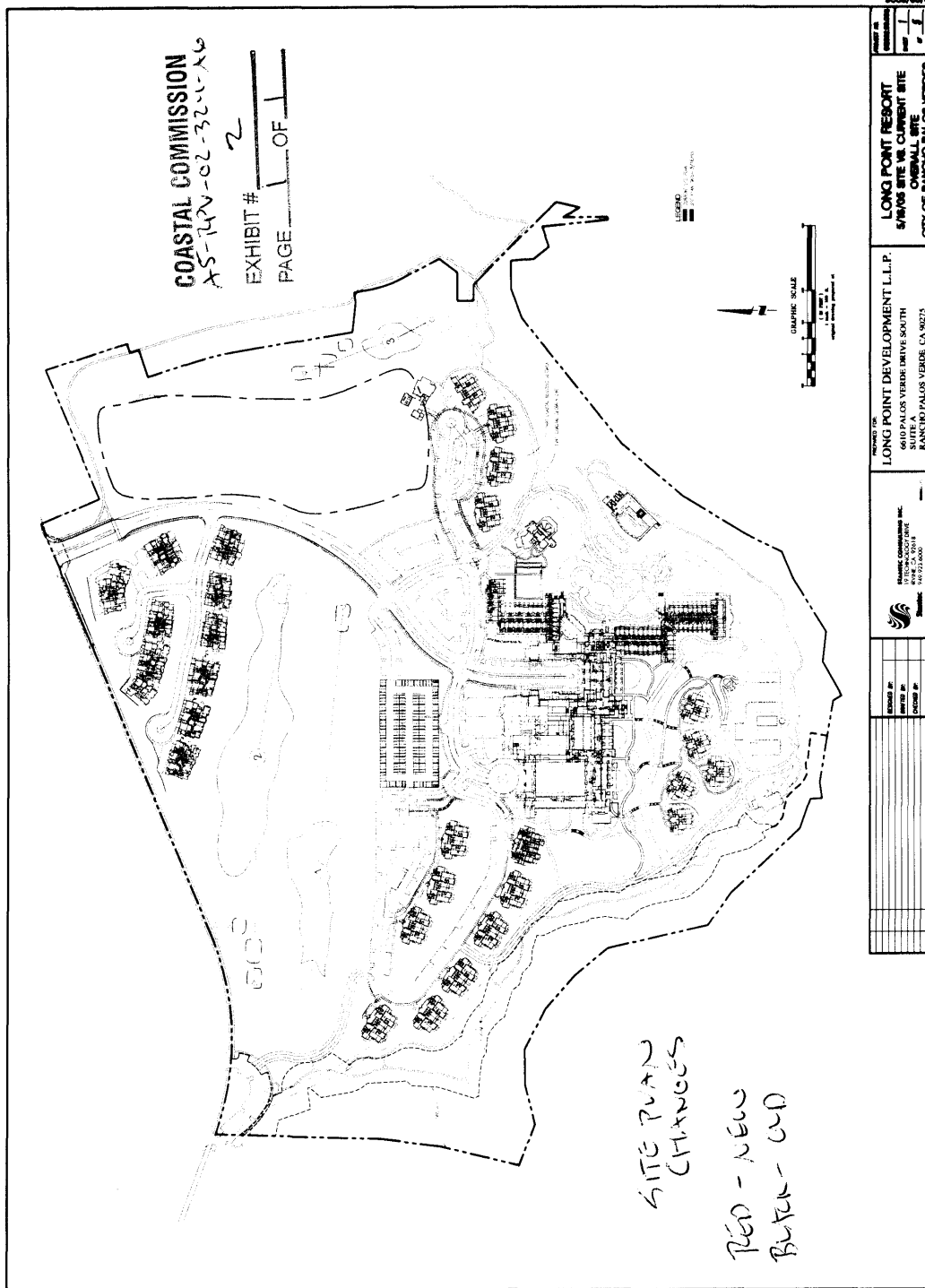
**A. The applicant shall maintain public access to the beach at all times except when construction activities require intermittent closures of the beach access trails. Pursuant to this requirement, PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval a detailed plan for protecting public access to the beach during construction. The plan shall include:**

