

City of Rancho Palos Verdes ENVIRONMENTAL CHECKLIST FORM



1. Project title:

Zone 2 Landslide Moratorium Ordinance Revisions
Planning Case No. ZON2009-00007
(Code Amendment and Environmental Assessment)
SCH No. 2009021050

2. Lead agency name/ address:

City of Rancho Palos Verdes
Department of Planning, Building & Code Enforcement
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275

3. Contact person and phone number:

Kit Fox, AICP, Associate Planner
City of Rancho Palos Verdes
(310) 544-5228

4. Project location:

Sixteen (16) *Monks* Plaintiffs' Lots in "Zone 2" of the Landslide Moratorium Area (as depicted in Figure 1 and Table 1)
City of Rancho Palos Verdes
County of Los Angeles

5. Project sponsor's name and address:

City of Rancho Palos Verdes
Department of Planning, Building & Code Enforcement
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275

6. General plan designation:

Residential, ≤ 1 DU/acre and Residential, 1-2 DU/acre

7. Coastal plan designation:

Not applicable

8. Zoning:

RS-1 and RS-2

9. Description of project:

The proposed "Zone 2 Landslide Moratorium Ordinance Revisions" would create a new exception category in the City's Landslide Moratorium Ordinance (Chapter 15.20 of the Rancho Palos Verdes Municipal Code) to allow the development of sixteen (16) undeveloped lots in Zone 2 of the City's Landslide Moratorium Area. This action is in response to the California State Court of Appeal's decision in the case of *Monks v. Rancho*

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Palos Verdes, which found that the City's prohibition against the development of undeveloped lots in Zone 2 was a taking and an impermissible impediment to the development of the plaintiffs' lots. Within Zone 2, there are currently forty-seven (47) undeveloped lots, of which sixteen (16) lots are owned by the plaintiffs in the *Monks* case. The proposed exception category would apply only to the *Monks* plaintiffs' sixteen (16) lots

The proposed substantive revisions to the Landslide Moratorium Ordinance include the addition of subsection P to Section 15.20.040 (Exceptions), to wit:

The construction of residential buildings, accessory structures, and minor grading (as defined in Section 17.76.040.B.1 of the Rancho Palos Verdes Municipal Code) on the sixteen (16) undeveloped lots identified as "Monks plaintiffs' lots" in Zone 2 of the "Landslide Moratorium Area" as outlined in green on the landslide moratorium map on file in the Director's office; provided, that a landslide moratorium exception permit is approved by the Director, and provided that the project complies with the criteria set forth in Section 15.20.050 of this Chapter. Such projects shall qualify for a landslide moratorium exception permit only if all applicable requirements of this Code are satisfied, and the parcel is served by a sanitary sewer system. If the Director of Public Works determines that the sanitary sewer system cannot accommodate the project at the time of building permit issuance, the project shall be connected to a City-approved holding tank system until such time as the sanitary sewer system can accommodate the project. In such cases, once the sanitary sewer system becomes available to serve the project, as determined by the Director of Public Works, the holding tank system shall be removed, and the project shall be connected to the sanitary sewer system. Prior to the issuance of a landslide moratorium exception permit, the applicant shall submit to the Director any geological or geotechnical studies reasonably required by the City to demonstrate to the satisfaction of the City geotechnical staff that the proposed project will not aggravate the existing situation.

Non-substantive revisions to the Landslide Moratorium Ordinance that are also proposed include the addition of cross-references to the new subsection P and the map of Zone 2 in Sections 15.20.050 (Landslide Mitigation Measures Required), 15.20.060 (Application) and 15.20.110 (Required Connection to Operational Sanitary Sewer System).

10. Description of project site (as it currently exists):

The project site measures approximately one hundred twelve (112) acres and consists of one hundred eleven (111) lots, of which sixty-four (64) lots are developed and forty-seven (47) lots are undeveloped. Of these undeveloped lots, sixteen (16) lots are owned by *Monks* plaintiffs, which are the subject of the proposed Code Amendment. The vast majority of the developed lots are improved with single-family residences and related accessory structures and uses. The largest developed lot in Zone 2 is occupied by the Portuguese Bend Riding Club, a nonconforming commercial stable that was established prior to the City's incorporation in 1973. Private streets within Zone 2 are maintained by the Portuguese Bend Community Association. The majority of the undeveloped lots contain non-native vegetation, and some have small, non-habitable structures (i.e., sheds, stables, fences, etc.) for horsekeeping or horticultural uses.

11. Surrounding land uses and setting:

	Land Uses	Significant Features
On-site	Developed and undeveloped residential lots in the <i>Portuguese Bend</i> community, including the Portuguese Bend Riding Club	See description above.
Northeast	Developed residential lots in the <i>Portuguese Bend</i> community and City-owned open space land in the Portuguese Bend Reserve of the Palos Verdes Nature Preserve	Three (3) developed residential lots are located at the northeast corner of Narcissa Drive and Vanderlip Drive, within Zone 1 of the Landslide Moratorium Area. The Portuguese Bend Reserve, acquired by the City in 2005 and also within Zone 1, contains a variety of natural vegetation communities and is a part of the larger Palos Verdes Nature Preserve.
Northwest & West	Developed residential lots in the <i>Portuguese Bend</i> community and vacant, residentially-zoned land owned by York Long Point Associates (Upper & Lower Filiorum)	The Vanderlip Estate is located at the northerly terminus of Vanderlip Drive, within Zone 1 of the Landslide Moratorium Area. Also within Zone 1 are the Filiorum properties. Upper Filiorum contains a variety of natural vegetation communities, and the City is in on-going negotiations to acquire this property as an extension of the larger Palos Verdes Nature Preserve. Lower Filiorum is the subject of a current application for a Moratorium Exclusion to allow for future residential development.
South, Southeast & East	Developed and undeveloped residential lots in the <i>Portuguese Bend</i> community	Surrounding lots in these areas are located in Zone 5 (the area affected by the 1978 Abalone Cove landslide), Zone 6 (the active Portuguese Bend landslide area) and Zone 3 (located between Altamira Canyon and the westerly edge of the Portuguese Bend landslide area). Some existing residences in these areas have experienced distress as the result and past and current land movement.

