

RESOLUTION NO. 2018-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, CALIFORNIA, CONDITIONALLY APPROVING REVISION “FFF” TO THE TRUMP NATIONAL GOLF COURSE PROJECT, TO 1) AMEND CONDITION F1.C OF CONDITIONAL USE PERMIT NO. 162 TO DELETE THE REQUIREMENT TO CONSTRUCT A PERIMETER WALL ADJACENT TO THE PORTUGUESE BEND CLUB; 2) CONSOLIDATE THE INDIVIDUAL SETS OF CONDITIONS OF APPROVAL INTO A COMPREHENSIVE SET OF CONDITIONS OF APPROVAL FOR COASTAL DEVELOPMENT PERMIT (RESOLUTION NO. 2016-08), CONDITIONAL USE PERMIT NOS. 162 (RESOLUTION NO. 2008-85) AND 163 (RESOLUTION NO. 2016-08), GRADING PERMIT NO. 1541 (RESOLUTION NO. 2016-38), VARIANCE (RESOLUTION NO. 2016-08), AND VESTING TENTATIVE TRACT MAP NO. 50666 (RESOLUTION NO. 2005-143); AND 3) AMEND THE 1997 PUBLIC AMENITIES PLAN UPDATING THE ALIGNMENT OF THE PUBLIC TRAILS (CASE NO. PLCU2018-0006).

WHEREAS, on June 1, 1992, the City Council adopted Resolution No. 92-53, certifying Environmental Impact Report (EIR) No. 36 and adopted Resolution Nos. 92-54, 92-55, 92-56, 92-57, approving Vesting Tentative Tract Map Nos. 50666 and 50667, Tentative Parcel Map Nos. 20970 and 23004, Conditional Use Permit Nos. 162 and 163, Coastal Development Permit (CDP) No. 103, and Grading Permit No. 1541 for a Residential Planned Development consisting of a total of 83 single-family dwelling units, an 18-hole public golf course, and public open space on 261.4 acres on what is now known as Trump National Golf Club (the “Project”); and,

WHEREAS, on August 12, 1992, after finding that an appeal of the City's approval of the project raised a substantial issue, the California Coastal Commission denied Coastal Permit No. 103, directed the landowners to redesign the Project to address the concerns raised by the Coastal Commission Staff, and remanded the Project back to the City of Rancho Palos Verdes for reconsideration; and,

WHEREAS, on December 7, 1992, the City Council adopted Resolution No. 92-115 approving the Addendum to Environmental Impact Report No. 36 and adopted Resolution Nos. 92-116, 92-117, 92-118 and 92-119 approving Revisions to Vesting Tentative Tract Map Nos. 50666 and 50667, Tentative Parcel Map Nos. 20970 and 23004, Conditional Use Permit Nos. 162 and 163, Coastal Permit No. 103, and Grading Permit No. 1541 to address concerns raised by the Coastal Commission with regard to adequate provisions for public open space, public access and habitat preservation; and,

WHEREAS, on April 15, 1993, the California Coastal Commission approved the Revised Project by way of Coastal Development Permit No. A-5-RPV-93-5 (i.e. Coastal Permit No. 103), subject to additional conditions of approval; and,

WHEREAS, on October 5, 1993, the City Council adopted Resolution No. 93-89 approving a second Addendum to Environmental Impact Report No. 36 and adopted Resolution Nos. 93-90, 93-91, 93-92 and 93-93 re-approving Vesting Tentative Tract Map Nos. 50666 and 50667, Tentative Parcel Map Nos. 20970 and 23004, Conditional Use Permit Nos. 162 and 163, and Grading Permit No. 1541 to comply with a Court mandate to provide affordable housing in conjunction with the project, pursuant to Government Code Section 65590; and,

WHEREAS, on November 5, 1993, the California Coastal Commission adopted revised and expanded findings in conjunction with the Revised Project; and,

WHEREAS, on September 6, 1994, the City Council adopted Resolution No. 94-71 approving a third Addendum to Environmental Impact Report No. 36 and adopted Resolution Nos. 94-72, 94-73, 94-74, 94-75, 94-76 and 94-77, approving Revision "A" to relocate the golf course clubhouse from the area southwest of the School District property to an area north of Half Way Point, locate the golf course maintenance facility and 4 affordable housing units southeast of the corner of Palos Verdes Drive South and Paseo Del Mar, reduce of the number of single family residential lots from 83 to 75 and increase the height of the golf course clubhouse from 30' to 48'; and,

