



**MEMORANDUM**

**TO: RANCHO PALOS VERDES CITY COUNCIL**  
**FROM: CITY MANAGER** *CJMB*  
**DATE: DECEMBER 11, 2013**  
**SUBJECT: ADMINISTRATIVE REPORT NO. 13-48**

**I. CITY MANAGER AND DEPARTMENT REPORTS (See Attachments)**

- **CITY MANAGER – PAGE 5**
  - L.A. City Council Plum Committee Hearing on Ponte Vista Project Program
- **FINANCE & IT – No report this week**
- **PUBLIC WORKS – PAGE 6**
  - Mandatory Commercial Recycling (MCR) Outreach
  - Christmas Tree Recycling
  - Impact on Puente Hills Landfill's Closure
- **COMMUNITY DEVELOPMENT – PAGE 9**
  - City's Draft Housing Element Approved by State
  - Quarterly Report on Inter-Jurisdictional Trail Matters
  - Coastal Commission Appeal of Proposed Project of 3344 PVDW
  - Planning Commission Follow-Up Agenda
  - Applications of Note
- **RECREATION & PARKS – PAGE 88**
  - Breakfast With Santa – Saturday, December 14<sup>th</sup>
  - Donation to PVPHS Pool Campaign
  - Park Events

**II. CORRESPONDENCE AND INFORMATION RECEIVED (See Attachments)**

- A. Tentative Agendas – PAGE 92**
- B. Channel 33 Programming Schedule – PAGE 96**
- C. Channel 35 Programming Schedule – PAGE 97**
- D. Crime Report – PAGE 98**
- E. Miscellaneous – PAGE 100**

# December 2013

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 <i>7:30 am—Mayor's Breakfast @ Coco's (Brooks/Misetich)</i>  <i>6:00 pm—City Holiday Party @ PVIC</i>	3 <i>7:00 pm—City Council Meet- ing @ Hesse Park</i>	4	5	6	7 <i>6:00 pm—7:30 pm— Peninsula Holiday Parade @ Silver Spur &amp; Deep Valley Drive</i>
8	9 <i>4:00 pm—7:00 pm - Rolling Hills Holiday Reception @ RH City Hall</i>  <i>7:00 pm—Traffic Safety Com- mission Meeting—Community Room</i>	10 <i>7:00 pm—Planning Commis- sion Meeting @ Hesse Park</i>	11	12	13	14 <i>9:00 am—10:30 am— Breakfast with Santa @ Hesse Park</i>
15	16	17 <i>7:00 pm—City Council Meet- ing @ Hesse Park</i>	18 <i>12:00 pm—Mayor's Lunch @ The Depot (Duhovic)</i>  <i>1:30 pm—Sanitation District Meeting (Duhovic)</i>	19 <del><i>7:00 pm—Emergency Pre- paredness Committee— Community Room— CANCELLED</i></del>	20	21
22	23	24	25	26	27	28
<b>Winter Holiday Break—City Hall Closed</b>						
29	30	31	1 January—New Year's Day			
<b>Winter Holiday Break—City Hall Closed</b>						

# January 2014

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 <i>New Years Day CITY HALL CLOSED</i>	2	3	4
5	6 <div style="border: 1px solid black; padding: 2px; display: inline-block;"><i>CA Legislative Tour - Sacramento, CA</i></div>	7	8 <i>7:00 pm—Adjourned City Council Meeting @ Hesse Park</i>	9 <i>7:00 pm—Vector Control Board Meeting - Culver City (Brooks)</i>	10	11
12	13	14 <i>7:00 pm—Planning Commission @ Hesse Park</i>	15 <i>12:00 pm—Mayor's Lunch @ The Depot (Duhovic) 1:30 pm—Sanitation District Meeting (Duhovic)</i>	16 <i>7:00 pm—EPC Meeting @ Community Room</i>	17	18
19	20	21 <i>7:00 pm—City Council Meeting @ Hesse Park</i>	22	23	24	25
26	27 <i>7:00 pm—Traffic Safety Committee @ PVIC</i>	28 <i>7:00 pm—Planning Commission @ Hesse Park</i>	29	30	31 <i>7:30 am—Mayor's Breakfast @ Coco's (Duhovic/Knight)</i>	

# February 2014

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 <i>7:00 pm—City Council Meeting @ Hesse Park—</i>	5	6	7	8
9	10	11 <i>7:00 pm—Planning Commission Meeting @ Hesse Park</i>	12 <i>1:00 pm—3:00 pm Oversight Board Meeting—Community Room</i>	13 <i>8:00 am—Regional Law Enforcement Committee Meeting—RH City Hall</i>	14	15
16	17 <i>Clean up Day—Tentative</i>	18 <i>7:00 pm—City Council Meeting @ Hesse Park</i>	19 <i>12:00 pm—Mayor's Lunch @ The Depot (Duhovic)</i> <i>1:30 pm—Sanitation District Meeting (Duhovic)</i>	22 <i>7:00 pm—EPC Meeting—Community Room</i>	21	22
23	24 <i>7:00 pm—Traffic Safety Meeting @ City Hall Community Room</i>	25 <i>7:00 pm—Planning Commission Meeting @ Hesse Park</i>	26	27	28 <i>7:30 am—Mayor's Breakfast @ Coco's (Duhovic/Campbell)</i>	



## MEMORANDUM

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** CAROLYN LEHR, CITY MANAGER *CL*  
**DATE:** DECEMBER 11, 2013  
**SUBJECT:** WEEKLY ADMINISTRATIVE REPORT

### LOS ANGELES CITY COUNCIL PLUM COMMITTEE HEARING ON *PONTE VISTA* PROJECT

The Planning and Land Use Management (PLUM) Committee of the Los Angeles City Council is scheduled to consider the *Ponte Vista* project at its upcoming meeting on Tuesday, December 17, 2013. The PLUM Committee will be considering whether to forward the 676-unit *Ponte Vista* project to the full Los Angeles City Council for approval. The PLUM Committee normally meets at 2:30 PM in Room 350 at Los Angeles City Hall, 200 N. Spring St., Los Angeles, CA 90012. The meeting agenda should be published later this week on the City of Los Angeles' website at:

<http://www.lacity.org/government/ElectedOfficialOffices/CityCouncil/CouncilCalendar/index.htm>



**TO:** CAROLYN LEHR, CITY MANAGER  
**FROM:** LES M. JONES II, INTERIM DIRECTOR OF PUBLIC WORKS  
**DATE:** DECEMBER 11, 2013  
**SUBJECT:** WEEKLY ADMINISTRATIVE REPORT

**MANDATORY COMMERCIAL RECYCLING (MCR) OUTREACH**

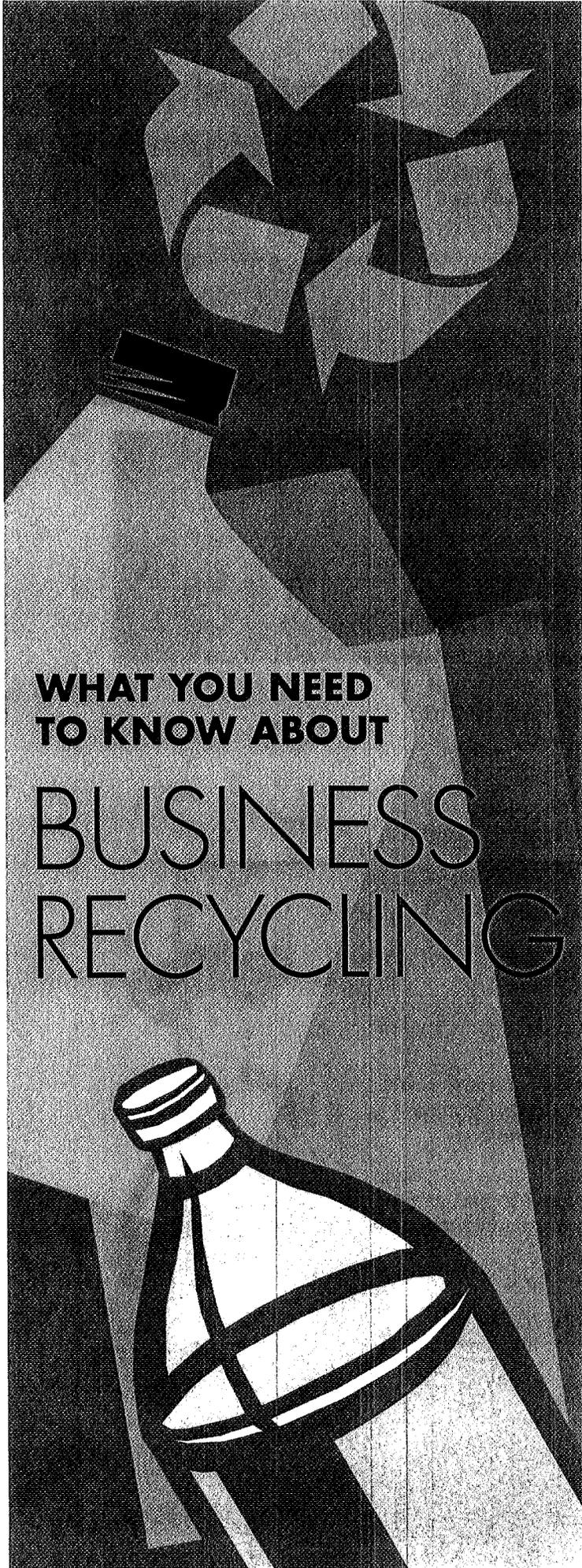
Staff is continuing its implementation of the provisions of AB 341, the State mandatory commercial recycling program's outreach and education. Next week a two- sided flier will be inserted in the 2014 business license renewal packages. The flier will inform businesses of: what business recycling is, how to get started, where to go for more information, what to recycle and what not to recycle. Staff will continue to work closely with its commercial haulers in reaching out to their affected customers and educating them about the benefits of recycling.

**CHRISTMAS TREE RECYCLING**

Christmas trees will be collected by EDCO and UWS as part of their regular weekly green waste collection. Only trees over 7 feet tall need to be cut in half. Last week former Mayor Brooks inquired about costs associated with this seasonal collection due to Puente Hills Landfill's closure. Staff has verified that there is no increase in the processing cost of Christmas trees to residents. The tipping fee for Christmas trees is the same as regular green waste.

**IMPACT ON PUENTE HILLS LANDFILL'S CLOSURE**

The Puente Hills Landfill permanently closed on October 31, 2013. However, due to advanced planning by staff and EDCO, the impact should be minimal. EDCO has a long term agreement for the utilization of the Orange County landfill(s), and staff incorporated safeguards in the City's agreement with EDCO by placing a cap on the disposal component of any future rate adjustment. Therefore, contrary to possible extraordinary rate adjustment requests by some cities, the FY 13-14 residential rates for RPV shall remain unchanged.



## WHAT YOU NEED TO KNOW ABOUT

# BUSINESS RECYCLING

## Why recycle?

- State law now requires all businesses that generate 4 or more cubic yards of waste weekly to recycle.
- Recycling may provide opportunities for your business to save money.
- Recycling helps conserve resources and extends the life of California's landfills. It also helps create a healthy environment for our community and future generations.

## How to get started

It's easy to recycle at your business.

- Make sure your business has arranged for recycling services (see below for more information).
- Use the list on the other side of this flyer to help employees learn what items can be recycled.
- Separate recyclable items from trash inside your business.
- Place your recyclable items in external recycling containers for collection.
- Note: Any business or individual may donate, sell, and/or otherwise arrange for the pickup of recyclable materials on their own.

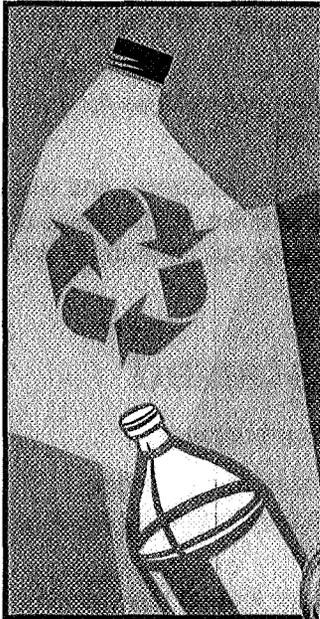
## Where to go for more information

For more information and local resources, visit [www.palosverdes.com/rpv/publicworks/waste-recycle-conservation2.cfm](http://www.palosverdes.com/rpv/publicworks/waste-recycle-conservation2.cfm).

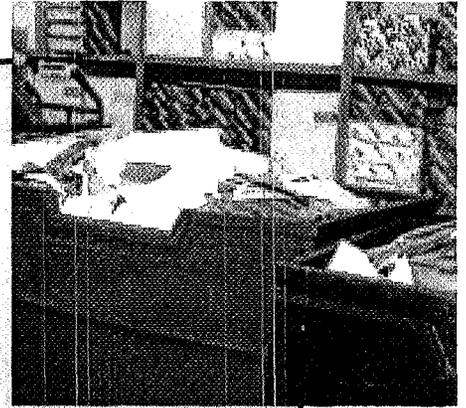
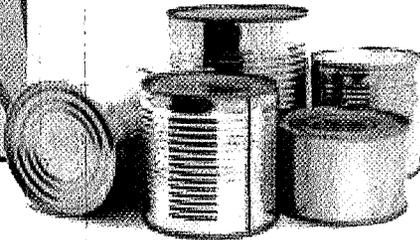
For additional general information about recycling and waste reduction, visit the California Department of Resources Recycling and Recovery (CalRecycle) at [www.calrecycle.ca.gov](http://www.calrecycle.ca.gov).



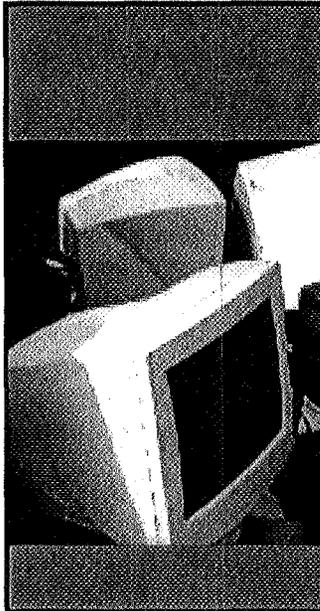
# Types of material to recycle



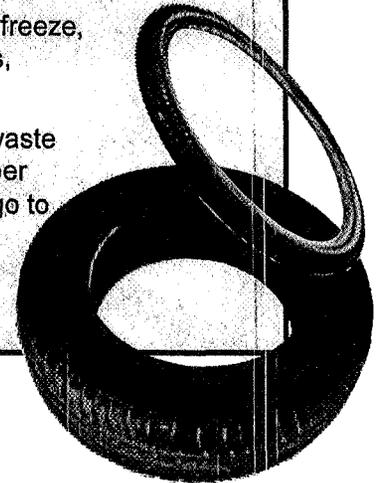
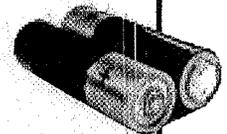
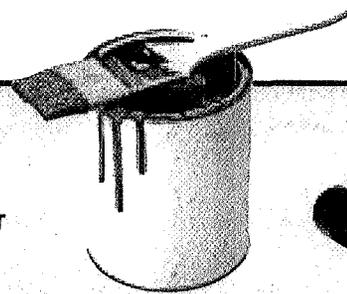
- Clean, dry paper - newspapers, phone books, catalogs, magazines, junk mail
- Cardboard and chipboard
- Plastic containers (marked #1-7)
- Metal and aluminum cans
- Glass bottles and jars
- Styrofoam™



# Don't put in recycling bin



- Broken glass
- Contaminated or wet paper
- Plastic hangers
- Carpet
- Hazardous waste — paint, batteries, antifreeze, pesticides, cleaning products, appliances, cell phones, TVs, computer monitors
- Do not place rubber tires or hazardous waste in recycling bins. For information on proper disposal or recycling of these materials, go to <http://palosverdes.com/rpv/publicworks/content/Business-Guide-2013.pdf>





**TO: CAROLYN LEHR, CITY MANAGER**  
**FROM: JOEL ROJAS, COMMUNITY DEVELOPMENT DIRECTOR**  
**DATE: DECEMBER 11, 2013**  
**SUBJECT: WEEKLY ADMINISTRATIVE REPORT**

**City's Draft Housing Element Approved by State**

On October 1, 2013, the City Council approved a Preliminary Draft Housing Element and directed Staff to forward the document to the California Department of Housing and Community Development (HCD) for review and feedback. On November 27<sup>th</sup>, HCD contacted Staff with questions, comments and recommended minor changes that would find the Housing Element in compliance with State Law. Based on Staff's replies and minor draft revisions made by Staff, HCD sent the attached letter this week informing the City that the submitted Preliminary Draft Housing Element, as revised, addresses the statutory requirements of State Housing Element law and will comply with Article 10.6 of the Government Code once formally adopted by the City Council and re-submitted to HCD.

According to State Law, the City must adopt its Final Housing Element within 120 calendar days from the statutory due date of October 15, 2013, which is February 12, 2014, in order to remain on an eight year planning cycle. In other words, if the Final Housing Element is adopted by the City Council after February 12, 2014, the City will be required to revise the housing every four years, instead of eight years. Accordingly, Staff is scheduling review and approval of the Final Housing Element (and certification of an associated Negative Declaration to satisfy CEQA) by the Planning Commission on January 28, 2014 and by the City Council on February 4, 2014. At these meetings, the Commission and Council will have the opportunity to review and comment on the proposed minor revisions. Copies of the various revisions, including the most recent draft revisions of the Housing Element will be placed on the City's website for public review. Upon City Council adoption, the Final Housing Element will be transmitted to HCD for certification.

**Quarterly Report on Inter-Jurisdictional Trail Matters**

On January 15, 2013, in response to public concerns regarding the loss of trail connections between the City and neighboring jurisdictions, the City Council directed Staff to monitor and provide quarterly reports to the Council on inter-jurisdictional trail matters. Attached is the latest Quarterly Report on inter-jurisdictional matters.

**Coastal Commission Appeal of a proposed project at 3344 Palos Verdes Drive West**

Back in September 2012, the Planning Commission approved a new single-family home at 3344 Palos Verdes Drive West. Since the Planning Commission's decision was not appealed to the City Council, the Commission's decision became the City's final decision. This final City decision was appealed to the California Coastal Commission by two California Coastal Commissioners in December 2012. The reason given for the appeal was that the project would significantly impair public views from the adjacent public trail and PV Drive West roadway. In an effort to address Coastal Commission Staff's concerns with the project, the applicant submitted a revised project to the City which was reviewed and approved by the Planning Commission October 8, 2013. In the November 6, 2013 Weekly Administrative Report, Staff notified the Council that after the Commission's October 2013 decision was appealed to the City Council, the applicant withdrew their revised project to, instead, move forward with their original application that was on appeal to the California Coastal Commission.

The City Council has and may continue to receive some emails from the public about the proposed project since the California Coastal Commission's appeal hearing on the project will take place on Thursday, December 12, 2013. Staff will not be attending the appeal hearing as it is in San Francisco and neither the project applicant nor the Coastal Commission Staff asked City Staff to attend. Based on the attached Coastal Commission Staff Report, Coastal Commission Staff is recommending that the Coastal Commission approve a revised project that would result in more coastal views from the adjacent public roadway (PVDW) and public trail. This would result in the same revised project that was recently approved by the Planning Commission in October 2013.

**Planning Commission Follow-Up Agenda**

Attached is the Follow-Up Agenda from the Planning Commission meeting on December 10, 2013.

**Applications of Note**

Attached is a table with a summary of the Applications of Note that were submitted to the department between Wednesday, December 4, 2013 and Tuesday, December 10, 2013.

**Attachments**

- December 11, 2013 Quarterly Report on Inter-Jurisdictional Trails
- Letter from HCD
- Coastal Commission Staff Report regarding 3344 PVDW
- PC Follow-Up Agenda for December 10, 2013

**Community Development Department  
Weekly Administrative Report  
December 11, 2013  
Page # 3**

- Applications of Note

**MEMORANDUM**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: JOEL ROJAS, COMMUNITY DEVELOPMENT DIRECTOR**

**DATE: DECEMBER 11, 2013**

**SUBJECT: INTER-JURISDICTIONAL TRAIL MATTERS BETWEEN THE CITY OF RANCHO PALOS VERDES AND NEIGHBORING CITIES**

Project Manager: Ara Mihranian, Deputy Director of Community Development

**DISCUSSION**

On January 15, 2013, the City Council, in response to public concerns regarding the loss of trail connections between neighboring jurisdictions, directed Staff to monitor and provide quarterly reports to the Council on inter-jurisdictional trail matters. In May, the Council was provided with the first quarterly report on trail matters for each of the three neighboring cities. The following is the latest quarterly report on inter-jurisdictional trail matters.

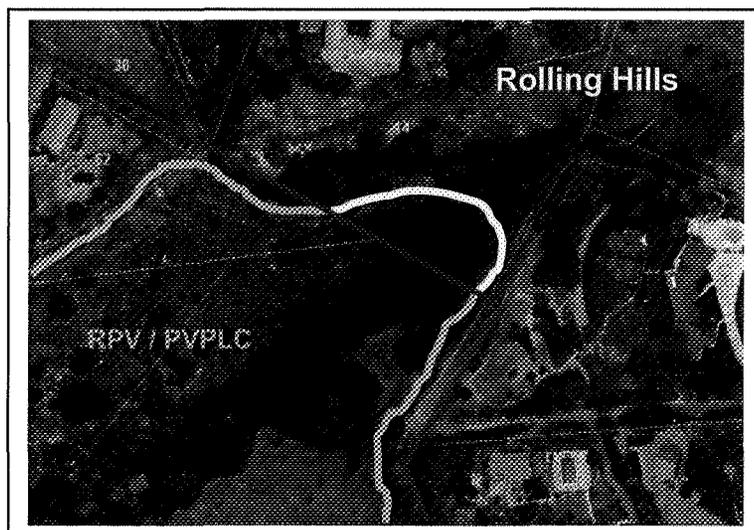
**Rolling Hills**

The following is updated information, if applicable, involving trail connectivity issues with the City of Rolling Hills:

1. Fire Station Trail and Rim Trail Connection (Portuguese Bend Reserve)

In August 2011, it was reported that Ms. Cathy Nichols, the owner of property traversed by an unofficial trail historically used by the public as a link between the Rim and Fires Stations Trails in the Portuguese Bend Reserve, closed the trail across her property (shown in yellow on the following page). Ms. Nichols and the Rolling Hills Community Association informed the City and the PVPLC that the

trail traversing her private property would be physically closed with barriers. To help alleviate the vandalism of the barriers she installed at her property line, the City installed private property signs and signs notifying trail users of the trail closure. Additionally, the rangers increased their presence in the area.



