

January 9, 2013

NOTICE OF DECISION

NOTICE IS HEREBY GIVEN THAT the City of Rancho Palos Verdes has **approved** Case No. ZON2010-00087 (Conditional Use Permit and Site Plan Review), for the *Point View Master Plan*, which would allow: 25.5-acres of agricultural uses; a golf course composed of 5 tee locations, 2 greens with 9 holes, and sand traps; a paved internal driveway; and, site improvements, to host 30 public or private events per year, on the 95-acre property known as the *Point View* property. The Planning Commission at the January 8, 2013 meeting adopted the resolutions and granted the approval.

Location: 6001 Palos Verdes Drive South
(Thomas Guide Page 823, A-3/4 and Page 822, J-3/4).

Owner: York Point View Properties

Applicant: Same

Said permit is subject to the following conditions of approval:

General

1. This approval is for the Point View Master Plan, which includes the following components:
 - A. The expansion of agricultural uses on the property for up to 25.5-acres of orchards, vineyards and gardens;
 - B. Development of an executive golf course, comprised of 5 tee locations with 9 holes;
 - C. Provision of a paved internal driveway through the property to connect the cook shack area with Palos Verdes Drive South, and after-the-fact approval of a paved driveway between Narcissa Drive and the cook shack area;
 - D. Improvements to the existing cook shack area of the property, which include a trellis and fountain; and,
 - E. Up to 30 public or private events per year on the property.

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2. Within ninety (90) days of this approval, the applicant and/or property owner shall submit to the City a statement, in writing, that they have read, understand and agree to all conditions of approval contained in this approval. Failure to provide said written statement within ninety (90) days following the date of this approval shall render this approval null and void.
3. Construction and implementation of the approved project shall substantially comply with the plans originally stamped APPROVED; the mitigation measures, conditions and development standards contained in PC Resolution No. 2013-02 and PC Resolution No. 2013-03; and, the Rancho Palos Verdes Development Code.
4. The Community Development Director is authorized to approve minor modifications to the approved plans or any of the conditions if such modifications achieve substantially the same results as would strict compliance with said plans and conditions. Otherwise, all other modifications shall be subject to review and approval by the Planning Commission.
5. All mitigation measures contained in the approved Mitigation Monitoring and Reporting Program (MMRP) contained in Resolution No. 2013-02 for the Mitigated Negative Declaration (MND) shall be adhered to. The mitigation measures are repeated herein under the appropriate subject heading, sometimes with clarifying language that may differ from the MMRP. All costs associated with implementation of the Mitigation Monitoring Program and the conditions contained herein shall be the responsibility of the property owner, and/or any successors in interest.
6. The Conditions of Approval contained herein shall be subject to review and modification, as deemed necessary and appropriate by the Planning Commission at a noticed public hearing held 6-months after the first event on the subject property. At the review hearing, the Planning Commission may add, delete or modify any conditions of approval as deemed necessary and appropriate. Notice of said review hearing shall be published and provided to owners of property within a 500' radius from the entire project's boundary, to persons requesting notice, to all affected homeowners associations, and to the property owner in accordance with Rancho Palos Verdes Development Code Section 17.80.090. As part of the 6-month review, the Planning Commission may consider and review compliance with all the conditions of approval, assess any lighting and noise impacts, and address any other concerns raised by Staff, the Commission and/or interested parties. If necessary, the Planning Commission may impose more restrictive standards and conditions to mitigate any impacts resulting from the review.
7. Permitted hours and days for all 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.

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8. Prior to the issuance of any building and/or grading permit, or prior to planting any of the orchards and vineyards (whichever occurs first), a Standard Urban Stormwater Mitigation Plan (SUSMP), as required by the City of Rancho Palos Verdes Stormwater Planning Program (Priority Development & Redevelopment Projects), shall be submitted for review and approval by the City's NPDES consultant. The cost of the review by the City's NPDES consultant shall be borne by the applicant. The SUSMP shall address all components of the project, including the golf course, paved driveways, and agricultural uses. [Mitigation Measure HYD-1 (Water Quality Impacts)]
9. As project construction would disturb one or more acres of soil, all grading activities shall occur in accordance with the City of Rancho Palos Verdes Minimum Best Management Practices (BMPs) for All Construction Sites (Form OC-1). As required by Form OC-1, project construction shall occur in accordance with the National Pollutant Discharge Elimination System (NPDES) and shall implement, at a minimum, sediment control, a wet weather erosion control plan (WWECP), hillside BMPs, construction materials controls, non-stormwater runoff controls, and erosion controls. Further, the project applicant shall incorporate BMPs as established in the City-approved Standard Urban Stormwater Mitigation Plan (SUSMP), as required by the City of Rancho Palos Verdes Stormwater Planning Program (Priority Development & Redevelopment Projects). [Mitigation Measure HYD-2 (Water Quality Impacts)]
10. Appropriate Best Management Practices (BMPs), including sandbags, shall be used to help control runoff from the project site during project construction activities.
11. No grading is allowed, with the exception of: a) tilling of the soil for the agricultural and horticultural uses; and, b) the removal of the gravel and smoothing of the existing driveway for the preparation of the all-weather driveway.
12. No signage is approved or permitted by this permit. However, the applicant shall post signage that identifies the name and telephone number of a contact person that is available during events for ensuring compliance with the conditions and mitigation measures contained herein. The sign containing the contact information shall not exceed 4 square feet in area. Signs with the contact information shall be posted at visible locations on the access gate at Palos Verdes Drive South and at the access gate at Narcissa Drive. The signs shall be posted prior to the first event.