WHEREAS, on January 12, 1995, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), thereby approving its first amendment to the permit, subject to revised conditions of approval; and,

WHEREAS, on September 27, 1995, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), thereby approving its second amendment to the permit; and,

WHEREAS, on February 1, 1996, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), thereby approving its third amendment to the permit; and,

WHEREAS, on March 11, 1996, the City Council adopted Resolution No. 96-15 approving a fourth Addendum to Environmental Impact Report No. 36 and adopted Resolution Nos. 96-16, and 96-17, approving Revision "B" to modify the approved alignment of Paseo del Mar ("A" Street/"J" Bluff Road), revise the Conditions of Approval regarding several public trails, and relocate the golf course clubhouse approximately 80' to the west of its previously approved location; and,

WHEREAS, on July 11, 1996, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), approving its fourth amendment to the permit, subject to revised conditions of approval; and,

WHEREAS, on September 3, 1996, the City Council adopted Resolution No. 96-72 approving a fifth Addendum to Environmental Impact Report No. 36 and adopted Resolution Nos. 96-73, 96-74, 96-75, 96-76 and 96-77, approving Revision "C" to relocate two single family residential lots in Vesting Tentative Tract Map No. 50667 from the end of Street "A" to the end of Street "C", revise the boundaries of open space Lots B, C, G and H, convert the split-level lots in Vesting Tentative Tract Map No. 50667 to single-level lots, revise the golf course layout, revise the public trail system, combine parallel trails easements, construct a paved fire access road west of the Ocean Terraces Condominiums and amend several Conditions of Approval and Mitigation Measures to modify the required timing for compliance; and,

WHEREAS, on September 9, 1997, the Planning Commission adopted P.C. Resolution No. 97-44 approving Revision "D" to amend Conditional Use Permit No. 162 (Residential Planned Development) to modify the minimum rear yard setbacks on Lot Nos. 6 through 9 to provide an adequate buffer between the proposed residences and the potential brush fires that may occur on the adjacent habitat area; and,

WHEREAS, on April 21, 1998, the City Council adopted Resolution No. 98-32 approving Revision "E" to amend Conditional Use Permit No. 163 (Golf Course) to modify the bonding requirements for the golf course improvements; and,

WHEREAS, on June 16, 1998, the City Council adopted Resolution No. 98-59, approving Revision "F" to modify the configuration of Streets "C" and "D" and Lot Nos. 1 through 13 of Vesting Tentative Tract Map No. 50667 for the final location of the Foundation Setback Line and revise Conditional Use Permit No. 162 (Residential Planned Development) to address maximum building height; and,

WHEREAS, on July 14, 1998, the Planning Commission adopted P.C. Resolution Nos. 98-26 and 98-27, recommending approval of Addendum No. 6 to EIR No. 36 and Revision "G" to Conditional Use Permit No. 163 to the City Council; and,

WHEREAS, on August 18, 1998, the City Council adopted Resolution No. 98-76 approving Addendum No. 6 to Environmental Impact Report No. 36 and adopted Resolution No. 98-77, approving Revision "G" to 1) increase the size of the clubhouse by 18% from 27,000ft² to 32,927ft²; 2) increase the size of the maintenance facility from 6,000ft² to 9,504ft²; 3) a 2' increase in the upslope height of the maintenance facility building; and, 4) relocate the maintenance building and reconfiguration of the maintenance facility parking lot; and,

WHEREAS, on February 2, 1999, the City Council adopted Resolution No. 99-10 approving Addendum No. 7 to Environmental Impact Report No. 36 and adopted Resolution No. 99-11, approving Revision "H" to change 6 of the residential lots within VTTM 50667 from flat pad lots to split level lots, lower the overall pad elevation for each lot, and lowering Street 'B' within the subdivision, lower the pad elevation for 6 other lots within the subdivision, and modify the project's mitigation measures and conditions of

approval to allow the permitted construction hours for the entire Ocean Trails project to be expanded to include Sundays through March 21, 1999; and,

WHEREAS, on May 4, 1999, the City Council adopted Resolution No. 99-29 approving Addendum No. 8 to Environmental Impact Report No. 35 and adopted Resolution No. 99-30, approving Revision "I" to change the design of the eastern portion of the golf course storm drain facilities from a tunneled pipe system to the existing on-site La Rotonda canyon; and,