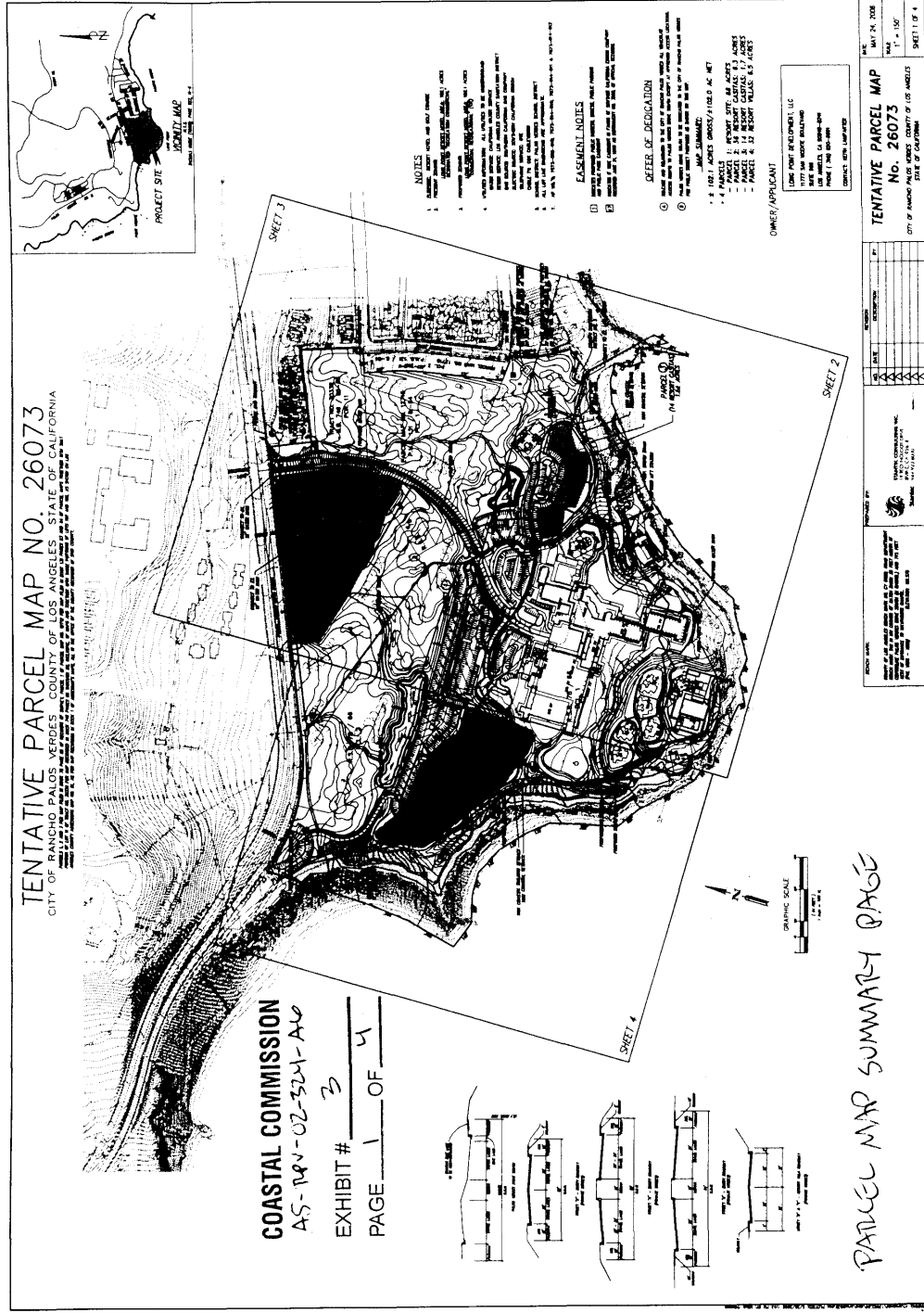
- (1) Temporary parking area for no fewer than 10 vehicles in the southeastern corner of the applicant's property, adjacent to Nantasket Drive, approved by the City of Rancho Palos Verdes.**
- (2) A 4-foot wide temporary trail from Nantasket Drive to the bluff top down the existing maintenance road to the beach.**
- (3) During grading of the ADA-compliant access trail, the applicant may construct stairs or other temporary alternative access ways subject to the approval of the Executive Director and the City of Rancho Palos Verdes. Such temporary access ways shall be left in place no longer than 30 days and the applicant shall remove all associated debris immediately after construction.**
- (4) Upon notification of and approval by the Executive Director, the applicant may temporarily close the trails for reasons of safety. 30 days prior to closure, the applicant shall submit to the Executive Director for review and approval a detailed construction schedule. Such closure shall last no more than 30 days unless extended by the Executive Director for cause.**

