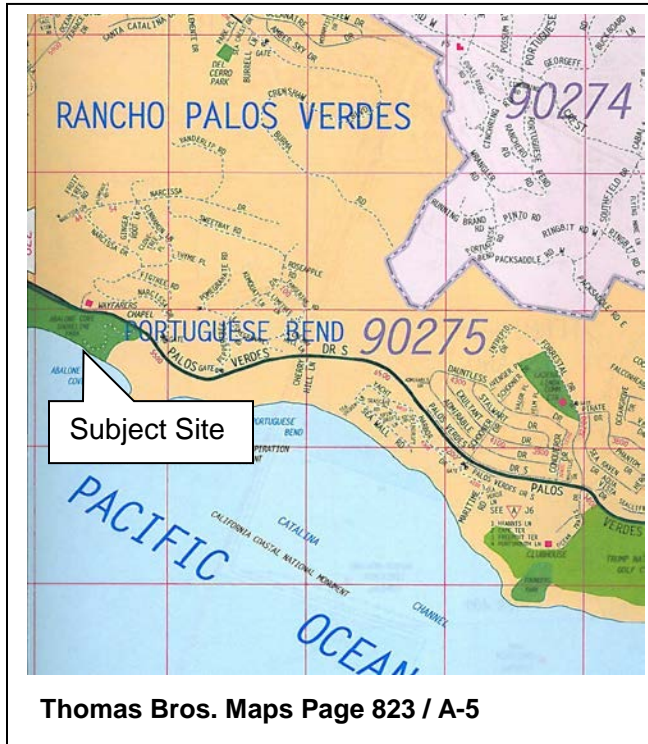


# STAFF REPORT



RANCHO PALOS VERDES  
COMMUNITY DEVELOPMENT DEPARTMENT



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**TO:** RANCHO PALOS VERDES  
HEARINGS OFFICER

**FROM:** ARA MIHRANIAN,  
DEPUTY COMMUNITY  
DEVELOPMENT DIRECTOR

**DATE:** FEBRUARY 11, 2013

**SUBJECT:** CASE NO. ZON2014-00037  
(COASTAL PERMIT)

**PROJECT  
ADDRESS:** ABALONE COVE SHORELINE  
PARK  
5970 PALOS VERDES DRIVE  
SOUTH

**APPLICANT:** CITY OF RANCHO PALOS  
VERDES

**LANDOWNER:** RANCHO PALOS VERDES  
SUCCESSOR AGENCY

**REQUESTED ACTION:** TO IMPROVE APPROXIMATELY 1 ACRE OF THE EXISTING PARK GROUNDS WITH "PASSIVE USE" IMPROVEMENTS WHICH INCLUDE BUT ARE NOT LIMITED TO ENHANCING TRAILHEADS AND TRAILS (INCLUDING CONSTRUCTING ADA-COMPLIANT TRAILS), CONSTRUCTING AN EXPLORATION PLAY AREA, REPLACING PICNIC TABLES AND BENCHES, IMPROVING PICNIC AREAS, INSTALLING PARK BENCHES, INSTALLING NEW NATIVE PLANTS AND IRRIGATION LINES, CONSTRUCTING AN OUTDOOR CLASSROOM WITH SHADE STRUCTURE, REPLACING TRASH RECEPTACLES, INSTALLING MUTT MITT DISPENSERS, INSTALLING ADA-COMPLIANT BINOCULARS ALONG THE BLUFF TOP TRAIL, AND INSTALLING INTERPRETIVE SIGNS.

**RECOMMENDATION:** CONDITIONALLY APPROVE THE REQUESTED COASTAL PERMIT (CASE NO. ZON2014-00037), VIA MINUTE ORDER.

## REFERENCES:

**ZONING:** OPEN SPACE RECREATIONAL (OR) AND OPEN SPACE HAZARD (OH)

**LAND USE:** RECREATIONAL – OPEN SPACE PASSIVE

**CODE SECTIONS:** 17.72

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ABALONE COVE SHORELINE PARK IMPROVEMENT PROJECT  
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**GENERAL PLAN:** N/A

**TRAILS PLAN:** CTP SECTION 3; CALIFORNIA COASTAL TRAIL; AND VISION PLAN

**SPECIFIC PLAN:** COASTAL, SUBREGION 5 (APPEALABLE AREA)

**CEQA STATUS:** CATEGORICALLY EXEMPT CLASS 1 (SECTION 15301); CLASS 3 (SECTION 15303); AND CLASS 4 (SECTION 15304)

**ACTION DEADLINE:** NONE

**BACKGROUND**

On November 1, 2010, pursuant to Council authorization, the City filed a Land and Water Conservation Fund (LWCF) grant application with the California State Parks and Recreation Department for improvements at Abalone Cove Shoreline Park. On December 7, 2011, State Parks notified the City that it is the recipient of the LWCF grant (50% reimbursement grant), in the amount of \$332,588, for the Abalone Cove Park Improvement Project (the total cost for the Project is estimated at \$665,176).