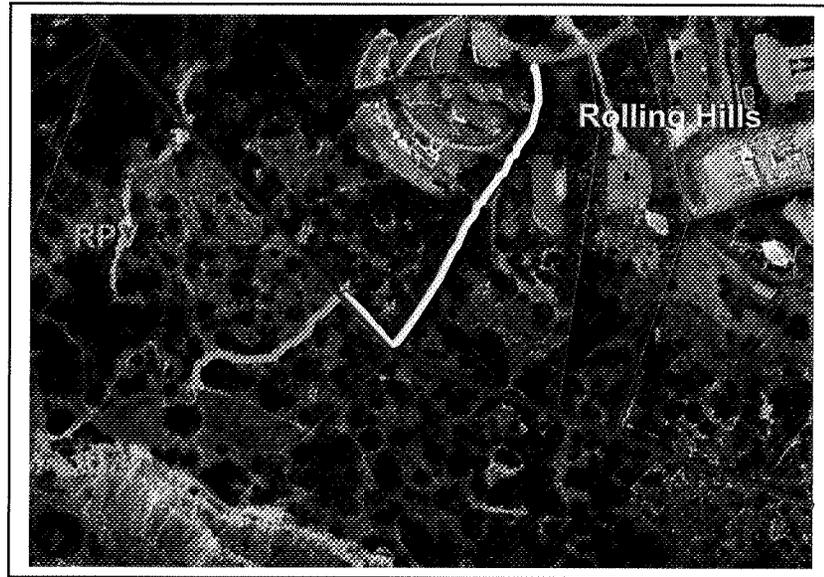
In response to Ms. Nichols trail closure, City and PVPLC Staff began to explore alternative trail routes within the Preserve boundary limits. Ultimately, it was concluded that due to the steep topography and the surrounding protected habitat, a trail connection could not be created without impacts to protected habitat, significant grading or construction of a bridge. Thus, at this time the trail connection traversing Ms. Nichols' property remains closed. A trail connection on City-owned property in the Portuguese Bend Reserve has not been created but has been identified as a high priority project for the PVPLC when funding sources, such as grants, become available.

The City and the PVPLC continue to monitor unauthorized trail construction activity in this area through sensitive habitat. Furthermore, the City continues to replace the vandalized "no trespassing" signs in this area. Lastly, Ms. Nichols continues to express no interest in realigning the trail nor re-opening the trail on her property.

## 2. Packsaddle Trail (Forrestal Reserve)

In 2001, when the trails map was approved by the City Council for the Forrestal Reserve, the Council approved trails plan included the Packsaddle Trail that leads up to the City boundary with Rolling Hills (see image below). At that time, it was the City's understanding that an access easement existed in the City of

Rolling Hills that led to Packsaddle Road East in the City of Rolling Hills (presumed access easement shown in yellow in the image below).



It has recently come to the City's attention that the City of Rolling Hills has closed the trail at the City's boundary line because trail users coming from the Forrestral Reserve were not obtaining appropriate permission from the City of Rolling Hills and walking into the backyards of private property. During a meeting with Rolling Hills Officials, it was expressed that neither the City of Rolling Hills nor its Community Association intends to provide and maintain trail access between Packsaddle Road East and the Packsaddle Trail in the Forrestral Reserve. In fact, City Staff was told that a fence is planned to be installed to protect the adjacent private property owners from trespassers. Rolling Hills officials requested that the City close the Packsaddle Trail, remove the trail from the City's Trails Map, and install signs indicating that the public trail ends at the Mariposa Trail junction. While City Staff does not intend to close the Packsaddle Trail nor remove the trail from the Preserve's Trails Maps, City has agreed to install signs notifying trail users that the Packsaddle Trail ends and does not provide through access.

### 3. Martingale Trail

The City's Martingale Trail (shown as a green solid line) extends from the City-owned Martingale Park (next to Martingale Drive) to the boundary line with the City of Rolling Hills, at which point the City's public trail terminates. However historically, trail users (particularly equestrians) have continued past the City boundary traversing private property in Rolling Hills to connect to the Willow Springs Trail (shown in solid yellow line) in the City of Rolling Hills. In January 2013, the City was contacted by the property owner in Rolling Hills whose

property is traversed by trail users (Mrs. Cheryl Marcz) indicating her interest in donating a portion of her property to the City of Rancho Palos Verdes as a way to eliminate her liability concerns caused by trespassers onto her property. Seeing this as an opportunity to complete the existing gap between the City's Martingale Trail and Rolling Hills' Willow Spring trail, as last reported, City Staff met with the involved parties in June to discuss the details of the offer. City Staff expressed an interest in Mrs. Marcz' offer but wanted to make sure that the land offer would guarantee public access from PRV to the Willow Springs Trail in the City of Rolling Hills. Rolling Hills officials indicated that the matter would need to be considered by the Community Association Board.



City Staff was notified in September 2013 that the Community Association Board reached an agreement with Mrs. Marcz and the Association will have a dedicated public trail easement across her property that will connect to the City's Martingale Trail. Once the trail easement has been dedicated, the trail will be accepted into the RHCA trail system and accessible by the public provided appropriate permits are obtained from the Community Association (the typical protocol for use of trails in the City of Rolling Hills). According to the Community Association Staff, the trail will be for pedestrian and equestrian use only (as with all trails in the City of Rolling Hills), and a three-rail fence will be constructed along Mrs. Marcz' property line with an opening for trail access. The trail easement will likely take approximately four months to record. Staff will continue to monitor the progress of this trail connection and will continue to update the Council and the public.

#### 4. Library Trail

As reported in the last Inter-Jurisdictional Trails Report, the City's Conceptual Trails Plan (CTP) identifies the Library Trail (shown as a green solid line below) as an existing, but undedicated trail, that begins at the City boundary line with Rolling Hills in the Colt Canyon area above the Miraleste Library and extends eastward to Palos Verdes Drive East, at which point the trail crosses the roadway at the existing school crosswalk. In order to be formally considered a City public trail, the CTP identifies the need for easements from various private property owners, including the Library District.



The City was contacted over the summer by a Boy Scout about constructing the City's segment of the Library Trail as his Eagle Scout project. The Scout was informed that in order for the trail work to occur, permission would have to be obtained from each respective property owner (the library district and three private property owners) and appropriate trail easements would have to be secured to absolve the property owners from any liability resulting from the public's use of the trail. The Boy Scout engaged some of the property owners, including the Library District, who expressed an interest in formalizing this trail segment. Unfortunately, due to time constraints associated with completing his Eagle Scout project, the Scout decided to pursue a different project with the City of Rolling Hills Estates. However, as a result of being contacted, the Library Board of Trustees considered whether to dedicate a trail easement to the City at its September 19<sup>th</sup> meeting.

City Staff attended the September 19<sup>th</sup> meeting at which time the Board unanimously agreed to 1) not allow the Eagle Scout trail improvement project to proceed citing safety concerns related with the trail interface with the library driveway and parking area; and 2) to defer any decision on granting an easement to the City of Rancho Palos Verdes until a time the City requests such an easement, and that no future easement be granted to the City unless concerns with safety and maintenance can be addressed by the City, along with protecting possible future driveway and parking improvements. The Board added that in order to consider granting some form of a trail easement or agreement to the City, the other three owners of the property the trail traverses should also be in agreement to grant a similar easement to the City otherwise the trail could not be implemented as described in the CTP.

The September 19<sup>th</sup> Board of Library Trustee Staff Report can be found on the Palos Verdes Library District website at the following link:

[www.pvld.org/about/trustees/meetings](http://www.pvld.org/about/trustees/meetings)

In light of the Board's decision, Staff is not going to pursue implementation of the Library Trail at this time and instead focus on other trail implementation projects in the City. If any Council member is interested in further exploring implementation of the Library Trail, the item can be raised as a possible future Study Session item.

### **Rolling Hills Estates**

At this time, there are no trail connectivity issues to report with the City of Rolling Hills Estates.

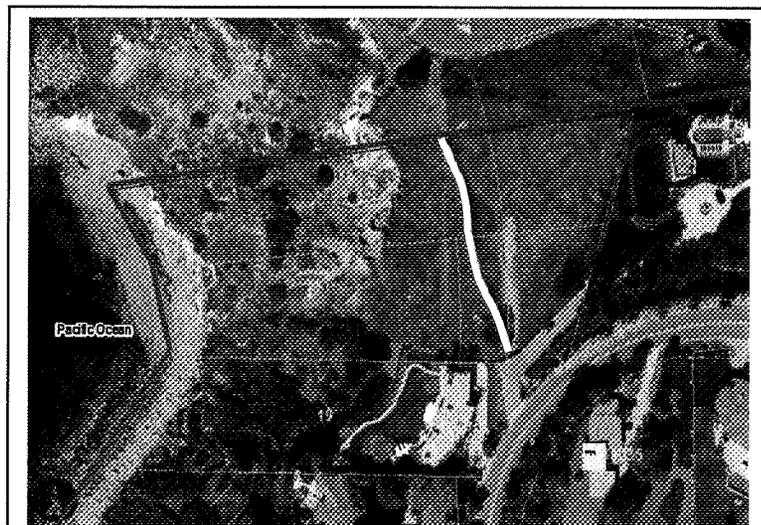
### **Palos Verdes Estates**

It was last reported that there are currently two trail connectivity issues with the City of Palos Verdes Estates. The first involves the City's segment of the California Coastal Trail (CCT), which is under construction at this time. The City is currently working with Staff from the City of Palos Verdes Estates to ensure that the City's segment of the CCT that will be constructed in the Palos Verdes Drive West roadway median will connect to the existing trail in the City of Palos Verdes Estates' roadway median (see image on the following page).



The second trail matter involves a historically used trail connection between Marguerite Drive (RPV) and Paseo del Mar (PVE) that traverses vacant private property adjacent to 7 Marguerite in RPV (see image on the following page). According to the Coastal Commission, unpermitted fences were installed by the owners of the vacant property impeding public access that has been historically used between RPV and PVE. RPV Staff informed Coastal Commission Staff that the vacant property on which the fences are located is privately owned with no dedicated public trail easement on any portion of the property.

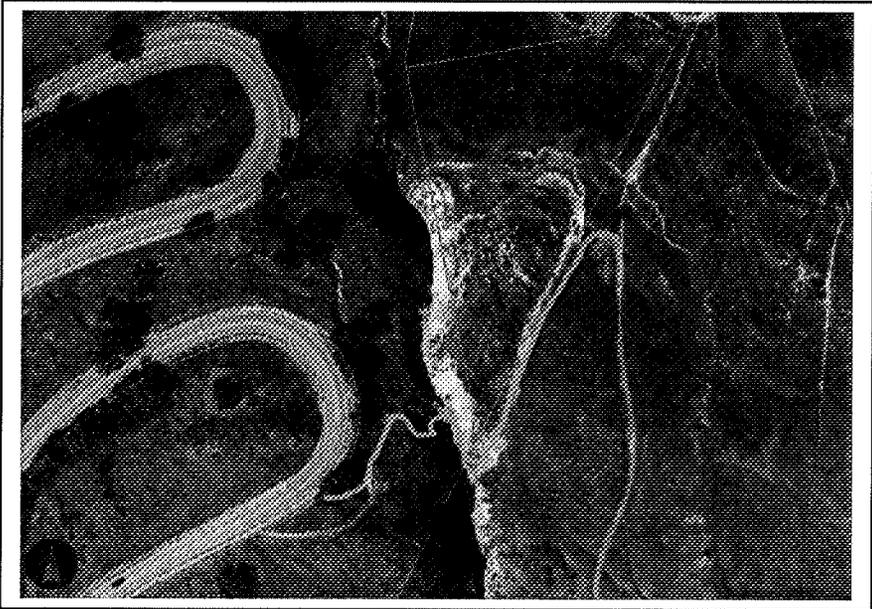
While Staff recognizes that there has been some historical use of the private property for trail access between the RPV and PVE, there is no record of any legal decision supporting any type of prescriptive easement over said property. Moreover, the City's approved Local Coastal Plan (LCP), Conceptual Trails Plan (CTP), Coast Vision Plan, or Coastal Trail does not designate any type of trail over the property. In contrast, the aforementioned City documents designate nearby Palos Verdes Drive West as the coastal trail route in that area of the City. Lastly, according to the City's approved LCP, the private property is not within any identified Visual Corridors.



Based on this information, City Staff informed Coastal Commission Staff that it did not intend to pursue any action against the property owner to reinstate a public trail that traverses their private property, and that if a public trail is desired by the Coastal Commission, that it would be the City's preference for the Coastal Commission to assume primary responsibility for resolving this matter and the alleged violation with the installation of the 6-foot tall chain link fencing. Thus, at this time, this trail matter is currently being pursued by the Coastal Commission and City Staff will continue to monitor this matter and update the Council.

**Los Angeles County**

As part of the San Ramon Stabilization Project, it has come to City Staff's attention that a much desired connection to Friendship Park from the San Ramon Reserve (a sub-area of the Palos Verdes Nature Preserve) can be achieved through the project area without having to secure easements from another jurisdiction. This is because as part of this project, the County of Los Angeles agreed to give the City of Rancho Palos Verdes approximately 5 acres of land that will allow the City to construct a trail within the construction area that will connect to an existing trail at Friendship Park, as roughly illustrated in the map below. Construction of this trail connection is pending.



**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
www.hcd.ca.gov



RECEIVED

DEC. 09 2013

COMMUNITY DEVELOPMENT  
DEPARTMENT

December 5, 2013

Mr. Joel Rojas, Development Services Director  
Community Development Department  
City of Rancho Palo Verdes  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, CA 90275

Dear Mr. Rojas:

**RE: Review of the City of Rancho Palo Verdes' 5<sup>th</sup> Cycle (2013-2021) Draft Housing Element**

Thank you for submitting Rancho Palo Verdes' draft housing element received for review on October 11, 2013 with subsequent revisions received December 4 and 5, 2013. The Department is reporting the results of its review, pursuant to Government Code Section 65585(b). The review was facilitated by various telephone conversations with Ms. So Kim, Associate Planner and Mr. Ralph Castañeda Jr. the City's consultant.

The draft element addresses the statutory requirements of State housing element law. As a result, the element will comply with Article 10.6 of the Government Code once adopted and submitted to the Department, pursuant to Section 65585(g).

To remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) the City must adopt its housing element within 120 calendar days from the statutory due date of October 15, 2013 for Southern California Association of Government localities. If adopted after this date, the City will be required to revise the housing element every four years until adopting at least two consecutive revisions by the statutory deadline (Government Code Section 65588(e)(4)). For more information on housing element adoption requirements, please visit our Department's website at: [http://www.hcd.ca.gov/hpd/hrc/plan/he/he\\_review\\_adoptionsteps110812.pdf](http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf)

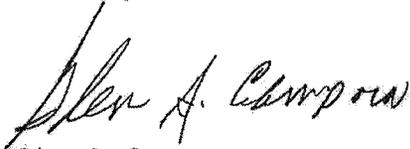
Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

Mr. Joel Rojas, Development Services Director  
Page 2

The Department is pleased to inform the City that prior 4<sup>th</sup> cycle housing element compliance meets one of the threshold requirements of the Housing Related Parks (HRP) Program which rewards local governments for approving housing affordable to lower-income households. The HRP Program, funded by Proposition 1C, provides grant funds to eligible local governments for every qualifying unit permitted since 2010. Grant awards can be used to fund park-related capital asset projects. Information about the HRP Program is available on our website at <http://www.hcd.ca.gov/hpd/hrpp/>.

The Department appreciates the efforts provided by Ms. Kim and the City's consultant, Mr. Castañeda, throughout the review of the housing element and looks forward to receiving Rancho Palo Verdes' adopted housing element. If you have any questions or need additional technical assistance, please contact Mario Angel, of our staff, at (916) 263-7442.

Sincerely,

A handwritten signature in cursive script that reads "Glen A. Campora".

Glen A. Campora  
Assistant Deputy Director

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071

Th 20a

December 5, 2013



**ADDENDUM**

[Click here to go to original staff report](#)

**TO: COMMISSIONERS AND INTERESTED PERSONS**

**FROM: SOUTH COAST DISTRICT STAFF**

**SUBJECT: ADDENDUM TO ITEM Th20A, APPEAL SUBSTANTIAL ISSUE / DE NOVO HEARING A-5-RPV-12-350 FOR THE COMMISSION MEETING OF December 12, 2013**

Please find attached:

- 1) A presentation booklet by the applicant's representatives
- 2) Public comment letters, in support of, and in opposition to, the staff recommendation.
- 3) Ex-parte communication forms