Agriculture

13. A maximum of 25.5-acres of agricultural uses are allowed on the subject property, which includes a combination of avocado orchards, citrus orchards, vineyards, vegetable gardens and olive orchards, in the locations shown on the plan approved by the Planning Commission on January 8, 2013.

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14. All agricultural activity, including the picking of fruit, grapes, etc. and soil preparation weeding, etc., shall be limited to the hours between 7:00am and 7:00pm, Monday thru Sunday. Further, no mechanical equipment shall be used for any fruit picking activity.
15. The proposed project shall implement agricultural best-management practices (BMPs) in accordance with the recommendations in Chapter 3 of the Sonoma County Agricultural Commissioner's Office Best Management Practices for Agricultural Erosion and Sediment Control. The "Cover Crop" BMPs (e.g., crop cover grass, straw mulch, and fiber rolls) shall be sized so that the width of the BMPs is equivalent to the width of the area to be treated. The "Crop Cover" BMPs shall cover the entire agricultural areas for the orchard and vineyard portions of the project site. For each orchard or vineyard row, the downstream row shall treat the upstream flow. The width of the "Cover Crop" BMPs for the downstream row shall be an equal width to the upstream row that it is treating. The orchard or vineyard row that is furthest downstream shall be treated by the "Cover Crop" BMP area that shall extend the width of the orchard or vineyard row beyond that row, or a minimum of 20 feet if the row separations are less than 20 feet apart. The "Cover Crop" shall also adhere to the following recommendations:
 - Thick cover crops should be established by October 15 and maintained throughout the rainy season (until April 15).
 - Broadcast crop cover seeding shall be completed in the fall. In order to have adequate protection by the start of the rainy season (October 15), the seed should be planted by mid-September. Initial irrigation will be required for most grasses with follow-up irrigation and fertilization. The cover crop should look like a lawn by October 15 (for new plantings and November 15 for replants) in order to provide adequate protection for the soil during the first heavy rains.
 - If the cover crop cannot be planted and irrigated by mid-September, then the seed may be planted in October and covered with straw mulch applied at the rate of two tons per acre (about 42 bales per acre). The straw should be applied to a point where the soil is no longer visible.
 - If rain is likely after the cover crop has been tilled and there is no perimeter erosion control, straw mulch shall be used at the rate of two tons per acre (about 42 bales per acre) in areas where cover crops are planted.
 - Whenever possible, avoid tilling early in the spring or late in the fall.
 - Minimize tillage practices, especially if slopes are greater than nominal (>5-10%) or if soils are highly erodible.
 - Do not till turn-around areas except for the infrequent need to reduce compaction. In this case, promptly cover the soil with straw mulch and replant with a cover crop before the rainy season.
 - Avoid bringing equipment into the vineyard/orchard during the wet season. Close seasonal roads to traffic and maintain permanent roads to prevent erosion.
 - Keep on site extra erosion control materials such as straw bales or wattles, gravel or geo-textile fabric and train vineyard/orchard crews in their proper installation.

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- If necessary, provide Straw Mulch per California BMP Handbook BMP number EC-6.
- If soil is highly erosive, provide Fiber Rolls per California BMP Handbook BMP number SE-5.