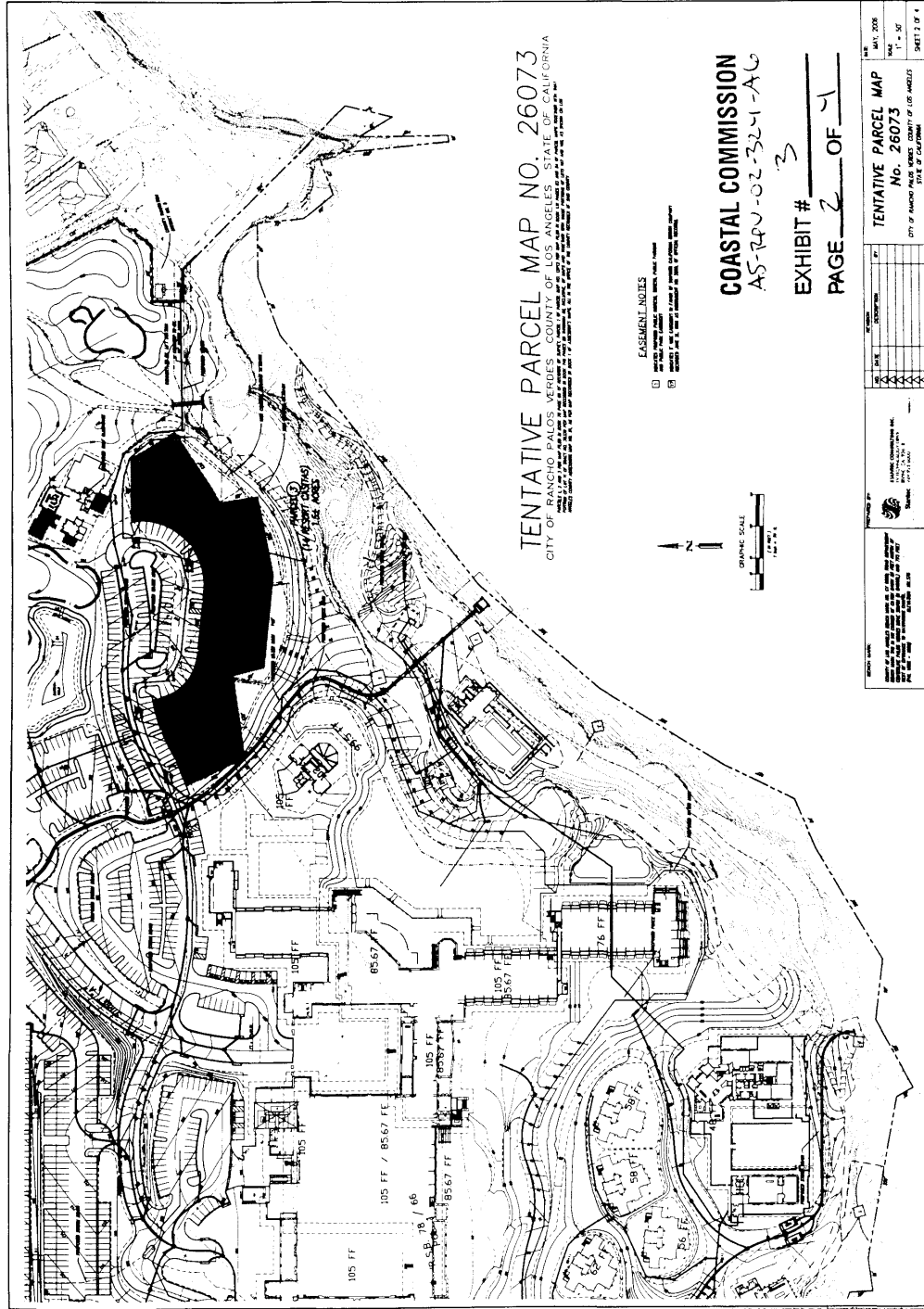
**B. The permittee shall undertake development and shall operate the site in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.**



