

April 29, 2015

NOTICE OF DECISION

NOTICE IS HEREBY GIVEN that the City of Rancho Palos Verdes has conditionally approved a City-initiated modification to the 2014-2015 Special Use Permit (Case No. ZON2014-00312) for Marymount California University.

Location: 30800 Palos Verdes Drive East

Landowner: Marymount California University

Said approval is to allow a series of outdoor special events (20 + 2 alternate dates), with amplified sound, held during the 2014-2015 academic year (see attached), as amended on April 29, 2015.

In granting this Special Use Permit application, the following conditions, including said modifications as underlined below, are approved:

1. The applicant/property owner shall submit to the City a statement, in writing that they have read, understand and agree to all conditions of approval listed below. Failure to provide said written statement within ten (10) days of the effective date of approval shall render this approval null and void.
2. The approval of Special Use Permit (Case No. ZON2014-00312) shall be limited to the dates and times for the special events listed in the attached Exhibit "B". The total number of events for the 2014-2015 academic year shall be limited to twenty-two (22), which includes the twenty (20) scheduled events and two (2) additional floating events to be approved by the Community Development Director. The applicant shall notify the Community Development Director at least thirty (30) days prior to holding the proposed floating events, for review and approval of these events. Any changes to the established schedule of events shall require review and approval by the Community Development Director, provided the change does not conflict with the CUP for the campus.
3. The hours of the proposed events shall be as identified in the attached schedule, unless otherwise noted herein, and the two floating events shall be limited to the hours of 12:00 p.m. to 1:30 .p.m, on a weekday.
4. The two floating events shall be held at Chapel Circle, Cecilia Quad or Poolside only and shall not be held on Saturday's or Sunday's.

Notice of Decision – Case No. ZON2014-00312 (SUP - City Initiated Revision)
April 28, 2015

5. The Graduation Mass proposed on May 8, 2015 shall be from 3:00 p.m. to 6:00 p.m. only, and the Graduation Ceremony May 9, 2015 shall be from 11:00 a.m. to 3:00 p.m. only.
6. No live music or amplified sound shall be permitted at the East Parking Lot for events other than those associated with the Gala on September 27, 2014 and the Graduation activities on May 8, 2015 and May 9, 2015, as listed on the attached schedule (Exhibit "B").
7. The use of amplified sound shall be limited to the dates and times for events listed on the attached Exhibit "B". Any change to the established schedule shall be subject to the review and approval by the Community Development Director.
8. All sound amplification equipment used at any event shall be oriented away from any adjacent residential areas.
9. The applicant shall be responsible for the payment of all costs for Sheriff services, if any, associated with complaints of noise or other disturbances to the surrounding development created by or resulting from these events, pursuant to Section 9.24 of the Rancho Palos Verdes Municipal Code.
10. If noise complaints are submitted to City Staff, the City reserves the right to require a Noise Consultant to monitor noise levels for any event approved through this permit to ensure that noise levels would not exceed 65 decibels, as measured from the closest property line. The applicant shall be responsible for the payment of all costs associated noise consulting services.
11. Any temporary lighting associated with the events shall be shielded and/or directed away from adjacent properties.
12. The tent proposed for the Graduation ceremonies shall comply with all Fire safety criteria, shall be installed in a safe and structurally sound manner, and shall be located in the area indicated on the attached plan. The tent set-up and tear-down activities shall occur between the hours of 8:00 a.m. and 5:00 p.m., and the construction activities for the tent shall be limited to the days between May 5, 2015 and May 7, 2015, and shall be removed within 48 hours of the conclusion of the event. All grounds shall be kept clear of trash and debris, and adequate trash receptacles shall be put in place to ensure that that trash and debris generated from the construction and operation of the graduation ceremony does not end up on neighboring properties.
- 12a. The temporary tent constructed for the Graduation Ceremonies that will occur on May 8, 2015 and May 9, 2015 shall be limited to 1,200 square feet in area and 35 feet in height, as measured from the lowest adjacent grade. The tent shall substantially comply with the plan submitted to the City on April 26, 2015, and as outlined in the conditions of approval.
- 12b. The University shall be permitted to use air hammers for the installation of the temporary tent between May 5, 2015 and May 7, 2015, provided the use of said air

Notice of Decision – Case No. ZON2014-00312 (SUP - City Initiated Revision)
April 28, 2015

hammers does not occur before 10:00 AM or after 5:00 PM each construction day. The property owner shall cap and maintain the holes created for the installation of the graduation tent, and for the future use of the temporary graduation tent, to avoid the need to use air hammers/jackhammers in the future.