[Mitigation Measure HYD-7 (Water Quality Impacts from Agricultural Uses)]

16. All structural agricultural BMPs shall be accessible for inspection by City personnel during regular business hours. Additionally, all maintenance shall be completed in accordance with the Operations & Maintenance (O&M) for Combination of Cover Crop, Straw Mulch, and Fiber Rolls for Agricultural Areas Including Vineyards and Orchards. [Mitigation Measure HYD-8 (Water Quality Impacts from Agricultural Uses)]
17. All mechanized construction equipment operated at the project site shall be equipped with the most effective noise control devices, i.e., mufflers, lagging, and/or motor enclosures. All equipment shall be properly maintained to ensure that no additional noise, due to worn or improperly maintained parts, would be generated. [Mitigation Measure NOISE-1 (Construction Noise Impacts)]
18. Construction vehicles, to the extent feasible, shall limit operations in areas of the site proximate to residential uses. [Mitigation Measure NOISE-2 (Construction Noise Impacts)]
19. The operation of hand augers for the planting of crops shall not occur within 120 feet of adjacent residential uses. [Mitigation Measure NOISE-3 (Construction Noise Impacts)]
20. Construction and on-going operational activities shall not result in the removal of coastal sage scrub or disturbed coastal sage scrub as identified in the Biological Resources Assessment published by Natural Resource Consultants, dated September 2003, and updated by PCR Services in 2012. [Mitigation Measure BIO-1 (Coastal California Gnatcatcher Impacts)]
21. To the maximum extent practicable, all construction activities shall be conducted outside of the coastal California gnatcatcher breeding season (February 15-August 30). Should work be conducted or should new phases of construction begin within the breeding season, three pre-construction surveys shall be conducted by a qualified and permitted biologist within one week prior to initiation of each phase of construction activities and all results forwarded to the US Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG). [Mitigation Measure BIO-2 (Coastal California Gnatcatcher Impacts)]
22. If during the pre-construction surveys, the coastal California gnatcatcher are found to occur within 300 feet of construction activity areas, the survey biologist shall inform the appropriate construction supervisor not to immediately commence such work in

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that area and shall consult with the US Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG) to determine if work shall commence or proceed during the breeding season; and, if work may proceed, what specific measures shall be taken to ensure coastal California gnatcatchers are not affected. [Mitigation Measure BIO-3 (Coastal California Gnatcatcher Impacts)]

23. To the maximum extent practicable, all construction activities shall be conducted outside of the white-tailed kite bird nesting season (February 1-August 31). [Mitigation Measure BIO-4 (White-tailed Kite Impacts)]
24. Should work be conducted within the white-tailed kite breeding season, a preconstruction nesting bird survey shall be conducted to ensure no impacts to white-tailed kite nests occur with implementation of the proposed project. Should work be conducted within 500 feet of the active nest within the breeding season, the monitoring biologist shall consult with the California Department of Fish and Game (CDFG) to determine if work shall commence or proceed during the breeding season; and, if work may proceed, what specific measures shall be taken to ensure the active nest is not affected. [Mitigation Measure BIO-5 (White-tailed Kite Impacts)]
25. With respect to the cactus wren, to the maximum extent practicable, all construction activities shall be conducted outside of the nesting bird season (February 1-August 31). [Mitigation Measure BIO-6 (Cactus Wren Impacts)]
26. Should work be conducted within the cactus wren breeding season, in accordance with the Migratory Bird Treaty Act (MBTA), a pre-construction nesting bird survey shall be conducted to ensure no impacts to cactus wren nests occur with implementation of the proposed project. Should construction work be conducted within 100 feet of the active cactus wren nest within the breeding season, the monitoring biologist shall consult with the California Department of Fish and Game (CDFG) to determine if work shall commence or proceed during the breeding season; and, if work may proceed, what specific measures should be taken to ensure the active nest is not affected. [Mitigation Measure BIO-7 (Cactus Wren Impacts)]
27. To the maximum extent practicable, all construction activities shall be conducted outside of the Palos Verdes blue butterfly's flight period (January 15-April 15). [Mitigation Measure BIO-8 (Palos Verdes Blue Butterfly Impacts)]
28. Should construction work be conducted within this period, any coastal sage scrub within 50 feet of the construction activity shall be surveyed for the presence of individual host plants. If found, the host plants will be flagged and focused surveys for the butterfly shall be conducted once a week as long as activities continue in the time period in accordance with the approved survey protocol within all areas of suitable habitat. If the butterfly is found, the monitoring biologist shall consult with the California Department of Fish and Game (CDFG) to determine if work shall commence or proceed during the breeding season; and, if work may proceed, what

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specific measures shall be taken to ensure the butterflies are not affected. [Mitigation Measure BIO-9 (Palos Verdes Blue Butterfly Impacts)]