12. Other public agencies whose approval is required:

None.

Figure 1
Aerial Photo and Boundary of "Zone 2," Identifying *Monks Plaintiffs' Lots*



Table 1
List of Monks Plaintiffs' Undeveloped Lots

Assessor's Parcel No.	Legal Description	Owner(s)
7572-002-029	Parcel 1, Parcel Map 8947	Vanderlip
7572-009-005	Lot 20, Block 3, Tract 14195	Monks
7572-009-006	Lot 21, Block 3, Tract 14195	Monks
7572-009-007	Lot 22, Block 3, Tract 14195	Haber
7572-009-014	Lot 7, Block 4, Tract 14195	Stewart
7572-009-021	Lot 14, Block 4, Tract 14195	Barnett
7572-010-011	Lot 3, Block 3, Tract 14195	Smith
7572-010-012	Lot 4, Block 3, Tract 14195	Broz
7572-010-021	Lot 13, Block 3, Tract 14195	Ruth
7572-010-022	Lot 14, Block 3, Tract 14195	Agahie
7572-010-024	Lot 16, Block 3, Tract 14195	Case
7572-010-025	Lot 17, Block 3, Tract 14195	Clark
7572-010-026	Lot 18, Block 3, Tract 14195	Cruce & Compton
7572-010-027	Lot 19, Block 3, Tract 14195	Tabor
7572-011-008	Lot 8, Tract 14500	Teh
7572-011-009	Lot 9, Tract 14500	Kiss

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicted by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION:

On the basis of this initial evaluation:

- I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required but must analyze only the effects that remain to be addressed.
- I find that, although the proposed project could have a significant effect on the environment, because all potentially significant effects, (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed on the proposed project, nothing further is required.

Signature:  Date: August 10, 2009

Printed Name: Kit Fox, Associate Planner For: City of Rancho Palos Verdes

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EVALUATION OF ENVIRONMENTAL IMPACTS:

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:					
a) Have a substantial effect on a scenic vista?	1				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historical buildings, within a state scenic highway?	8			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	11		X		
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	11		X		
Comments:					
<p>a) The <i>Monks</i> plaintiffs' lots in Zone 2 do not fall within any scenic vista identified in the City's General Plan. As such, the proposed project will have no substantial effect upon a scenic vista.</p>					
<p>b) The approval of the proposed project could lead to the potential, future development of up to sixteen (16) single-family residences on lots that have remained undeveloped since they were created in the late 1940s. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. Since these lots are undeveloped, there are no historical buildings or other structures that could be damaged as a result of the approval of the proposed project, although it is possible that some mature shrubs and trees might be removed as a result of future development. As such, damage to any scenic resources as a result of the proposed project will be less than significant.</p>					
<p>c) The approval of the proposed project could lead to the future development of up to sixteen (16) single-family residences on lots that have remained undeveloped since they were created in the late 1940s. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. The development of these lots may alter the semi-rural visual character of Zone 2 by increasing the number and density of man-made structures in the neighborhood. Therefore, in order to reduce the visual character impacts of the proposed project to less-than-significant levels, the following mitigation measure is recommended:</p> <p><u>AES-1:</u> All new residences shall be subject to neighborhood compatibility analysis under the provisions of Section 17.02.030.B (Neighborhood Compatibility) of the Rancho Palos Verdes Municipal Code.</p>					
<p>d) The approval of the proposed project could lead to the future development of up to sixteen (16) single-family residences on lots that have remained undeveloped since they were created in the late 1940s. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. Zone 2 is a semi-rural area and does not have street lights, so nighttime illumination of the neighborhood is generally limited to exterior lighting for existing single-family residences. The potential construction of sixteen (16) new single-family residences will increase the amount of nighttime lighting in the neighborhood. Therefore, in order to reduce the light and glare impacts of the proposed project to less-than-significant levels, the following mitigation measure is recommended:</p> <p><u>AES-2:</u> Exterior illumination for new residences shall be subject to the provisions of Section 17.56.030 (Outdoor Lighting for Residential Uses) of the Rancho Palos Verdes Municipal Code.</p>					

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Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
2. AGRICULTURE RESOURCES¹. Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use?	8				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	8				X
c) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland, to a non-agricultural use?	8				X
Comments:					
a-c) The <i>Monks</i> plaintiff's lots in Zone 2 are zoned for single-family residential use at densities of up to two (2) dwelling units per acre (i.e., RS-1 and RS-2). Fifteen (15) of the <i>Monks</i> plaintiffs' lots are zoned RS-2 with the remaining lot zoned RS-1. Although non-commercial agricultural use is permitted in these zones, there is no agricultural use in the area at present. The approval of the proposed project could lead to the future development of up to sixteen (16) single-family residences on lots that have remained undeveloped since they were created in the late 1940s. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. Furthermore, none of these lots qualify as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, nor are any of the lots in Zone 2 subject to a Williamson Act contract. Therefore, the proposed project will have no impact upon agricultural resources.					
3. AIR QUALITY². Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	3		X		
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	3		X		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	3		X		
d) Expose sensitive receptors to substantial pollutant concentrations?	3		X		

¹ In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the Californian Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as a optional model to use in assessing impacts on agriculture and farmland.

² Where available, the significant criteria established by the applicable air quality management or air pollution control districts may be relied upon to make the following determinations.