WHEREAS, on June 2, 1999, Landslide C at the Ocean Trails site was re-activated; and,

WHEREAS, on July 20, 1999, the City Council adopted Resolution No. 99-55 approving Addendum No. 9 to Environmental Impact Report No. 36 and adopted Resolution Nos. 99-56, 99-57, 99-58, 99-59, and 99-60, approving Revision "J" to 1) revise the conditions requiring the establishment of a maintenance district by eliminating the maintenance district and having the golf course owner be the sole responsible entity for maintenance thereby excluding the future residential homeowners; 2) permit the timing of the installation of ornamental fencing on each residential lot be delayed until prior to issuance of certificate of occupancy; 3) lower certain residential building pads and convert certain flat level building pads to split-level pads in Vesting Tentative Tract Map No. 50666; 4) increase the total building area of the clubhouse by permitting a basement space; 5) revise the hours permitted for golf course landscape gardening and maintenance by allowing the owner to submit a Maintenance Plan; 6) delay the payment of traffic impact fees to prior to issuance of Building Permits for any residential structure located in Vesting Tentative Tract Map Nos. 50666 or 50667, whichever occurs first; and that the document titled "Ocean Trails Conceptual Public Amenities and Coastal Access Program, Rancho Palos Verdes Subregion No. 7" dated as received by the City on October 7, 1996 was approved as the final Public Amenities Plan, subject to various Conditions of Approval; and,

WHEREAS, in October 1999, Vesting Tract Map No. 50667 was recorded with the County of Los Angeles; and,

WHEREAS, on May 16, 2000, the City Council adopted Resolution No. 2000-27 approving Addendum No. 10 to Environmental Impact Report No. 36 and adopted Resolution No. 2000-28, approving Revision "K" to revise the Final Public Amenities Plan; approve a portion of the golf course to open for play before all of the required public amenities have been completed due to delays caused by the failure of Landslide C on June 2, 1999; move the maintenance building; sewer monitoring at Landslide A be done at least once every 30 days; and the City Geologist approve a monitoring program with respect to Landslide A; and,

WHEREAS, on June 21, 2000, the City Council adopted Resolution No. 2000-38 certifying a Final Supplemental Environmental Impact Report to Environmental Impact

Report No. 36, adopting a Mitigation Monitoring Program, adopting a Statement of Overriding Considerations, and adopted Resolution Nos. 2000-39 and 2000-40, approving Revision "L" to repair Landslide C; and,

WHEREAS, on July 18, 2000, the City Council approved Revision "M" to the Ocean Trails Project, approving an amendment to the Habitat Conservation Plan (HCP), an amendment to the HCP Implementing Agreement, and approval of a Conservation Easement over the lower portion of Shoreline Park; and,

WHEREAS, on September 5, 2000, the City Council adopted Resolution No. 2000-58, approving a Mitigated Negative Declaration and adopted Resolution No. 2000-59, approving Revision "N" to change the design of the western portion of the golf course drainage facilities from a tunneled pipe system to the existing onsite Forrestal Canyon; and,

WHEREAS, on September 5, 2000, the Applicant withdrew the request for Revision "O"; and,

WHEREAS, on February 20, 2001, the City Council adopted Resolution No. 2001-14, approving Addendum 11 to Environmental Impact Report No. 36 and adopted Resolution Nos. 2001-15, 2001-16, 2001-17, and 2001-18, approving Revision "P" to extend the time to provide 4 on-site affordable housing units for rent from "prior to one year of the opening of the clubhouse" to "prior to the opening of the 18-hole golf course"; and,

WHEREAS, on February 20, 2001, the City Council adopted Resolution No. 2001-11, approving Addendum 12 to Environmental Impact Report No. 36 and adopted Resolution Nos. 2001-12 and 2001-13, approving Revision "Q" to require the developer to reconstruct La Rotonda Drive rather than resurfacing a portion of Palos Verdes Drive South from La Rotonda Drive to the eastern City boundary; and,

WHEREAS, on September 4, 2001, the City Council adopted Resolution No. 2001-72, approving Addendum 13 to Environmental Impact Report No. 36 and adopted Resolution Nos. 2001-73 and 2001-74, approving Revision "R" to amend Condition I-3 of Vesting Tentative Tract Map Nos. 50666 and 50667, revising the deadline for the completion of La Rotonda Drive and setting a new completion date for the improvements to Palos Verdes Driver South; and,