# **A-5-RPV-12-350 (KHOSLA)**

3344 PALOS VERDES DRIVE WEST  
CITY OF RANCHO PALOS VERDES,  
LOS ANGELES COUNTY

**Item Th20a**

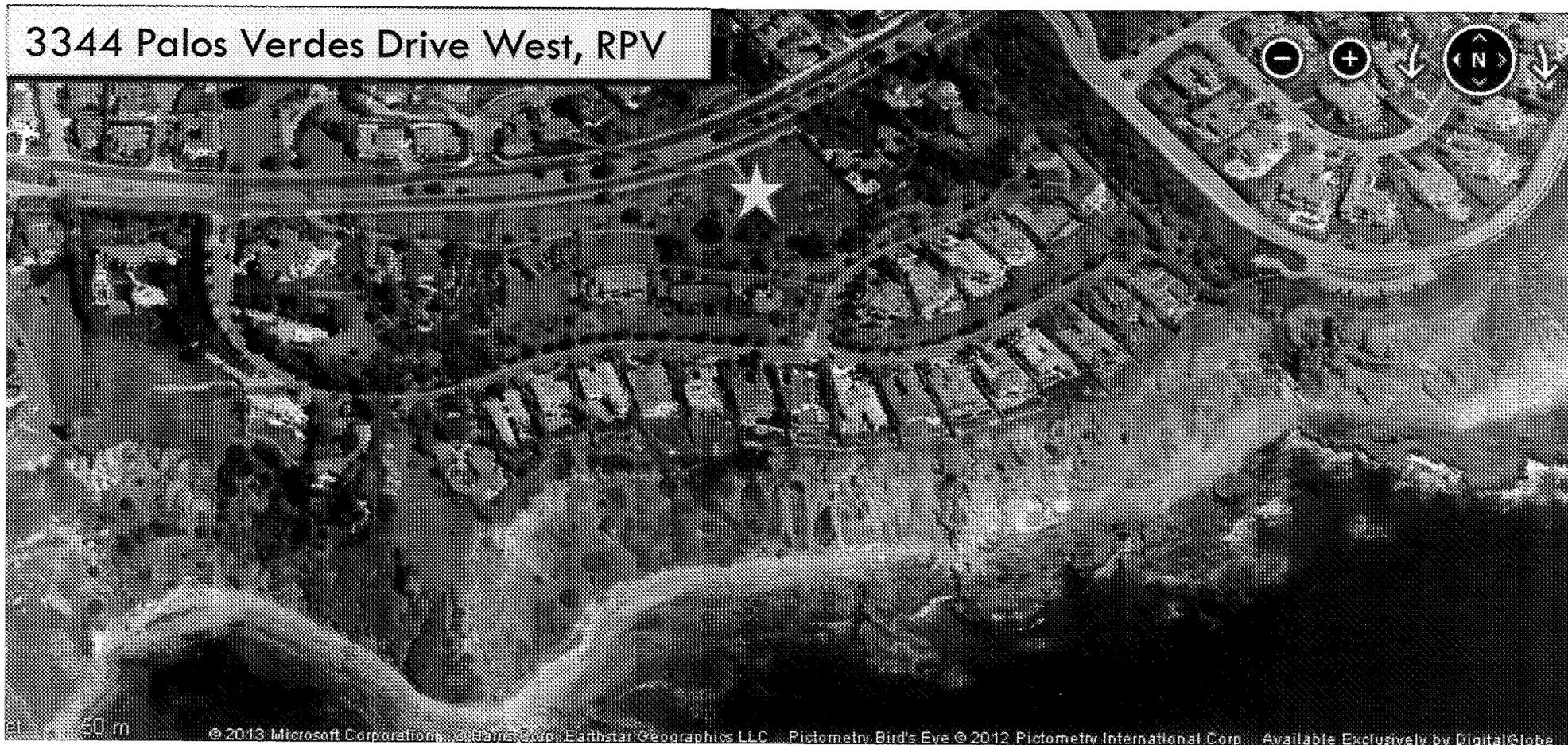
**December 12, 2013**

**CCC Hearing**

*A copy of these briefing materials has been provided to CCC District Staff.*

# Location

2



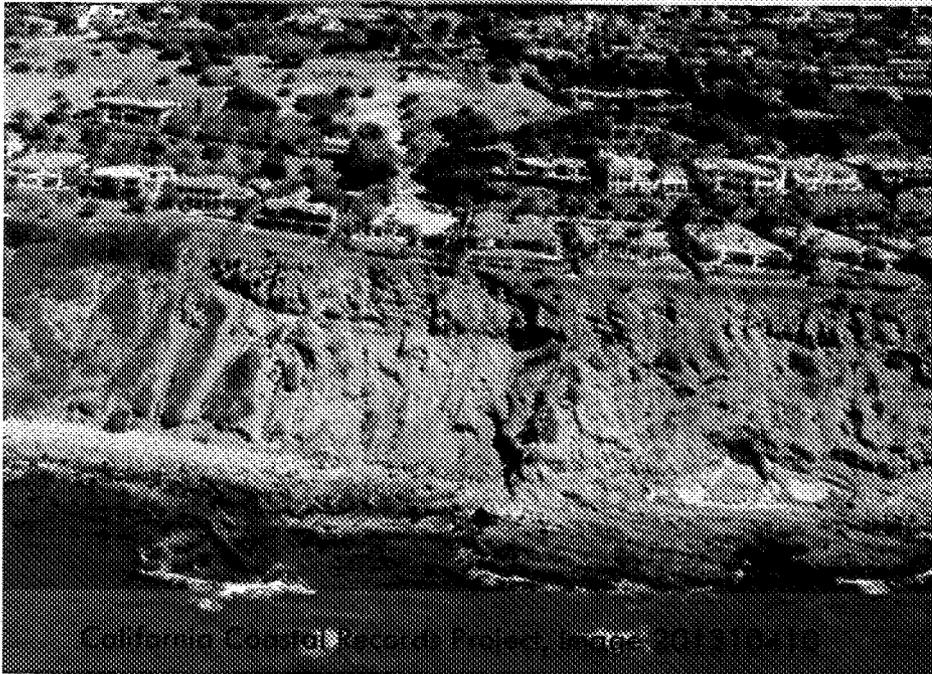
Microsoft Corporation, 2013

# Proposed Project

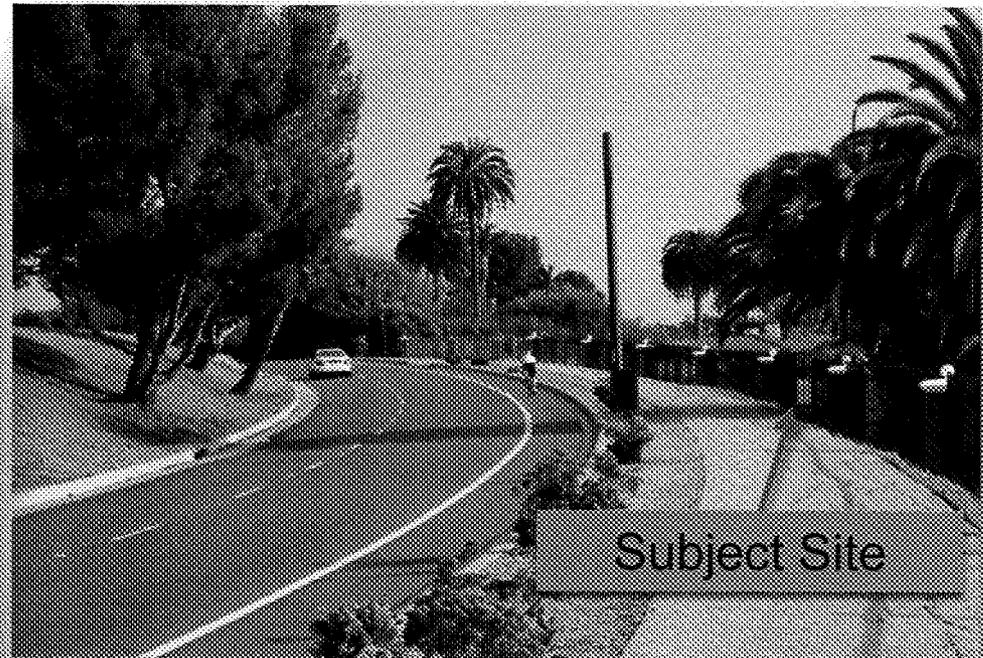
3

Construction of a two story single-family residence with attached garage, grading, and four associated retaining walls on a one-acre vacant lot within a residential neighborhood.

Subject Site



California Coastal Project - Project No. 2012-0001

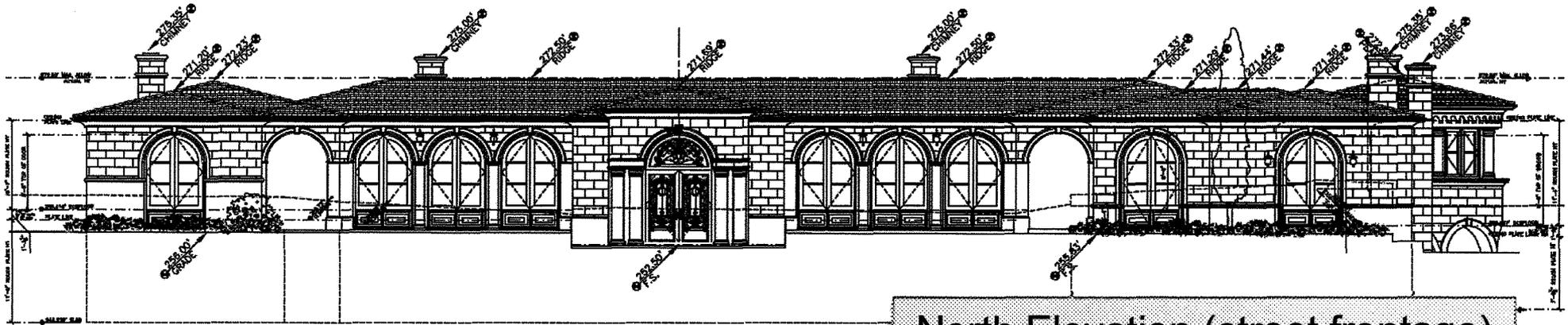


Subject Site

Southbound Palos Verdes Drive West

# Proposed Project

4



North Elevation (street frontage)



East Elevation

# Appeal Issues/Project Revisions

5

## Conformance w/City's LUP View Protection Policies

- ❑ Specific protection of views along Palos Verdes Drive West required
- ❑ Many existing views blocked by development and/or vegetation
- ❑ As originally approved, structure would obstruct views from Palos Verdes Drive West

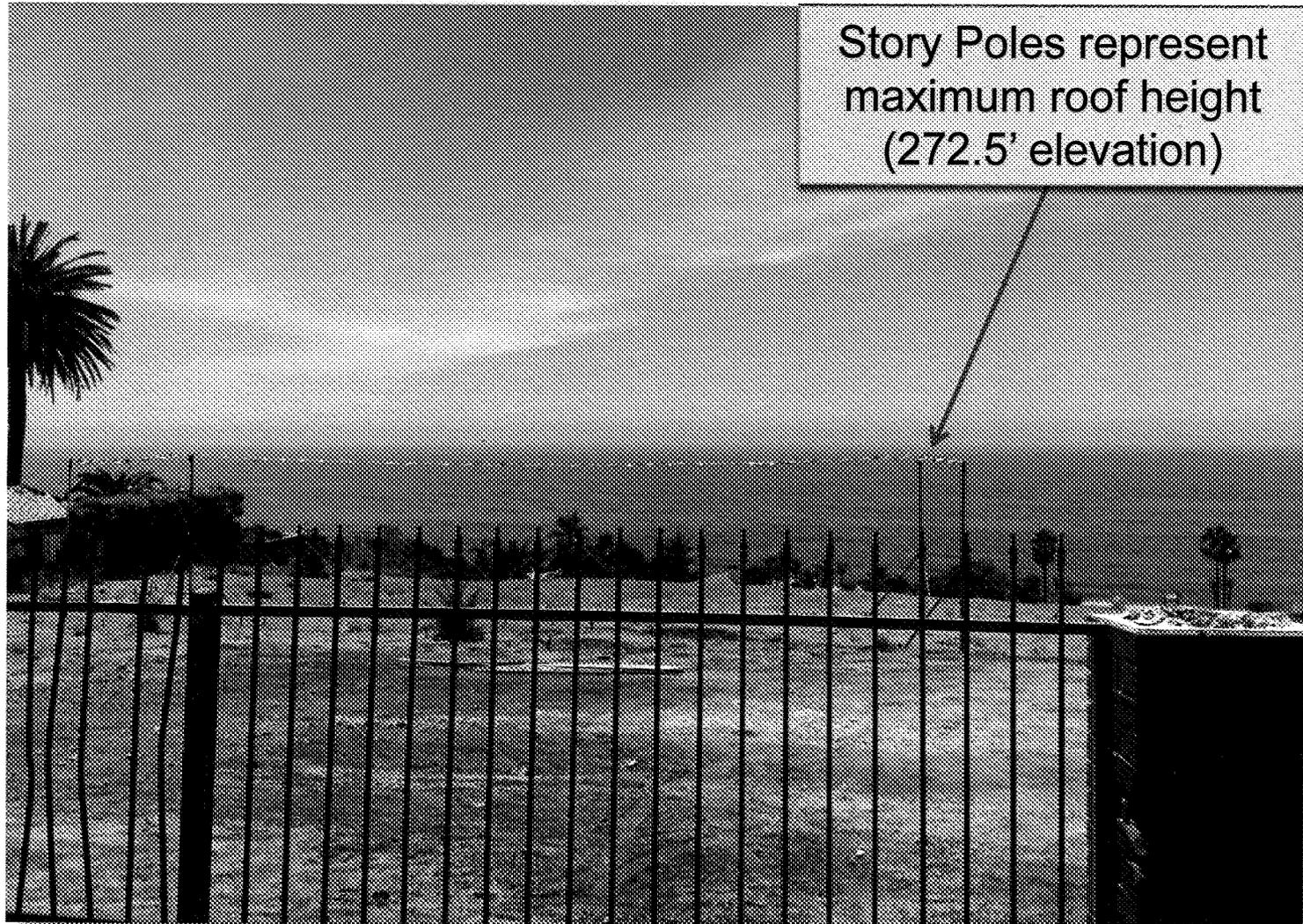
## Project Revisions

In response to appeal concerns, applicant incorporated following revisions:

- ❑ Lowering finished floor elevation of residence through additional grading;
- ❑ Lowering finished floor elevation by moving residence towards rear of sloping lot; and
- ❑ Reductions in heights of roof and chimneys.

# Height Reduction

6



# Proposed Residence

7



Visual Simulation

# Staff Recommendation

*“...if the project is modified to lower the height of the proposed residence, and conditioned to ensure that the views of the coast are protected, the project would conform with the visual protection policies of the City’s certified Land Use Plan. Therefore, staff recommends that the Commission, after a public de novo hearing, approve the permit with special conditions that require the height of the proposed residence to be lowered in order to protect the public’s view of the coast. The applicants agree with the staff recommendation.”*

P. 2, CCC Staff Report

# Conclusion

9

- Project revised to address appeal concerns and will not result in adverse impacts to public views from Palos Verdes Drive West.
- Development consistent with scale and character of surrounding area.
- Applicant in **agreement** with staff recommendation and requests the Commission approve the project as conditioned.

# John A. Schoenfeld

---

93 Laurel Drive, Rancho Palos Verdes, California 90275

November 27, 2013

John Del Arroz  
CALIFORNIA COASTAL COMMISSION  
South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302

Re: Appeal No. A-5-RPV-12-350 (Khosla, Rancho Palos Verdes)

Dear Mr. Del Arroz:

I am writing to voice my support for the Kholsa's project.

We have resided in Rancho Palos Verdes since 1983 and in the Lunada Pointe neighborhood (which adjoins the Kholsa's property at 3344 Palos Verdes Drive West) since 1991. Our home of 22-plus years is only 600-to-700 feet from the Kholsa's property. The Kholsa's proposed new home is wholly compatible with our neighborhood in size and massing. Claims alleging the Kholsa's new home will substantially block views are false and misleading. In all fact, the Kholsa's new home will be of lesser height than was the home that previously occupied the property.

The Kholsa's new home as designed is a welcomed addition to our neighborhood and I support their project.

Very truly yours,

John A. Schoenfeld

cc: (Leza Mikhail, Associate Planner, RPV Community Development Dept)

Bob Nelson  
6612 Channelview Court  
Rancho Palos Verdes, CA 90275

Th20a  
Permit #: A-5-RPV-12-350  
Bob Nelson  
Favor project, deny appeal

John Del Arroz  
California Coastal Commission  
South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302

RECEIVED  
South Coast Region

DEC 02 2013

December 1, 2013

Ref: Permit #: A-5-RPV-12-350 (3344 Palos Verdes Drive West)  
Chairman, Coastal Commission, Appealed Project

CALIFORNIA  
COASTAL COMMISSION

**Brief: RPV Planning Commission Found for Neighborhood Compatibility,  
Next Door Neighbor Approves; Most Objectors Live Miles Away**

John,

*In accord with Rancho Palos Verdes Rules and Procedures for Commissions and Committees,  
this is written as a private citizen, not as a member of our Planning Commission.*

**Summary: Appealed by Coastal Commission Chairman is Rancho Palos Verdes'  
Planning Commission's 6 in favor, 1 against, decision of September 11, 2012.**

***I urge our Coastal Commission to deny our respected Chairman's appeal, thereby  
letting this homeowner build the plans before you.***

Background:

1. On Sept. 11 two residents spoke against, one living up hill, looking down, the other living some distance away. The arguments were ocean views, project size and bulk. **However, this is a neighborhood of large, beautiful homes, hence RPV's Planning Commission found for neighborhood compatibility and approved the project 6-1.**
2. **Speaking briefly to ocean view blocking, bulk and mass: The project's block has 6 lots, 4 with homes.** The 1<sup>st</sup> lot is a two story that blocks ocean views (and has a vineyard as its front yard), next to it is another two story, then a large empty lot that is a park, then this lot, then two one story homes that block ocean views. Eastward are very large homes, recently built, and below ocean views. However, within a mile eastward both the city and the US Coast Guard have long time view blocking foliage. So this one story home has local neighborhood compatibility (Planning Commission 6-1).
3. Rancho Palos Verdes has a distinguished record of **environmentalism. In this case that is not the issue.** Lower than neighbors, this home only partially blocks ocean views.
4. **Expect further letters against this project. Most live 3-4 miles away in Sea View, opposite Trump National. I respect their becoming involved but realize, somehow, they always manage to testify to the effect their sky is falling! Remember, 42,000 live in RPV and how many oppose? Less than 1/20<sup>th</sup> of 1%!**

**We appreciate our Chairman's concern but to deny this homeowner the ability to build a neighborhood compatible home, confirmed by his Planning Commission 6-1 on September 11, 2012, I hope is not the decision of the Commission as a whole.**

Thank you for this opportunity.

Sincerely,

Bob Nelson

*HAPPY HOLIDAYS, JOHN!*

SUNSHINE  
6 Limetree Lane  
Rancho Palos Verdes, CA 90275-5909  
310-377-8761  
[sunshinerpv@aol.com](mailto:sunshinerpv@aol.com)

RECEIVED  
South Coast Region

DEC 02 2013

November 29, 2013

CALIFORNIA COASTAL COMMISSION  
ATTN: JOHN DEL ARROZ  
200 OCEANGATE, 10<sup>th</sup> Floor  
LONG BEACH, CA 90802-4416

CALIFORNIA  
COASTAL COMMISSION

RE: ITEM NO: Th20a, December 12, 2013 Agenda 20 a. Appeal No. A-5-RPV-12-350  
(Khosla, Rancho Palos Verdes)

Dear Commissioners,

I support your Staff's position that there is a "substantial issue" which needs to be addressed. The proposed project, as approved by the City of Rancho Palos Verdes, flies in the face of the goals of the RPV Coastal Specific Plan as well as revealing that local decision makers are manipulating the data in order to "interpret" the not clear measuring points in favor of increased view obstruction. Please determine to hear this appeal.

**I do not support your Staff's recommendation on the "de novo" phase. The modified proposal does not obstruct the view as badly as the original but it still would obstruct the view of the horizon from the California Coastal Trail and persons seated in a sedan height vehicle going southbound on Palos Verdes Drive West. Please hear the "de novo" phase, immediately, and find that no coastal development permit should be issued for either proposal at this time.**

Should you have any authority at all, please direct the City of Rancho Palos Verdes to establish Civil Engineering level criteria so that future applicants can be informed of them prior to spending thousands of dollars on Architects and such. The two percent down arc is just a concept without clearly defined start points based on feet and inches above something like the mean high tide line. People who can pass the AICP test are not taught how to do this. That does not mean they should feel free to ignore them.

I am crying "property owner abuse". People are willing to comply with Local Coastal Plans (LCP) when Staff discloses them in a timely fashion. This property owner has every right to have become "cranky". RPV should waive all future application fees but that is nothing compared with what these people have spent on designs based on the RPV Staff's lack of interest in the future of the California Coastal Zone. I am so embarrassed for my City.

Most sincerely,

*Sunshine*

---

**From:** Diane Stone [mailto:[dianestonehomes@gmail.com](mailto:dianestonehomes@gmail.com)]

**Sent:** Wednesday, November 27, 2013 8:24 AM

**To:** [John.DelArroz@coastal.ca.gov](mailto:John.DelArroz@coastal.ca.gov)

**Cc:** ezstevens .

**Subject:** Palos Verdes views - Coastal Commission Hearing - 3344 Palos Verdes Drive West

Hello John,

Palos Verdes needs to restore and preserve the area views. Many of the coastal areas are being blocked by overgrowth.

The magnificent views that people see as they are driving, walking, and biking around the hill are part of the beauty and pleasure of living in these areas. This includes many people who do not have views from their own homes, but still enjoy these stunning, ever-changing landscapes.

Visitors also enjoy the gorgeous cloud formations, sunsets, sunrises, and ocean and hillside vistas. Many people stop at various points along the road to take photographs, to capture what they experience. This is also part of the tremendous value of our area and distinguishes Palos Verdes from other areas.

I have lived in Palos Verdes for over 20 years, and lived in the Golden Cove area for 15 years. I am also a Realtor in the area. The ripple effect of the city's decisions is enormous.

I look to you and others in city leadership positions to take action now.

Sincerely,

Diane Stone

DIANE STONE  
SRES,CNE, GREEN,CDPE, CIAS, PV Specialist,IRES  
REALTOR®  
RE/MAX Estate Properties  
BRE #01823115  
63 Malaga Cove Plaza  
Palos Verdes Estates, CA 90274  
Cell: [\(310\) 796-6140](tel:(310)796-6140)

RECEIVED  
South Coast Region

DEC 3 2013

CALIFORNIA  
COASTAL COMMISSION

DEC. 2, 2013

**Agenda # Th20a, Permit #A-5-RPV-12-350**

**Edward Stevens opposes this project**

**Subject: RE: Coastal Commission Hearing # A-5-RPV-12-350 –  
Item # Th20a - 3344 Palos Verdes Drive West, Rancho Palos  
Verdes – Local Govt. Permit# 2012-00141**

**Dear Coastal Commissioners Brian Brennan & Mary Shallenberger,**

**I oppose this project @ 3344 Palos Verdes Drive West, Rancho Palos Verdes. I and a lot of people in Rancho Palos Verdes are very upset with The Coastal Commission & the City of Rancho Palos Verdes that you are not protecting what little is left of our Open Coastal View Corridor for the Public & future generations to enjoy.**

**I have lived here for over 45 years since 1968 & I have watched the open view slowly disappear right before my eyes. It is happening so slow that the public do not realize that the construction of new homes, the Trump Golf course, the Terranea Resort etc along PV DR. South & PV DR. West have turned our awesome Open View in to what I call A-Peek-A-Boo-View.**

**Rancho Palos Verdes & The Coastal Commission needs to restore and preserve the area views. Many of the coastal view areas are being blocked by overgrowth & construction.**

**The magnificent views that people see as they are driving, walking, and biking around the hill are part of the beauty and pleasure of living in these areas. This includes many people who do not have views from their own homes, but still enjoy these stunning, ever-changing landscapes.**

**Visitors also enjoy the gorgeous cloud formations, sunsets, sunrises, and ocean and hillside vistas. Many people stop at various points along the road to take photographs, to capture what they experience. This is also part of the tremendous value of our area and distinguishes Palos Verdes from other areas.**

**The City Of RPV & the Coastal Commission was formed to protect this wonderful Natural beauty of our Open Coastal View Corridor for future generations to enjoy & the both of you have fallen short.**

**There is no mechanism set up to follow thru with ordering the overgrown trees & shrubs to be removed by the home owners, the resorts or even the cities on public & private property .**

**The Coastal Commission & RPV City must step up to the plate & protect what little is left & attempt to restore the Public's open Coastal View Corridor.**

**I wish you & your staff would take a normal car ride not in an SUV along the coast from San Francisco to San Diego & you will see how much of the view has been lost to development such as the 3344 Palos Verdes Drive West project. This is very sad & I hope you & your staff will take a hard look at this terrible situation & you will enforce the existing rules or make new regulations.**

**Mr. & Mrs. Khosla can LOWER their 10,000 sq. ft. house so as not to block the view & plant trees & shrubs so as not to block the view.**

**What is happening is the City requires the developer to install an open Wrought iron fence along PV DR S & PV DR West to preserve the view, then the owners proceed to plant a hedge & trees on their property on the other side of the fence & in a few years there goes the view with no mechanism to protest this terrible thing from happening.**

**The ripple effect of the Coastal Commission's decisions is enormous.**

**I look to you and others in leadership positions to take action now.**

**Thanking you in advance for you & your staff for looking into this Very important View issue.**

**Edward Stevens  
32418 Conqueror Dr.  
Rancho Palos Verdes  
90275**

*Edward J. Stevens Dec. 2, 2013*

**Del Arroz, John@Coastal**

---

**From:** jessica <jessboop@cox.net>  
**Sent:** Wednesday, December 04, 2013 3:17 PM  
**To:** Del Arroz, John@Coastal; jessica  
**Subject:** Agenda Item TH20A, Application A5RPV-12-350, 3344 Palos Verdes Drive West

Agenda Item No. TH20A, Application A5RPV-12-350, 3344  
Palos Verdes Drive West, Rancho Palos Verdes

Dear Coastal Commissioners, My name is Jessica Leeds, I am a resident of Rancho Palos Verdes and I would like to submit the following to the Coastal Commission regarding the subject shown above:

The Coastal Specific Plan of Rancho Palos Verdes was written in December 1978 for the newly incorporated, as of September 1973, City of Rancho Palos Verdes, and the Coastal Act of 1976, as mandated.