29. On-site avocados and olives shall be raised organically and the project shall seek continued certification (CCOF) by the California Certified Organic Farmers for the proposed orchards in order to produce crops without using most conventional pesticides and fertilizers made of synthetic ingredients or sewage sludge. All other crops i.e., grapes, citrus, garden vegetables) shall be grown, to the extent possible, with reliance on the same pesticides, fertilizers, and amendments as the avocados and olives. [Mitigation Measure BIO-10 (Palos Verdes Blue Butterfly Impacts)]
30. At no time in the future shall the project, including agricultural activities, be expanded beyond the limits shown in the approved site plan, and at no time shall the proposed project result in any loss of existing coastal sage scrub. [Mitigation Measure BIO-11 (Non-Native Grasslands Impacts)]
31. The 25.5-acres of agricultural uses may be planted in phases over an unspecified period of time. As such, the owner shall submit a plan to the City prior to the planting of each phase illustrating the locations and areas to be planted. The owner shall pay a mitigation fee to the City equivalent to \$20,000 per acre of lost non-native grassland prior to planting of said areas. The Director shall monitor the amount of agricultural uses on the property to ensure that not more than a total of 25.5-acres of agricultural uses are planted on the subject property, and that no more than 9.78-acres of non-native grassland are lost. Thus, a total cumulative mitigation fee of \$97,800 shall be collected for the 4.89-acres of non-native grassland impacts. [Mitigation Measure BIO-12 (Non-Native Grasslands Impacts)]

Golf Course

32. The golf course shall be comprised of a 2.5-acre area, located 500-feet west of the cook shack/event garden area.
33. The golf course shall include the following:
 - Two (2) greens that shall be irregularly shaped, and shall be limited to a maximum of 400 square feet each.
 - The putting surface shall be artificial turf (pervious) over sand or dirt.
 - Small sand bunkers (not more than 200 square feet) shall border the side of each green.
 - Tees shall be generally located to the north, west, and east of the greens at a range of 25–150 yards from the greens.
 - Five (5) tee locations, of which four shall be used to drive to each green, creating an equivalent of 9 holes of play.

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- Each tee shall be limited to an area of 4 feet by 4 feet, and shall be of pervious artificial turf surface.
 - No grading is allowed, and no habitat shall be disturbed or impacted.
34. The proposed golf course facility shall not include any grading, and the greens and tees shall be constructed with artificial turf.
 35. The golf course shall not be open to the general public. The golf course shall only be made available to guests of the landowner or participants in any of the 30 approved events on site.
 36. The golf course shall not be operated as an independent commercial venture and no green fees shall be collected.
 37. Golf course play shall be limited to daylight hours only. No lights may be installed or used in conjunction with the golf course.

Paved Driveways

38. Permitted hours and days of construction for the driveway shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday, with no such activities 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.
39. Subject to the satisfaction of the Community Development Director, the portion of the paved internal driveway, between the existing driveway approach along PVDS and uphill to where the property flattens, shall be paved with an earth-tone-colored surface material. [Mitigation Measure AES-1(Driveway Impacts)]
40. The City shall monitor any complaints regarding vehicle lights leaving the project site. If these complaints are determined to be valid, the City shall require the applicant to plant vegetation, or provide other methods of screening, as part of the 6-month review for the project's Conditional Use Permit (CUP), and/or the Special Use Permit application process for an event exceeding 300 guests. [Mitigation Measure AES-2 (Vehicle Headlight Impacts)]
41. All drainage swales and any other on-grade drainage facilities, including gunite, shall be of an earth tone color approved by the Community Development Director prior to building permit final.
42. To address trash, bacteria, and nutrients (identified by the City as pollutants of concern) that may not be treated effectively by the proposed roadway Vegetated Buffer Strip, institutional controls shall be implemented to guard against stormwater quality impacts. These institutional controls shall include at a minimum, signage

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discouraging off-trail usage and sweeping the roadway as needed to remove sediment and equestrian waste from the roadway. To ensure that roadway sweeping occurs as frequently as needed, an assessment of roadway and other circulation areas shall be made by the project applicant after each event and during heavy agricultural usage. If warranted based on this assessment, sweeping and trash removal in the affected areas shall be undertaken immediately. [Mitigation Measure HYD-6 (Water Quality Impacts)]