WHEREAS, on October 16, 2001, the City Council adopted Ordinance 370 (Revision "S"), amending certain provisions of the Rancho Palos Verdes Municipal Code regarding the City's golf tax; and,

WHEREAS, on August 19, 2003, the City Council adopted Resolution No. 2003-70, approving Addendum 15 to Environmental Impact Report No. 36 and adopted Resolution No. 2003-71, approving Revision "T" Conditional Use Permit No. 163 for an

expansion to the Clubhouse Building; and,

WHEREAS, on November 5, 2003, the City Council adopted Resolution No. 2003-90, approving Addendum 16 to Environmental Impact Report No. 36 and adopted Resolution No. 2003-91, approving Revision "U" to Conditional Use Permit No. 163 for an expansion to the Clubhouse Building; and,

WHEREAS, on April 20, 2004, the City Council adopted Resolution No. 2004-27, approving Addendum 17 to Environmental Impact Report No. 36 and adopted Resolution Nos. 2004-28, 2004-29, 2004-30, and 2004-31, approving Revision "V" to amend Conditional Use Permit No. 163 to 1) exclude basement areas of one-story structures from the existing 30% "Maximum Habitable Space" requirement, but require that the basement habitable area be added to the first floor habitable area in complying with the "Maximum Habitable Space Square Footage" requirement; 2) change the height of Lot #2 to allow for a subterranean garage; and 3) permit the construction of retaining walls and access to the proposed subterranean garage; and,

WHEREAS, on June 7, 2005, the City Council adopted Resolution No. 2005-62, certifying a Mitigated Negative Declaration and adopted Resolution Nos. 2005-63, 2005-64, 2005-65, and 2005-66, approving Revision "W", amending Conditional Use Permit Nos. 162 and 163, Vesting Tentative Tract Map No. 50666, and Grading Permit No. 1541 to replace 16 residential lots with a new driving range in Vesting Tentative Tract Map No. 50666; and,

WHEREAS, on October 4, 2005, the City Council adopted Resolution No. 2005-104, approving Addendum No. 18 to Environmental Impact Report No. 36 and adopted Resolution No. 2005-105, approving Revision "X" amending Conditional Use Permit No. 162 to 1) allow a change in the maximum habitable area for lots 26 through 29 in Tract 50667; 2) allow a change in the maximum building height for lots 24 through 29 in Tract 50667; 3) allow lots 24, 25 and 29 in Tract 50667 to grade and construct improvements over existing 2:1 slope; 4) allow up to 30% of the front and rear façades of all two-story and split-level structures to have a full two-story façade; and 5) to decrease the lot area of Lot D within VTTM50666 from 1.4 acres to 1.0 acres; and,

WHEREAS, on December 20, 2005, the City Council adopted Resolution No. 2005-141, approving Addendum No. 19 to Environmental Impact Report No. 36 and adopted Resolution Nos. 2005-142, 2005-143, approving Revision "Y" to allow a temporary 3-month opening of the golf course and driving range to the public and continue the Indemnity Agreement and Easement Deed between the City and V.H. Property Corporation pertaining to the City's acceptance of "Public Trail Easements" and the resolution accepting said public trail easements to January 17, 2006; and,

WHEREAS, on April 18, 2006, the City Council adopted Resolution 2006-25, approving Addendum No. 20 to Environmental Impact Report No. 36 and adopted Resolution No. 2006-26, approving Revision "Z" to amend Grading Permit No. 1541 to

allow an additional 3-month extension of the operation of the golf course and driving range on a temporary basis and continued the public hearing for an amendment to Conditional Use Permit No. 163 to address Waterfall #1 and a new back tee at Hole #2 to the May 2, 2006 City Council meeting; and,

WHEREAS, on May 2, 2006, the City Council adopted Resolution No. 2006-31, approving Addendum No. 21 to Environmental Impact Report No. 36 and adopted Resolution No. 2006-32, approving Revision "Z", amending Conditional Use Permit No. 163 to allow a change in the golf course design to permit an increase in height for Waterfall #1 and new back tees on Hole #2; and,

WHEREAS, on July 18, 2006, the City Council adopted Resolution No. 2006-55, approving Addendum No. 22 to Environmental Impact Report No. 36 and adopted Resolution No. 2006-56, approving Revision "AA" to amend Grading Permit No. 1541 to allow an additional 3-month extension to the operation to the golf course and driving range; and,