There are approximately 1,100 miles of California Coastline and out of that we are privileged to have approximately 7.5 miles of beautiful undulating, varying terrain coastline jutting out into the ocean within the jurisdiction of Ranch Palos Verdes. In development of the Coastal Specific Plan, there was a lot of thought and input into why we all need to protect our coast. All of those concerns and reasons are in the Coastal Specific Plan.

In regards to this specific project and also other current and future coastal RPV projects, I feel we should always rely on the intent of the "Coastal Specific Plan" to protect the enjoyment of the public! So, as to this project, there is a concern about the impairment of views for the public from a pedestrian position on the walking trails, any public picnic sites, and viewpoints, plus from an automobile going past on Palos Verdes Drive (west, in this case).

The RPV Coastal Specific Plan adopted Resolution No. 78-8, Section 4, 1. states that the EIR identifies as a potential significant environmental effect the impact on views. This potential significant environmental effect will be mitigated or avoided as follows:

**"View corridors will be created with restrictions on the height of structures."**

Coastal Specific Plan, page C-9, Visual Corridors states in paragraph 2, states, "the greatest degree of visual value and interest to the greatest number of viewers; and are thus the function of "Palos Verdes Drive" as the primary visual corridor accessible to the greatest numbers of viewers with views of irreplaceable natural character and recognized regional significance." Continuing to:

Page C-9, paragraph 3: Public Viewing Stations...1. Continuous-viewed along the public corridor of Palos Verdes Drive, 2. Localized-As viewed from a specific site or turnout.

Coastal Specific Plan, page C-10, Vertical Boundaries-....A minimum 2 degree down-arc from Horizontal.

In conclusion: I support the substantial issue, and I oppose the project as presented or re-presented as the project and alternate project do not follow the basics of the Coastal Specific Plan. It's important to keep in mind the basic intent of the CSP, that views are to be protected, for the public, now and in the future from the main corridors of Palos Verdes Drive.

The rest of this is subject to interpretation; how tall a person is, the height of an automobile, etc. I am concerned

that if this were to be approved, it would set a precedent for other projects, big and small on the coast, which would then eliminate what little coastal views we now have left of our 7.5 mile coastline (RPV), plus the balance of our beautiful California Coast.

I feel that the original intent of the Coastal Specific Plan has been lost as new people have been hired or appointed who are not totally familiar with the reasoning behind the Coastal Act, and the RPV Coastal Specific Plan. We need to protect our coastline and maintain the original plan of the Coastal Specific Plan and the mandated California Coastal Act.

Please continue to protect our beautiful coast for now and for the benefit of those who will be here in the future. Thank you for your service.

Jessica Leeds  
RPV Resident  
310 377-9650

## **Del Arroz, John@Coastal**

---

**From:** Mike and Louise <mandlinrpv@msn.com>  
**Sent:** Wednesday, December 04, 2013 7:16 PM  
**To:** Del Arroz, John@Coastal  
**Subject:** 3344 PVDr. West view issue

Dear California Coastal Commissioners,

Over 40 years ago the City of Rancho Palos Verdes was born. The main impetus for its incorporation was the desire to protect the coastline from view obstruction and over development, not only for the benefit of its citizens but for all visitors and future generations.

Recently, we drove by the applicant's flagged property and noticed that indeed it would be an ocean view obstruction (we say ocean view as Catalina is rarely seen).

This letter is a plea that the Coastal Commission does not in any way dilute the ocean view protection of Palos Verdes Drive West and South (a public roadway). As you may know a major developer owns a large section of coastal property in RPV and has yet to finalize his plans. Please do not give him any legal ammunition for more ocean view obstruction from our scenic road and coastal trails in this process.

Thank you in advance for your consideration of this very important issue.

Sincerely,

Michael and Louise Shipman

3948 Admirable Drive

Rancho Palos Verdes, Ca 90275-6028

**Del Arroz, John@Coastal**

---

**From:** Lenée Bilski <leneebilski@hotmail.com>  
**Sent:** Wednesday, December 04, 2013 11:53 PM  
**To:** Del Arroz, John@Coastal  
**Cc:** Lenée Bilski  
**Subject:** CCC Appeal agenda item Th20a A-5-rpv-12-350  
**Attachments:** 100\_2459.JPG; 100\_2463.JPG

Dec. 4, 2013

Th20a 12/12/2013  
Lenée Bilski  
opposed to project

To California Coastal Commission  
ATTN: JOHN DEL ARROZ  
RE: ITEM NO: Th20a, December 12, 2013 Agenda 20 a.  
Appeal No. A-5-RPV-12-350 (Khosla, Rancho Palos Verdes)

Dear Coastal Commissioners,

I concur that there is Substantial Issue. I hope that you will honor the intent of the LCP and not approve either the original or the "de novo" request for a Coastal Development Permit at this time. Mistakes have been made and there is a lot of information missing.

I am opposed to approval of the proposed revision because the public's view from Palos Verdes Dr. West would be blocked by the structure. The proposed revision projects more than four vertical feet into the view corridor. If approved, this project would have a significant adverse impact not only on existing public views of Santa Catalina Island and the ocean available from Palos Verdes Drive but would also set precedent for future development on the adjacent and nearby lots, and elsewhere in the State.

You have the power to preserve and protect the public's views. If an applicant presented a project that projected 12 feet into the view and then revised it down to project 6 feet, which would still block the view, would you approve it just because the height had been lowered? If an applicant has the resources to hire a consultant who specializes in advocating for a Coastal Permit even though the proposed project would block the view, would the Commission favor the applicant, dismiss the public's comments, find the proposal consistent and approve such a project? I hope that you would honor the intent of the LCP and not approve such a project.

No other appeals were filed because we were told this is in a non-appealable area! The notice from the city was incorrect for this parcel and for others nearby. Therefore, the public was deprived of the opportunity to appeal this and other projects to the Coastal Commission.

Do two wrongs make a right? Or three? Mistakes have been made at the city level in the past, the Coastal Commission has missed or overlooked these mistakes, and proposals that obstruct the ocean view have

received approval in the past without allowing the public to appeal to the Coastal Commission. But that's no reason to continue to allow mistakes. Four feet projection into the view equals no blue water view and no view of Catalina from PVDrive. Please do not condone or perpetuate past mistakes.

In June 2000, the RPV staff wrote that the view in the southbound direction of Palos Verdes Dr. West is not considered a protected view. (P.C. Res. #2000-15 for # 6 Marguerite Dr.) That proposed project was approved, and it was noticed as located in a non-appealable portion of the coastal zone. So the public was deprived of correct information again. The RPV Coastal Specific Plan refers to PVDrive as a public viewing station (pg.C-9) and to the development controls needed to protect and enhance the identified corridors. (pg. C-10) . The areas which are not part of an identified vista corridor are to be protected (pg. C-12) by measuring a 2-degree down-arc.

Since the alternative "revised" project would be relocated farther away from the public right-of-way, the Rancho Palos Verdes Commissioners asked for the revised calculation of the 2-degree down-arc at the new location for this proposed project but those calculations had not been made. Therefore, we do not know what ridgeline elevation (at the new location) would comply with the 2-degree down-arc. However, the silhouette makes it clear that the proposed height would block the view of Catalina Island and the ocean from Palos Verdes Dr. West.

see photos taken from a height of app. four ft. above the elevation of the coastal trail



view of silhouette erected at 3344 Palos Verdes Dr. West, RPV 12/02/2013



view through wrought iron fence at 3344 Palos Verdes Dr. West, RPV 12/02/2013

I don't see anything in the CCC appeal that directs the owner to "minimize" the view obstruction, but the current staff report recommends approval of this alternative even though it would be view-obstructing, The view impact concerns raised by the CA Coastal Commission Appeal have not been resolved. Why not ask the applicant to come back with a project that will not block any Catalina & ocean view like the nearby projects in Oceafront Estates? Doesn't the Coastal Act apply equally to all development along the coast whether subdivided lots or individual lots?

The claim that further grading is infeasible is questionable as a previous project for this same site proposed excavating up to sixteen feet in depth and 4,320 cubic yards of grading. (pg. 11 of 15 RPV Var. No. 437, 10/27/1998). The 2012 proposed plans included grading cut of 8'-10 1/2' in order to accommodate the residence. Of course, a smaller structure is also feasible

I am very concerned because the view impact concerns raised by the CA Coastal Commission Appeal have not been resolved to the public's benefit. Although the Coastal Commission staff has not been out to the site to see the revised silhouette, views of the water and Catalina Island are what the Coastal staff is looking for in order for this project to be in compliance and consistent with the RPV Coastal Specific Plan. The support for the revision from the Coastal staff was based on the drawn plans and the applicants statements, not on visual assessment.

Coastal Program Analyst John DelArroz wrote: "After working with the applicant to address the view impacts raised by the appeal [by the CA Coastal Commissioners], the applicant has identified an alternative project plan (attached to this letter) that lowers the height of the proposed residence to offer views of the ocean from

Palos Verdes Drive West."

The fact is that the applicant's offer of views of the ocean is opinion, but it is not supported by facts. An ambiguous and questionable photo taken by the applicant to support his claim of a "horizon" view has been presented. I find nothing in the Commission Appeal about a view of just the horizon! Where did that term come from? In October 2013, from the trail path in front of the site, neither the City's planner, Leza Mikhail, nor RPV Planning Commissioner Tétreault, who visited the site, could even see the horizon line much less the ocean above the revised silhouette flagging. The Coastal Commission staff letter states that protecting the public's view of the ocean is the goal of the revision. For a previously approved project, RPV staff has stated: "the viewing (i.e. eye) level for motorists or pedestrians, from where the down-arc would be taken is approximately 3-feet higher than the street elevation." (staff report pg. 18 for #6 Marguerite Dr. P.C. Resolution 2000-16, Height Var. #898, Grading Permit #2150 Coastal Permit #160 ) .

Even a condition restricting the landscaping to 272' and 270' would exceed the staff's calculation of 268' and therefore would not preserve the view but block it.

I am a 50-year resident of Palos Verdes and find that little by little our public views of the ocean, for one reason or another, are being obscured by development and foliage even though the City of RPV was incorporated 40 years ago to prevent over-development of the coastline and since 1978 the City has had a certified Local Coastal Plan that should protect the views for the public. Nearby residences have been limited to ridgelines no higher than the elevation of the road to maintain the public's view. The revised proposal is at 272 feet elevation for the full width of the structure. That is five feet higher than the elevation of their roadside frontage property line. Do not set a bad precedent here.

Please deny both the original and the de novo "revised" proposal offered as an alternative to the original. Let's get all the facts in a timely manner. RPV Staff should be urged by the Coastal Commission to do due diligence during the pre-application phase for a coastal development permit.

Thank you for your service!

Sincerely,  
Lenée Bilski

4255 Palos Verdes Dr. South  
Rancho Palos Verdes, 90275



## DISCLOSURE OF EX PARTE COMMUNICATIONS

---

**Date and time of receipt of communication:**

December 3, 2013 at 1:00 pm

**Location of communication:**

Phone

**Type of communication:**

Teleconference

**Person(s) in attendance at time of communication:**

Susan McCabe, Anne Blemker

**Person(s) receiving communication:**

Carole Groom

**Description of project:**

Th20a – Appeal No. A-5-RPV-12-350 (Khosla, 3344 Palos Verdes Drive West, Rancho Palos Verdes)

**Description of communication:**

Representatives of applicants provided background of project and indicated they have reduced the height of the project since its appeal to the Coastal Commission in order to protect public views. They are in support of staff's recommendation and conditions of approval.

**Date:** Dec 3 2013

**Signature of Commissioner:** \_\_\_\_\_

Carole Groom

**DISCLOSURE OF EX PARTE COMMUNICATIONS**

---

**Name or description of project:**

Appeal No. A-5-RPV-12-350 (Khosla, Rancho Palos Verdes) Appeal by Commissioners Shallenberger & Brennan of decision by City of Rancho Palos Verdes to grant permit with conditions to Mr. and Mrs. Khosla for construction of new 10,000 sq.ft., 2-story home with attached garage, grading, and 4 associated retaining walls, at 3344 Palos Verdes Dr. West, Rancho Palos Verdes, Los Angeles County.

**Date and time of receipt of communication:**

December 2, 2013 at 3:15pm

**Location of communication:**

Phone

**Type of communication:**

Teleconference

**Person(s) in attendance at time of communication:**

Susan McCabe, Anne Blemker

**Person(s) receiving communication:**

Wendy Mitchell

**Detailed substantive description of the content of communication:**

**(Attach a copy of the complete text of any written material received.)**

I received a briefing from the applicant's representatives in which we went through an electronic briefing booklet that was also provided to Commission staff. The representatives described the project location, proposed development, and the contentions contained in the current appeal. The primary issues identified in the appeal include: maximization of public views and specific protection of views from Palos Verdes Drive West. The applicant's representatives explained how the applicant had worked extensively with Commission staff to identify ways the project could be re-designed to be sensitive to public views. In response to suggestions from staff, the project has been re-designed to incorporate a reduction in project height, increased side yard setback and vegetation height restrictions. As revised and conditioned by staff, the project is consistent with the view protection policies of the LCP and compatible with surrounding development. The applicant is in **agreement** with the staff recommendation and special conditions and asks the Commission to approve the project per staff.

**Date:**

**Signature of Commissioner:** \_\_\_\_\_

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071

**Th20a**

Filed: 12/26/2012  
49th Day: Waived  
Staff: J. Del Arroz-LB  
Staff Report: 11/26/2013  
Hearing Date: 12/12/2013



**STAFF REPORT: APPEAL**  
**SUBSTANTIAL ISSUE AND DE NOVO HEARING**

**Appeal Number:** A-5-RPV-12-350  
**Local Government:** City Of Rancho Palos Verdes  
**Local Decision:** Approval With Conditions  
**Applicant:** Mr. and Mrs. Khosla  
**Agent:** McCabe and Company  
**Project Location:** 3344 Palos Verdes Drive West, City of Rancho Palos Verdes, Los Angeles County  
**Project Description:** Construction of a 10,000 square foot (approx.) two story single-family residence with attached garage, grading, and four associated retaining walls on a one-acre vacant lot.  
**Appellants:** Coastal Commissioners Brian Brennan & Mary Shallenberger, Chair

**IMPORTANT NOTE**

The Commission will not take public testimony during the 'substantial issue' phase of the appeal hearing unless at least three (3) commissioners request it. If the Commission finds that the appeal raises a substantial issue, the de novo phase of the hearing will immediately follow at this meeting,- during which it will take public testimony. Written comments may be submitted to the Commission during either phase of the hearing.

**SUMMARY OF STAFF RECOMMENDATION**

The staff recommends that the Commission determine that the appeal raises a **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed. The submitted appeal raises a substantial issue regarding the City-approved development's conformance with the visual resource protection policies of the City of Rancho Palos Verdes certified Local Coastal Program (LCP). The motion to carry out the staff recommendation is on page 4. (Continued on page 2).

**SUMMARY OF STAFF RECOMMENDATION (continued)**

The proposed project is the construction of a new single family residence on the seaward side of Palos Verdes Drive West, the first public road paralleling the sea, and the main thoroughfare for those travelling north towards Palos Verdes Estates. Palos Verdes Drive is used by both residents and visitors to access the coastal zone. The street offers sweeping, panoramic views of the ocean and coastline. These coastal views are protected by the City's certified Land Use Plan, which requires that new development not encroach into coastal views from Palos Verdes Drive. In this case, the City-approved project would extend into this viewshed and unnecessarily block protected scenic views. Therefore, the project, as approved by the City, is inconsistent with the view protection policies of the City's certified Land Use Plan.

However, if the project is modified to lower the height of the proposed residence, and conditioned to ensure that the views of the coast are protected, the project would conform with the visual protection policies of the City's certified Land Use Plan. Therefore, staff recommends that the Commission, after a public de novo hearing, approve the permit with special conditions that require the height of the proposed residence to be lowered in order to protect the public's view of the coast. The applicants agree with the staff recommendation. See page 12 for the motion to approve the coastal development permit.

**Staff Note:** The appeal of the City's September 25, 2012 approval of Local CDP 2012-00141 was filed by Commissioners Brennan and Shallenberger in December 2012. No other appeals were filed. Subsequent to the filing of the Commissioners' appeal, the applicants worked with Commission and City staff to identify an alternative project that would be more protective of shoreline views. In September 2013, the applicants requested a Revised Local CDP from the City for a revised project with a lower roof height. However, after the City's Planning Commission approved the Revised CDP, the Planning Commission's decision was appealed to the City Council. Subsequently, the applicants decided to withdraw their application with the City for the Revised CDP, and asked the Commission to proceed with the pending appeal by Commissioners Brennan and Shallenberger of the original Local CDP.

As stated above, there are persons who opposed the applicants' 2013 request for the Revised CDP when it was heard at the City. However, the Commission is acting on the permit that the City approved on September 25, 2012. Pursuant to Title 14 California Code of Regulations section 13117, only the applicant, persons who opposed the September 2012 application before the local government (or their representatives), and the local government are eligible to speak regarding the Substantial Issue portion of this hearing. All other persons may only submit comments in writing during the Substantial Issue portion of the hearing.

However, anyone who wishes to may participate in the De Novo portion of the hearing. Pursuant to Title 14 California Code of Regulations section 13016, all interested parties will be notified of the subject hearing, including any parties who participated in any local hearing for the original CDP or the Revised CDP.

**TABLE OF CONTENTS**

I. MOTION AND RESOLUTION ON SUBSTANTIAL ISSUE..... 4  
II. APPEAL PROCEDURES ..... 4  
    A. Grounds For Appeal ..... 5  
    B. Qualifications To Testify Before The Commission ..... 6  
III. APPELLANTS’ CONTENTIONS ..... 7  
IV. FINDINGS AND DECLARATIONS ON SUBSTANTIAL ISSUE ..... 8  
    A. Project Location And Description..... 8  
    B. Local Government Action..... 10  
    C. Substantial Issue Analysis..... 10  
V. MOTION AND RESOLUTION ON THE DE NOVO HEARING ..... 12  
VI. STANDARD CONDITIONS ..... 13  
VII. SPECIAL CONDITIONS ..... 13  
VIII. FINDINGS AND DECLARATIONS FOR DE NOVO HEARING ..... 18  
    A. Project Description And Location..... 18  
    B. Visual Resources ..... 18  
    C. Natural Environment / Marine Resources ..... 22  
    D. Deed Restriction..... 24  
    E. Public Access and Recreation ..... 24  
    F. California Environmental Quality Act (CEQA)..... 25

**APPENDICES**

Appendix A – Substantive File Documents

**EXHIBITS**

- Exhibit 1 - Appeal by Commissioners Brian Brennan and Mary Shallenberger, Chair
- Exhibit 2 - Vicinity Map
- Exhibit 3 - Site Plans
- Exhibit 4 - Photograph of Story Poles
- Exhibit 5 - View Simulations
- Exhibit 6 - Public Letters

## I. MOTION AND RESOLUTION ON SUBSTANTIAL ISSUE

### Motion:

*I move that the Commission determine that Appeal No. A-5-RPV-12-350 raises NO substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.*

Staff recommends a NO vote. Failure of this motion will result in a de novo hearing on the application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

### Resolution:

*The Commission hereby finds that Appeal No. A-5-RPV-12-350 presents a substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.*

## II. APPEAL PROCEDURES

After certification of Local Coastal Programs, the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on Coastal Development Permits. Developments approved by cities or counties may be appealed if they are located within the appealable areas, such as those located between the sea and the first public road paralleling the sea, or within 100 feet of any wetland, estuary, or stream, or within 300 feet of the mean high tide line or inland extent of any beach or top of the seaward face of a coastal bluff. Furthermore, developments approved by counties may be appealed if they are not a designated "principal permitted use" under the certified LCP. Finally, any local government action on a proposed development that would constitute a major public work or a major energy facility may be appealed, whether approved or denied by the city or county. [Coastal Act Section 30603(a)].

Section 30603(a)(1) of the Coastal Act establishes the project site as being in an appealable area because it is located between the sea and the first public road paralleling the sea.

Section 30603 of the Coastal Act states, in part:

- (a) *After certification of its Local Coastal Program, an action taken by a local government on a Coastal Development Permit application may be appealed to the Commission for only the following types of developments:*

- (1) *Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.*
- (2) *Developments approved by the local government not included within paragraph (1) that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.*

#### **A. GROUNDS FOR APPEAL**

The grounds for appeal of a local government action approving a Coastal Development Permit for development in the appealable area are stated in Section 30603(b)(1), which states:

- (b)(1) The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in this division.*

The action currently before the Commission is to find whether there is a "substantial issue" or "no substantial issue" raised by the appeal of the local approval of the proposed project. Sections 30621 and 30625(b)(2) of the Coastal Act require a de novo hearing of the appealed project unless the Commission determines that no substantial issue exists with respect to the grounds for appeal.

The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. Title 14 California Code of Regulations section 13115(b) simply indicates that the Commission will hear an appeal unless it "finds that the appeal raises no significant question as to conformity with the certified local coastal program" or, if applicable, the public access and public recreation policies of Chapter 3 of the Coastal Act. In previous decisions on appeals, the Commission has at times, on a case-by-case basis, used the following factors in determining the substantial issue question

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretations of its LCP;
5. Whether the appeal raises only local issues, or those of regional or statewide interest

If Commission staff recommends a finding of substantial issue, and there is no motion from the Commission to find no substantial issue, the substantial issue question will be considered moot, and the Commission will proceed to the de novo public hearing on the merits of the project. The de novo hearing will be scheduled at the same hearing or a subsequent Commission hearing. A de novo public hearing on the merits of the project uses the certified LCP as the standard of review. In addition, for projects located between the first public road and the sea, findings must be made that any approved project is consistent with the public access and recreation policies of the Coastal Act. Title 14 California Code of Regulations sections 13110-13120 further explain the appeal hearing process.