The conceptual project plan for which the grant was awarded to the City was developed using a Focus Group made up of representatives of the following community stakeholders: neighbors of Abalone Cove; representatives of the former PUMP Committee; City Council; Los Serenos de Point Vicente; PVPLC; Library District; School District; Terranea; Park Rangers; and staff from the Community Development and Recreation & Parks Departments. Once the grant was awarded, the same Focus Group was engaged to assist the City and Melendrez (the project's landscape architect) in finalizing the project plan. Between February and August 2013, the Focus Group met on several occasions to provide input on various design aspects of the project, such as trail routes, park furnishings (benches and picnic tables), trash bins, shade structures, trailhead features, outdoor classroom, exploration play area, etc. Subsequently, the Focus Group reviewed and accepted the construction plan at its August 12, 2013 meeting, which was also reviewed by the City Council at its September 3, 2013 meeting. Soon thereafter the construction bid process was initiated. During this period, City Staff consulted with Coastal Commission Staff who determined that a Coastal Permit would be required for this project.

**SITE AND PROJECT DESCRIPTION**

Abalone Cove Shoreline Park is approximately 79.16 acres comprised of four parcels that were transferred to the City's Redevelopment Agency by a quitclaim deed signed on November 10, 1987. The property is now owned by the City's Successor Agency. A portion of the property is partly within the City's Palos Verdes Nature Preserve (Abalone Cove Reserve). Further, the shoreline portion of the property extending into the ocean is designated by the State as the Abalone Cove Ecological Reserve.

The proposed project encompasses approximately 1 acre of the existing park site adjacent to the existing parking lot as depicted in the attached project plan (see attachment). The

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Project Plan proposes to:

- Improve trailheads and trails (including ADA-compliant trails);
- Construct an exploration play area;
- Replace picnic tables and benches;
- Improve picnic areas;
- Install park benches;
- Install new native plants and irrigation lines;
- Construct an outdoor classroom with shade structure;
- Replace trash receptacles;
- Install mutt mitt dispensers;
- Install ADA-compliant binoculars along the bluff top trail;
- Install interpretive signs; and,
- Improve viewing areas.

Construction is anticipated to take approximately two months, at which time a portion of the park grounds will be temporarily closed for public safety reasons. Additionally, the western portion of the gravel parking lot will be used as the construction staging area and will be temporarily closed off.

### **CODE CONSIDERATIONS AND ANALYSIS**

The Coastal Permit requires the Hearings Officer to make unique findings as discussed below.

#### **Coastal Permit**

The proposed park improvement on a property located within the Coastal Zone requires the approval and issuance of a Coastal Permit. In considering an application for a Coastal Permit for appealable development, Section 17.72.090 of the Rancho Palos Verdes Municipal Code (RPVMC) requires the Hearings Officer to make two (2) findings regarding the project under consideration (RPVDC language is **boldface**, followed by Staff's analysis in normal type):

#### **1. The proposed development is consistent with the Coastal Specific Plan.**

The project site lies within an appealable portion of Subregion 5 of the City's Coastal Specific Plan and the project site is designated as Recreation - Parkland. According to the Coastal Specific Plan, the property is identified as providing recreational opportunities revolving around the terrestrial and marine environment. The proposed park plan proposes to improve the recreational opportunities in a sensitive and light touch approach in order to preserve the environmental integrity of the site. This is accomplished by designing the public trails and viewing areas around swathes of land that can be replanted with native plants. Moreover, the exploration trail will provide the public with an educational opportunity to learn about the property's unique terrestrial and marine ecology. Further,

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drainage improvements will minimize sheet flow from draining over the bluff edge by collecting and diverting water run-off to the existing on-site storm drain facilities. As such, the proposed park plan will enhance the recreational opportunities and preserve the environmental integrity called for in the Coastal Specific Plan. Therefore, Staff believes that the proposed project is consistent with the City's Coastal Specific Plan.