WHEREAS, on October 17, 2006, the City Council adopted Resolution No. 2006-82, approving Addendum No. 23 to Environmental Impact Report No. 36 and adopted Resolution No. 2006-83, approving Revision "CC" to amend Grading Permit No. 1541 to allow an additional 3-month extension to the operation of the golf course and driving range; and,

WHEREAS, on February 6, 2007, the City Council adopted Resolution No. 2007-11, approving Addendum No. 24 to Environmental Impact Report No. 36 and adopted Resolution No. 2007-12, approving Revision "DD" to amend Grading Permit No. 1541 to allow an additional 2-month extension to the operation of the golf course and driving range; and,

WHEREAS, on March 6, 2007, the City Council adopted Resolution No. 2007-21, approving Addendum No. 25 to Environmental Impact Report No. 36 and adopted Resolution No. 2007-22, approving Revision "EE" to amend CUP No. 162 Conditions S-2 and S-3 to permit Lot 10 to have a building height of 26' as measured from the point of entry of a proposed subterranean garage level and exterior patio basement level, while the remainder of the one-story residence maintains the existing required building height of 16'; and,

WHEREAS, on March 20, 2007, the City Council adopted Resolution No. 2007-30, approving Addendum No. 26 to Environmental Impact Report No. 36 and adopted Resolution No. 2007-31, approving the appeal and Revision "BB" to Conditional Use Permit No. 162 and approving a Variance to allow a 70' tall flag pole; and,

WHEREAS, on April 17, 2007, the City Council approved a 4-week extension on the Special Use Permit for the driving range; continued the public hearing for review of the Revision "FF" to the May 1, 2007 City Council meeting; and directed Staff to bring

back the permanent opening of the Golf Course to City Council for final approval; and,

WHEREAS, on May 1, 2007, the City Council adopted Resolution No. 2007-50, approving Addendum No. 27 to Environmental Impact Report No. 36 and adopted Resolution No. 2007-57, approving Revision "FF" to Grading Permit 1541 to allow an additional 6-month extension to the operation of the driving range; and,

WHEREAS, on October 16, 2007, the City Council adopted Resolution No. 2007-112, approving Addendum No. 29 to Environmental Impact Report No. 36 and adopted Resolution No. 2007-113 approving Revision "HH" to Grading Permit 1541 to allow an extension to the operation of the driving range to December 4, 2007; and,

WHEREAS, on December 4, 2007, the City Council adopted Resolution No. 2007-125, approving Addendum No. 31 to Environmental Impact Report No. 36 and adopted Resolution No. 2007-126 approving Revision "KK" to Grading Permit 1541 to allow an extension to the operation of the driving range to January 18, 2008; and,

WHEREAS, on December 18, 2007, the City Council adopted Resolution No. 2007-132, denying Revision "GG" to Conditional Use Permit No. 163 for a 12'-high ficus hedge located at the western edge of the existing Driving Range; and,

WHEREAS, on January 16, 2008, the City Council adopted Resolution No. 2008-03, approving Addendum No. 32 to Environmental Impact Report No. 36 and adopted Resolution No. 2008-04 approving Revision "LL" to Grading Permit 1541 to allow an extension to the operation of the driving range to July 18, 2008; and,

WHEREAS, on May 20, 2008, the City Council adopted Resolution No. 2008-41, approving Addendum No. 34 to Environmental Impact Report No. 36 and adopted Resolution No. 2008-42 approving Revision "MM" to allow lot 17 of Tract 50667 to grade and construct improvements over existing 2:1 slopes; and,

WHEREAS, on July 15, 2008, the City Council adopted Resolution No. 2008-65, approving Addendum No. 35 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 475U approving Amendment No. 5 to extend the Development Agreement to October 22, 2008; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution No. 2008-66 approving Revision "NN" to Grading Permit 1541 to allow an extension to the operation of the driving range to October 22, 2008; and,

WHEREAS, on September 16, 2008, the City Council adopted Resolution No. 2008-84, approving Addendum No. 36 to Environmental Impact Report No. 36 and adopted Resolution No. 2008-85 approving Revision "OO" to allow lot 18 of Tract 50667 to grade and construct improvements over existing 2:1 slopes; and,