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e) Create objectionable odors affecting a substantial number of people?	2, 11			X	
<p>Comments:</p> <p>a-d) The <i>Monks</i> plaintiffs' lots in Zone 2 are located within the South Coast Air Basin, which is an area of non-attainment for Federal air quality standards for ozone (O₃), carbon monoxide (CO), and suspended particulate matter (PM¹⁰ and PM^{2.5}). The proposed project would limit the amount of non-remedial grading for the development of up to sixteen (16) new single-family residences to less than fifty cubic yards (50 CY) each, for a cumulative total of less than 800 cubic yards. The sixteen (16) undeveloped <i>Monks</i> plaintiffs' lots in Zone 2 are owned by fifteen (15) separate private individuals or entities. Since the subject lots are owned by numerous individual owners, they are very unlikely to be developed concurrently, but rather on a piecemeal basis over a period of many years. The average site size for the undeveloped lots in Zone 2 is one (1) acre. The movement of soil and the operation of construction equipment have the potential to create short-term construction-related air quality impacts upon nearby sensitive receptors, such as single-family residences. Based upon the South Coast Air Quality Management District (SCAQMD) guidelines for estimating air quality impacts from construction activities, the development of individual 1-acre parcels would not exceed Localized Significance Thresholds (LSTs) for nitrous oxides (NO_x), CO, PM¹⁰ or PM^{2.5}. In a "worst case" scenario wherein all of the undeveloped lots were developed simultaneously, the total quantity of earth movement would still be less than 800 cubic yards, and with the imposition of the recommended mitigation measures, the impacts of this grading would still be less than significant. In addition, some of the proposed residences might have fireplaces. SCAQMD has adopted rules regulating wood-burning devices, which include a prohibition against the installation of wood-burning fireplaces in new construction beginning in March 2009. Therefore, in order to reduce the air quality impacts of the proposed project to less-than-significant levels, the following mitigation measures are recommended:</p> <p><u>AIR-1:</u> During construction, the applicant shall be responsible for the implementation of all dust and erosion control measures required by the Building Official.</p> <p><u>AIR-2:</u> Trucks and other construction vehicles shall not park, queue and/or idle at the project sites or in the adjoining public or private rights-of-way before 7:00 AM, Monday through Saturday, in accordance with the permitted hours of construction stated in Section 17.56.020.B of the Rancho Palos Verdes Municipal Code.</p> <p>e) Since the zoning of the <i>Monks</i> plaintiffs' lot in Zone 2 does not permit industrial or commercial uses, no objectionable odors are expected to be generated as a result of the proposed project.</p>					
<p>4. BIOLOGICAL RESOURCES. Would the project:</p>					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	6, 8		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	6, 8		X		

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c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means?	6, 8		X		
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	6, 8			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	11			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	6		X		

Comments:

a-c, f) According to the City's vegetation maps, fourteen (14) of the *Monks* plaintiffs' lots are depicted as "Developed" or "Disturbed," with some smaller patches of "Grassland" and "Exotic Woodland." These vegetation communities are generally not identified as sensitive by State and Federal resource agencies. However, two (2) of the *Monks* plaintiffs' lots in the upper reaches of Altamira Canyon contain patches of coastal sage scrub (CSS) habitat. Several of the undeveloped lots in Zone 2—including seven (7) of the *Monks* plaintiffs' lots—abut the City-owned Portuguese Bend Reserve or the privately-owned Filiorum properties, both of which contain more substantial and cohesive patches of CSS habitat nearby. The Portuguese Bend Preserve is currently a part of the City's larger Palos Verdes Nature Reserve, and the City has been actively pursuing the acquisition of portions of the Upper Filiorum property for inclusion in the Reserve for many years. As such, it is possible that the development of at least seven (7) of the *Monks* plaintiffs in Zone 2 might have significant impacts upon sensitive CSS habitat, either through the direct removal of habitat during construction or as a result of Fire Department-mandated fuel modification on- and/or off-site (i.e., in the Reserve) after construction of new residences is complete. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. Nevertheless, in order to reduce the biological resources impacts of the proposed project to less-than-significant levels, the following mitigation measure is recommended:

BIO-1: For lots that are identified as containing sensitive habitat on the City's most-recent vegetation maps and/or that abut any portion of the current or proposed future boundary of the Palos Verdes Nature Preserve, the applicant shall be required to prepare a biological survey as a part of a complete application for the construction of a new, single-family residence. Said survey shall identify the presence or absence of sensitive plant and animal species on the subject property, and shall quantify the direct and indirect impacts of the construction of the residence upon such species, including off-site habitat impacts as a result of Fire Department-mandated fuel modification. The applicant and/or any successors in interest to the subject property shall be required to mitigate such habitat loss through the payment of a mitigation fee to the City's Habitat Restoration Fund.

d) According to the City's vegetation maps, fourteen (14) of the *Monks* plaintiffs' lots are depicted as "Developed" or "Disturbed," with some smaller patches of "Grassland" and "Exotic Woodland." These vegetation communities are generally not identified as sensitive by State and Federal resource agencies. Although there are patches of "Exotic

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<p>Woodland" and CSS habitat on two (2) <i>Monks</i> plaintiffs' lots along Altamira Canyon, these patches are small and isolated, providing limited connectivity for movement or migration. As such, the impact of the proposed project upon wildlife corridors is expected to be less than significant.</p> <p>e) The City has a Coastal Sage Scrub Conservation and Management Ordinance, which is codified as Chapter 17.41 of the Rancho Palos Verdes Municipal Code. This ordinance only applies to parcels over two (2) acres in size that contain CSS habitat. Only one (1) of the <i>Monks</i> plaintiffs' lots exceeds this size threshold and contains CSS habitat. As such, any conflicts of the proposed project with local policies or ordinances protecting biological resources are expected to be less than significant.</p>					
<p>5. CULTURAL RESOURCES Would the project:</p>					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	8				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	5		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	5		X		
d) Disturbed any human remains, including those interred outside of formal cemeteries?	5		X		
<p>Comments:</p> <p>a) The approval of the proposed project could lead to the potential, future development of up to sixteen (16) single-family residences on undeveloped lots. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. Nevertheless, since the lots have remained undeveloped since their creation in the late 1940s, their potential, future development would have no impact upon any historical resources.</p> <p>b-d) According to the City's Archaeology Map, the subject site is within a possible area of archaeological resources. The approval of the proposed project would only permit shallow surface excavations less than five feet (5'-0") in depth. In addition, past disking and brush clearance of these undeveloped lots have repeatedly disturbed the ground surface over a period of many years. Nevertheless, it is possible that subsurface cultural resources may exist on some of the <i>Monks</i> plaintiffs' lots in Zone 2. Therefore, in order to reduce the cultural resources impacts of the proposed project to less-than-significant levels, the following mitigation measure is recommended:</p> <p><u>CUL-1:</u> Prior to the issuance of a grading permit, the applicant shall consult with the South Central Coastal Information Center (SCCIC) regarding any known archaeological sites on or within a half-mile radius of the subject property.</p> <p><u>CUL-2:</u> Prior to the issuance of a grading permit, the applicant shall conduct a Phase 1 archaeological survey of the property. The survey results shall be provided to the Director of Planning, Building and Code Enforcement for review prior to grading permit issuance.</p> <p><u>CUL-3:</u> Prior to the commencement of grading, the applicant shall retain a qualified paleontologist and archeologist to monitor grading and excavation. In the event undetected buried cultural resources are encountered during grading and excavation, work shall be halted or diverted from the resource area and the archeologist and/or paleontologist shall evaluate the remains and propose appropriate mitigation measures.</p>					