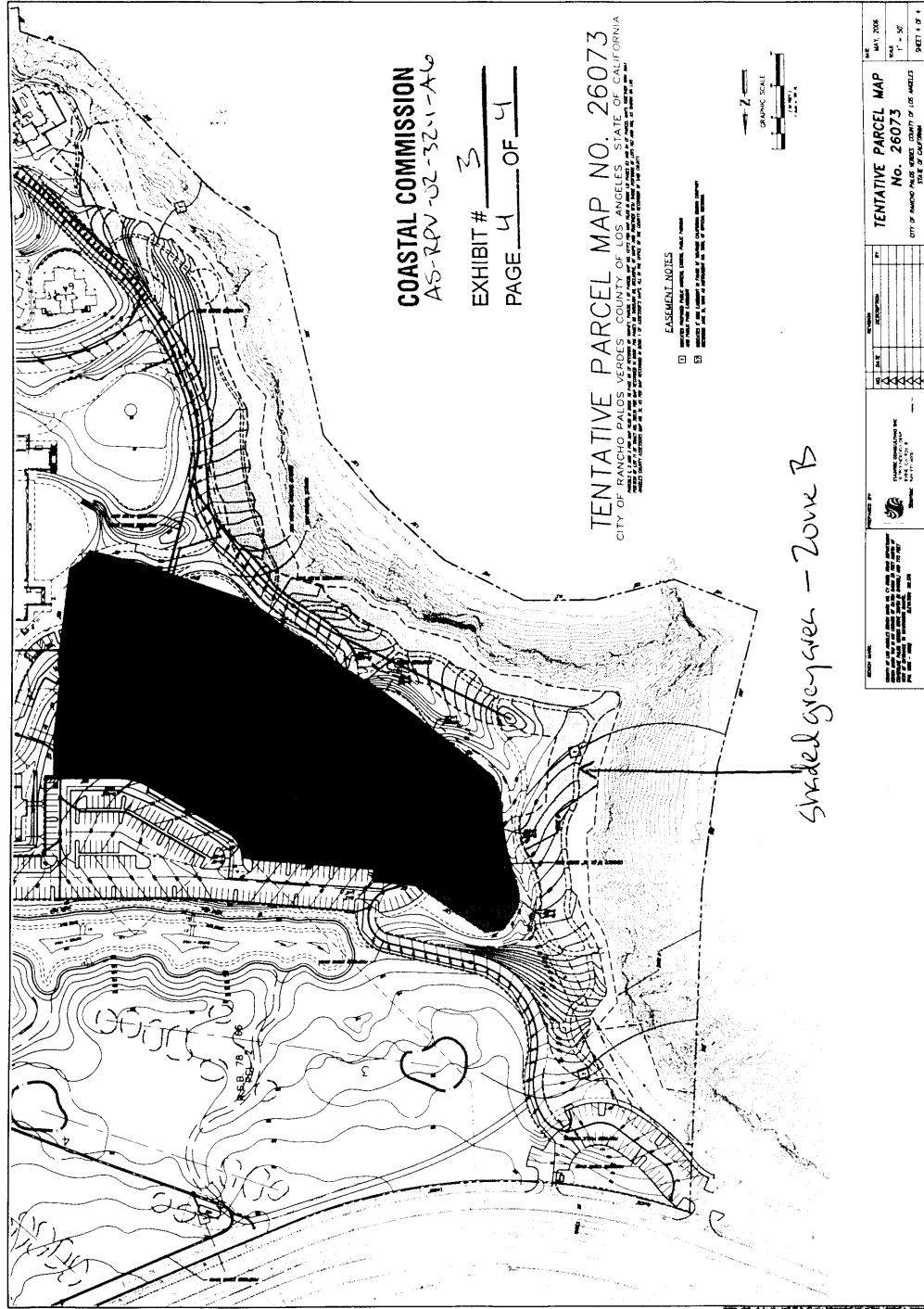
COASTAL COMMISSION  
A-5-RPV-02-324-A6  
EXHIBIT # 1  
PAGE 1 OF 1