43. Site surface drainage measures included in the project's geology and soils report shall be implemented by the project developer during the life of the project.
44. In accordance with the project's operational Standard Urban Stormwater Mitigation Plan (SUSMP), as prepared by Rothman Engineering, the proposed project shall implement a Vegetated Buffer Strip (TC-31) along the length of the proposed driveway. This Vegetated Buffer Strip will consist of approved vegetation for the length of the driveway with a minimum width of 20 feet per the California BMP Handbook (BMP No. TC-31). Within the Vegetated Buffer Strip, any bare soil shall be planted with approved vegetation to match the existing vegetation. To ensure that these buffer strips can accommodate areas upstream of the roadway (with the inclusion project's required agricultural BMPs), the applicability of the buffer strips in these areas should be demonstrated prior to their acceptance and implementation. [Mitigation Measure HYD-3 (Water Quality Impacts)]
45. In accordance with the proposed project's Standard Urban Stormwater Mitigation Plan (SUSMP), as prepared by Rothman Engineering, the proposed internal driveway shall include trench drains with catch basin filter inserts (KriStar FloGard LoPro Trench Drain Model No. FG-TDOF6 or equal, subject to the approval of the City) to capture and treat all runoff where the driveway's 1 percent cross-slope is not able to direct the runoff to the vegetated buffer strip (i.e., at either ends of the proposed driveway). These trench drains shall be located at each end of the proposed internal driveway, shall be stenciled with "No-Dumping – Drains to Ocean", and shall outlet within the Vegetated Buffer Strip. [Mitigation Measure HYD-4 (Water Quality Impacts)]
46. Prior to issuance of any building or grading permit, the City's NPDES consultant shall review and approve the project to ensure that the project will comply with all applicable requirements for the control and treatment of erosion and run-off from the project site.
47. All structural roadway BMPs shall be accessible for inspection by City personnel during regular business hours. Additionally, all maintenance shall be completed in accordance with the Operations & Maintenance (O&M) for Vegetated Buffer Strips or the O&M for Filter Inserts. [Mitigation Measure HYD-5 (Water Quality Impacts)]
48. In the event that any extra soil results from the preparation process to pave the existing gravel/dirt driveway, the excess soil shall not be spread throughout the site

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and shall be exported from the project site via a haul route approved by the Director of Public Works.

49. Drainage from the driveway shall be directed away from Narcissa Drive.
50. Landscaping, walls or other site improvements at or near the project driveway at Palos Verdes Drive South shall not obstruct a driver's clear line of sight, to the satisfaction of the Director of Public Works.
51. The proposed Point View Internal Driveway shall be limited to right-turns in/right-turns out only). [Mitigation Measure TRAF-1 (Driveway Impacts)]
52. The project's proposed internal driveway shall be striped so that the flow of driveway traffic is perpendicular to the flow of traffic on Palos Verdes Drive South. [Mitigation Measure TRAF-2 (Driveway Impacts)]
53. Low voltage solar lights, a maximum of 18-inches in height, shall be used to demarcate the paved driveways on the property. Any change to the type of lighting shall be approved by the Community Development Director prior to installation.

Cook Shack/Event Garden

54. A maximum of 30 events are allowed annually at the event garden area of the property. An "event" counting towards the 30 event maximum cap is defined as any activity that meets at least one of the following conditions:
 - (a) provides compensation to the property owner;
 - (b) is a charity event or an event conducted by a charity organization;
 - (c) has 20 or more persons in attendance; or,
 - (d) uses amplified sound in the form of a disc jockey.
55. A minimum of five events shall be reserved for non-profit organizations or public agencies.
56. Events shall include, fund raising and charity events, private parties, public and community events, weddings and receptions, corporate parties, outdoor conferences, and educational events.
57. Maximum attendance at any event shall be limited to 300 guests (not including event staff, security/safety personnel, etc.). For any event that would generate over 300 people, approval of a Special Use Permit (SUP) by the Community Development Department shall be required in advance of the event.
58. On an annual basis, a report shall be submitted to the Community Development Director by January 15 of each year, which lists all the events conducted during the

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previous calendar year. The report shall include information regarding each event, the purpose of each event, the number of attendees, and the group/organization/person(s) that hosted each event.