The grounds for the current appeal include contentions that the approved development does not conform to the standards set forth in the certified LCP regarding protection of scenic views.

## **B. QUALIFICATIONS TO TESTIFY BEFORE THE COMMISSION**

The Commission will not take public testimony during the 'substantial issue' phase of the appeal hearing unless at least three (3) commissioners request it. If the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have an opportunity to address whether the appeal raises a substantial issue. As noted in Title 14 California Code of Regulations section 13117, the only persons qualified to testify before the Commission at the substantial issue portion of the appeal process are the applicants, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing.

Upon the close of the public hearing regarding whether the appeal raises a substantial issue, the Commission will vote on the substantial issue matter. It takes a majority of Commissioners present to find that no substantial issue is raised by the local approval of the subject project.

If the Commission finds that the appeal raises a substantial issue, the de novo phase of the hearing will immediately follow at this meeting, during which it will take public testimony. A de novo public hearing on the merits of the project uses the certified LCP as the standard of review. In addition, for projects located between the first public road and the sea, findings must be made that any approved project is consistent with the public access and recreation policies of Chapter 3 of the Coastal Act. Title 14 California Code of Regulations sections 13110-13120 further explain the appeal hearing process.

### III. APPELLANTS' CONTENTIONS

#### 1. The City-Approved Project Raises An Issue As To Consistency With The Visual Resources Protection Policies Of The LCP

Although the LCP requires the protection of ocean views from Palos Verdes Drive (PV Drive); the City-approved single-family residence has a significant adverse impact on existing protected ocean views available across the vacant 1-acre project site.

The project site, 3344 Palos Verdes Drive West, is located in Subregion 1 as identified in the City's Coastal Specific Plan. Policy No. 8 of Subregion 1 states:

*Require proposed developments on lands affected by view corridors to maintain the resources.*

According to the City, the project site is not identified as being within a specific visual corridor. Nevertheless, the City acknowledges that the Coastal Specific Plan also protects views of the ocean across sites that are not within a designated visual corridor. Specifically, the Plan states:

*A large portion of the Palos Verdes Drive West / South / 25<sup>th</sup> Street Corridor has visual aspects which qualify as views. Those sections of the Drive which have ocean views qualify here... To protect this visual relationship between the Drive and ocean in those areas which are not part of an identified vista corridor, no buildings should project into a zone measured 2' down-arc from horizontal as measured along the shortest distance between the viewing station and the coastline. (Page C-11, C-12, Corridors Element, Coastal Specific Plan.*

According to the City's analysis, this policy would require that the ridgeline of the proposed residence be limited to an elevation of 268.0 as measured from PV Drive, the viewing station. However, the City approved the proposed single family residence with a height exceeding this height limit (by 8.73') thereby allowing the structure to project significantly into the public's existing view of the ocean.

#### 2. There Is Insufficient Justification For Projecting Into The Viewshed

The City's findings state that the project as approved is consistent with the visual resources protection provisions of the City's LUP and that the project as sited and designed is the best alternative for the construction of a new home on the downslope lot. The City's rationale for exceeding the height limit included: (a) the Development Code allows a house with a maximum height of 16' (279' elevation); (b) the applicant has proposed a residence with a height that is less than the maximum height (276.73' elevation); (c) the applicant is proposing a large front yard setback; and (d) the applicant has proposed to grade the site to provide a single story façade from PV Drive. However, the City did not require the increased front yard setback.

The City's findings also state that additional grading to further lower the height of the structure is infeasible, requiring over 3,000 cubic yards (cy) of additional grading. However, the findings do not explain why this amount of additional grading would be necessary to remove the projection of the structure into the ocean views especially given that the project includes 3,206 cy of grading (2,988 cy of cut and 218 cy fill) which includes 1,044 cy of grading for a swimming pool, spa, and landscaped yard area in the rear yard and a level courtyard in the front yard. Of the 3,206 cy of approved grading, only 1,281 cy is for the home and an additional 633 cy is for a circular driveway in the front yard area.

### **3. Alternatives Exist That Would Reduce Impacts To Public Views.**

Although the local approval included a brief discussion of additional grading to further lower the height of the structure, this alternative was dismissed as being infeasible. The local approval did not consider other feasible alternatives that could result in a project that is consistent with the visual resources protection policies of the certified Land Use Plan. The project site is a large vacant lot that slopes away from the frontage road. The proposed 10,382 sq. ft. home with a 1,027 sq. ft. garage (total size 11,409 sq. ft.) is larger than the average of the 20 closest homes in the area. Only one other home in the area is larger. Perhaps a smaller home would have less visual impact. The proposed home could also be sited further downslope or located elsewhere on the 1-acre site, thereby reducing the visual impact. These alternatives were not explored.

As approved by the City, the proposed development projects more than eight vertical feet into the view corridor and is therefore inconsistent with the visual protection policies of the certified LCP. The City-approved project would have a significant adverse impact on existing public views to the ocean available from PV Drive and sets precedence for future development on the adjacent and nearby lots.

## **IV. FINDINGS AND DECLARATIONS ON SUBSTANTIAL ISSUE**

The Commission hereby finds and declares:

### **A. PROJECT LOCATION AND DESCRIPTION**

#### **1. Project Location**

The subject site is a vacant 43,484 sq. ft. inland lot located between the sea and the first public road paralleling the sea, Palos Verdes Drive West (abbreviated below as PV Drive). PV Drive is a four lane roadway, with the Northbound and Southbound lanes separated by a sloping landscaped median approximately 40 feet wide. Due to sloping topography, the Northbound lane is approximately 4 feet higher than the Southbound lane. A public trail is located adjacent to the site, between the Southbound lane of PV Drive and the subject site.

The subject site was previously developed with a single family residence which was demolished pursuant to CDP 148 in January 1999, which also approved a new single family residence on the site that was never constructed. The site has a designated land use of Low Density Residential (1 dwelling unit per acre). The site is located in the northern part of Rancho Palos Verdes, approximately 0.25 miles from of the limits of the City of Palos Verdes Estates and located approximately 600 feet inland of the coastal bluff (Exhibit 2).

The vacant area located immediately to the north of the site was restricted by the City as open space during the development of the Lunada Pointe Tract. The two lots immediately to the south of the site are developed with two single family residences which were constructed prior to the Coastal Act. The nearest public access point is an overlook area at Calle Entradero, approximately 650 feet to the south of the site. Additionally, a use trail down the bluff edge to the rocky shore is located at Christmas Tree Cove, approximately 0.3 miles to the north.

**2. Project Description**

The project approved by the City consists of the construction of a new 10,382 square foot, two story residence with a maximum ridgeline elevation of 276.73' (i.e. the highest point of the residence is located at 276.73 feet above sea level). Also proposed is the construction of a circular driveway in the front yard leading to a 1,027 square foot garage, 2,988 cubic yards of cut and 218 cubic yards of fill, pool, spa, trellis, firepit, barbeque, landscaping, and four retaining walls.

**3. Permit History**

The following permits were approved by the City in the area of the subject site:

<u>CDP No. and Date</u>	<u>Address</u>	<u>Ridgeline</u>	<u>Sq Ft</u>	<u>Lot Area</u>
CDP 160 – July 2000	6 Marguerite	281	10,082	50,565
CDP 113 – Aug. 1993	3300 PVDW	281	13,736	48,684
CDP 148 – Jan. 1999	3344 PVDW	276	9697	43,484
(Subject CDP) CDP ZON2012-00141 Sep. 2012 -	3344 PVDW	276.73	10,382	43,484

These previous City decisions resulted in the approval of residences which were as high or higher than the subject CDP. Although the existing residences at 6 Marguerite Drive and 3300 PV Drive appear to impact the public's view of the ocean, no appeals of the City's decision were filed. Commission staff pursues appeals of projects based on the available information, how consistent the project is with the LCP, the significance of the resource being affected, and considering workload constraints. In this case, an additional factor is that CDP Nos. 148 and 160 were incorrectly noticed by the City as consisting of development that was not appealable to the Commission, due to an incorrect

A-5-RPV-12-350 (Khosla)  
Staff Report: Substantial Issue and De Novo

interpretation of the term ‘first public road paralleling the sea.’ Commission staff notified the City of the location of the correct appealable area in October 2012.

## **B. LOCAL GOVERNMENT ACTION**

Local Coastal Development Permit 2012-00141 was approved by the City of Rancho Palos Verdes on September 25, 2012. Based on the date of receipt of the Notice of Final Action, the ten (10) working day appeal period for local Coastal Development Permit 2012-00141 began on December 13, 2012 and ran through December 27, 2012. An appeal of local Coastal Development Permit 2012-00141 was received from Commissioners Brian Brennan and Mary Shallenberger on December 26, 2012 (see Exhibit 1), within the allotted ten (10) working day appeal period. No other appeals were filed.

Since the filing of Appeal A-5-RPV-12-350 in late 2012, Commission staff has worked with the applicant to identify feasible alternatives to the residence approved by the City. In September 2013, after consultation with Commission and City staff, the applicant identified an alternative project which would minimize impacts to scenic views. Subsequently, the applicant asked the City to revise the City’s Coastal Development Permit to include the alternative project design.

On October 8, 2013, the City Planning Commission approved after public hearing Revised CDP 2012-00141. On October 22, 2013, opponents to the project filed an appeal of the Revised CDP to the City Council. On November 5, 2013, the applicant submitted a letter to the City and the Coastal Commission staff requesting the City withdraw the request for a Revised CDP, and asking the Commission staff to proceed with the pending appeal on the original Coastal Development Permit 2012-00141. Thus, the subject of this staff report is the appeal of Coastal Development Permit 2012-00141, approved by the City in September 2012, and appealed by Commissioners Brennan and Shallenberger in December 2012.

## **C. SUBSTANTIAL ISSUE ANALYSIS**

The project site, 3344 PV Drive, is located in Subregion 1 as identified in the City’s Coastal Specific Plan. Policy No. 8 of Subregion 1 states:

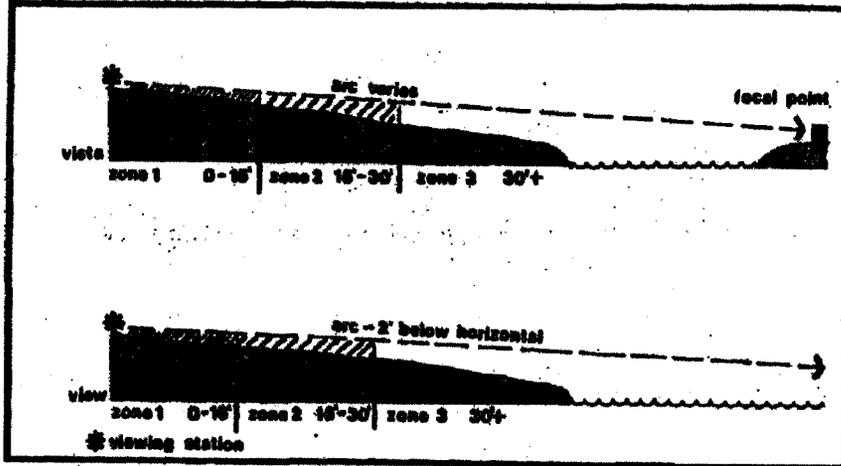
*Require proposed developments on lands affected by view corridors to maintain the resources.*

The Corridors Element of the City’s certified Land Use Plan states:

*A large portion of the Palos Verdes Drive West / South / 25<sup>th</sup> Street Corridor has visual aspects which qualify as views. Those sections of the Drive which have*

*ocean views qualify here and a majority of the land on the offshore side falls within the foreground of some portion of the Drive which is a viewing station.*

**figure 28 typical sections**



*To protect this visual relationship between the Drive and ocean in those areas which are not part of an identified vista corridor, no buildings should project into a zone measured 2' down-arc from horizontal as measured along the shortest distance between the viewing station and the coastline.*

The City's Land Use Plan protects both: a) views located inside specific visual corridors identified by the LUP, and b) views from Palos Verdes Drive (PV Drive) located outside of specific visual corridors. For views located outside a specific corridor, such as the subject site, the LUP states that a viewer at PV Drive should be able to look horizontally, and then tilt their view 2 degrees down, and see clear views out towards the ocean.

Some of the most notable coastal resources within the City of Rancho Palos Verdes are the views available from the main thoroughfare, PV Drive. While views in some areas have been blocked by development or vegetation, most of PV Drive offers sweeping, panoramic views of the ocean and coastline. PV Drive is used by both residents and visitors to access and view the coastal zone, and as such the protection of these views rises to the level of statewide significance. In past Commission actions in the City, such as the Terranea development (CDP A-5-RPV-02-324), the Commission has included provisions such as restrictions on the height and location of development to ensure the protection of blue water views from PV Drive.

The project as approved by the City does not conform to the view protection requirement in the LUP. The viewing station, PV Drive, is located at elevation 268'. The City, in its action, identified a height of 268' as the elevation which would be consistent with the 2 degree down-arc standard. The residence approved by the City is not consistent with this standard. The proposed residence has a maximum elevation of 276.73', an encroachment of 8.73 feet into the protected view. Thus, the City's action raises a substantial issue regarding whether the project is consistent with the view protection policies of the City's certified Land Use Plan.

There are feasible alternative designs which would reduce the project's impacts to views. After discussions with staff after the filing of the appeal, the applicant has identified an alternative design which includes: 1) lowering the finished floor elevation of the residence through additional grading; 2) lowering the finished floor elevation by moving the residence towards the rear of the sloping lot; and 3) reductions in the heights of the roof and chimneys. These modifications, which would reduce the project's impacts on views, were not included in the City's action. Therefore, the City's action does not appear to be the least damaging feasible alternative, and the project's impacts on views could have been further avoided.

The City's action appears to conclude that the project's impacts to scenic views, though avoidable, are consistent with the visual protection policies of the City's certified Land Use Plan. This has the potential to prejudice future interpretations of the City's LCP, and result in the approval of other impacts to scenic views in the future. The protection of the magnificent coastal views in this region is of statewide interest. Therefore the City's approval of the development raises a substantial issue with regards to the view protection policies set forth in the City's certified Land Use Plan.

## V. MOTION AND RESOLUTION ON THE DE NOVO HEARING

### **Motion:**

*I move that the Commission approve Coastal Development Permit #A-5-RPV-12-350 pursuant to the staff recommendation.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit 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:**

*The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of the Certified City of Rancho Palos Verdes Local Coastal Program and the public access and recreation policies of the Coastal Act. Approval of the permit 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.*

## VI. STANDARD CONDITIONS

This permit is granted subject to the following 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 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.

## VII. SPECIAL CONDITIONS

1. **Local Approval.** Except as modified by the terms and conditions of this coastal development permit, all conditions imposed on the development by the City of Rancho Palos Verdes in connection with its action on Case No. ZON2012-00141 as approved on September 25, 2012, remain binding and enforceable by the City to the extent they would have been had the Coastal Commission not found the appeal to raise a substantial issue.
2. **Final Plans / Maximum Building Height**
  - A. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the Executive Director's review and approval, two (2) full size sets of Final Project Plans (i.e. site plan, floor plans, elevations, cross-sections, grading, foundation, etc.). These final project plans shall substantially conform to the preliminary plans included as Exhibit 3 to the staff report dated November 21, 2013. The revised plans shall depict the ridgeline elevation of the house at an elevation no higher than 272.5.
  - B. In order to ensure that the public's view of the ocean (over the proposed project) is preserved from the public trail that abuts the landward edge of the project site, the final constructed ridgeline (maximum) elevation of the proposed residence shall not exceed the horizon line, as viewed from the center of the public trail as described in part C of this special condition, and shall extend no

higher into the ocean view than as depicted on the photograph attached as Exhibit 4 to the Staff Report for Appeal No. A-5-RPV-12-350.

C. At the completion of framing for the building, and prior to occupancy of the structure, the applicants shall submit for the review and approval of the Executive Director, and to the Director of Community Development of the City of Rancho Palos Verdes, a photograph of the proposed residence which verifies that the proposed residence is consistent with part B of this condition. The photograph shall be taken from the viewpoint defined as:

- a) the center of the public trail that abuts the landward edge of the project site (front property line),
- b) at the midpoint of the subject property's front property line, and
- c) at a height of 5 feet 7 inches above the level of the trail's surface.

If, after review of the submitted photograph, the Executive Director finds that the residence is not consistent with Part B of this condition, the applicant or their successor in interest agrees to submit a completed Coastal Development Permit Amendment application to the Commission's South Coast District office in order to reduce the height of the building to be consistent with Part B of this special condition.

D. The applicants shall undertake development in accordance with the final plans approved by the Executive Director. 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 legally required.

3. **Landscaping and Fencing Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the written review and approval of the Executive Director, final landscape plans and fencing plans for the subject site that shall demonstrate the following:

A. Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive, and shall include species which reflect the natural coastal sage scrub character of the peninsula, and the southern California coastline in general. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: [www.water.ca.gov/](http://www.water.ca.gov/))

**B.** The landscaping plan shall demonstrate that all species used, at maximum growth (width/height), will not reduce, obstruct, or in any way interfere with public views. The required Final Landscape Plans shall provide information regarding the maximum height and width of the proposed vegetation. Landscaping shall be trimmed/maintained such that impacts upon public views are avoided. Any replacement vegetation which is planted in the future shall be consistent with the terms of this Coastal Development Permit, and shall ensure the protection of views. Once planted, if the Executive Director determines that any landscaping is causing an impact upon public views, the applicant shall replace such landscaping with different plant species that meet the requirements of this special condition, as directed by the Executive Director.

**C.** Within the property's side yard corridors, defined as the first 10' measured from the south side property line or the first 15' measured from the north side property line, for the entire length of the lot, all landscaping shall be composed of low-growing plants which will not exceed an elevation of 270'.

**D.** All landscaping, located between the residence and Palos Verdes Drive West, not including the side yard areas defined in "c" above, shall be composed of species which do not exceed the ridgeline of the house, which is at a maximum elevation of 272.5, and shall be maintained at that height to preserve views from the street and public trail toward the ocean. All walls and structures located between the residence and Palos Verdes Drive West shall not exceed the ridgeline of the house, which is at a maximum elevation of 272.5.

**E.** To preserve views of the ocean from Palos Verdes Drive, in the side yard corridors and rear yard area, all landscaping, walls, and structures shall be in compliance with the restrictions on heights located in the City's Development Code, but in no case shall exceed a maximum elevation of 270'.

**F.** All fencing located throughout the subject property shall comply with the following requirements:

1. Fencing within the side yard corridor, defined in "c" above, may exceed elevation 270' and reach a maximum height of 6', provided the fencing is limited to visually permeable designs and materials, such as wrought iron. New fencing shall comply with the limits on height and design as set forth in this condition, and shall be consistent with the City's Development Code. All bars, beams, or other non-visually permeable materials used in the construction of a fence above elevation 270' shall be no more than one inch in thickness/width and shall be placed no less than 12 inches apart in distance. Alternative designs may be allowed only if the Executive Director determines that such designs are consistent with the intent of this condition and serve to minimize adverse effects to public views of the ocean.
2. The existing 6' tall, legal non-conforming wrought iron fence along the front property line is permitted to remain. In the event the existing front

property line fence is removed (including the replacement of 50% or more of the existing structure), the new fence will be required to comply with the requirements of this condition, and all current requirements of the City of Rancho Palos Verdes.

3. Pool fencing shall be located outside of the side yard corridors, as defined in 'b' above.

4. **Drainage And Polluted Runoff Control Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit for the review and approval of the Executive Director, two (2) copies of a final Drainage and Runoff Control Plan, including supporting calculations. The plan shall be prepared by a licensed civil engineer or qualified licensed professional and shall incorporate Best Management Practices (BMPs) including site design and source control measures designed to control pollutants and minimize the volume and velocity of stormwater and dry weather runoff leaving the developed site. In addition to the specifications above, the consulting civil engineer or qualified licensed professional shall certify in writing that the final Drainage and Runoff Control Plan is in substantial conformance with the following minimum requirements:

A. BMPs should consist of site design elements and/or landscape based features or systems that serve to maintain site permeability, avoid directly connected impervious area and/or retain, infiltrate, or filter runoff from rooftops, driveways and other hardscape areas on site, where feasible. Examples of such features include but are not limited to porous pavement, pavers, rain gardens, vegetated swales, infiltration trenches, cisterns.

B. An efficient irrigation system based on hydrozones and utilizing drip emitters or micro-sprays or other efficient design should be utilized for any landscaping requiring water application.

C. Runoff shall be conveyed off site in a non-erosive manner. Energy dissipating measures shall be installed at the terminus of outflow drains.

D. For projects located on a hillside, slope, or which may otherwise be prone to instability, final drainage plans should be approved by the project consulting geotechnical engineer.

E. Should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicants/landowners or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicants 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.

F. The final Drainage and Runoff Control Plan shall be in conformance with the site/ development plans approved by the Coastal Commission. Any changes to the Coastal Commission approved site/development plans required by the consulting civil engineer/water quality professional or engineering geologist shall be reported to the Executive Director. No changes to the Coastal Commission approved final site/development plans shall occur without an amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

5. **Future Development.** This coastal development permit is only for the development described in Coastal Development Permit No. A-5-RPV-12-350. Pursuant to Title 14 California Code of Regulations Section 13250(b) (6), the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the development governed by Coastal Development Permit No. A-5-RPV-12-350. Accordingly, any future improvements to the single-family house authorized by this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Permit No. A-5-RPV-12-350 from the Commission or shall require an additional coastal development permit from the Commission or from the City of Rancho Palos Verdes, unless the Executive Director determines that no coastal development permit or amendment is required.
6. **Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants 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.