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6. GEOLOGY/SOILS. Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? ³			X		
ii) Strong seismic ground shaking?			X		
iii) Seismic-related ground failure, including liquefaction?			X		
iv) Landslides?			X		
b) Result in substantial soil erosion or the loss of topsoil?				X	
c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X		
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), thus creating substantial risks to life or property?			X		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?				X	
Comments:					
<p>a, c-d) The proposed project could result in up to 800 cubic yards of grading related to the construction of up to sixteen (16) new single-family residences. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. The maximum permitted depth of cut and/or fill for such grading would be less than five feet (<5'-0"). The <i>Monks</i> plaintiffs' lots are located in so-called "Zone 2," which is a subarea within the larger Landslide Moratorium Area of the City. According to the Official Maps of Seismic Hazard Zones provided by the State of California Department of Conservation, the entirety of Zone 2 is located within an area that is potentially subject to earthquake-induced landslides. The subject properties are within the vicinity of the Palos Verdes fault zone, although there is no evidence of active faulting within Zone 2. The soils of the Palos Verdes Peninsula are also generally known to be expansive and occasionally unstable. Given the known and presumed soils conditions in and around the <i>Monks</i> plaintiffs' lots in Zone 2, it is expected that soil investigations, reviewed and conceptually approved by the City's geotechnical consultant, will be required prior to the development of any new residences. Therefore, in order to reduce</p>					

³ Refer to Division of Mines and Geology Special Publication 42.

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<p>the geology/soils impacts of the proposed project to less-than-significant levels, the following mitigation measures are recommended:</p> <p>GEO-1: If required by the City geotechnical staff, the applicant shall submit a soils report, and/or a geotechnical report, for the review and approval of the City geotechnical staff.</p> <p>GEO-2: The applicant shall submit for recordation a covenant agreeing to construct the project strictly in accordance with the approved plans; and agreeing to prohibit further projects on the subject site without first filing an application with the Director pursuant to the terms of Chapter 15.20 of the Rancho Palos Verdes Municipal Code. Such covenant shall be submitted to the Director for recordation prior to the issuance of a building permit.</p> <p>GEO-3: All other necessary permits and approvals required pursuant to the Rancho Palos Verdes Municipal Code or any other applicable statute, law or ordinance shall be obtained.</p> <p>b) During grading and construction operations for any new residences, top soil will be exposed and removed from individual properties. It is the City's standard practice to require the preparation and implementation of an erosion control plan for wind- and waterborne soil for construction projects. The approval of the proposed project will not grant any entitlement to develop these lots. Nevertheless, in order to reduce the erosion impacts of the proposed project to less-than-significant levels, the following mitigation measures are recommended:</p> <p>GEO-4: Prior to building permit issuance, the applicant shall prepare an erosion control plan for the review and approval of the Building Official. The applicant shall be responsible for continuous and effective implementation of the erosion control plan during project construction.</p> <p>e) The City has constructed a sanitary sewer system that serves the <i>Monks</i> plaintiffs' lot in Zone 2 and other areas of the <i>Portuguese Bend</i> community. The purpose of constructing this system was to reduce the amount of groundwater within the Landslide Moratorium Area by eliminating the use of private septic systems, with the ultimate goal of slowing or stopping land movement. New residences that may be constructed on the <i>Monks</i> plaintiffs' lot in Zone 2 in the future will be required to connect to either the existing sanitary sewer system or to an approved holding tank system if the sanitary sewer system is not available at the time of building permit issuance. In such cases, if the sanitary sewer system later becomes available, the holding tank system shall be removed and a connection made to the sanitary sewer system. With these requirements, any geology/soils impacts related to septic systems will be less than significant.</p>					
<p>7. GREENHOUSE GAS EMISSIONS. Would the project:</p>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?				X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				X	
<p>Comments:</p> <p>a) The approval of the proposed project could lead to the future development of up to sixteen (16) single-family residences on undeveloped lots. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. Based upon data obtained from <i>CoolCalifornia.org</i>, the average California household generates thirty-eight (38) tons of carbon dioxide (CO₂) emissions annually. For the proposed project, this could result in increased CO₂ output of at least 608 tons per year at the complete build-out of the <i>Monks</i> plaintiffs' lots in Zone 2. Currently, there are no generally-accepted significance thresholds for assessing greenhouse gas (GHG) emissions. However, the potential, future development of residences on the <i>Monks</i> plaintiffs' lots in Zone 2 would include features that tend to offset the carbon footprint of their development. For example, the use of water would continue to be carefully controlled within the Landslide Moratorium Area in the interest of minimizing the infiltration of groundwater as a means to enhance soil stability. Reducing the use of water reduces energy use related to the transport of water. New</p>					