59. The serving and/or consumption of alcohol at events shall be in accordance with any licensing requirements of the California Department of Alcoholic Beverage Control.
60. Access to the cook shack/event garden area shall be via Palos Verdes Drive South. Public access from Narcissa Drive is prohibited.
61. All exterior lighting shall be in compliance with the standards of Section 17.56.040 of the Rancho Palos Verdes Development Code.
62. Prior to any Building Permit issuance or prior to the first event (whichever occurs first), the applicant shall submit a final site lighting plan prepared by a lighting consultant, for the review and approval of the Community Development Director. The lighting plan shall include the location, height, number of lights, foot candles by area and, estimates of maximum illumination on site with no spill/glare at the property line. The lighting plan shall also demonstrate that all lighting fixtures on the buildings and throughout the entire project site shall be designed and installed so as to contain light on the subject property and not spill over or be directed toward adjacent properties or public rights-of-way. The light source on each fixture shall be shielded such that the light source is not visible from the public rights-of-way or adjacent properties.
63. Installation of temporary ambient lighting is allowed, as needed for individual events. Such lighting shall be removed within 24 hours after the conclusion of the event.
64. When necessary, temporary down lights will be installed in the food preparation area (outside the wall in the patio/barbeque area). These lights will be used for food preparation and clean-up, and shall be turned off within 1-hour after the event or by 11:00 pm, whichever is earlier.
65. No one light fixture shall exceed 1,200 watts, and the light source shall not be directed toward or result in direct illumination of an adjacent parcel of property or properties other than upon which such light source is physically located. All exterior lighting shall be arranged and shielded so as to prevent direct illumination of abutting properties and to prevent distraction of drivers of vehicles on public rights-of-way.
66. No outdoor lighting shall be permitted where the light source or fixture, if located on a building, is above the line of the eaves.
67. The applicant shall treat the face of the existing pony wall to reduce the reflection off of the wall and back towards the residential area as shown in Figure B-2. The wall shall be covered with either a permanent or temporary sound absorption panel or blanket prior to any event authorized by the CUP. The sound absorption panel or

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blanket shall have a Noise Reduction Coefficient (NRC) of 0.75 or greater. The sound absorption panel or blanket sound data shall be submitted to the Community Development Director. [Mitigation Measure NOISE-4 (Operational Noise Impact)]

68. Prior to the start of each on-site event, any disc jockey using amplified sound and/or musicians performing at the project site shall execute an entertainment agreement with the applicant. This entertainment agreement shall stipulate that, at a minimum:

- All amplified performers shall be approved by the landowner or designated representative.
- All DJs/musicians shall utilize the landowner's sound system, which include the decorative "rock" speakers and other on-site fixed speakers, and the pair of QSC-8 stand-mounted sound-minimizing speakers (or similar). The performer shall use all pre-approved settings and speaker direction.
- Within the event garden portion of the landscaped patio/event garden area, the stand-mounted movable speakers shall be oriented towards the existing pony wall and the top of the speakers shall be no higher than 5 feet above the ground.
- The stand-mounted, sound-minimizing speakers (QSC-8 or similar) shall be tilted downward at 7.5 degrees and be directed away from the Portuguese Bend community.
- The volume of movable speakers should be set no greater than 6 at the volume controller of the speakers.
- DJs shall locate equipment per the landowner's instructions.
- All amplified sound and/or musicians shall be limited to the hours when events are permitted.
- DJs and/or musicians shall calibrate sound equipment or musical instruments for low bass and for volumes not to exceed 86 db (a volume setting of 6) at the source.
- Musicians shall utilize low-volume instruments, including but not limited to: acoustic instruments; string instruments (e.g., guitar, banjo, etc.); harp; violin, cello, or similar; string quartet (e.g., trio, duo, etc.); woodwinds (e.g., flute, clarinets, etc.); piano; accordion; tambourine; and singer(s)/choir. No drums shall be used.
- The landowner shall retain the right to terminate any amplified music and/or musicians who do not meet the specific performance criteria established in the entertainment agreement. Performers shall be notified that if the terms of the entertainment agreement are violated, that the security deposit will be forfeited and the performers shall vacate the property immediately.

[Mitigation Measure NOISE-5 (Operational Noise Impacts)]

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69. Event activities at the ceremony lawn area shall not be allowed after 6:00 P.M. and shall not include amplified music. [Mitigation Measure NOISE-6 (Operational Noise Impacts)]
70. All events shall end no later than 9:30 p.m. and all guests shall vacate the property by 10 p.m. Further, all workers associated with the event shall vacate the property by 10:30 p.m.
71. The use of laser lights, strobe lights, flashing lights, or any similar lighting shall be prohibited during all events.
72. A review shall be conducted by the landowner to evaluate the effectiveness of event-related noise mitigation measures twice a year with a report of said evaluation submitted to the Community Development Department for review and consideration. The review shall include the results of monitoring by an acoustical consultant approved by the City of noise levels from one or more events expected to have the highest attendance levels (at or near 300 persons) that also include music. The report shall document compliance with the event-related noise thresholds in the Mitigated Negative Declaration. If the City finds that noise from an event has resulted in the exceedance of any event-related noise threshold(s), the City shall require further restrictions on events, including event size, location and operational characteristics. After two years, if the reporting and review process demonstrates on-going compliance to the City's satisfaction, the City may elect to terminate or modify the reporting and review process. [Mitigation Measure NOISE-7 (Operational Noise Impacts)]
73. At least 30-days prior to the first event, the applicant shall request that the Director or his/her designee conduct an inspection of the site to ensure that there is no spill-over of light onto adjacent properties or cause a negative impact to adjacent properties or public rights-of-way and that the light sources on each fixture is appropriately shielded such that the light source is not visible from the public rights-of-way or adjacent properties. Upon determination by the Director that any installed lighting creates an impact, the property owner shall modify said lighting to the satisfaction of the Director prior to the event.