WHEREAS, on October 21, 2008, the City Council adopted Resolution No. 2008-

103, approving Addendum No. 37 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 480U, authorizing an extension to the Development Agreement to January 22, 2009; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution No. 2008-104, approving Revision "PP" to Grading Permit 1541 to allow an extension to the operation of the driving range to January 22, 2009; and,

WHEREAS, on January 21, 2009, the City Council adopted Resolution No. 2009-04, approving Addendum No. 38 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 482U, authorizing an extension to the Development Agreement to July 22, 2009; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution No. 2009-05, approving Revision "RR" to Grading Permit 1541 to allow an extension to the operation of the driving range to July 22, 2009; and,

WHEREAS, on September 15, 2009, the City Council adopted Resolution No. 2009-70, approving Addendum No. 39 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 499U, authorizing an extension to the Development Agreement to March 17, 2010; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution No. 2009-71, approving Revision "SS" to Grading Permit 1541 to allow an extension to the operation of the driving range to March 17, 2010; and,

WHEREAS, on March 16, 2010, the City Council adopted Resolution No. 2010-18, approving Addendum No. 40 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 507U, authorizing an extension to the Development Agreement to September 21, 2010; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution No. 2010-19, approving Revision "UU" to Grading Permit 1541 to allow an extension to the operation of the driving range to September 21, 2010; and,

WHEREAS, on September 21, 2010, the City Council adopted Resolution No. 2010-85, approving Addendum No. 41 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 515U, authorizing an extension to the Development Agreement to March 21, 2011; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution No. 2010-86, approving Revision "UU" to Grading Permit 1541 to allow an extension to the operation of the driving range to March 21, 2011; and,

WHEREAS, on March 15, 2011, the City Council adopted Resolution No. 2011-13, approving Addendum No. 42 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 519U, authorizing an extension to the Development Agreement to September 21, 2011; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution No. 2011-14, approving Revision "WW" to Grading Permit 1541 to allow an extension to the operation of the

driving range to September 21, 2011; and,

WHEREAS, on August 2, 2011, the City Council adopted Resolution No. 2011-61, denying Revision "TT" to Conditional Use Permit No. 163, for proposed ficus hedges on the driving range; and,

WHEREAS, September 20, 2011, the City Council adopted Resolution No. 2011-74, approving Addendum No. 43 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 525U, authorizing an extension to the Development Agreement to March 21, 2012; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution No. 2011-75, approving Revision "XX" to Grading Permit 1541 to allow an extension to the operation of the driving range to March 21, 2012; and,

WHEREAS, on November 1, 2011, the City Council received and filed a letter from the Trump Organization withdrawing their application for Revision "YY" for a proposed hedge at the western edge of the driving range; and,

WHEREAS, on January 31, 2012, the City Council adopted Resolution No. 2012-03, adopting Addendum No. 1 to Mitigated Negative Declaration; adopted Resolution No. 2012-04 approving Revision "ZZ" to Conditional Use Permit No. 163, to allow a New Zealand Christmas Tree hedge ranging in height from 6' to 9'-8" to be planted at the western edge of the driving range; and,

WHEREAS, on May 29, 2012, the City Council adopted Resolution No. 2012-37, approving Revision "QQ" to revise mitigation measures H-1, H-2, B-2, and B-4, to replace the approved retaining wall along an existing trail located parallel to and on the ocean side of the Driving Range's southerly berm with a fence, hedge or combination thereof, remove the operational aspects governing the Driving Range, and to change the timing of installation of 0.6 acres of Coastal Sage Scrub; and,

WHEREAS, on March 6, 2012, the City Council adopted Resolution No. 2012-18, approving Addendum No. 44 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 534U, authorizing an extension to the Development Agreement to September 21, 2012; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution No. 2012-19, approving Revision "AAA" to Grading Permit 1541 to allow an extension to the operation of the driving range to September 21, 2012; and,

WHEREAS, on August 7, 2012, the City Council adopted Resolution No. 2012-55, approving Addendum No. 45 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 537U, authorizing an extension to the Development Agreement to September 21, 2014; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution No. 2012-56, approving Revision "BBB" to Grading Permit 1541 to allow an extension to the operation of the

driving range to September 21, 2014; and,

WHEREAS, on May 21, 2013, the City Council adopted Resolution No. 2013-28, approving Addendum No. 2 to the Mitigated Negative Declaration; adopted Resolution No. 2013-29 approving Revision "CCC" to revise Condition K2-B of Conditional Use Permit No. 163 to delete the reference of the Applicant having to obtain Coastal Commission approval of the New Zealand Christmas Tree species for the proposed hedge on the driving range; and,