## **VIII. FINDINGS AND DECLARATIONS FOR DE NOVO HEARING**

### **A. PROJECT DESCRIPTION AND LOCATION**

#### **1. Project Location.**

The project location is hereby incorporated by reference from Section IV.A.1 of the Substantial Issue portion of this staff report beginning on page 8.

#### **2. Project Description.**

For the de novo hearing, the applicants have revised the proposed project. As revised, the proposed project consists of construction of a new, 10,382 sq. ft., two story single family residence with a maximum ridgeline elevation of 272.50'. A circular driveway is proposed, leading to an attached 4 space 977 sq. ft. garage. Proposed grading includes 3,884 cu. yds. of cut, and 96 cu. yds. of fill. Proposed cut consists of 1,737 cu. yds. of cut beneath the residence, 679 cu. yds. of cut for the new driveway, 237 cu. yds. for the front yard, and 1,231 cu. yds. of cut for the pool and landscaped rear yard. Four retaining walls are proposed on the site, a 5' retaining wall near the driveway, a 3' wall on the north side of the residence, a 3' to 6' wall on the south side of the residence, and a 2' to 3' wall on the rear of the residence. Also proposed is an infinity pool, spa, trellis, firepit, and landscaping. (Exhibit 3)

The main differences between the residence approved by the City, and the currently proposed residence include: 1) lowering the finished floor elevation of the residence by approximately 3.5 feet through additional grading; 2) lowering the finished floor elevation by moving the residence towards the rear of the sloping lot; and 3) reductions in the heights of the roof and chimneys by about 2.5 feet.

The subject site does not contain sensitive habitat, and the applicants have submitted a geologic report from NorCal Engineering dated June 5, 2012 stating that the site is stable

### **B. VISUAL RESOURCES**

The City's certified LCP identifies the location of specific views and view corridors that shall be protected from Palos Verdes Drive (PV Drive). The certified LCP requires that development not encroach into those specific view corridors. The subject site is not located within one of the specific view corridors, which are the primary views identified for protection in the LCP. However, the LCP still requires that views in areas outside of the specific view corridors, such as the subject site, maintain the visual connection between PV Drive and the ocean. The relevant LCP policies are listed below.

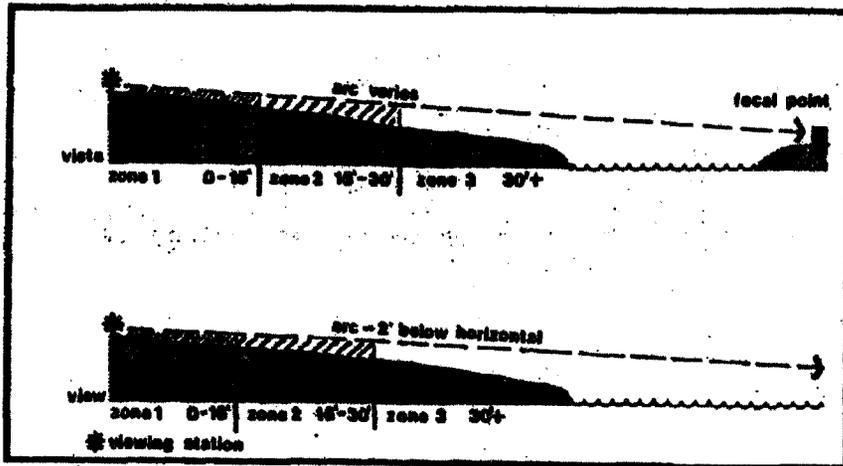
The Subregion Element of the City's certified Land Use Plan states in Policy 8 of Subregion 1:

*Require proposed developments on lands affected by view corridors to maintain the resources.*

The Corridors Element of the City's certified Land Use Plan states:

*A large portion of the Palos Verdes Drive West / South / 25<sup>th</sup> Street Corridor has visual aspects which qualify as views. Those sections of the Drive which have ocean views qualify here and a majority of the land on the offshore side falls within the foreground of some portion of the Drive which is a viewing station.*

**figure 28 typical sections**



*To protect this visual relationship between the Drive and ocean in those areas which are not part of an identified vista corridor, no buildings should project into a zone measured 2' down-arc from horizontal as measured along the shortest distance between the viewing station and the coastline.*

The Urban Environment Element of the City's certified Land Use Plan states, in relevant part:

*The following are guidelines and should be considered in structure design:*  
*- Structures should conform, in height and site placement, to the requirements of the visual corridors design guidelines, in addition to those set by the City's Development Code.*

The Urban Environment Element of the City's certified Land Use Plan states, in relevant part:

*- Plant materials should be chosen which will not obstruct public or private views.*

As stated above, the City's certified Land Use Plan identifies the location and width of certain specific views from PV Drive, and requires that development not encroach into those views. The subject site is not located within one of these specific view corridors, which are the primary views identified for protection in the LCP. However, the LCP still requires that views in areas outside of the specific view corridors, such as the subject site, maintain the visual connection between PV Drive and the ocean by providing that no buildings should encroach into a 2 degree down arc view. Notably, this LCP policy includes "should" and not "shall" in the view protection language, mandating a reasonable effort to avoid this view zone, but not an absolute requirement to avoid it at all costs—this criteria is simply one to consider when an applicant seeks to achieve consistency with the policy goal in the Corridors Element of the City's LUP of protecting the "*visual relationship between the Drive and ocean.*". While every effort should always be made to avoid encroachment of a building into the 2 degree down arc zone, there may be site specific factors that preclude complete avoidance of the encroachment into the 2 degree down arc zone.

Here, even after substantial revisions to the proposed design to maintain the visual relationship between Palos Verdes Drive and the ocean, the proposed residence would encroach into the 2 degree down arc zone because the site is subject to the following site-specific circumstances: a) the applicant has submitted a letter from NorCal Engineering, stating that bedrock is located just below existing grade, which would make any further reduction in finished grade elevation very difficult, b) the lot to the north of the site is restricted as open space, and will continue to provide significant ocean views from PV Drive, c) on each of the three main paths for the public traveling through this area, ocean views would be maintained. As explained in further detail below, the proposed project would, nonetheless, achieve the stated purpose of the Corridors Element of the City's certified Land Use Plan by protecting the "*visual relationship between the Drive and ocean.*" Therefore, as conditioned, the proposed project is consistent with the intent of the view protection policies of the LCP.

#### View Analysis

There are three main viewpoints for public views in the vicinity of the subject site: 1) the northbound lane of PV Drive (approximate elevation of 272.5); 2) the southbound lane of PV Drive (approximate elevation of 268); and 3) the public trail located between the southbound lane of PV Drive and the project site (approximate elevation of 268). The majority of the public will be traveling through the area by car on either the north or southbound lanes of PV Drive.

From a car traveling on northbound PV Drive, the residence would be partially obscured by vegetation on adjacent lots and the small berm and vegetation located in the landscaped median. The elevation of the northbound road, at 272.5, is the same height as the top of the proposed structure. A viewer traveling in a vehicle has an eye height of between 3.5 and 4.5 feet from the ground<sup>1</sup>. Therefore a viewer in the northbound lane has a view elevation located 3.5 – 4.5 feet above the residence. From this perspective,

---

<sup>1</sup> Sivak, M., et. al. 1996. The Locations Of Headlamps And Driver Eye Positions In Vehicles Sold In The U.S.A. The University of Michigan Transportation Research Institute.

the viewer will be able to see both the horizon line and a small amount of the ocean over the roof of the proposed residence.

When traveling southbound by vehicle or foot, both a) the curved shape of PV Drive, and b) the adjacent area to the north of the residence, which is restricted as open space, alter how the viewer perceives the impact of the proposed residence on the scenic view.

When traveling towards the residence from the north, there is a wide open area which is located straight ahead of the viewer when going through the curve. When viewing the proposed residence, most of the public's view will be of the side of the residence, in a portion of the viewshed which is already blocked by the existing residence on the adjacent lot and vegetation located to the south of the site. Clear ocean views are available to the right of this area of currently blocked view, across the lot to the north of the site which is restricted as open space. Only when approaching within about 150 feet of the residence would the proposed residence begin to significantly impact the ability of the viewer to see the ocean. Exhibit 5 shows a series of photographs taken from the public trail traveling to the south.

When in front of the proposed residence on the southbound lane of PV Drive, views over the proposed structure will be impacted. Those traveling by car on southbound PV Drive would have a viewing elevation of 271.5 to 272.5. For a viewer in a car in the southbound lane of PV Drive, the top of the proposed residence would be located between 0 – 1 feet above the viewer, thus blocking the view of the horizon line and ocean.

When viewed by a pedestrian or cyclist from the public trail inland of the proposed residence, a blue water view of the ocean will be maintained over the proposed residence. A person with a height between 5 and 6 feet would have a viewing elevation of around 4.7 and 5.7 feet above the trail – an elevation between 272.7 to 273.7 feet. The residence has a maximum elevation of 272.5 – thus this viewer would be able to see the horizon line, and some amount of an ocean view over the top of the residence. Furthermore, the applicants have agreed that, as viewed from the public trail, the final project would be: a) below the horizon line, and b) would be no higher than the ridgeline elevation as shown by the story poles on Exhibit 4 to the staff report. Therefore, the applicants have proposed a design that will preserve blue water views over the proposed residence.

#### Conclusion

Although the proposed project would result in development which a) encroaches into the 2 degree down-arc zone, and b) would have some impact to scenic views from some vantage points, the project would not result in a significant adverse impact to views. Views from PV Drive to the ocean would be maintained after construction of the project from each of the public's viewpoints - with views to the right of the residence unaffected on the southbound lane, and views over the proposed structure maintained on the northbound lane and on the adjacent public trail. Therefore, after consideration of the site specific circumstances, and if conditioned to ensure the protection of these views, the proposed residence would maintain the visual connection between PV Drive and the

ocean, and would therefore be consistent with the view protection policies of the City's LCP.

The consistency of the proposed project with the City's LCP hinges on the ability of the project to provide these blue-water views. Therefore, the Commission imposes Three Special Conditions.

Special Condition 1 requires the submission of final project plans, and requires that, as viewed from the public trail, the final maximum elevation of the residence not exceed a) the horizon line, or b) extend higher into the ocean view than as indicated in Exhibit 4 to the staff report. Furthermore, Special Condition 1 requires the applicant to submit photographs during and at the end of construction to ensure that the finished residence is consistent with this requirement.

Special Condition 2 requires the applicant to submit final landscaping and fencing plans which ensures that no landscaping, fencing, or other accessory improvements will be constructed which result in impacts to scenic views over the site.

Finally, Special Condition 3 states that future development on the site, such as additions to the existing residence, construction of accessory structures, or any other development which has the potential to result in impacts to scenic views from PV Drive shall require a Coastal Development Permit or Amendment to Permit from the Commission or the City of Rancho Palos Verdes, unless the Executive Director determines that no amendment or new permit is required.

As conditioned, the proposed project would protect views from PV Drive to the ocean, and would therefore be consistent with the visual protection policies of the City's certified Land Use Plan.

## **C. NATURAL ENVIRONMENT / MARINE RESOURCES**

The City's certified LCP sets forth policies that address erosion control and landscaping.

Policy 15 of the Natural Environment Element of the City's certified Land Use Plan states:

*Provide mitigating measures where possible to control surface runoff that might be degrading to the natural environment.*

Policy 2 of the Subregion 1 portion of the City's certified Land Use Plan states:

*Encourage new developments to incorporate into their landscaping plan native plant materials, where such materials are fire retardant, beneficial to migratory and resident bird species.*

The Urban Environment Element of the City's certified Land Use Plan states, in relevant part:

*The Following are guidelines and should be considered in the use of landscape/hardscape materials in private developments within the Coastal Area:*

...

*- 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 use of plant materials within individual properties is subject to the guidelines for plant materials in common areas (use of natural/native materials) and the recommended Plant List in the Appendix, and should stress the use of low maintenance, low water-requirements materials, appropriate functional use (windbreaks, screens), as well as decorative use, recommendations are also included.*

The City's certified Land Use Plan requires that new development incorporate features to a) control surface runoff which could be degrading to the environment, and b) incorporate into their landscaping plans species which reduce the need for irrigation and reflect the character of the Peninsula. Therefore, the Commission imposes Special Condition 2, requiring the applicant to submit final landscaping plans which consist of drought-tolerant, non-invasive species, and include species representative of the Peninsula, and Special Condition 3, requiring the submission of a final drainage plan which directs runoff to maintain site permeability, avoid directly connected impervious area and/or retain, infiltrate, or filter runoff from rooftops, driveways and other hardscape areas on site, where feasible.

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with the Natural Environment and Development Guidelines policies of the City's certified Land Use Plan.

#### **D. DEED RESTRICTION**

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes an additional condition requiring that the property owners record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development.

#### **E. PUBLIC ACCESS AND RECREATION**

Coastal Act Section 30210 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.*

Coastal Act Section 30211 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.*

Coastal Act Section 30213 states:

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

Coastal Act Section 30221 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.*

Coastal Act Section 30222 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.*

Coastal Act Section 30223 states:

*Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

Coastal Act Section 30252 states:

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

The project site is an inland lot which does not provide public access to or along the shoreline. The proposed development will not affect the public's ability to utilize the public trail located landward of the residence. The subject site is not an oceanfront lot. The project site is located about 600 feet inland of the top of a coastal bluff, and is located landward of the residences located along Marguerite Drive, which is the closest street to the edge of the bluff. The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

#### **F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The City of Rancho Palos Verdes is the lead agency responsible for certifying that the proposed project is in conformance with the California Environmentally Quality Act (CEQA). On September 25, 2012, the City determined that in accordance with CEQA, the project is Exempt from Provisions of CEQA because the project would not have an adverse effect on the environment. Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA).

All adverse impacts have been minimized by the recommended conditions of approval and there are no feasible alternatives or additional feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

A-5-RPV-12-350 (Khosla)  
Staff Report: Substantial Issue and De Novo

**Appendix A - Substantive File Documents:**

- City of Rancho Palos Verdes Certified Local Coastal Program
- Appeal by Commissioners Brian Brennan and Mary Shallenberger, Chair
- City Permit Record for local Coastal Development Permit 2012-00141
- Local Coastal Development Permit 2012-00141
- The Locations Of Headlamps And Driver Eye Positions In Vehicles Sold In The U.S.A.  
The University of Michigan Transportation Research Institute. Sivak, M., et. al. 1996.

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



**RECEIVED**  
South Coast Region

DEC 26 2012

**APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT**

**CALIFORNIA  
COASTAL COMMISSION**

**SECTION I. Appellant(s)**

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

Coastal Commissioners: Brian Brennan & Mary Shallenberger, Chair  
200 Oceangate, Suite 1000  
Long Beach, CA 90802 (562) 590-5071

**SECTION II. Decision Being Appealed**

1. Name of local/port government: City of Rancho Palos Verdes
2. Brief description of development being appealed: Construction of a new, 10,382 square foot, two-story residence with a 1,027 square foot garage, which lies in the City's Coastal Specific Plan district. In addition, this approval allows 2,988 cubic yards of cut, 218 cubic yards of fill, and four (4) associated retaining walls.
3. Development's location (street address, assessor's parcel no., cross street, etc.): 3344 Palos Verdes Drive West, Rancho Palos Verdes, Los Angeles County
4. Description of decision being appealed:
  - a. Approval; no special conditions: \_\_\_\_\_
  - b. Approval with special conditions: XX
  - c. Denial: \_\_\_\_\_

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

**TO BE COMPLETED BY COMMISSION:**

APPEAL NO: A-5-RPV-12-350

DATE FILED: December 26, 2012

DISTRICT: South Coast

**COASTAL COMMISSION**

EXHIBIT # 1  
PAGE 1 OF 7  
74

5. Decision being appealed was made by (check one):
- a. Planning Director/Zoning Administrator: \_\_\_\_\_
  - b. City Council/Board of Supervisors: \_\_\_\_\_
  - c. Planning Commission: X \_\_\_\_\_
  - d. Other: \_\_\_\_\_
6. Date of local government's decision: 9/25/12
7. Local government's file number: ZON2012-00141

**SECTION III. Identification of Other Interested Persons**

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

1. Name and mailing address of permit applicant:  
Mr. & Mrs. Khosla  
\_\_\_\_\_
2. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.
- a. Lunada Pointe Homeowners Association  
60 Laurel Drive  
Rancho Palos Verdes, CA 90275
  - b. Stiassni Family  
3400 Palos Verdes Drive West  
Rancho Palos Verdes, CA 90275
  - c. Marcel and Irmgard Bond  
3333 Palos Verdes Drive West  
Rancho Palos Verdes, CA 90275
  - d. Marcos Ehab  
7416 Via Lorado  
Rancho Palos Verdes, CA 90275

**COASTAL COMMISSION**

EXHIBIT # 1  
PAGE 2 OF 7

---

e. Jason Sikola  
7369 Berry Hill Drive  
Rancho Palos Verdes, CA 90275

f. Lenee Bilski  
4255 Palos Verdes Drive South  
Rancho Palos Verdes, CA 90275

**COASTAL COMMISSION**

EXHIBIT # 1  
PAGE 3 OF 7

a. **SECTION IV. Reasons Supporting This Appeal**

**Note:** Appeals of local government Coastal Permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page. Please state briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

The proposed project raises an issue as to consistency with the visual resources protection policies of the Rancho Palos Verdes certified LCP. Although the LCP requires the protection of ocean views from Palos Verdes Drive; the proposed project has a significant adverse impact on existing protected ocean views available across the vacant 1-acre project site.

The project site, 3344 Palos Verdes Drive West, is located in Subregion 1 as identified in the City's Coastal Specific Plan. Policy No. 8 of Subregion 1 states,

"Require proposed developments on lands affected by view corridors to maintain the resources".

According to the City, the project site is not identified as being within a specific visual corridor. Nevertheless, the City acknowledges that the Coastal Specific Plan also protects views of the ocean across sites that are not within a designated visual corridor. Specifically, the Plan states:

A large portion of the Palos Verdes Drive West/South/25<sup>th</sup> Street Corridor has visual aspects which qualify as views. Those sections of the Drive which have ocean views qualify here... To protect this visual relationship between the Drive and ocean in those areas which are not part of an identified vista corridor, no buildings should project into a zone measured 2' down-arc from horizontal as measured along the shortest distance between the viewing station and the coastline. (Page C-11- C-12, Corridors Element, Coastal Specific Plan)

According to the City's analysis, this policy would require that the ridgeline of the proposed residence be limited to an elevation of 268.0 as measured from Palos Verdes Drive West, the viewing station,. However, the City approved the proposed single family residence with a height exceeding this height limit (by 8.73') thereby allowing the structure to project into the existing ocean view. The findings state that the project as approved is however consistent with the visual resources protection provisions of the LUP and that the project as sited and designed is the best alternative for the construction of a new home on the downslope lot. The rationale for exceeding the height limit included: (a) the Development Code allows a house with a height limit of 16' (279' elevation); (b) the applicant has proposed a residence with a height that is less than the maximum height (276.73' elevation); (c) the applicant is proposing a large

**COASTAL COMMISSION**

EXHIBIT # 1  
PAGE 4 OF 7

front yard setback; and (d) the applicant has proposed to grade the site to provide a single story façade from Palos Verdes Drive. However, a review of the City's conditions of approval indicates that the City did not require the increased front yard setback. While the local approval requires a maximum building height and a maximum square footage of the home and garage and requires certification by a licensed land surveyor or civil engineer (Conditions 20 and 21), Condition 13 requires the standard 20' setback. Additionally, Condition 14 references the 20-foot front-yard setback.

The findings state that additional grading to further lower the height of the structure is infeasible, requiring over 3,000 cubic yards of additional grading. However, the findings do not explain why this amount of additional grading would be necessary to remove the projection of the structure into in the ocean views especially given that the project site is a large lot (1 acre) and is described as "gently sloping". The approved project includes 3,206 cubic yards of grading (2,988 cy cut and 218 cy fill) which includes 1,044 cy of grading for a swimming pool, spa, and landscaped yard area in the rear yard and a level courtyard in the front yard. Of the 3,206 cy of approved grading, only 1,281 cy is for the home and an additional 633cy is for a circular driveway in the front yard area.

Although the local approval included a brief discussion of additional grading to further lower the height of the structure, this alternative was dismissed as being infeasible. The local approval did not consider other feasible alternatives that could result in a project that is consistent with the visual resources protection policies of the certified Plan. The project site is a large vacant lot that slopes away from the frontage road. The proposed 10,382 sq. ft. home with a 1,027 sq. ft. garage (total size 11,409 sq. ft.) is larger than the average of the 20 closet homes in the area. Only 1 other home in the area is larger. Perhaps a smaller home would have less visual impact. The proposed home could also be sited further downslope or located elsewhere on the 1-acre site, thereby reducing the visual impact. These alternatives were not explored.

As approved, the proposed project projects into the view corridor and is therefore inconsistent with the visual protection policies of the certified LCP. The project also has a significant adverse impact on existing public views to the ocean available from Palos Verdes Drive West and sets precedence for future development on the adjacent and nearby lots.