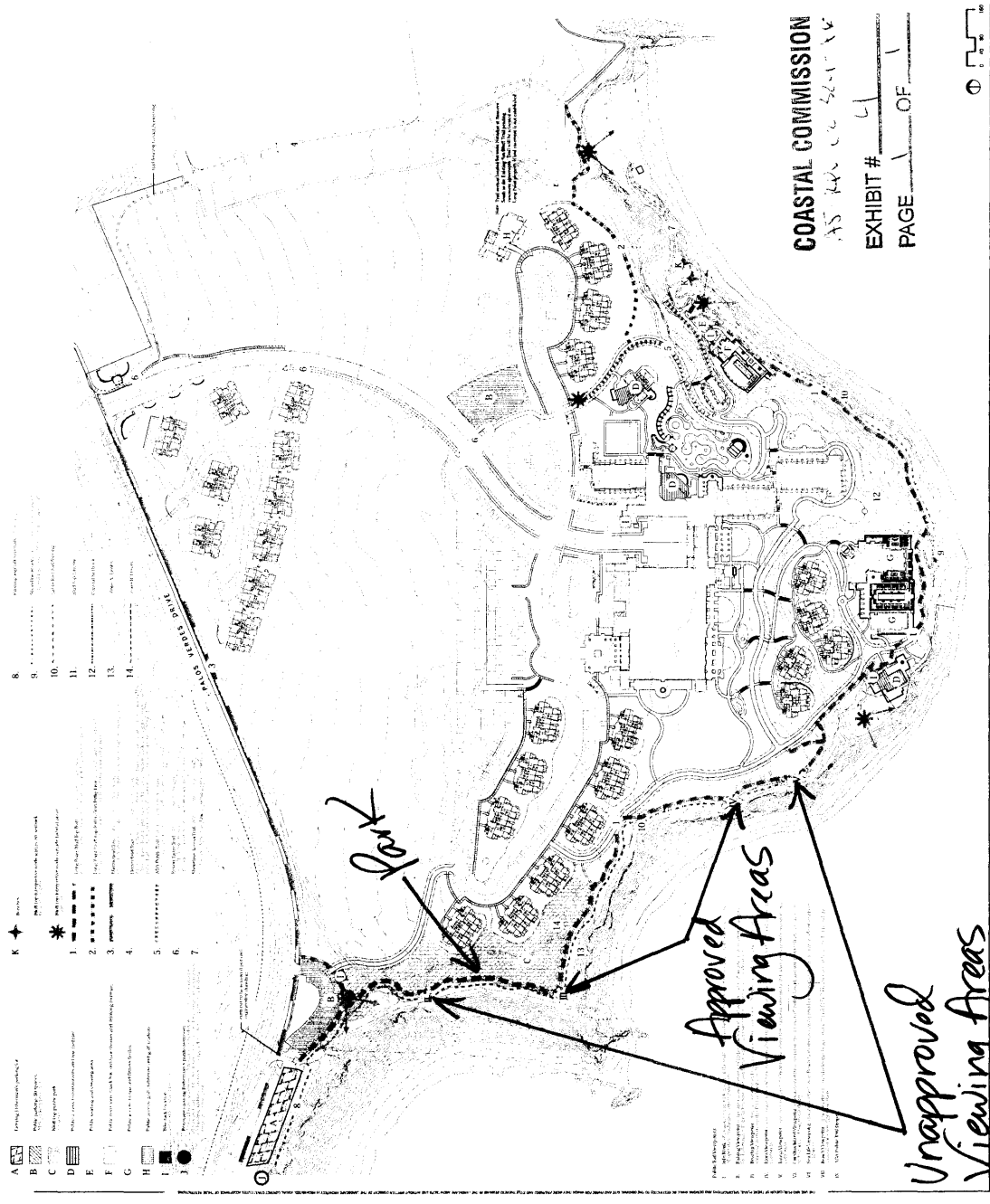




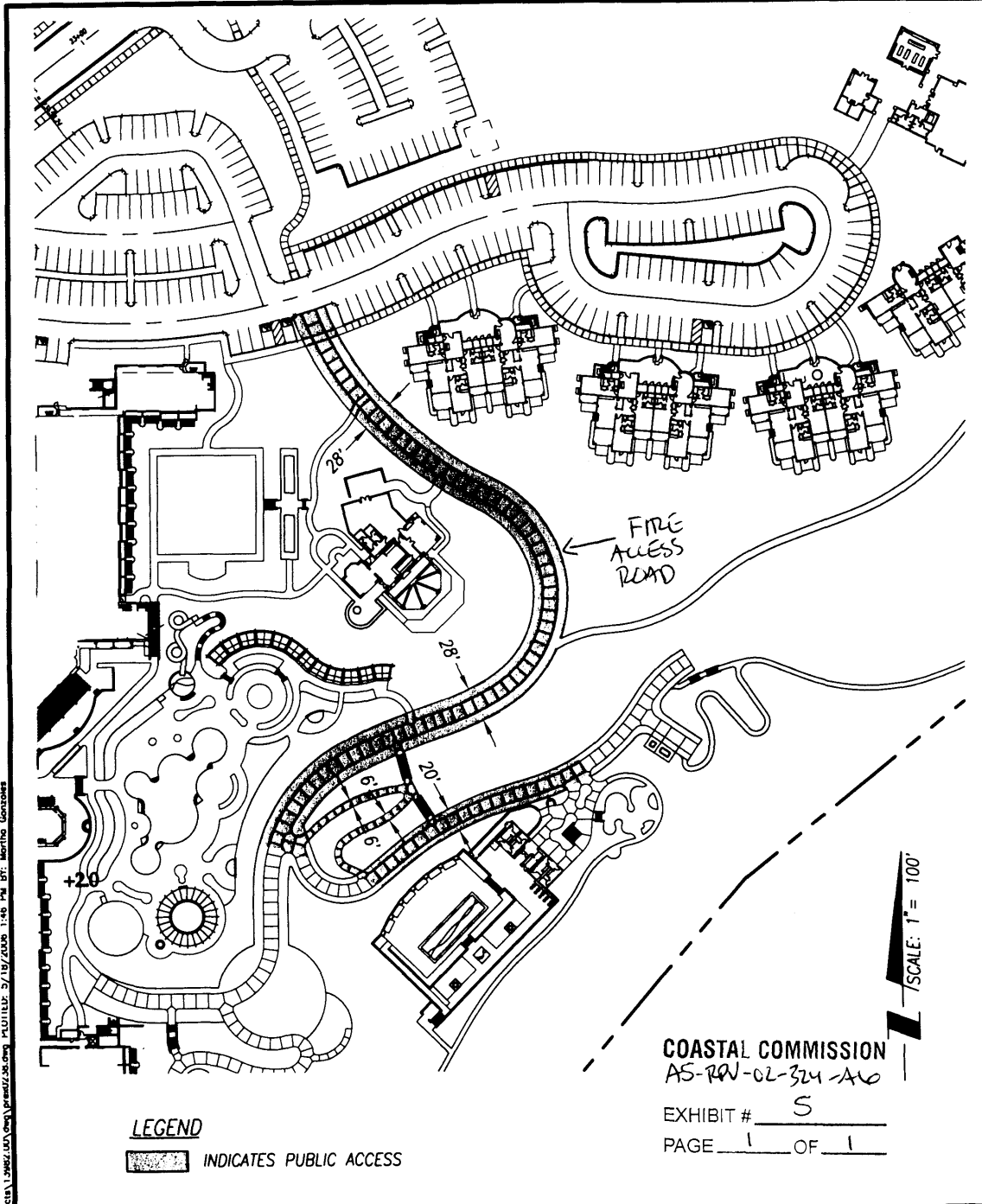






 Long Point Resort Hotel  
 Landscape Site Plan  
 Project Location: [Redacted]  
 Date: [Redacted]  
 Scale: 1" = 100'  
 Sheet: 1 OF 1  
 Date: [Redacted]







DRAWING: C:\PROJECTS\AS-5-RPV-02-324-A6\AS-5-RPV-02-324-A6.dwg PLOT DATE: 06/18/2008 1:45 PM BY: MARTHA LUTOMSKA

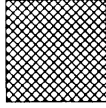
**LEGEND**  
 INDICATES PUBLIC ACCESS

COASTAL COMMISSION  
 AS-RPV-02-324-A6  
 EXHIBIT # 5  
 PAGE 1 OF 1

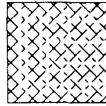
<p>PREPARED BY:   STANTEC CONSULTING INC.                  19 TECHNOLOGY DRIVE                  IRVINE, CA 92618                  949 923 6000</p>	<p>PREPARED FOR:                  LONG POINT DEVELOPMENT L.L.C.                  6610 PALOS VERDES DRIVE SOUTH                  SUITE A                  RANCHO PALOS VERDES CA 90275</p>	<p>LONG POINT RESORT                  PUBLIC ACCESS EXHIBIT</p>	<p>DATE:                  06/18/2008                  SHEET                  1                  OF                  1</p>
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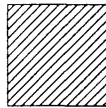
PLANT ZONE LEGEND



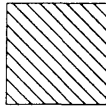