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<p>residences would be constructed to the most current energy efficiency standards of the current Building Code (i.e., Title 24). The development of new homes on the <i>Monks</i> plaintiffs' lots in Zone 2 would tend to counteract the negative effects of sprawl by "in-filling" an established residential neighborhood rather than converting raw land to urban use. For all of these reasons, the GHG emissions associated with the proposed project would be less than significant.</p> <p>b) California's major initiatives for reducing climate change or greenhouse gas (GHG) emissions are outlined in Assembly Bill 32 (signed into law in 2006), a 2005 Executive Order and a 2004 Air Resources Board (ARB) regulation to reduce passenger-car GHG emissions. These efforts aim at reducing GHG emissions to 1990 levels by 2020 (a reduction of approximately 30 percent) and then an 80-percent reduction below 1990 levels by 2050. Currently, there are no adopted plans, policies or regulations for the purpose of reducing GHG emissions for the development of new, single-family residences. However, as such plans, policies and regulations are adopted in the future, the development of new homes on the <i>Monks</i> plaintiffs' lots in Zone 2 would be subject to and consistent with them. For this reason, the GHG emissions associated with the proposed project would be less than significant.</p>					
<p>8. HAZARDS & HAZARDOUS MATERIALS. Would the project:</p>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	8				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	12				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	8				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	8				X

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g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	13			X	
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	9		X		
<p>Comments:</p> <p>a-b) The approval of the proposed project could lead to the future development of up to sixteen (16) single-family residences on lots that have remained undeveloped since they were created in the late 1940s. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. Said potential, future development could also involve up to 800 cubic yards of grading. No hazardous materials or conditions are known or expected to exist on any of the <i>Monks</i> plaintiffs' lots in Zone 2. The potential, future development of these lots is expected to utilize conventional, residential construction methods and materials that would not involve the use or transport of hazardous materials. Therefore, the hazards and hazardous materials impacts of the proposed project are expected to be less than significant.</p> <p>c) The nearest school in the vicinity of the <i>Monks</i> plaintiffs' lots in Zone 2 is the Portuguese Bend Nursery School at Abalone Cove Shoreline Park. At its closest point, Zone 2 is approximately one-third (1/3) of a mile from the nursery school.</p> <p>d) None of the <i>Monks</i> plaintiffs' lots in Zone 2 are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.</p> <p>e-f) The <i>Monks</i> plaintiffs' lots in Zone 2 are not located within two (2) miles of Torrance Municipal Airport or in the vicinity of any private airstrip.</p> <p>g) In 2004, the cities of Rancho Palos Verdes and Rolling Hills Estates adopted a Joint Natural Hazards Mitigation Plan (JNHMP). The purpose of the JNHMP is "to promote sound public policy designed to protect citizens, critical facilities, infrastructure, private property, and the environment from natural hazards." The approval of the proposed project is not incompatible with the purpose of the JNHMP.</p> <p>h) Based upon the most recent maps prepared by the California Department of Forestry and Fire Protection (CalFire), the entire Palos Verdes Peninsula is within a Very High Fire Hazard Severity Zone. The <i>Monks</i> plaintiffs' lots in Zone 2 are generally interspersed between developed lots. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. The Zone 2 area does abut City- and privately-owned open areas to the north and west. Therefore, in order to reduce the wildfire hazard impacts of the proposed project to less-than-significant levels, the following mitigation measure is recommended:</p> <p>HAZ-1: New, single-family residences and related accessory structures shall be designed to incorporate all fire protection requirements of the City's most recently adopted Building Code, to the satisfaction of the Building Official.</p>					
<p>9. HYDROLOGY/WATER QUALITY. Would the project:</p>					
a) Violate any water quality standards or wastewater discharge requirements?			X		

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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?					X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X		
d) Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			X		
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X		
f) Otherwise substantially degrade water quality?			X		
g) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?	8				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	8				X
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	8				X
j) Inundation by seiche, tsunami, or mudflow?	8				X
Comments: a, c-f) The potential, future development of up to sixteen (16) single-family residences would alter the topography of the <i>Monks plaintiffs'</i> lots in Zone 2 and increase the amount of impermeable surface area. However, the approval of the					

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<p>proposed project will not directly grant any entitlement to develop these lots. Potential, future development will result in changes to the current drainage patterns of the area, as well as the potential for erosion and run-off during construction. The <i>Monks</i> plaintiffs lots in Zone 2 fall within or adjacent to a designated Environmentally Sensitive Area (ESA) that would require the review and approval by the City's National Pollutant Discharge Elimination System (NPDES) consultant for any project involving the creation of two thousand five hundred square feet or more ($\geq 2,500$ SF) of impervious surface. Therefore, in order to reduce the hydrology/water quality impacts of the proposed project to less-than-significant levels, the following mitigation measures are recommended:</p> <p>HYD-1: Any development proposal located within, adjacent to or draining into a designated Environmentally Sensitive Area (ESA) and involving the creation of two thousand five hundred square feet or more ($\geq 2,500$ SF) of impervious surface shall require the review and approval by the City's National Pollutant Discharge Elimination System (NPDES) consultant prior to building permit issuance.</p> <p>HYD-2: If lot drainage deficiencies are identified by the Director of Public Works, all such deficiencies shall be corrected by the applicant.</p> <p>HYD-3: Roof runoff from all buildings and structures on the site shall be contained and directed to the streets or an approved drainage course.</p> <p>HYD-4: All landscaping irrigation systems shall be part of a water management system approved by the Director of Public Works. Irrigation for landscaping shall be permitted only as necessary to maintain the yard and garden.</p> <p>b) The potential, future development of up to sixteen (16) single-family residences will not involve or require the withdrawal of groundwater because water service to these properties will be provided by the California Water Service Company.</p> <p>g-h) There are no Federally-mapped 100-year flood hazard areas in the City of Rancho Palos Verdes.</p> <p>i) There is no dam or levee anywhere in the vicinity of the <i>Monks</i> plaintiffs' lots in Zone 2.</p> <p>j) The <i>Monks</i> plaintiffs' lots in Zone 2 do not adjoin an ocean, lake or other body of water, so there is no risk of inundation by seiche, tsunami or mudflow. Furthermore, the lowest elevation of any portion of any undeveloped lot in Zone 2 is roughly 260 feet above mean sea level (MSL).</p>					
10. LAND USE/PLANNING. Would the project:					
a) Physically divide an established community?	8, 2				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	1, 2				X
c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?	6		X		
<p>Comments:</p> <p>a) The approval of the proposed project could lead to the potential, future development of up to sixteen (16) single-family residences on lots that have remained undeveloped since they were created in the late 1940s. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. These lots are interspersed with the sixty-four (64) developed lots and the thirty-one (31) other undeveloped lots in Zone 2. The development of the <i>Monks</i> plaintiffs' lots would not divide the <i>Portuguese Bend</i> community; rather, they would constitute "in-fill" development within the community.</p>					