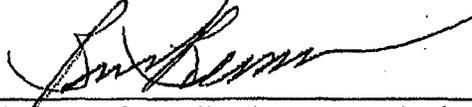
**COASTAL COMMISSION**

EXHIBIT # 1  
PAGE 5 OF 7

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**

**SECTION V. Certification**

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



\_\_\_\_\_  
Signature of Appellant(s) or Authorized Agent

Date: 12/24/12

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

**Section VI. Agent Authorization**

I/We hereby  
authorize

\_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date: \_\_\_\_\_

**COASTAL COMMISSION**

EXHIBIT # 1  
PAGE 6 OF 7

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Page 3

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

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

SECTION V. Certification

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

Signed: Mary K. Challenberg  
Appellant or Agent

Date: 12/26/12

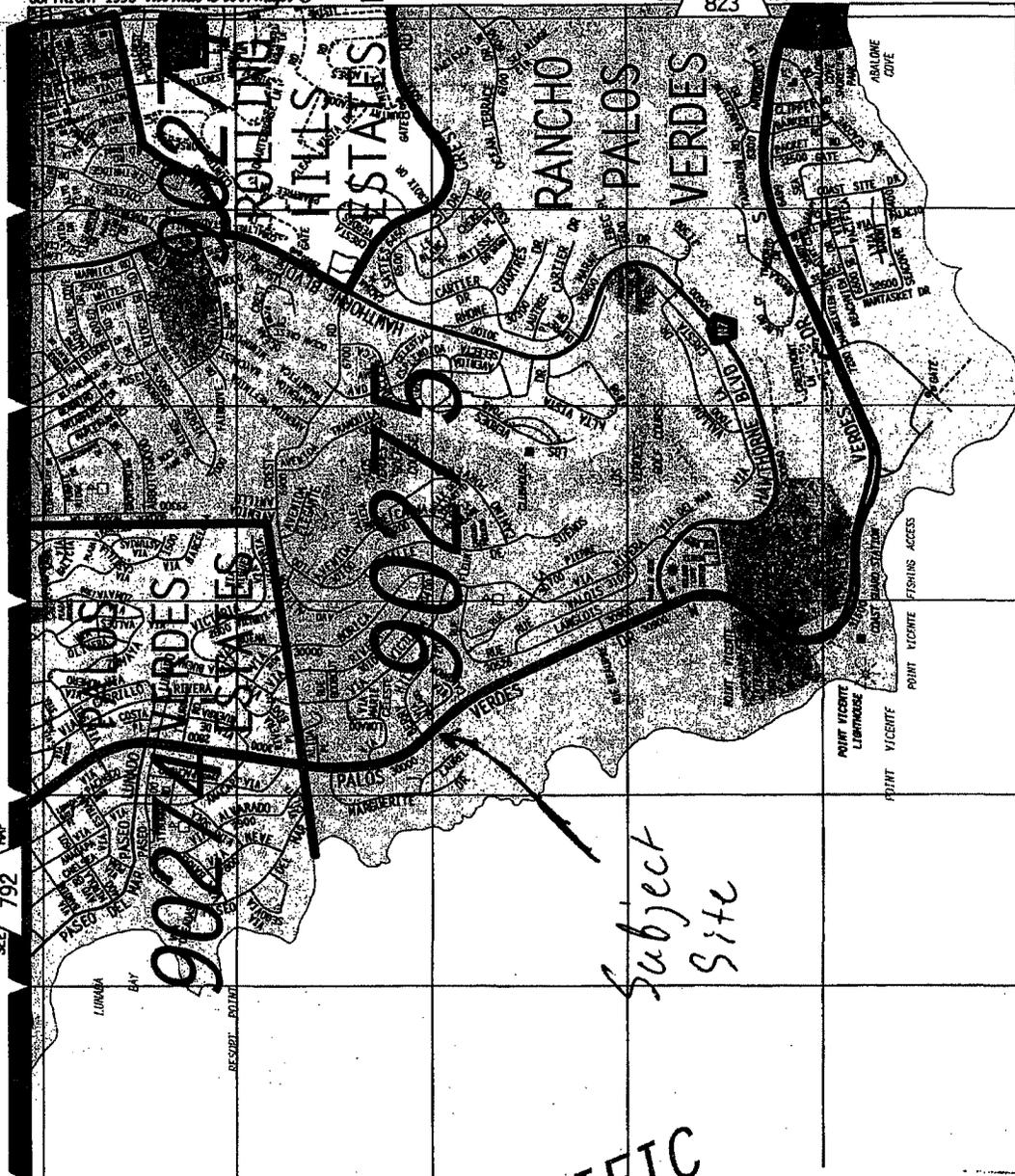
Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**COASTAL COMMISSION**

EXHIBIT # 1  
PAGE 7 OF 7



PACIFIC

OCEAN

Subject Site

COASTAL COMMISSION

EXHIBIT # 2  
PAGE 1 OF 1



## FOLLOW-UP AGENDA

**RANCHO PALOS VERDES PLANNING COMMISSION  
TUESDAY, DECEMBER 10, 2013  
FRED HESSE COMMUNITY PARK, 29301 HAWTHORNE BOULEVARD**

### **REGULAR MEETING 7:00 P.M.**

---

#### SCHEDULING NOTES

*REQUESTS TO SPEAK ON AN ITEM MUST BE SUBMITTED TO THE COMMUNITY DEVELOPMENT DIRECTOR PRIOR TO THE COMPLETION OF THE REMARKS OF THE FIRST SPEAKER ON THE ITEM. NO REQUEST FORMS WILL BE ACCEPTED AFTER THAT TIME.*

*PURSUANT TO ADOPTED PLANNING COMMISSION PROCEDURE, UNLESS THE PLANNING COMMISSION AGREES TO SUSPEND ITS RULES, NO NEW BUSINESS WILL BE HEARD AFTER 11:00 P.M. AND NO ITEM WILL BE HEARD PAST MIDNIGHT. ANY ITEMS NOT HEARD BECAUSE OF THE TIME LIMITS WILL BE AUTOMATICALLY CONTINUED TO THE NEXT COMMISSION AGENDA.*

NEXT P.C. RESOLUTION NO. 2013-28

---

**CALL TO ORDER: 7:03 P.M.**

**FLAG SALUTE: LED BY COMMISSIONER NELSON**

**ROLL CALL: COMMISSIONER LEWIS EXCUSED ABSENT, COMMISSIONER TETREAU ARRIVED DURING ITEM #2**

**APPROVAL OF AGENDA: APPROVED AS PRESENTED**

**COMMUNICATIONS:**

**City Council Items: THE DIRECTOR NOTED THAT AT THE DECEMBER 3, 2013 CITY COUNCIL MEETING, THE COUNCIL EXTENDED GREEN HILLS' SPECIAL USE PERMIT FOR THE MODULAR BUILDINGS FOR AN ADDITIONAL YEAR.**

**Staff: THE DIRECTOR REPORTED THAT THE PLANNING COMMISSION'S RECENT DENIAL OF A NEW HOUSE ON VISTA DEL MAR HAS BEEN APPEALED BY THE**

APPLICANT TO THE CITY COUNCIL. THE DIRECTOR ALSO REPORTED THAT THE COASTAL COMMISSION'S APPEAL HEARING OF THE PLANNING COMMISSION'S APPROVAL OF A NEW HOUSE AT 3344 PALOS VERDES DRIVE WEST WILL OCCUR ON DECEMBER 12, 2013. LASTLY, THE DIRECTOR DISTRIBUTED LATE CORRESPONDENCE AS FOLLOWS; 1 LETTER ON ITEM #3, 2 LETTERS ON ITEM #4, 5 LETTERS ON ITEM #5.

Commission:

COMMENTS FROM THE AUDIENCE (regarding non-agenda items): **NONE**

CONSENT CALENDAR:

1. REVIEW OF CONDITIONAL USE PERMIT AND MASTER SIGN PROGRAM (CASE NO. ZON2010-00402): GOLDEN COVE CENTER (LM)

Request: A review of the operations and effectiveness of the Conditions of Approval for the Golden Cove Center Conditional Use Permit and Master Sign Program

**ACTION: ADOPTED P.C. RESOLUTION NO. 2013-28, AS RECOMMENDED BY STAFF, THEREBY DETERMINING THAT THE GOLDEN COVE CENTER IS OPERATING IN COMPLIANCE WITH ITS CONDITIONAL USE PERMIT (CUP), AND COMBINING ALL APPLICABLE CUP CONDITIONS OF APPROVAL INTO ONE RESOLUTION ON A 4-0-1 VOTE WITH COMMISSIONER TOMBLIN ABSTAINING.**

CONTINUED BUSINESS:

**NONE**

PUBLIC HEARINGS:

2. HEIGHT VARIATION, GRADING PERMIT, AND INTERPRETATION PROCEDURE (CASE NO. ZON2013-00223): 6509 PALOS VERDES DRIVE EAST / ORECK (LM)

Request: A request to construct a 783 square foot addition to the existing 1,793 square foot residence and a 56 square foot addition to the existing 351 square foot garage. The proposed addition would result in a structure that reaches a maximum height of 23'-2 1/2" as measured from the lowest finished grade adjacent to the structure (elev. 840.0') to the top of the highest ridgeline (elev. 863.2'). The project also includes 233 cubic yards of grading with associated retaining walls, other ancillary improvements. Lastly, the proposal includes a request to adjust the location of the Open space Hazard Zoning District Boundary Line by 58 feet on the subject property.

**ACTION: ADOPTED P.C. RESOLUTION NO. 2013-29, AS RECOMMENDED BY STAFF, THEREBY CONDITIONALLY APPROVING THE HEIGHT VARIATION, GRADING PERMIT, AND INTERPRETATION TO ADJUST THE OPEN SPACE HAZARD DISTRICT BOUNDARY LINE FOR 6509 PALOS VERDES DRIVE EAST (CASE NO. ZON2013-00223) ON A 5-0-1 VOTE WITH COMMISSIONER TETREAU ABSTAINING.**

3. HEIGHT VARIATION AND GRADING PERMIT (CASE NO. ZON2013-00197): 3602 COOLHEIGHTS / HERBERT (LM)

Request: A request to construct a 612 square foot first floor addition and 465 square foot second floor addition to the existing 3,185 square foot residence (656 square foot garage

Planning Commission Follow up Agenda  
December 10, 2013  
Page 2

included). The proposed second story addition would reach a maximum height of 24'-7" as measured from the lowest finished grade adjacent to the structure (elev. 103.62') to the top of the highest ridgeline (elev. 128.21'). The project also includes 51.4 cubic yards of grading with associated retaining walls, a new pool and spa and an outdoor kitchen.

**ACTION: CLOSED THE PUBLIC HEARING, APPROVED THE PROJECT AS PRESENTED AND DIRECTED STAFF TO RETURN WITH THE APPROPRIATE RESOLUTION ON THE CONSENT CALENDAR OF THE NEXT MEETING WITH A VOTE OF 5-0 WITH COMMISSIONER TETREULT RECUSED.**

4. HEIGHT VARIATION, GRADING PERMIT (CASE NO. ZON2013-00324): 3280 VIA CAMPESINA / BEZIC (LM)

Request: A request to demolish the existing residence and construct a new 10,239 square foot, two-story residence, 423 square foot garage and another separate 481 square foot garage, and 761 square feet of basement storage area. The proposed residence would result in a structure that reaches a maximum height of 25'-10" as measured from the lowest finished grade adjacent to the structure (elev. 110.5') to the top of the highest ridgeline (elev. 135.9'). The project also includes a total of 980 cubic yards of grading to accommodate the new residence and ancillary improvements.

**ACTION: ADOPTED P.C. RESOLUTION NO. 2013-30, AS MODIFIED, THEREBY CONDITIONALLY APPROVING THE HEIGHT VARIATION AND GRADING PERMIT AT 3280 VIA CAMPESINA (CASE NO. ZON2013-00324) WITH A VOTE OF 6-0.**

5. HEIGHT VARIATION, GRADING, AND SITE PLAN REVIEW PERMIT (CASE NO. ZON2011-00280): APN 7566-006-018 / ESFAHANI (AH)

Request: A request to construct a new 5,597 square foot, 2-story single-family residence and garage, with 712 cubic yards of total associated grading on an existing vacant lot located east of Knoll View Drive (APN 7566-006-018).

**ACTION: CONTINUED THE PUBLIC HEARING TO FEBRUARY 11, 2014 TO ALLOW THE APPLICANT TO RE-DESIGN THE PROJECT TO ADDRESS STAFF CONCERNS WITH A VOTE OF 5-1 WITH COMMISSIONER TOMBLIN DISSENTING.**

6. CONDITIONAL USE PERMIT REVISION (CASE NO. ZON2013-001111): 28041 HAWTHORNE BLVD. / SPRINT PCS (SK)

Request: Remove 6 existing Sprint antennas on the roof and install 3 new antennas within a new encasement (5.67' height) that will appear like a decorative chimney on the east end of the roof.

**ACTION: CONTINUED THE PUBLIC HEARING TO AN UNSPECIFIED DATE, THUS REQUIRING A NEW PUBLIC HEARING NOTICE TO ALLOW THE APPLICANT ADDITIONAL TIME TO CONSTRUCT THE REQUIRED CERTIFIED SILHOUETTE THAT DEPICTS THE PROPOSED ANTENNA ENCLOSURE WITH A VOTE OF 5-0 WITH CHAIRMAN EMENHISER RECUSED.**

7. FENCES, WALLS AND HEDGES PERMIT (CASE NO. ZON2012-346): CITYWIDE (AH)

Request: Review recommended code language amendments to RPVMC Section 17.76.030 regarding modifications to the Fence, Wall and Hedge application that was discussed at the September 10, 2013 Planning Commission meeting.

**ACTION:** REVIEWED AND APPROVED THE FOLLOWING CODE AMENDMENTS TO SECTION 17.76.030 OF THE DEVELOPMENT CODE THAT WOULD:

- A. REMOVE "HEDGES" FROM THE FENCE, WALL AND HEDGE PERMIT APPLICATION PROCESS;
- B. ALLOW HEDGES LOCATED OUTSIDE THE FRONT AND STREET-SIDE SETBACKS TO GROW TO AN UNSPECIFIC HEIGHT PROVIDED VIEWS FROM SURROUNDING RESIDENCES ARE NOT SIGNIFICANTLY IMPAIRED;
- C. CREATE AN INITIAL SITE VISIT STEP FOR A FENCE AND WALL PERMIT WHEREBY STAFF ASSESS VIEW IMPACTS ON A PRELIMINARY BASIS TO DETERMINE IF A FENCE AND WALL PERMIT IS WARRANTED;
- D. CHANGE THE ALLOWABLE HEIGHT OF FREESTANDING FENCES AND WALLS OUTSIDE OF THE FRONT OR STREET-SIDE SETBACK AREAS FROM 6 FEET TO 7 FEET; AND
- E. CLARIFY THE HEIGHT LIMITATIONS OF FENCES, WALLS AND HEDGES FOR FLAG LOTS.

DIRECTED THAT THE APPROPRIATE RESOLUTION MEMORIALIZING THE COMMISSION'S DIRECTION BE BROUGHT BACK AT A SUBSEQUENT PLANNING COMMISSION MEETING WITH A VOTE OF 6-0.

NEW BUSINESS:

- 8. GENERAL PLAN CONSISTENCY FINDING (CASE NO. ZON2013-00444):  
APN# 7572-004-002 / City (SK)

Request: Finding of consistency with the Rancho Palos Verdes General Plan for the acquisition of Parcel No. 7572-004-002 near Cherry Hill Lane in the Portuguese Bend Landslide area.

**ACTION:** ADOPTED P.C. RESOLUTION 2013-31, AS PRESENTED, THEREBY FINDING THE CITY'S ACQUISITION OF ASSESSOR PARCEL NO. 7572-004-002 CONSISTENT WITH THE GENERAL PLAN WITH A VOTE OF 6-0.

APPROVAL OF MINUTES:

- 9. NOVEMBER 12, 2013 MINUTES

**ACTION:** APPROVED AS PRESENTED WITH A VOTE OF 5-0-1 WITH COMMISSIONER TOMBLIN DISSENTING SINCE HE WAS ABSENT FROM THE MEETING.

- 10. PRE-AGENDA FOR THE MEETING ON JANUARY 14, 2014

**ACTION:** ACCEPTED AS PRESENTED

**ADJOURNMENT: 9:23 P.M.**

**The next meeting is scheduled for January 14, 2014**

---

Americans with Disabilities Act: In compliance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the Community Development Director at 310 544-5228 at least 48 hours prior to the meeting.

Notes:

1. Staff reports are available for inspection at City Hall, 30940 Hawthorne Boulevard during regular business hours, 7:30 A.M. to 5:30 P.M. Monday – Thursday and 7:30 A.M. to 4:30 P.M. on Friday. The agenda and staff reports can also be viewed at Hesse Community Park, 29301 Hawthorne Boulevard during the Planning Commission meeting.
2. Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection at the front counter of the Planning Division lobby at City Hall, which is located at 30940 Hawthorne Boulevard, Rancho Palos Verdes during normal business hours as stated in the paragraph above.
3. You can also view the agenda and staff reports at the City's website [www.palosverdes.com/RPV](http://www.palosverdes.com/RPV).
4. Written materials, including emails, submitted to the City are public records and may be posted on the City's website. In addition, City meetings may be televised and may be accessed through the City's website. Accordingly, you may wish to omit personal information from your oral presentation or written materials as they may become part of the public record regarding an agenda item.



## Applications of Note as of December 11, 2013

<b>Case No.</b>	<b>Owner</b>	<b>Street Address</b>	<b>Project Description</b>	<b>Submitted</b>
<b>VRP2013-00051</b>	HADDAD, FARID & NOUR	6716 EDDINGHILL DR	View Preservation Permit regarding foliage located at 28510 Cedarbluff Dr. (Winig)	12/9/2013
<i>View Preservation Permit</i>				
<b>VRP2013-00052</b>	MEW, DOUGLAS K & NANCY W	28615 SEAMOUNT DR	View Maintenance request for foliage located at 28622 Leacrest Dr. (VRP2007-00043)	12/10/2013
<i>View Maintenance</i>				
<b>ZON2013-00503</b>	ST PETER'S-BY-THE-SEA CHURCH	6410 PALOS VERDES DR S	CUP-Revision to install new emergency back-up generator in a 93 SF graded area, surrounded by a 8'-0" tall combination wall, with 4'-0" of retention.	12/10/2013
<i>Conditional Use Permit Permit Revision</i>				
<b>ZON2013-00504</b>	ALEXANDER RUSICH	4304 MIRALESTE DR	430 SF detached, 1-story pool cabana in the rear yard area.	12/10/2013
<i>Site Plan Review Foliage Analysis</i>				

t:\Forms\Applications of Note.rpt



# CITY OF RANCHO PALOS VERDES

## MEMORANDUM

TO: CAROLYN LEHR, CITY MANAGER  
FROM: CORY LINDER, DIRECTOR, RECREATION AND PARKS  
DATE: DECEMBER 11, 2013  
SUBJECT: ADMINISTRATIVE REPORT

### Breakfast with Santa this Saturday!

Approximately 125 people have registered for the annual Breakfast with Santa festivities at Hesse Park this Saturday morning, December 14<sup>th</sup>. Santa will arrive on board the LAFD Station #106 fire truck, with sirens blaring and the Palos Verdes Strings' young violinists serenading the crowd. After many photos atop the fire truck with each child, Santa will join the participants inside the community center for a hearty breakfast and more entertainment. Children and parents will be treated to the entertaining antics of Circosthesia, create simple holiday crafts, and sing some popular holiday carols. The morning will wrap up with every child enjoying a photo op with Santa on his red velvet throne, sharing their holiday wishes and receiving a small gift from one of Santa's elves. Proceeds from this annual special event benefit the City's REACH program for adults with developmental disabilities. The City extends a special thanks to the Kiwanis Club of Rolling Hills Estates for their generous donation! Thanks also to the many local businesses who are supporting this holiday event with in-kind donations, including Ralph's Market, Bristol Farms, Pavilions, Peninsula Center Starbucks, Golden Cove Trader Joes, Whole Foods, Mayer's Bakery, and Noah's Bagels! Ho Ho Ho and Happy Holidays to all!

### Donation to PVPHS Pool Campaign

As the City Council will recall, the Memorandum of Understanding (MOU) with the Palos Verdes Peninsula Unified School District (PVPUSD) was approved on November 6, 2013. The MOU, which addresses the City's use of the Peninsula High School pool and Miraleste Intermediate School gymnasium for City recreational programming, was a condition placed upon the City's donation of \$80,000 to the "PVPHS Pool Campaign" in March 2011. The PVPUSD Board of Education subsequently approved the MOU on November 14, 2013, and Staff received a signed copy of the MOU on December 9, 2013.

With the execution of the MOU, Staff has transmitted the City's \$80,000 donation to PVPUSD (see attached letter). The funding for this donation was drawn from the City's Quimby park fees fund (\$29,000) and Environmental Excise Tax (EET) fund (\$51,000). Recreation & Parks Department Staff will now begin to assess community needs and identify programming for the approved facility access times.

## **Fred Hesse Jr. Community Park**

### **Little Critter Afternoon Tales this Wednesday!**

Parents and children attended Little Critter Afternoon Tales on Wednesday afternoon, December 11<sup>th</sup>. This hour of story time fun includes songs, stories and a simple craft in a relaxed indoor park setting.

This monthly enrichment program is held the second Wednesday of every month, courtesy of the RPV Recreation and Parks Department and the PVL Young Readers Department. Although this free program is geared to children 2 to 5 years old, children of all ages are welcome. It is designed for parents and children to attend together and no registration is necessary.

#### **Recreation Class Rentals (December 9<sup>th</sup> – December 15<sup>th</sup>)**

- Aerobic Dance Lite Class (McTaggart Hall): Monday, Wednesday
- Kuk Sool Martial Arts Class (Fireside Room): Monday
- Duplicate Bridge Classes (McTaggart Hall): Monday, Friday
- Bridge Instruction Class (McTaggart Hall): Tuesday
- Fit 4 Moms Stroller Strides Classes (Walking Path, Field): Tuesday, Thursday
- Mommy & Me Classes (Activity Room): Thursday
- Suika Preschool Class (Activity Room): Friday
- Basics of Fine Arts (Activity Room): Saturday

#### **Community Groups/Private Rentals/City Programs (December 9<sup>th</sup> – December 15<sup>th</sup>)**

- AARP-sponsored Driver Safety Class (Fireside Room): Tuesday, Thursday
- Peninsula Seniors Weekly Lecture (McTaggart Hall): Wednesday
- Peninsula Seniors Mah Jong Class (Fireside Room): Wednesday
- RPV Seniors Bridge Club (McTaggart Hall): Thursday
- Non-Profit Group Event (McTaggart Hall): Saturday
- Private Rental (McTaggart Hall, Kitchen): Sunday

## **Ladera Linda Community Center**

#### **Recreation Class Rentals (December 9<sup>th</sup> – December 15<sup>th</sup>)**

- Mommy and Me Classes (Room A, Room C): Monday, Wednesday
- Adult Tap Dance Class (Multipurpose Room): Tuesday
- Youth Ballet/Tap/Acrobatic Dance Class (Room G): Saturday
- Persian Music Class (Room J): Sunday

#### **Community Groups/Private Rentals/City Programs (December 9<sup>th</sup> – December 15<sup>th</sup>)**

- Junior Ranger Graduation (Room A): Saturday

## **Point Vicente Interpretive Center**

### **Los Serenos Docent Activities**

On Wednesday afternoon, December 11<sup>th</sup>, members of the newest docent class attended a docent training session at the newly expanded and renovated Ladera Linda Discovery Room.