**ZONE A - BLUFF FACE HABITAT PRESERVE**  
Undisturbed and preserved naturalized vegetation.



**ZONE B - COASTAL BLUFF SCRUB ENHANCEMENT AREA**  
Revegetated native coastal sage scrub.  
Shrubs - 90% 1 Gal./Liners @ 6' o.c. / 5 Gal. @ 8' o.c.  
Irrigation: Drip Irrigation



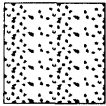
**ZONE C - NATIVE PLANT TRANSITION**  
Shrubs - 80% 1 Gal. @ 6' o.c. / 20% 5 Gal. @ 8' o.c.  
Trees - 50% 24" Box / 50% 36" Box  
Hydroseed Mix: 25 lbs. / acre  
Irrigation: Below Grade, seasonal, low volume overhead irrigation.



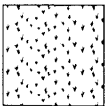
**ZONE D - COASTAL GRASS PLANTING ZONE**  
This zone will be comprised of large masses of low, non-invasive ornamental grasses.  
Grass Plugs - 60% Plugs @ 24" o.c. / 40% 1 Gal. @ 36" o.c.  
Irrigation: Below grade, permanent, low volume overhead irrigation.



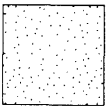
**ZONE E - TRANSITIONAL PLANTING ZONE**  
This planting zone will be composed of a combination of varied ornamental grasses, California natives, coastal grasses and enhanced ornamental planting.  
Shrubs - 40% 1 Gal. @ 24" o.c. / 45% 5 Gal. @ 48" o.c. / 15% 15 Gal. @ 8' o.c.  
Trees - 45% 24" Box / 35% 36" Box / 20% 48" Box  
Irrigation: Below grade, permanent, conventional overhead irrigation.