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<p>b) The approval of the proposed project could lead to the potential, future development of up to sixteen (16) single-family residences on lots that have remained undeveloped since they were created in the late 1940s. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. Underlying zoning designations for the <i>Monks</i> plaintiffs' lot in Zone 2 (i.e., RS-1 and RS-2) allow single-family residences as the primary permitted use on the zone.</p> <p>c) See Mitigation Measure BIO-1 above.</p>					
<p>11. MINERAL RESOURCES. Would the project:</p>					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	1				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	1				X
<p>Comments:</p> <p>a-b) There are no mineral resources known or expected to exist on the <i>Monks</i> plaintiffs lots in Zone 2. In addition, although the approval of the proposed project will not directly grant any entitlement to develop these lots, the approval of the proposed project would also only permit shallow surface excavations less than five feet (5'-0") in depth.</p>					
<p>12. NOISE. Would the project result in:</p>					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	1			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?	8				X

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f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	8				X
<p>Comments:</p> <p>a) The City of Rancho Palos Verdes does not have a noise ordinance. However, General Plan Noise Policy No. 5 "[requires] residential uses in the 70 dB(A) location range to provide regulatory screening or some other noise-inhibiting agent to ensure compliance with the noise ordinance." The Noise Levels Contour diagram in the General Plan does not depict the <i>Monks</i> plaintiffs' lots in Zone 2 falling with a 70 db(A) noise contour. Therefore, noise impacts upon future residents are expected to be less than significant.</p> <p>b-d) The approval of the proposed project could result in a cumulative total of 800 cubic yards of grading and the construction of sixteen (16) single-family residences. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. The addition of up to sixteen (16) new residences will increase ambient noise levels in the area as a result of household and vehicle noise. The large lot sizes in the area (i.e., averaging an acre in size) and the presence of existing mature foliage along the private rights-of-way will serve as buffers to the "operational" noise associated with new residences. The movement of soil and the operation of construction equipment have the potential to create short-term construction-related noise and vibration impacts upon nearby sensitive receptors, such as existing single-family residences in Zone 2. Therefore, in order to reduce the construction noise impacts of the proposed project to less-than-significant levels, the following mitigation measure is recommended:</p> <p><u>NOI-1:</u> Permitted hours and days for construction activity are 7:00 AM to 7:00 PM, Monday through Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Municipal Code without a special construction permit.</p> <p>e-f) The <i>Monks</i> plaintiffs' lots in Zone 2 are not located within two (2) miles of Torrance Municipal Airport or in the vicinity of any private airstrip.</p>					
<p>13. POPULATION/HOUSING. Would the project:</p>					
a) Induce substantial growth in an area either directly (e.g., by proposing new homes or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	14			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	8				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	8				X
<p>Comments:</p> <p>a) The proposed project could result in the construction of up to sixteen (16) new dwelling units. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. Based upon the 2009 estimates from the State Department of Finance (DOF) of 2.747 persons per household in the City of Rancho Palos Verdes, these new residences would be expected to accommodate forty-four (44) residents. The DOF estimates the 2009 population of the City of Rancho Palos Verdes as 42,800 persons, so the proposed project would result in an increase of only 0.1%. Furthermore, the most recent Regional Housing Needs Assessment (RHNA) allotment for the City of Rancho Palos Verdes is sixty (60) additional housing units during the period from July 1, 2005 through June 30, 2014. The proposed project could increase the number of housing units in the City, but would not exceed the total units allocated to the City by the Southern California Association of Governments (SCAG) for the current reporting period.</p>					

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Therefore, the population and housing impacts of the proposed project are expected to be less than significant.					
b-c) The approval of the proposed project could lead to the future development of up to sixteen (16) single-family residences on lots that have remained undeveloped since they were created in the late 1940s. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. No existing housing or persons would be displaced as a result of the proposed project.					
14. PUBLIC SERVICES.					
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:					
i) Fire protection?				X	
ii) Police protection?				X	
iii) Schools?				X	
iv) Parks?				X	
v) Other public facilities?				X	
Comments:					
a) The estimated population of the sixteen (16) new residences that could result from the proposed project is forty-four (44) persons, which amounts to only a 0.1% increase in the City's 2009 estimated population of 42,800. This small increase in population is not expected to place significant additional demands upon public safety services (i.e., fire and police) or other public services (i.e., parks, libraries, etc.). As standard requirements of the construction of new residences, applicants will be required to pay fees to the Palos Verdes Peninsula Unified School District (PVPUSD). In addition, the approval of the proposed project will not directly grant any entitlement to develop these lots. Therefore, the public services impacts of the project are expected to be less than significant.					
15. RECREATION					
a) Would the project increase the use of neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?					X
Comments:					
a) The proposed project is expected to potentially increase the City's population by forty-four (44) persons. Although this amounts to only a 0.1% population increase (based upon 2009 estimates), additional residents will place some additional demands on the City's recreational facilities. However, the approval of the proposed project will not					