WHEREAS, on September 16, 2014, the City Council adopted Resolution No. 2014-60, approving Addendum No. 46 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 561U, authorizing an extension to the Development Agreement to September 21, 2016; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution No. 2014-61, approving Revision "DDD" to Grading Permit 1541 allow an extension to the operation of the driving range to September 21, 2016; and,

WHEREAS, on August 16, 2016, the City Council adopted Resolution No. 2016-36, approving Addendum No. 47 to Environmental Impact Report No. 36; adopted Urgency Ordinance No. 587U, authorizing an extension to the Development Agreement to September 21, 2018; extended Vesting Tentative Tract Map No. 50666 consistent with the term of the Development Agreement; and adopted Resolution Nos. 2016-37 and 2016-38, approving Revision "EEE" to Grading Permit 1541 to allow an extension to the operation of the driving range to September 21, 2018; and,

WHEREAS, on May 17, 2018, VH Property Corp. submitted an application requesting approval of Revision "FFF" to Conditional Use Permit 162 to amend Condition No. F1.C (Resolution No. 2008-85) to remove the requirement to build a solid 5' to 6' tall wall along the west property line adjacent to the properties in the Portuguese Bend Club; consolidate the Conditions of Approval tied to the Coastal Development Permit; and update the 1997 Public Amenities Map; and,

WHEREAS, on May 31, 2018, the Revision "FFF" was deemed complete, a public notice was mailed to all property owners within a 500' radius of the project site and published in the *Peninsula News*, and a list-serve message was sent to all subscribers informing them of the public hearing and availability of the public notice on the City's webpage; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the City of Rancho Palos Verdes determined that there is no substantial evidence that approving Revision "FFF" would result in a significant adverse effect on the environment that was not already considered in the previous Environmental

Impact Report No. 36 and Mitigated Negative Declaration; and

WHEREAS, on June 19, 2018, after notice issued pursuant to the provisions of the Development Code, the City Council held a public hearing to consider Revision “FFF”, at which time all interested parties were given an opportunity to be heard and present evidence.

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

Section 1: The above recitals are true and correct and are hereby incorporated into this Resolution as set forth herein.

Section 2: The approved Revision “FFF” consists of the following:

“a. Amend Condition No. F1.C of Resolution No. 2008-85 (Conditional Use Permit No. 162) to remove the requirement to build a solid 5’ to 6’ tall wall along the west property line adjacent to the properties in the Portuguese Bend Club.

b. Consolidate the individual sets of Conditions of Approval tied to the Trump National Golf Club development and Tracts 50666 and 50667 (Coastal Development Permit, Conditional Use Permit Nos. 162 and 163, Grading Permit No. 1541, Variance, and Vesting Tentative Tract Map No. 50666) into a single master set of Conditions of Approval.

c. Update the 1997 Public Amenities Plan to reflect the current configurations and locations of the existing trails and public amenities with no proposed changes to the types and widths of the original trails reflected in the 1997 Public Amenities Plan.”

Section 3: Pursuant to Municipal Code § 17.60.050 (Conditional Use Permits – Findings and Conditions), in approving the request for Revision “FFF” to Conditional Use Permit No. 162 the City Council hereby finds and determines that:

a. As approved through Revision EEE (Resolution Nos. 2016-37 and 2016-38), the City Council previously determined that the site is adequate in size and shape to accommodate the proposed hedge and for all of the yards, setbacks, walls, fences, landscaping and other features required by this title or by conditions imposed under this section to integrate said use with those on adjacent land and within the neighborhood. The approval of Revision “FFF” for a minor change to Condition F1.C of Conditional Use Permit No. 162 (Resolution No. 2008-85) to remove a requirement to construct a west perimeter wall as stated in Section 1 above does not change this determination.