**ZONE F - ENHANCED ORNAMENTAL PLANTING ZONE**  
This will be the most dense zone on the project, located directly adjacent to the hotel, pool areas and guest units.  
Shrubs - 30% 1 Gal. @ 24" o.c. / 50% 5 Gal. @ 36" o.c. / 20% 15 Gal. @ 48" o.c.  
Trees - 35% 24" Box / 35% 36" Box / 30% 48" Box  
All trees in parking areas to be 24" Box min. @ 25' o.c. with (2) trees at each end island.  
Irrigation: Below grade, permanent, conventional overhead irrigation.



**ZONE G - BIO SWALE ZONE**  
This will include plant material to successfully filter storm water runoff.  
Shrubs - 30% Liners / 70% 1 Gal.  
Irrigation: Below grade, seasonal, conventional overhead irrigation.



**ZONE H - TURF ZONE**  
Double Dwarf Tall Fescue such as 'Medallion III' or 'Marathon III' will be used in non-function areas.  
Hybrid non-seeding Bermuda grass such as 'Tifway 419' will be used for function lawns.  
Irrigation: Below grade, permanent, conventional overhead irrigation.

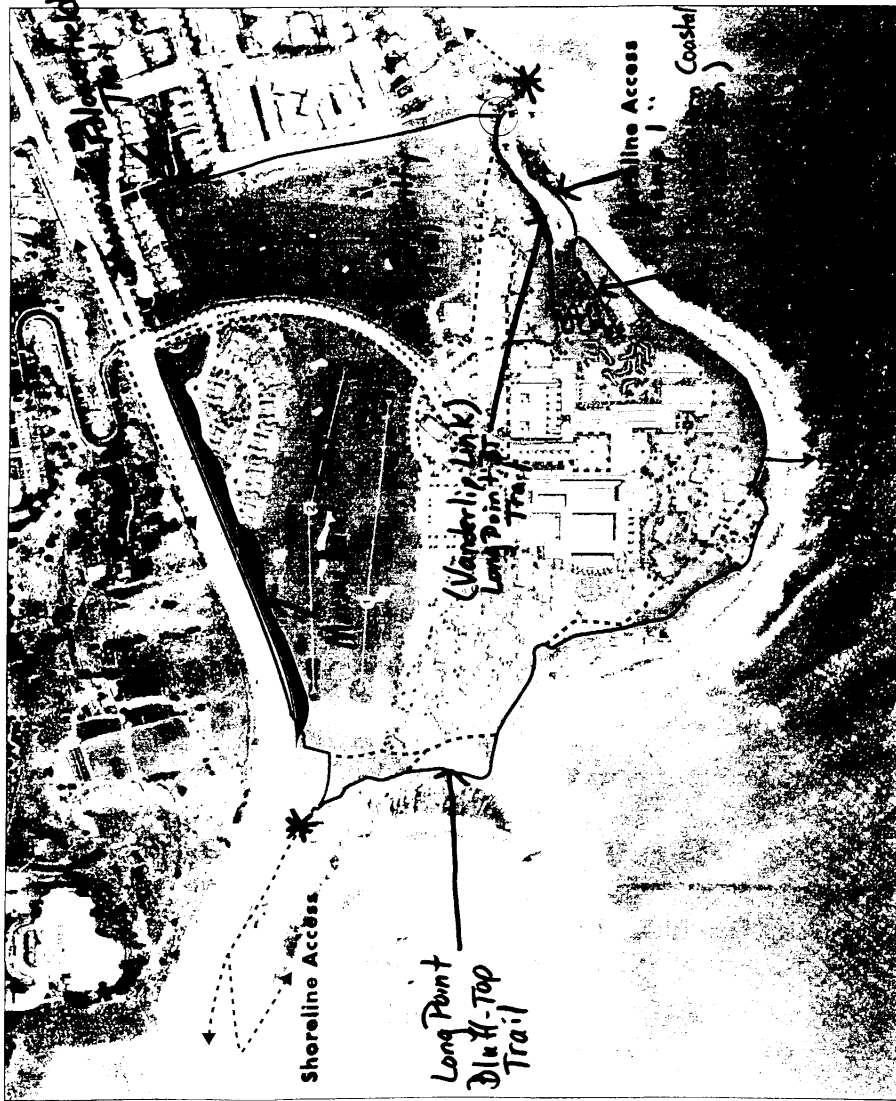
**COASTAL COMMISSION**

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EXHIBIT # 6

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Exhibit 3 from AS-RPV-02-324 Staff Report, 2003