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directly grant any entitlement to develop these lots. Therefore, these impacts upon the use of recreational facilities are expected to be less than significant.					
b) The proposed project would not include or allow for the development of recreation facilities, based upon the underlying zoning of the <i>Monks</i> plaintiffs' lots in Zone 2.					
16. TRANSPORTATION/TRAFFIC. Would the project:					
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	7			X	
b) Exceed either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	7			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?					X
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?					X
e) Result in inadequate emergency access?	13				X
f) Result in inadequate parking capacity?	11				X
g) Conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?					X
Comments:					
<p>a-b) Based upon the current 7th Edition ITE Trip Generation Manual (Land Use 210, Single-Family Detached Housing, pp. 268-304), the development of sixteen (16) new single-family residences on the <i>Monks</i> plaintiffs' lots in Zone 2 is expected to result in one hundred fifty-three (153) additional average daily trips, thirteen (13) additional AM peak-hour trips and sixteen (16) additional PM peak-hour trips. The City's project thresholds for potentially significant traffic impacts are projects expected to generate more than five hundred (500) average daily trips and/or more than fifty (50) peak-hour trips. With respect to construction traffic, the sixteen (16) undeveloped lots in Zone 2 are owned by fifteen (15) separate private individuals or entities. Since the subject lots are owned by numerous individual owners, they are very unlikely to be developed concurrently, but rather on a piecemeal basis over a period of many years. Furthermore, the approval of the proposed project will not directly grant any entitlement to develop these lots. Therefore, the transportation/traffic impacts of the project are expected to be less than significant.</p>					
<p>c) The proposed project could result in the development of up to sixteen (16) new, single-family residences. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. The construction of these residences will have no impact upon air traffic patterns.</p>					

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<p>d-e) The proposed project does not include any modifications to existing public or private rights-of-way or changes in current land-use patterns that would create or increase hazardous conditions or hamper emergency access in and to Zone 2 and the <i>Portuguese Bend</i> community.</p>					
<p>f) Pursuant to Section 17.02.030.E of the Rancho Palos Verdes Municipal Code, new single-family residences are required to provide enclosed, off-street parking for two (2) vehicles for residences with less than five thousand square feet (<5,000 SF) of living area, and for three (3) vehicles for residences with five thousand square feet or more (≥5,000 SF) of living area. Although the approval of the proposed project will not directly grant any entitlement to develop these lots, new residences on the <i>Monks</i> plaintiffs' lots in Zone 2 will be required to provide sufficient off-street parking to meet these requirements.</p>					
<p>g) Given the semi-rural character of the area, there are no adopted policies, plans, or programs supporting alternative transportation that include the <i>Monks</i> plaintiffs' lots in Zone 2 and/or any abutting public or private rights-of-way.</p>					
<p>17. UTILITIES/SERVICE SYSTEMS. Would the project:</p>					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	15, 10		X		
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	15, 10		X		
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	15, 10		X		
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	15, 10		X		
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X	

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<p>Comments:</p> <p>a-c, e) The City has constructed a sanitary sewer system that serves the <i>Monks</i> plaintiffs' lots in Zone 2 and other areas of the <i>Portuguese Bend</i> community (i.e., the Abalone Cove Sewer System). The purpose of constructing the Abalone Cove system was to reduce the amount of groundwater within the Landslide Moratorium Area by eliminating the use of private septic systems, with the ultimate goal of slowing or stopping land movement. According to the EIR prepared for the project, the Abalone Cove system was originally intended to serve one hundred ten (110) developed and forty-six (46) undeveloped lots in the Abalone Cove area or the <i>Portuguese Bend</i> community, which includes the <i>Monks</i> plaintiffs' lots in Zone 2. As such, the potential future development of up to sixteen (16) new residences in Zone 2 should be consistent with the planned sewer system capacity, although the approval of the proposed project will not directly grant any entitlement to develop these lots. The City's Public Works Department has recently confirmed, as a part of the update to the City's Sewer Master Plan, that the Abalone Cove system does have adequate capacity to serve the <i>Monks</i> plaintiffs' lots. Nevertheless, in order to reduce the utilities/service systems impacts of the proposed project to less-than-significant levels, the following mitigation measures are recommended:</p> <p><u>UTL-1:</u> If the Director of Public Works determines that the sanitary sewer system cannot accommodate a new connection at the time of building permit issuance, the project shall be connected to a City-approved holding tank system until such time as the sanitary sewer system can accommodate the project. In such cases, once the sanitary sewer system becomes available to serve the project, as determined by the Director of Public Works, the holding tank system shall be removed, and the project shall be connected to the sanitary sewer system.</p> <p><u>UTL-2:</u> If the project involves additional plumbing fixtures, or additions of habitable space which exceed two hundred square feet, or could be used as a new bedroom, bathroom, laundry room or kitchen, and if the lot or parcel is not served by a sanitary sewer system, septic systems shall be replaced with approved holding tank systems in which to dispose of on-site waste water. The capacity of the required holding tank system shall be subject to the review and approval of the City's Building Official. For the purposes of this mitigation measure, the addition of a sink to an existing bathroom, kitchen or laundry room shall not be construed to be an additional plumbing fixture. For those projects which involve additions of less than two hundred square feet in total area and which are not to be used as a new bedroom, bathroom, laundry room or kitchen, the applicant shall submit for recordation a covenant specifically agreeing that the addition of the habitable space will not be used for those purposes. Such covenant shall be submitted to the Director for recordation prior to the issuance of a building permit. For lots or parcels which are to be served by a sanitary sewer system on or after July 6, 2000, additional plumbing fixtures may be permitted and the requirement for a holding tank may be waived, provided that the lot or parcel is to be connected to the sanitary sewer system. If a sanitary sewer system is approved and/or under construction but is not yet operational at the time that a project requiring a landslide moratorium exception permit is approved, the requirement for a holding tank may be waived, provided that the lot or parcel is required to be connected to the sanitary sewer system pursuant to Section 15.20.110 of the Rancho Palos Verdes Municipal Code, or by an agreement or condition of project approval.</p> <p><u>UTL-3:</u> If the lot or parcel is not served by a sanitary sewer system, the applicant shall submit for recordation a covenant agreeing to support and participate in existing or future sewer and/or storm drain assessment districts and any other geological and geotechnical hazard abatement measures required by the City. Such covenant shall be submitted to the Director prior to the issuance of a building permit.</p> <p><u>UTL-4:</u> If the lot or parcel is not served by a sanitary sewer system, the applicant shall submit for recordation a covenant agreeing to an irrevocable offer to dedicate to the City a sewer and storm drain easement on the subject property, as well as any other easement required by the City to mitigate landslide conditions. Such covenant shall be submitted to the Director prior to the issuance of a building permit.</p> <p><u>UTL-5:</u> If the lot or parcel is served by a sanitary sewer system, the sewer lateral that serves the applicant's property shall be inspected to verify that there are no cracks, breaks or leaks and, if such deficiencies are present, the sewer lateral shall be repaired or reconstructed to eliminate them, prior to the issuance of a building permit for the project that is being approved pursuant to the issuance of a moratorium exception permit.</p> <p>d) California Water Service Company (Cal Water) provides the City's water service. Given that the proposed project could potentially increase the number of households and persons in the City by only 0.1%, the increase in demand for water attributable to this project is expected to be minimal compared to the amount of water used in the Cal</p>					