- b. As approved through Revision EEE (Resolution Nos. 2016-37 and 2016-38), the City Council previously determined that the site for the proposed use relates to streets and highways sufficient to carry the type and quantity of traffic generated by the subject use. The approval of Revision “FFF” for a minor change to Condition F1.C of Conditional Use Permit No. 162 (Resolution No. 2008-85) to remove a requirement to construct a west perimeter wall as stated in Section 1 above does not change this determination.
- c. As previously approved by the City Council through Revision EEE (Resolution Nos. 2016-37 and 2016-38), the City Council previously determined that there will be no significant adverse effect on adjacent property or the permitted use thereof as a result of the project. The approval of Revision “FFF” for a minor change to Condition F1.C of Conditional Use Permit No. 162 (Resolution No. 2008-85) to remove a requirement to construct a west perimeter wall as stated in Section 1 above does not change this determination.
- d. As previously approved by the City Council through Revision EEE (Resolution Nos. 2016-37 and 2016-38), the City Council previously determined that the proposal is not contrary to the General Plan. The approval of Revision “FFF” for a minor change to Condition F1.C of Conditional Use Permit No. 162 (Resolution No. 2008-85) to remove a requirement to construct a west perimeter wall as stated in Section 1 above does not change this determination.
- e. As previously approved by the City Council through Revision EEE (Resolution Nos. 2016-37 and 2016-38), the City Council previously determined that the site is located within the "Natural", "Socio/cultural", and "Urban Appearance" overlay control districts established by Municipal Code Chapter 17.40, and golf course project complies with all applicable requirements of that chapter. The approval of Revision “FFF” for a minor change to Condition F1.C of Conditional Use Permit No. 162 (Resolution No. 2008-85) to remove a requirement to construct a west perimeter wall as stated in Section 1 above does not change this determination.
- f. As previously approved by the City Council through Revision EEE (Resolution Nos. 2016-37 and 2016-38), the City Council previously determined that necessary conditions to protect the health, safety and general welfare, have been imposed. Additionally, all of the property owners (except 1) abutting the west property line oppose the construction of the west perimeter wall and supports the Applicant's request to remove the requirement for said wall. The approval of Revision “FFF” for a minor change to Condition F1.C of Conditional Use Permit No. 162 (Resolution No. 2008-85) to remove a requirement to construct a west perimeter wall as stated in Section 1 above does not change this determination, and the following modification to Condition F1.C of Resolution No. 2008-85 shall take affect with this approval: (~~strikethrough text~~ for deleted text):

“F1.C. Vesting Tentative Tract Map No. 50666

1) A decorative fence, minimum height 5' and maximum height 6', which allows a minimum of 90% light and air to pass through shall be required along all street side setbacks and within all rear setback areas (along the rear and side property lines) of all private residential lots. If not specifically addressed above, said fencing shall be required along all property lines directly abutting common open space lots. Said fencing shall meet the minimum standard design requirements of pool fencing. Fencing located between the residential lots and the driving range shall be a maximum 6' high decorative wire mesh link with links small enough to ensure that golf balls from the driving range will not penetrate said fence. Any change to these criteria must be approved by the Director of Planning, Building and Code Enforcement. ~~In addition, a solid wall, minimum height 5' and maximum height 6', shall be required along the west side property line to buffer the public trails in the area from the adjacent residences in the Portuguese Bend Club. The final location, length and configuration of this solid wall shall be reviewed and approved by the City Council prior to the commencement of grading within the phase of the project adjacent to the Portuguese Bend Club.~~"

Section 4: The City Council has determined that the proposed 2018 Public Amenities Plan reflects the current alignment of existing trails and public amenities based on finished topography and the realignment is necessary based on the City Council-approved Revision "W" to allow the replacement of the 16 residential lots with a driving range. The proposed realignment on the 2018 Public Amenities Plan is relatively minor in that the bicycle path and pedestrian trails continue to be in the same general location as reflected in the 1997 Public Amenities Plan and complies with associated Condition Nos. L7 and L8 of Resolution No. 2005-143. No changes are proposed to the approved types and widths of bicycle paths and pedestrian trails.

Section 5: The City Clerk shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and her certification to be entered in the Book of Resolutions of the City Council.

Section 6: The time within which judicial review of the decision reflected in this Resolution must be sought is governed by Section 1094.6 of the California Code of Civil Procedure or other applicable short periods of limitation.

PASSED, APPROVED, and ADOPTED this 19st day of June 2018.



Mayor

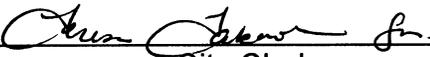
ATTEST:



City Clerk

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

I, Emily Colborn, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the above Resolution No. 2018-39, was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on June 19, 2018.



City Clerk

Resolution No. 2018-39 Exhibit A was not printed on book paper as it is 62 pages

Please refer to Laserfiche for a copy or City Clerk W drive for a Word version