Cultural Resources (MMRP)

74. Prior to the construction of any component of the proposed project, a qualified archaeologist/paleontologist shall be consulted to investigate the potential to preserve in-place Archaeological Sites CA-LAN-1019 and CA-LA-2485 and their associated artifacts within those areas. Such avoidance measure considerations may include relocation or redesign of these two project components, archaeological site burial, vegetation cover of archaeological sites, public access restrictions to archaeological sites, and/or signage. [Mitigation Measure CULT-1 (Archaeological Site Impacts)]

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75. Should preservation of any of these sites (CA-LAN-1019 and CA-LAN-2485) or other discovered sites be determined infeasible by the qualified archaeologist/paleontologist, a Phase III Data Recovery (salvage excavation) program shall be completed at each of the sites directly impacted by the proposed project. The salvage excavation program would be completed by conducting controlled archaeological excavations to extract any materials or data prior to the start of development. Any archaeological data recovery excavations within these sites shall be focused on areas that will be directly impacted by the proposed project. As such, data recovery excavations shall not be necessary in areas that would not be directly impacted. A Data Recovery Plan (DRP) for controlled scientific excavation and data retrieval should be developed by a qualified archaeologist. The purpose of archaeological data recovery is to gather, through excavation and analysis, the information that made each site significant. The DRP is a research design that outlines the documentary research, field objectives, laboratory analysis, and reporting. The DRP should include the following: a summary of the site, as determined from the Phase I and Phase II investigations; a discussion of the categories of data present on the site that contributed to the determination of significance (e.g., specific artifact categories, features, structural remains, specialized remains such as faunal, etc.); a presentation of background information from the literature that outlines the research topics that will be addressed for the excavation project; a discussion of the field techniques and sampling design needed to recover the types of information that are addressed for the site; an analysis plan that details the specific techniques (e.g., C-14 or other dating methods, botanical identification, lithic and/or micro-wear analysis, geomorphological assessment, etc.) that will gather the data to address the research objectives; procedures for handling human remains, if they are found; plans for public outreach during and/or after excavation; plans for dissemination of important results to lay and professional audiences; and plans for the curation of artifacts and documents associated with the excavation project. The DRP should be consistent with the OHP's Archaeological Resources Management Reports: Recommended Contents and Format (1989), the Guidelines for Archaeological Research Design (1991), and the Guidelines for the Curation of Archaeological Collections (1993). Additionally, the DRP should be consistent with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation. [Mitigation Measure CULT-2 (Archaeological Site Impacts)]
76. Due to the high probability of buried cultural materials or the potential for the Altamira Shale to contain surface paleontological material within the project site, initial ground disturbing activities shall be monitored by a qualified archaeologist/paleontologist. The archaeologist/paleontologist shall have the authority to stop work if sensitive or potentially significant cultural remains, or paleontological resources, are discovered during excavation or ground disturbing activities, and develop a mitigation or avoidance strategy. [Mitigation Measure CULT-3 (Archaeological Site Impacts)]

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77. At the commencement of project construction, all workers associated with ground-disturbing activities (particularly remedial grading and excavation) shall be given an orientation regarding the possibility of exposing unexpected archaeological material, cultural remains, or paleontological resources by a qualified by a qualified archaeologist/paleontologist who satisfies the Secretary of Interior's Professional Qualification Standards for Archaeology (prehistoric/historic archaeology), pursuant to 36 CFR 61. Workers shall be informed on the appearance of archaeological material and fossils, and proper notification procedures by a qualified archaeologist/paleontologist. The archaeologist/paleontologist shall also instruct the workers as to what steps are to be taken if such a find is encountered. [Mitigation Measure CULT-4 (Archaeological Site Impacts)]
78. If archaeological, paleontological, and/or cultural materials are discovered during ground disturbing activity, work will stop in the immediate area and be redirected elsewhere until the archaeologist/paleontologist has evaluated the situation and provided recommendations. Upon such discoveries the archaeologist/paleontologist shall notify the applicant and the City of Rancho Palos Verdes. The qualified archaeologist/archeologist shall determine the discovery's significance and, if necessary, formulate a mitigation plan, including avoidance alternatives, if feasible, to mitigate impacts. Work can only resume in that area with the approval of the project archaeologist/paleontologist. Upon discovery of prehistoric archaeological and/or cultural materials, or Native American remains, the project archaeologist/paleontologist shall contact the City and indicate that a Native American of Gabrielino descent be retained to observe and, as directed by the archaeologist/paleontologist, assist in the identification of the resource or human remains. The Native American monitor shall be retained by the applicant from a list of suitable candidates from the Native American Heritage Commission. [Mitigation Measure CULT-5 (Archaeological Site Impacts)]