**2. The proposed development, when located between the sea and the first public road, is consistent with applicable public access and recreation policies of the Coastal Act.**

The proposed project will have no adverse impact upon existing private and public recreational facilities, but rather will enhance public access and recreational opportunities. The proposed park improvement plan will replace existing foot paths with decomposed granite trails, generally designed to accommodate persons with disabilities, by providing a comfortable path of travel between the parking lot and the bluff top. Further, a portion of the existing trail system, referred to as the "spine," will be improved as an exploration trail with a manufactured fossil dig accompanied by interpretive signs and native vegetation. The bluff top trail will overlap the City's segment of the California Coastal Trail that connects the western and eastern portion of the City. Lastly, the existing park furniture will be replaced with updated benches, picnic tables, and trash receptacles, while the bluff top overlooks will be improved with binoculars. As such, Staff believes that the proposed project is consistent with the applicable public access and recreation policies of the Coastal Act.

For all of the above-mentioned reasons, Staff believes that granting the requested coastal permit is warranted.

**ADDITIONAL INFORMATION**

Landslide Moratorium Ordinance

A portion of the project site falls within the City's Landslide Moratorium Area. According to Section 15.20.040 of the RPVMC, Staff has determined that the proposed improvements are exempt from the moratorium restrictions based on the combined Sections A and E.

Ecological Reserve

A portion of the project area falls within the State Designated Ecological Reserve for Abalone Cove (see attached map). However, the improvements are located in an area of the park that is currently improved and the project is intended to upgrade and enhance the existing improvements but will not intensify the condition of the park improvements.

Construction Budget

As previously reported, based on the LWCF grant (50% reimbursement grant) awarded to the City combined with the City's matching portion (\$332,588), the total project cost is

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budgeted at \$665,176. At the September 3, 2013 City Council meeting, the Council was informed that throughout the design process, costs associated with the proposed improvements were considered as various improvements were selected. With the design finalized, in order to foresee the probable construction cost of the project prior to going to bid, the City requested that Melendrez provide an estimated construction cost based on industry standards, which at the September 3<sup>rd</sup> meeting exceeded the budget by approximately \$200,000 (including \$56,530 for designer fees and \$3,125 for surveying consultant fees not listed in the attached table). Although the budget shortfall is based on projected costs estimated by Melendrez, the City Council directed Staff to make sure construction costs do not exceed the budget. As such, if the construction bids result in a budget shortfall, certain project features may be redesigned, modified or eliminated.

Public Comments

At this time, the City received two public comment letters from local residents (see attachment). The first letter is from Mr. Yerelian who requests the project include some trees for shade purposes. The City's budget is limited to certain improvements described in the grant application that was awarded to the City. Nonetheless, a condition has been added to the Coastal Permit for the planting of three trees if the project budget allows for it. The second comment is from Mr. Jensen who visits the park frequently and expressed a concern with the current operation and of the park specifically related to vandalism and trash. Mr. Jensen is concerned that the proposed improvements will be vandalized soon after construction and would like to see increased enforcement in the area. Since Mr. Jensen's comments are more pertinent to the operation of the park rather than the proposed improvements as it relates to public access, his comment letter has been forwarded to the City's Recreation and Parks Department for further review.

Coastal Commission Appeal Jurisdiction

As mentioned above, the subject property is located within the appealable portion of the City's coastal zone. As such, the Coastal Commission retains the authority to consider any appeal of a coastal permit approved for this site by the City, provided that all appeals of the decision of the Hearings Officer to the Planning Commission and City Council have been exhausted. In addition, the fee for any such appeal(s) shall be waived pursuant to RPVDC Section 17.72.100(E).

Overlay Control District Consistency

The entirety of the City's coastal zone is subject to the Socio-Cultural (OC-2) and Urban Appearance (OC-3) Overlay Control Districts, as established pursuant to Sections 17.40.050 and 17.40.060, respectively, of the City's Development Code. Additionally, according to the Coastal Specific Plan, the project site is located in the Natural Overlay (OC-1) Control District.

As described above, the proposed project enhances the existing park trails and furniture. The construction plan utilizes measures that will minimize disturbances to the surrounding

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environment, such as diverting drainage run-off to the existing storm drain facilities. Further, pursuant to an Archaeological Phase 1 Survey Assessment, the City is required to monitor earth disturbances resulting from project construction. The project will not result in adverse impacts upon public or private views, nor will it result in alteration of a significant topographic or visual features. As such, Staff believes that the proposed project is consistent with the performance criteria of the OC-1, OC-2 and OC-3 districts.