**LONG POINT RESORT**  
City of Rancho Palos Verdes  
California

**NEW PUBLIC TRAILS**

- Long Point Bluff-Top Trail
- Marineland Trail within Palos Verdes Drive Landscape Corridor
- Flowerfield Trail
- Resort Entry Trail
- ADA-Compliant Coastal Access for Disabled
- Two Rebuilt Shoreline Access Ramps

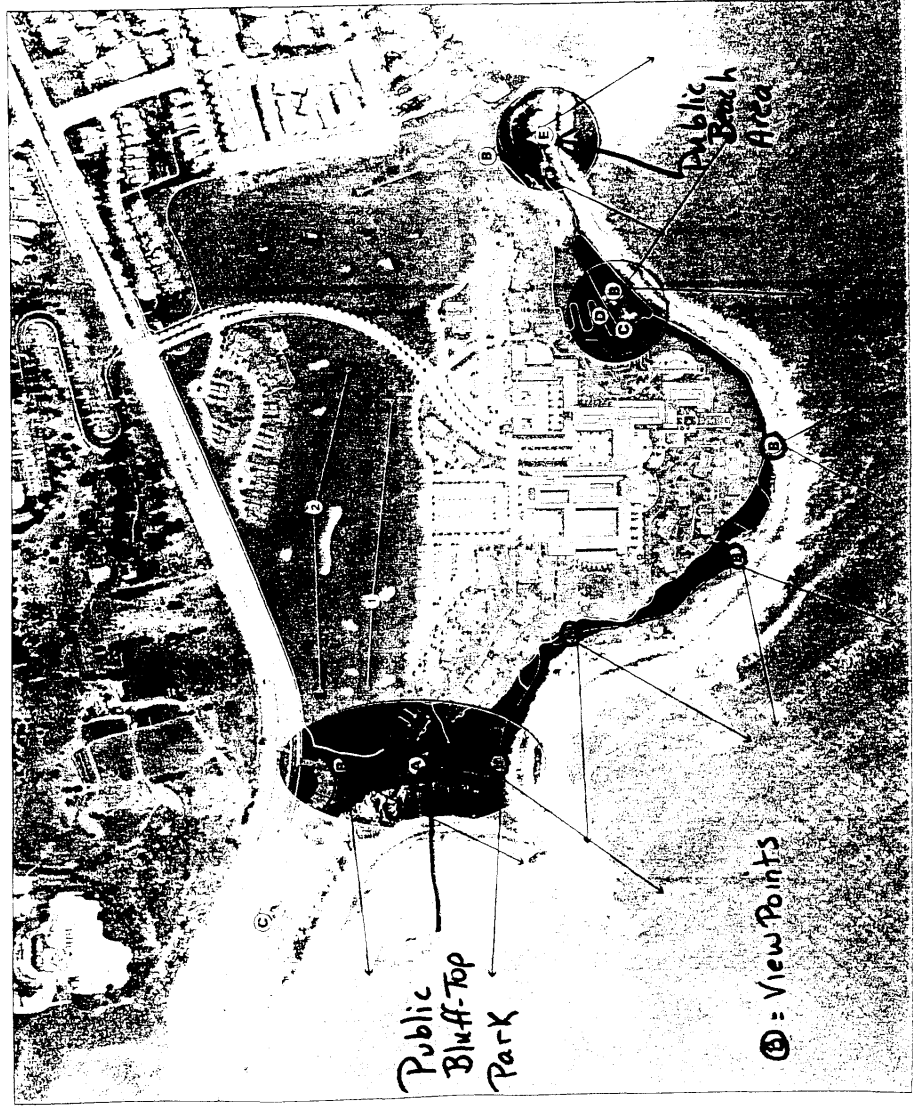
AS-RPV-02-324-A6  
COASTAL COMMISSION  
EXHIBIT # 7  
PAGE 1 OF 2

Resort F  
 Offsite  
 Connect  
Vanderlip

Summary of

5

Exhibit 4 from AS-RPV-02-324 staff report, 2007



**LONG POINT RESORT**  
City of Rancho Palos Verdes  
California

**PUBLIC PARK BENEFITS**

- ⓐ Public Bluff-Top Park
- ⓑ Bluff-Top Viewpoints outside Bluff-Top Habitat Enhancement Areas
- Bluff-Top Viewpoints within New Habitat Enhancement Areas (fenced 3 sides)
- ⓒ Public Restrooms
- ⓓ Snack Bar, Seating and Viewing Area
- ⓔ Small Public Beach Area

**COASTAL COMMISSION**  
AS-RPV-02-324-A6

EXHIBIT # **7**  
PAGE **2** OF **2**

**SUBMITTER of Public Benefits**