- 12c. The University shall be permitted to use a generator for light and sound, which shall be placed in the parking area near the existing classroom building, and shall be operated for light testing on Thursday, May 7, 2015, for rehearsals and Mass on Friday, May 8, 2015, and for graduation on Saturday, May 9, 2015. A temporary screen shall be installed around the generator to buffer the visibility of the generator from residences along San Ramon Dr., and to reduce the sound levels of the generator to no more than 65 dBA, as measured from the property lines.
- 12d. Prior to installation, the Community Development Director shall approve the location of all temporary restroom facilities, including but not limited to porta potties and portable sinks, which shall be generally located along the northwest side of the graduation tent and shall not be visible from the residential properties along San Ramon Dr.
- 12e. The University shall provide to the City Manager and/or Deputy City Manager the direct contact information to the Vice President of the University, should the City receive complaints related to the tent construction or operational activity of the Graduation ceremonies.
- 12f. No temporary exterior lights are permitted for the construction, tear-down or operation of the graduation ceremonies. All activities shall occur within the permitted time frames outlined in the Special Use Permit conditions stated herein.
13. The City reserves the right to adjust any of the above conditions based on the conduct at any of the proposed events, as well as based on legitimate complaints received by the City from the community at large regarding the special events.
14. The City reserves the right to suspend or cancel this permit if activities are conducted contrary to the permit conditions at any time without incurring any liability to the permittee whatsoever. The City will generally provide notification of a violation with direction to the applicant to correct the violation. However, the City shall not be obligated to provide such notification, particularly when imminent health and safety issues involved.
15. No live music or amplified sound associated with an outdoor event shall be permitted on Sundays.
16. The project shall substantially conform to the plans stamped approved with the effective date of this approval.
17. The abandonment or non-use of this approval after a six-month period shall render the approval null and void.
18. All applicable permits required by the Building and Safety Division for any temporary

Notice of Decision – Case No. ZON2014-00312 (SUP - City Initiated Revision)
April 28, 2015

structures associated with the approved outdoor events shall be obtained by the applicant prior to erecting said temporary structures.

19. In the event that a Planning requirement and a Building & Safety requirement are in conflict with one another, the stricter standard shall apply.
20. The subject Special Use Permit for the 2014-2015 (Case No. ZON2014-00312) academic school year shall only be valid if Marymount is in compliance with the conditions of approval memorialized in Conditional Use Permit (CUP) No. 9 – Revision “E”, adopted by the City Council on June 1, 2010, and amended on April 15, 2014, pursuant to Resolution 2014-25, or as required by any subsequent approvals/amendments to the CUP. If Marymount is not in compliance with the aforementioned CUP conditions of approval, the proposed events described herein utilizing amplified sounds shall not be permitted until compliance is demonstrated to the satisfaction of the Community Development Director.
21. Upon receiving and confirming a formal complaint of non-compliance with the Conditions of Approval of the 2014-2015 Special Use Permit, pursuant to Ordinance No. 473, an administrative citation shall be issued by the City to the property owner noting infraction of the non-compliance. The fee for said citation shall be based on Resolution No. 2008-44. Additionally, failure to comply with all conditions of approval set forth in this approval shall be cause for the City to deny future annual Special Use Permits for amplified sounds.

Any interested person may appeal this decision in writing to the Planning Commission within five (5) calendar days of the date of this notice, by May 4, 2015. A \$2,275.00 appeal fee must accompany any appeal. The appeal shall set forth the grounds for appeal and any specific action being requested by the appellant. The Department hours are from 7:30 a.m. to 5:30 p.m., Monday through Thursday, and 7:30 a.m. to 4:30 p.m. Friday.

If you have any questions regarding this matter, please contact Associate Planner, Leza Mikhail at (310) 544-5228 or via e-mail at lezam@rpv.com.


Joel Rojas, AICP
Community Development Director

FOR J.R.