Geology and Soils (MMRP)

79. The proposed project shall limit irrigation and concentrated groundwater infiltration to the maximum extent feasible to reduce or avoid potential effects on existing landslides. To confirm that groundwater infiltration is being limited successfully, the applicant shall develop and implement a detailed Vadose Zone Monitoring Program for irrigated areas of the site within the footprint of Ancient Portuguese Bend Landslide Complex. Monitoring soil moisture in the vadose zone would serve as a proxy and early warning for potential changes in the saturated zone. Implementation of this monitoring program will allow for ongoing evaluations of changes in degree of soil saturation within the upper soil layers.

Prior to commencing the proposed agricultural operations, the detailed Vadose Zone Monitoring Plan shall be submitted by the property owner to the City for review and approval by the appropriate consultant retained by the City. The monitoring plan

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shall, at a minimum, establish the location, depth, and type of monitoring equipment, the frequency of data gathering, and the existing soil moisture content. An effective monitoring program shall require a period of baseline monitoring to establish seasonal trends. The cost of the City's review of the monitoring plan shall be borne by the applicant.

As a performance standard, no increase in soil moisture as a result of irrigation should be allowed at depths greater than 5 feet (60 inches) below ground surface unless a greater depth is established in a technical report submitted by the applicant and approved by the City. Changes in soil moisture below this depth may indicate that there is potential for groundwater conditions at the site to be affected locally by the operation. In such instance, irrigation should be suspended, and the City geologist shall evaluate conditions and require corrective actions by the applicant if warranted, including permanent suspension of irrigation in the area, or changes in the type, amount or frequency of irrigation.

Monitoring reports of the soil moisture shall be submitted to the City Geologist, a minimum of once quarterly, with potential for adjustment by the City after a year of monitoring is completed. Routine onsite monitoring may be carried out by on-site staff trained in the use of the identified equipment. [Mitigation Measure GEO-1 (Landsliding Effects)]

80. With the exception of vehicle or pedestrian crossings, all water and irrigation lines within the property shall be above ground to facilitate visual inspection. [Mitigation Measure GEO-2 (Landsliding Effects)] Further, and leaks or breaks in the water and irrigation lines shall be repaired immediately.
81. Prior to the issuance of a building permit by the City's Building Official, the applicant shall obtain final approval of the grading and construction plans from the City's geotechnical consultant. This review shall include analysis of any potential impacts resulting from the former landslide condition on the subject property. The applicant shall be responsible for the preparation and submittal of all soil engineering and/or geology reports required by the City's geotechnical consultant in order to grant such final approval.

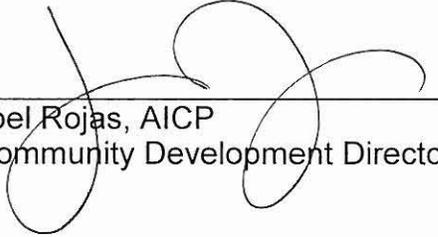
Hazards and Hazardous Materials (MMRP)

82. Prior to approval of grading permits, the applicant shall obtain a statistically valid number of soil samples from areas of the project site subject to ground-disturbing activities, but not dedicated for agricultural uses. These samples shall be analyzed for the presence of residual pesticides. If significant concentrations of pesticides are found above California Human Health screening levels, the site shall be further assessed and/or remediated in accordance with regulatory requirements. [Mitigation Measure HAZ-1 (Residual Pesticides)]

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Any interested party may appeal this decision in writing to the City Council within fifteen (15) calendar days of the Planning Commission's decision (by January 23, 2013). A \$2,275.00 appeal fee must accompany said appeal. Assuming no appeal is filed, planning approval is final.

If you have any questions concerning this matter, please contact Senior Planner Eduardo Schonborn, AICP, at (310) 544-5228, or via e-mail at eduardos@rpv.com.



Joel Rojas, AICP
Community Development Director