On Wednesday evening, December 11<sup>th</sup>, the Los Serenos de Point Vicente Organization will hold its annual holiday party at the Interpretive Center.

### Facility Use

On Saturday morning, December 14<sup>th</sup>, the Sunset Room will be rented for a Tai Chi class.

### **Robert E. Ryan Community Park**

Recreation Class Rentals (December 9<sup>th</sup> – December 15<sup>th</sup>)

- Suika Preschool Class (Activity Room): Monday, Wednesday, Friday
- Super Soccer Stars Classes (Grass Field): Tuesday, Saturday

Community Groups/Private Rentals/City Programs (December 9<sup>th</sup> – December 15<sup>th</sup>)

- Cub Scout Meeting (Activity Room): Sunday

### **REACH Program**

On Monday evening, December 9<sup>th</sup>, REACH participants and staff met at Hesse Park to enjoy a hearty meal of lasagna, salad and garlic bread. Following dinner, the REACH participants celebrated the holiday season with a lively bingo party with prizes for all.

On Wednesday evening, December 11<sup>th</sup>, REACH participants and staff will enjoy one of their favorite holiday activities. First, the REACH bus will stop for dinner at Snax in Torrance, and then head to the Sleepy Hollow neighborhood in Torrance to view the dazzling light displays.

On Saturday morning, December 14<sup>th</sup>, several REACH participants will be on hand at Hesse Park to help with Breakfast with Santa. They assist with event check-in, handing out of craft supply bags, and selling holiday items at the REACH Store.

CITY OF  RANCHO PALOS VERDES  
CITY MANAGER'S OFFICE  
ADMINISTRATION

10 December 2013

Lydia Cano, Deputy Superintendent  
Palos Verdes Peninsula Unified School District  
375 Via Almar  
Palos Verdes Estates, CA 90274

**SUBJECT: Donation to "PVPHS Pool Campaign"**

Dear Ms. Cano:

Thank you for returning a signed copy of the Memorandum of Understanding (MOU) for the use of the Peninsula High School pool and the Miraleste Intermediate School gymnasium. Enclosed, please find a check in the amount of eighty thousand dollars (\$80,000) for the City of Rancho Palos Verdes' contribution to the "PVPHS Pool Campaign," as originally approved by the Rancho Palos Verdes City Council on 29 March 2011. The City looks forward to working with the District to develop recreational programming for City residents at both of these school facilities.

If you have any questions or need additional information, please feel free to contact me at (310) 544-5226 or via e-mail at [kitt@rpv.com](mailto:kitt@rpv.com).

Sincerely,



**Kit Fox, AICP**  
Senior Administrative Analyst

enclosure

cc: Mayor Jerry Duhovic and City Council  
Carolyn Lehr, City Manager  
Carolynn Petru, Deputy City Manager  
Carol Lynch, City Attorney  
Carla Morreale, City Clerk  
Cory Linder, Director of Recreation & Parks

M:\Municipal Services\PVPUUSD Joint Use Agreement\20131210\_Cano\_DonationCheck.docx

## TENTATIVE AGENDAS

**Note:** Time Estimates include 45 mins. for the first section of the agenda (Mayor's Announcements, etc. through the Consent Calendar) and 15 mins. for the last section (Future Agenda Items through Adjournment).

### January 6 & 7, 2014 – Adj. Reg. Meetings in Sacramento (Legislative Tour)

#### **Regular Business**

Public Records Act Requests  
Southern California Edison Fire Safety and Reliability  
MS4 Regulations  
RDA Succession/Clean-Up Legislation

### January 8, 2014, Wednesday - (Time Est. – 3 hrs 30 mins) (City Council Goals & Priorities Workshop)

**Closed Session:** Conference with Labor Negotiators

**Mayor's Announcements:**

**City Manager Report:**

**New Business:**

#### **Consent**

Notice of Completion – RPV California Coastal Trail Improvement Project

#### **Public Hearings**

#### **Regular Business**

Update of City Mission, Vision Statement, and Core Values (60 mins)  
Discussion of City Council Goals and Priorities for 2014 (90 mins)

### January 21, 2014 - (Time Est. – 3 hrs 5 mins)

**6:00 pm** – Planning Commission &/or Storm Drain Fee Oversight Comm. Intervs.

**Study Session:**

**Mayor's Announcements:**

**City Manager Report:**

**New Business:**

#### **Consent**

#### **Public Hearings**

Public Comments-Marymount Reconfiguration of Athletic Field Mit. Neg. Dec. (60 mins)  
Introduction of Ord. – Reduced Construction Hours (15 mins)

**Regular Business**

Banking Services Agreement – Bank of the West (20 mins)

Review & Adoption of City Mission, Vision Stmt, Core Values, Goals & Priorities for 2014 (30 mins)

**February 4, 2014 – (Time Est. – 2 hrs 35 mins)**

6:00 pm – Planning Commission &/or Storm Drain Fee Oversight Comm. Intervs.

**Closed Session:**

**Mayor’s Announcements:**

**City Manager Report:**

**New Business:**

**Consent**

Border Issues Status Report

**Public Hearings**

St. John Fisher Review of Lighting and Bells (20 mins)

Adoption of the Final Housing Element (15 mins)

**Regular Business**

Foliage Analysis at Time of Property Sale (1 hr)

**February 18, 2014 – (Time Est. – 2 hrs 20 mins)**

6:00 pm – Planning Comm. &/or Storm Drain Fee Oversight Comm. Intervs. (if necessary)

**Study Session:**

**Mayor’s Announcements:**

**City Manager Report:**

**New Business:**

**Consent**

Award Consultant Contract for Residential Solid Waste Performance Audit

**Public Hearings**

Marymount California University – 6 Month Review of Parking Lot (1 hr)

**Regular Business**

Placement of Surveillance Cameras at City Entrances (20 mins)

**March 4, 2014 – (Time Est. – 3 hr)**

**Closed Session:**

**Mayor's Announcements:**

**City Manager Report:**

**New Business:**

**Consent**

**Public Hearings**

Marymount California University Athletic Field Reconfiguration (2 hrs)

**Regular Business**

**March 18, 2014 – (Time Est. – )**

**Study Session:**

**Mayor's Announcements:**

**City Manager Report:**

**New Business:**

**Consent**

**Public Hearings**

**Regular Business**

**Future Agenda Items (Identified at Council Meetings):**

**July 3, 2012** – Consideration of Implementation of a Wireless Master Plan (Campbell) [Pending receipt of memorandum from Councilman.]

**August 21, 2012** –City Maintenance Yard – View, Location and Safety Issues (Campbell) [Pending receipt of memorandum from Councilman.]

**March 19, 2013** – Explore outreach program to residents to incorporate 100% participation in Neighborhood Watch Program (Misetich) [Pending receipt of memorandum from Councilman.]

**April 2, 2013** - Transparency regarding Labor Negotiations (Campbell) [Pending receipt of memorandum from Councilman.]

Revisit Policy regarding Naming of Public Facilities and establish a protocol for acknowledging the passing of former City officials, civic leaders, and military personnel (Campbell) [Pending receipt of memorandum from Councilman.]

Revisiting the Skateboarding Ordinance (Brooks) [Pending receipt of memorandum from Mayor.]

**April 30, 2013** – Council Allocations & Expense Reimbursement (Brooks) [Pending receipt of memorandum from Mayor.]

**June 4, 2013** – Clean-up language regarding the City Council Rules of Procedure (Campbell)

**July 16, 2013** – Policy regarding use of the City Attorney's time (Brooks) [Pending receipt of memorandum from Mayor.]

**October 15, 2013** – Policy regarding responses to significant correspondence received by Council (Brooks) [Pending receipt of memorandum from Mayor.]  
Road kill pick-up procedures (Brooks) [Pending receipt of memorandum from Mayor.]

**November 19, 2013** - Free Standing Wall of Honor (Brooks) [Pending receipt of memorandum from Mayor.]

**Future Agenda Items Agendized or Otherwise Being Addressed**

**November 6, 2013** – Feasibility to Incorporate the Private Storm Drain on Rockinghorse Road into the City's Storm Drain System (Misetich) [Staff to address.]

**November 19, 2013 (Study Session)** - City Street Tree Maintenance Practices (To be placed on a future agenda.)

## RPVtv Channel 33 Programming Schedule Guide

Sign up for the RPV ListServ to get the updated program guide sent right to your inbox!

Week of 12/11/13 - 12/17/13  
Wednesday through Tuesday

6:00 AM - 6:30 AM	Peninsula Fitness with DeDe Daniels	3:30 PM - 4:00 PM	MCU Sports Network- College Soccer - Marymount vs. Arizona Christian University
6:30 AM - 7:00 AM	Cardio Jazz Fitness	4:00 PM - 4:30 PM	MCU Sports Network- College Soccer - Marymount vs. Arizona Christian University
7:00 AM - 7:30 AM	Around the Peninsula - Holiday Shopping	4:30 PM - 5:00 PM	MCU Sports Network- College Soccer - Marymount vs. Arizona Christian University
7:30 AM - 8:00 AM	Around the Peninsula - Holiday Shopping	5:00 PM - 5:30 PM	Peninsula Fitness with DeDe Daniels
8:00 AM - 8:30 AM	Around the Peninsula: PV Juniors - Winter Wonderland Promo	5:30 PM - 6:00 PM	Cardio Jazz Fitness
8:30 AM - 9:00 AM	Around the Peninsula - Shopping at the Promenade on the Peninsula	6:00 PM - 6:30 PM	Peninsula Beat 27 - RPV Election Results, PV Pastoral, PV vs. Peninsula, Vanderlip 100th Anniversary, Educator of the Year, Larry Clark, Terranea "To Go!"
09:00 AM - 9:30 AM	RPV City Talk - RPV Mayor Susan Brooks December 2013	6:30 PM - 7:00 PM	Armchair Traveler - The Norris Theatre
9:30 AM - 10:00 AM	Around the Peninsula - Art Exhibit "In Motion 2013"	7:00 PM - 7:30 PM	Peninsula Seniors: Foreign Service Officer - David Conforti
10:00 AM - 10:30 AM	Around the Peninsula - Holiday Shopping	7:30 PM - 8:00 PM	Peninsula Seniors (continued)
10:30 AM - 11:00 AM	Around the Peninsula - Holiday Shopping	8:00 PM - 8:30 PM	Around the Peninsula - Holiday Shopping
11:00 AM - 11:30 AM	Peninsula Beat 27 - RPV Election Results, PV Pastoral, PV vs. Peninsula, Vanderlip 100th Anniversary, Educator of the Year, Larry Clark, Terranea "To Go!"	8:30 PM - 9:00 PM	Around the Peninsula - Holiday Shopping
11:30 AM - 12:00 PM	Armchair Traveler - The Norris Theatre	9:00 PM - 9:30 PM	RPV City Talk - RPV Mayor Susan Brooks December 2013
12:00 PM - 12:30 PM	Peninsula Seniors: Kendell Cornwell - Libbie's General Custer	9:30 PM - 10:00 PM	Around the Peninsula - Art Exhibit "In Motion 2013"
12:30 PM - 1:00 PM	Peninsula Seniors (continued)	10:00 PM - 10:30 PM	The City of Rancho Palos Verdes - Planning Commission Meeting - December 10th, 2013
1:00 PM - 1:30 PM	RPV City Talk - RPV Mayor Susan Brooks December 2013	10:30 PM - 11:00 PM	The City of Rancho Palos Verdes - Planning Commission Meeting - December 10th, 2013
1:30 PM - 2:00 PM	Around the Peninsula - Art Exhibit "In Motion 2013"	11:00 PM - 11:30 PM	The City of Rancho Palos Verdes - Planning Commission Meeting - December 10th, 2013
2:00 PM - 2:30 PM	Peninsula Beat 27 - RPV Election Results, PV Pastoral, PV vs. Peninsula, Vanderlip 100th Anniversary	11:30 PM - 12:00 AM	The City of Rancho Palos Verdes - Planning Commission Meeting - December 10th, 2013
2:30 PM - 3:00 PM	Armchair Traveler - The Norris Theatre	12:00 AM - 1:00 AM	MCU Sports Network- College Soccer - Marymount vs. Arizona Christian University
3:00 PM - 3:30 PM	MCU Sports Network- College Soccer - Marymount vs. Arizona Christian University	1:00 AM - 6:00 AM	Community Announcements



**PVPTV35 Programming Schedule Guide**  
**Week of 12/16/13 to 12/22/13**

**Monday, December 16**

**3:00PM** Palos Verdes Library Dist.  
**6:00PM** PVP Coordinating Council  
**7:00PM** PVPUSD Board Meeting

**Tuesday, December 17**

**7:00PM** City of RPV City Council Meeting - Live

**Wednesday, December 18**

**7:30PM** City of PVE City Council Meeting, 12/10/13

**Thursday, December 19**

**7:00PM** City of RHE: 2013 Holiday Parade

**Friday, December 20**

**6:00PM** PVP Land Conservancy Nature Walk  
**7:00PM** City of RPV City Council Meeting , 12/17/13

**Saturday, December 21**

**10:00 AM** City of PVE Planning Commission, 12/17/13  
**7:00PM** City of RPV Planning Commission, 12/10/13

**Sunday, December 22**

**7:00PM** City of RPV City Council Meeting , 12/17/13

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT- LOMITA STATION  
REPORTED CRIMES & ARRESTS BETWEEN 11/24/2013 - 11/30/2013**

**LOMITA:**

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
GRAND THEFT (AUTO)	13-04125	1713	11/28/2013-11/29/2013	1400-1000	25900 VIANA AV	UNK	2001 HARLEY DAVIDSON SPORTSTER GRN MOTORCYCLE	SUSPECT(S) UNKNOWN
BURGLARY (RESIDENTIAL)	13-04122	1712	11/29/2013	0100-0530	24800 BLK ESHELMAN AV	UNLOCKED SLIDING KITCHEN WINDOW	BACKPACK, "ACER" LAPTOP, WALLET, (2) CDL's, \$500, "MICHAEL KORS" PURSE,	SUSPECT(S) UNKNOWN
BURGLARY (VEHICLE)	13-04130	1714	11/29/2013	1750-1830	1800 BLK PCH	FRONT PASSENGER WINDOW SMASHED	LAPTOP COMPUTER	SUSPECT(S) UNKNOWN
BURGLARY (RESIDENTIAL)	13-04131	1712	11/29/2013	2000	25000 BLK WALNUT ST	REAR FRENCH DOOR ALARM WAS ACTIVATED	MISC WOMEN'S JEWELRY	1 SUSPECT ARRESTED. SUSPECT2: MB/18-20/505-506/130-140lbs/BLK HAIR AND SUSPECT3: MB/18-20/510-600/180-200lbs ARE OUTSTANDING.
ATTEMPT VEHICLE THEFT	13-04139	1751	11/27/2013-11/30/2013	1000-1250	1800 BLK PV DR NORTH	REAR WINDOW BROKEN OUT; IGNITION AND STEERING COLUMN WAS BROKEN OUT	N/A	SUSPECT(S) UNKNOWN
<b>ARRESTS: BATTERY-1, BURGLARY-1, CONTEMPT OF COURT-1, DISORDERLY CONDUCT-1, DOMESTIC VIOLENCE-1, DUI-1, SUSPENDED LICENSE-1, VANDALISM-1</b>								

**RANCHO PALOS VERDES:**

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
PETTY THEFT (UNLOCKED VEHICLE)	13-04084	1730	11/24/2013-11/25/2013	1700-0800	5500 BLK IRONWOOD DR	UNLOCKED VEHICLE	"GARMIN" GPS, "SWISS ARMY" KNIFE	SUSPECT(S) UNKNOWN. VEH WAS PARKED IN THE DRIVEWAY.
ATTEMPT BURGLARY (RESIDENTIAL)	13-04100	1734	11/26/2013	1036	28600 BLK SEAMOUNT DR	N/A	N/A	4 SUSPECTS ARRESTED. SUSP'S PARKED VEH IN VICT'S DRIVEWAY. 2 SUSPECTS CAME RUNNING FROM BEHIND VICT'S HOUSE.
PETTY THEFT (UNLOCKED VEHICLE)	13-04126	1737	11/28/2013-11/29/2013	1000-0745	30400 BLK VIA RIVERA	UNLOCKED VEHICLE	WOMEN'S WALLET, CDL, \$20	SUSPECT(S) UNKNOWN
PETTY THEFT (UNLOCKED VEHICLE)	13-04123	1737	11/28/2013-11/29/2013	1800-0730	30400 BLK VIA VICTORIA	UNLOCKED VEHICLE	"APPLE" IPOD TOUCH	SUSPECT(S) UNKNOWN. VEH WAS PARKED IN THE DRIVEWAY.
<b>ARRESTS: ATTEMPT BURGLARY-4, DISORDERLY CONDUCT-1, DRUGS-1, DUI-1</b>								

**ROLLING HILLS:**

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
NO CRIMES DURING THIS TIME								
NO ARRESTS DURING THIS TIME								

**ROLLING HILLS ESTATES:**

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
GRAND THEFT (AUTO)	13-04096	1724	11/25/2013	0700-2030	500 BLK DEEP VALLEY DR	UNK	2013 YAMAHA M-1 MOTORCYCLE	SUSPECT(S) UNKNOWN
PETTY THEFT (CELLPHONE)	13-04104	1724	11/26/2013	1500-1600	27100 BLK SILVER SPUR RD	N/A	"APPLE" IPHONE4	SUSPECT(S) UNKNOWN
PETTY THEFT (CELLPHONE)	13-04106	1724	11/26/2013	1430-1500	27100 BLK SILVER SPUR RD	N/A	"APPLE" IPHONE4	SUSPECT(S) UNKNOWN. SUSPICIOUS PERSON FW/505/BRO HAIR IN BUN/WRG DK CLOTHING/DK SCARF WAS SITTING NEAR VICT'S BELONGINGS.
BURGLARY (VEHICLE)	13-04117	1724	11/28/2013	633	700 BLK SILVER SPUR RD	REAR WINDOW SMASHED WITH POLE SIGN	"DELCO" VEH BATTERY	SUSPECT: MW/30-35/506-508/160-170lbs/BRO HAIR/GRY SHIRT/BLK PANTS/DK SHOES WAS SEEN BREAKING THE WINDOW TO VEH AND TAKING THE BATTERY FROM UNDER THE HOOD.
<b>NO ARRESTS DURING THIS TIME</b>								

**SAN PEDRO:**

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
BURGLARY (VEHICLE)	13-04135	1750	11/30/2013	0920-0935	300 BLK BANDINI ST	DRIVER'S SIDE WINDOW SMASHED	"APPLE" IPHONE4	SUSPECT(S) UNKNOWN
<b>ARRESTS: DOMESTIC VIOLENCE-1</b>								

**WESTFIELD:**

CRIME	FILE #	RD	DATE	TIME	LOCATION	METHOD OF ENTRY	LOSS	ADDITIONAL INFORMATION
<b>NO CRIMES DURING THIS TIME</b>								
<b>NO ARRESTS DURING THIS TIME</b>								

## NOTICE OF CITY COUNCIL REORGANIZATION

**NOTICE IS HEREBY GIVEN** that at their meeting of December 3, 2013, the City Council of the City of Agoura Hills reorganized as follows:

William D. Koehler, Mayor	Term Expires December 2017
Illece Buckley Weber, Mayor Pro Tem	Term Expires December 2015
John M. Edelston, Councilmember	Term Expires December 2015
Harry Schwarz, Councilmember	Term Expires December 2017
Denis Weber, Councilmember	Term Expires December 2017

City Council meetings are held on the second and fourth Wednesday of each month, commencing at 6:00 p.m. in the Council Chambers of City Hall.

Address:	30001 Ladyface Court, Agoura Hills, CA 91301
Telephone:	(818) 597-7300
Facsimile:	(818) 597-7352
Website:	<a href="http://www.ci.agoura-hills.ca.us">www.ci.agoura-hills.ca.us</a>
Business Hours:	Monday through Thursday: 7:00 a.m. to 5:00 p.m. Friday: 7:00 a.m. to 4:00 p.m.

The following is a list of current City Officials and Sheriff/Fire Personnel:

City Officials:

Greg Ramirez, City Manager  
Candice K. Lee, City Attorney  
Candis Hong, City Treasurer  
Nathan Hamburger, Assistant City Manager  
Louis Celaya, Deputy City Manager  
Kimberly M. Rodrigues, City Clerk  
Amir Hamidzadeh, Building Official  
Amy Brink, Director of Community Services  
Christy Pinuelas, Director of Finance  
Mike Kamino, Director of Planning & Community Development  
Ramiro Adeva, Director of Public Works/City Engineer

Sheriff/Fire Personnel:

Captain Patrick Davoren, Los Angeles County Sheriff Department  
Anthony Whittle, Assistant Fire Chief, Division 7, Los Angeles County Fire Department

Dated this 4<sup>th</sup> day of December, 2013

/s/ Kimberly M. Rodrigues, MPPA, MMC  
City Clerk