**CEQA Compliance**

Prior to the City's filing of the LWCF grant application, the City prepared a Notice of Exemption that was filed and posted with the Los Angeles County Clerk on December 2, 2010 through January 4, 2011. Staff determined that this project is categorically exempt under the following sections: Class 1 – Existing Facilities; Class 3 – New Construction or Conversion of Small Structures; and Class 4 – Minor Alterations to Land from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15301, 15303 and 15304 of the CEQA Guidelines.

**CONCLUSION**

Based on the above discussion, Staff concludes that the Coastal Permit can be approved for the proposed improvements described herein to a one acre portion of the existing Abalone Cove Shoreline Park. Therefore, Staff recommends that the Hearings Officer approve the Coastal Permit (Case No. ZON2014-00037), subject to the recommended Conditions of Approval (Exhibit 'A').

**ALTERNATIVES**

In addition to the Staff recommendation, the following alternatives are available for the Hearing Officer's consideration:

1. Approve the Coastal Permit with modifications; or,
2. Deny the Coastal Permit without prejudice; or,
3. Identify any issues of concern with the proposed project, provide Staff and/or the applicant with direction in modifying the project, and continue the public hearing to a date certain.

**Attachments:**

- Conditions of Approval (Exhibit 'A')
- Project Plans
- Site Plan
- Public Comment Letter

**EXHIBIT 'A'**  
**CONDITIONS OF APPROVAL**  
**PLANNING CASE NO. ZON2014-00037**  
**ABALONE COVE SHORELINE PARK IMPROVEMENT PROJECT**  
**5970 PALOS VERDES DRIVE SOUTH**

1. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of Rancho Palos Verdes Municipal Code shall apply.
2. Earth movement related to site preparation for the approved improvements shall occur consistent with the plans dated October 11, 2013. Additional grading not shown on the project plans will require a grading permit approval by Planning and Building and Safety Divisions.
3. Construction staging for employee vehicles, mechanical equipment, supplies, etc. shall be limited to the western portion of the existing gravel parking lot. The staffing area shall be secured and contained.
4. The contractors shall install a construction fence securing the project site.
5. Erosion control measures, including the use of sand bags, shall be installed per the project bid plans prior to commencing construction.
6. Traffic control measures, as described in the construction bid plans, shall be in place during all construction activities.
7. A building permit shall be obtained for the shade structure.
8. The project shall include the planting of three trees at the west end of the project site if funding exists with the current project budget as determined by the project manager.
9. Construction activities shall be monitored for archaeological resources pursuant to the recommendations stated in the Phase I Cultural Study prepared for this project by Carol R. Demcak, PRA.
10. Seven days prior to commencing construction, public notification shall be given in the form of a posted sign (located adjacent to the gravel parking lot) and a list-serve message to the Abalone Cove Shoreline Park subscribers noting the temporary partial closure of the park grounds to accommodate the construction activities.

11. The Community Development Director or the Public Works Director are authorized to make minor modifications to the approved plans and any of the conditions of approval if such modifications will achieve substantially the same results as would strict compliance with the approved plans and conditions. Otherwise, any substantive change to the project shall require approval of a revision to the Coastal Permit by the Hearing Officer and shall require new and separate environmental review.
12. If the project has not been established (i.e., building permits obtained) within one hundred eighty (180) days of the final effective date of the Hearing Officer's decision, or if construction has not commenced within one hundred eighty (180) days of the issuance of building permits, approval of the project shall expire and be of no further effect unless, prior to expiration, a written request for extension is filed with the Community Development Department and approved by the Director. Otherwise, a Coastal Permit revision must be approved prior to further development.
13. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City department, the stricter standard shall apply.
14. Unless otherwise designated in these conditions, all construction shall be completed in substantial conformance with the plans dated October 11, 2013.
15. The construction site and adjacent public and private properties and streets shall be kept free of all loose materials resembling trash and debris in excess of that material used for immediate construction purposes. Such excess material may include, but not be limited to: the accumulation of debris, garbage, lumber, scrap metal, concrete asphalt, piles of earth, salvage materials, abandoned or discarded furniture, appliances or other household fixtures.
16. 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 Development Code. Trucks and other construction vehicles shall not park, queue and/or idle at the project site or in the adjoining public rights-of-way before 7:00 AM, Monday through Saturday, in accordance with the permitted hours of construction stated above.