

August 10, 2009

**PUBLIC NOTICE**  
**REVISED PROPOSED MITIGATED NEGATIVE DECLARATION**  
**(STATE CLEARINGHOUSE NO. 2009021050)**

The City of Rancho Palos Verdes hereby gives notice that pursuant to the authority and criteria contained in the California Environmental Quality Act ("CEQA") and the CEQA Guidelines of the City of Rancho Palos Verdes, the Director of Planning, Building, and Code Enforcement has analyzed the request for Planning Case No. ZON2009-00007 (Code Amendment and Environmental Assessment) for the proposed "Zone 2 Landslide Moratorium Ordinance Revisions," affecting sixteen (16) undeveloped properties located within the northwesterly portion of the *Portuguese Bend* community of the City of Rancho Palos Verdes, CA 90275 (Thomas Guide 823-A4, -B3 & -B4).

The revised project description is as follows:

The revised 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 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 revision in the proposed project is that the proposed exception category would apply only to the *Monks* plaintiffs' sixteen (16) lots, as opposed to all forty-seven (47) undeveloped lots in Zone 2.

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

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(Landslide Mitigation Measures Required), 15.20.060 (Application) and 15.20.110 (Required Connection to Operational Sanitary Sewer System).

After reviewing the Initial Study and any applicable mitigating measures for the project, the Director of Planning, Building, and Code Enforcement has determined that this project will not have a significant effect on the environment. Accordingly, a REVISED MITIGATED NEGATIVE DECLARATION has been prepared.

Public comments will be received by the City prior to final approval of the REVISED MITIGATED NEGATIVE DECLARATION and action on the project, for a period of at least 30 days.

A public meeting will be held before the City Council to discuss the proposed project, including the proposed REVISED MITIGATED NEGATIVE DECLARATION, on **Tuesday, September 1, 2009**, at 7:00 PM at Hesse Park Community Building, 29301 Hawthorne Boulevard, Rancho Palos Verdes.

All interested parties are invited to submit written comments and to attend and give testimony. Only those who have submitted written comments and/or given testimony at, or prior to, the public meeting will receive notification of the final decision.

In addition to the commenting period noted above for the REVISED MITIGATED NEGATIVE DECLARATION, the City requests that written comments be provided to the City by noon on Tuesday, August 25, 2009, to ensure inclusion of your comments with the Staff Report. Written comments submitted after noon on Tuesday, August 25, 2009, will be given to the City Council on the night of the meeting. Written materials, including emails, submitted to the City are public records and may be posted on the City's website. In addition, City meetings may be televised and may be accessed through the City's website. Accordingly, you may wish to omit personal information from your oral presentation or written materials as it may become part of the public record regarding an agendized item.

A copy of all relevant material, including the project specifications, Initial Study, and the REVISED MITIGATED NEGATIVE DECLARATION, is on file in the offices of the Planning, Building, and Code Enforcement Department, 30940 Hawthorne Boulevard, Rancho Palos Verdes, CA 90275, and are available for review from 7:30 AM to 5:30 PM Mondays through Thursdays, and from 7:30 AM to 4:30 PM on Fridays.

To receive a copy of the Initial Study, or for additional information, please contact Associate Planner Kit Fox, AICP, at (310) 544-5228 or via e-mail at [kif@rpv.com](mailto:kif@rpv.com).

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**Joel Rojas, AICP**

Director of Planning, Building  
and Code Enforcement

**NOTE: STATE GOVERNMENT CODE SECTION 65009 NOTICE:** If you challenge this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Rancho Palos Verdes at, or prior to, the public hearing.

Please publish in the Palos Verdes Peninsula News on Thursday, August 13, 2009.