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<p>Water service area. In addition, the approval of the proposed project will not directly grant any entitlement to develop these lots. Individual property owners would be responsible for connecting to existing water-distribution facilities in the area, including the costs of making such connections. As such, the water supply impacts of the proposed project are expected to be to less-than-significant.</p> <p>f-g) The proposed project could result in the construction of up to sixteen (16) new dwelling units, which equates to only a 0.1% increase in the number of dwelling units in the City (based upon 2009 estimates). The <i>Monks</i> plaintiffs' lots in Zone 2 have access to solid waste disposal services through existing City contracts with residential waste haulers. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. Given the limited potential scope of the proposed project, the solid waste disposal impacts are expected to be less-than-significant.</p>					
18. MANDATORY FINDINGS OF SIGNIFICANCE.					
<p>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>			X		
<p>Comments: The proposed project, with mitigation, will not degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project will not eliminate important examples of the major periods of California history or pre-history.</p>					
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable?⁴</p>			X		
<p>Comments: The proposed project could result in the development of up to sixteen (16) new, single family residences on existing undeveloped lots. However, the approval of the proposed project will not directly grant any entitlement to develop these lots. On an individual basis, the development of a single-family residence on an existing lot would not be expected to have any adverse impact upon the environment. While the cumulative effects of the near-simultaneous development of up to sixteen (16) such residences may have significant adverse effects, it should be noted that the sixteen (16) <i>Monks</i> plaintiffs' lots in Zone 2 are owned by fifteen (15) separate private individuals or entities. Since the subject lots are owned by numerous individual owners, they are very unlikely to be developed concurrently, but rather on a piecemeal basis over a period of many years. Furthermore, with the imposition of the recommended mitigation measures, these potential cumulative impacts will be reduced to less-than-significant levels.</p>					
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>				X	

⁴ "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.

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Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Comments: As discussed above, all potentially-significant environmental effects of the proposed project can be mitigated to less-than-significant levels. Therefore, the proposed project will have no substantial adverse effects on human beings, either directly or indirectly.</p>					
<p>19. EARLIER ANALYSES.</p>					
<p>Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:</p>					
<p>a) Earlier analysis used. Identify and state where they are available for review.</p>					
<p>Comments: A Supplemental Environmental Impact Report (SEIR) was prepared for the Abalone Cove Sewer System in 1996. A supplement to the SEIR was subsequent prepared in 1998. Copies of these documents are available for review at the Public Works Department of the City of Rancho Palos Verdes, 30940 Hawthorne Boulevard, Rancho Palos Verdes, CA 90275. These documents were utilized as source of background data related to the installation of the Abalone Cove Sewer System, but not as a basis for the analysis of the environmental impacts of the proposed "Zone 2 Landslide Moratorium Ordinance Revisions."</p>					
<p>b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.</p>					
<p>Comments: Not applicable.</p>					
<p>c) Mitigation measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.</p>					
<p>Comments: Not applicable.</p>					
<p>Authority: Public Resources Code Sections 21083 and 21087. Reference: Public Resources Code Sections 21080 (c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 321094, 21151; <i>Sundstrom v. County of Mendocino</i>, 202 Cal. App. 3d 296 (1988); <i>Leonoff v. Monterey Board of Supervisors</i>, 222 Cal. App. 3d 1337 (1990).</p>					
<p>20. SOURCE REFERENCES.</p>					
1	City of Rancho Palos Verdes, <u>Rancho Palos Verdes General Plan</u> , and associated Environmental Impact Report. Rancho Palos Verdes, California as amended through August 2001.				
2	City of Rancho Palos Verdes Zoning Map				
3	South Coast Air Quality Management District. <u>CEQA AIR Quality Handbook</u> . Diamond Bar, California: November 1993 (as amended).				
4	Official Maps of Seismic Hazard Zones provided by the Department of Conservation of the State of California, Division of Mines and Geology				
5	City of Rancho Palos Verdes Archeology Map.				
6	City of Rancho Palos Verdes, <u>Natural Communities Conservation Plan</u> . Rancho Palos Verdes, California as adopted August 2004				
7	Institute of Traffic Engineers, <u>ITE Trip Generation</u> , 7 th Edition.				

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Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
8	City of Rancho Palos Verdes Geographic Information System (GIS) database and maps				
9	State of California, Department of Forestry and Fire Protection, <u>Very High Fire Hazard Severity Zone Maps</u> . Sacramento, California, accessed via website, March 2008				
10	Email correspondence with Senior Engineer Ron Dragoo (February 5, 2009)				
11	City of Rancho Palos Verdes Municipal Code				
12	Hazardous Waste and Substances Site List (i.e., "Cortese List")				
13	Cities of Rancho Palos Verdes and Rolling Hills Estates Joint Natural Hazards Mitigation Plan				
14	City of Rancho Palos Verdes General Plan Housing Element				
15	Abalone Cove Sewer System Supplement Environmental Impact Report				

ATTACHMENTS:

Mitigation Monitoring Program