



GREATER PORTUGUESE BEND LANDSLIDE COMPLEX EXCEPTION PERMIT

Chapter 15.20 of the Rancho Palos Verdes Municipal Code (Greater Portuguese Bend Landslide Complex Regulations on Land Use Permits), includes regulations prohibiting the filing, processing, approval or issuance of building, grading or other permits, environmental assessments, environmental impact reports, conditional use permits, tentative tract maps or parcel maps in the area of the City identified as the " Greater Portuguese Bend Landslide Complex ". However, these regulations shall not apply to any project which is determined by the City to meet the criteria of one of the Exception categories established through Municipal Code Section 15.20.040.

Projects which qualify as an exception pursuant to Paragraphs (A), (C), (D), (E), (F), (G), (I), (J), (L), and (P) of Municipal Code Section 15.20.040 do not require the submittal of a formal Greater Portuguese Bend Landslide Complex Exception Permit application to the City. Nonetheless, the City shall require that appropriate landslide abatement measures contained in Municipal Code Section 15.20.050 be implemented as conditions of issuance of any permit issued pursuant to Municipal Code Section 15.20.040.

Projects which qualify as an exception to the Greater Portuguese Bend Landslide Complex regulations pursuant to Paragraphs (B), (H), (K), (M), (N) and (O) of Municipal Code Section 15.20.040 shall require the submittal of a formal Greater Portuguese Bend Landslide Complex Exception Permit application to the Community Development.

In order to process a Greater Portuguese Bend Landslide Complex Exception Permit application without delay, the following materials shall be submitted:

1. A letter, signed by the property owner, setting forth the reason for request, as well as a full description of the project.
2. Signed and completed Uniform Planning Application.
3. Copies of a site plan, showing accurate lot dimensions; the location, dimensions, and heights of all existing and proposed structures; and the location of the existing and proposed septic systems and/or holding tank systems; and the location of the existing and/or proposed sanitary sewer system, if the site is or will be served by a sanitary sewer system.
4. Information satisfactory to the City's Geotechnical Staff (including, but not limited to, geological, geotechnical, soils, or other reports) reasonably required by the city to demonstrate that the proposed project will not aggravate the existing situation; along with the appropriate filing fee (see Item No. 6) to pay for the City's review of the submitted geotechnical reports/information;

or

With the appropriate filing fee (see Item No. 6), a site visit and an initial geologic assessment of the proposed project by the City's Geotechnical Staff, and if required

by the City as a result of the initial site visit, information satisfactory to the City's Geotechnical Staff, including, but not limited to, geological, geotechnical, soils, or other reports to demonstrate that the proposed project will not aggravate the existing situation.

5. If grading is proposed, a grading and drainage plan showing the topography of the lot and all areas of project cut and fill, including a breakdown of the earthwork quantities, and proper disposition of site drainage in the proposed grading area.
6. A Filing fee¹ **and** Geotechnical Review fee¹ as required by Building and Safety, being one of the following categories:

Category 1¹ covers the review of plans, City files, and a site visit to determine if geotechnical studies will be required;

Category 2¹ covers the geotechnical review of submitted geotechnical reports and one review of supplemental information;

Category 3¹ covers the cost of a site visit, the review of a geotechnical report, and the review of one supplemental report;

Category 4¹ covers the review of additional re-submitted geotechnical reports;

Trust Deposit Category 5¹ applies to projects not covered by the above fixed fees (subdivisions, bluff top properties, code enforcement, and other special projects) and will be based on time and material basis, as determined by Staff.

Please note that a Greater Portuguese Bend Landslide Complex Exception Permit will not be deemed complete for processing if any of the above listed items are missing or incomplete, including if the applicant fails to demonstrate to the satisfaction of the City's Geotechnical Staff that the proposed project will not aggravate the existing landslide situation.

Should Planning Division approval of a Greater Portuguese Bend Landslide Complex Exception Permit application be granted, the standard conditions of approval contained in Municipal Code Section 15.20.050 shall be made a part of each application approval. These are listed below for ease of reference. Additional conditions which address the particular circumstances of each exception request may be imposed.

- A. If lot drainage deficiencies are identified by the Director of Public Works, all such deficiencies shall be corrected by the applicant.
- B. Roof runoff from all buildings and structures on the site shall be contained and directed to the streets or an approved drainage course.
- C. If required by the City's Geotechnical Staff, the applicant shall submit a soils report, and/or a geotechnical report, for the review and approval of the City's Geotechnical Staff.
- D. 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.

¹ Please refer to the City's [Master Schedule of Fees](#) for Planning Division application fees.

- E. 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.
- F. A hold harmless agreement satisfactory to the City Attorney promising to defend, indemnify, and hold the City harmless from any claims or damages resulting from the requested project. Such agreement shall be submitted to the Director prior to the issuance of a building permit. A release if any and all claims against the City resulting from the City's approval of the requested project, satisfactory to the City Attorney.
- G. 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 this chapter. Such covenant shall be submitted to the Director for recordation prior to the issuance of a building permit.
- H. All landscaping irrigation systems shall be part of a water management system approved by the director of public works and city geologist. Irrigation for landscaping shall be permitted only as necessary to maintain the yard and garden. Yards and gardens shall be developed with minimal watering requirements and utilize efficient and water-conserving irrigation methods to prevent water entering the ground that may exacerbate land movement.
- I. 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 the Landslide Exception Permit.
- J. All other necessary permits and approvals required pursuant to this code or any other applicable statute, law or ordinance shall be obtained.

NOTE: Each of the above documents will be recorded by the City with the Los Angeles County Recorder. Each covenant and agreement is subject to a City processing fee¹.

The granting of a Greater Portuguese Bend Landslide Complex Exception Permit does not constitute planning approval of a specific project request, but simply grants the property owner the ability to submit the appropriate Planning Division application(s) for consideration of a specific project request (i.e. Site Plan Review Application, Variance Application, etc.).

Any interested person may appeal any decision or any condition imposed by the Community Development Director to the City Council by filing a written request, together with an appeal fee¹, within 15 days after the decision is made.¹

¹ Please refer to the City's [Master Schedule of Fees](#) for Planning Division application fees.

Please refer to Chapter 15.20 of the City's Municipal Code for a complete discussion of the Greater Portuguese Bend Landslide Complex Regulations on Land Use Permits limitations, exceptions, procedures and mitigation measures. Please contact the Planning Division if you are not certain of the materials you must submit or if you have any questions about the process. The City's Planning Division is available at the public counter from 7:30 a.m. to 5:30 p.m., Monday through Thursday, 7:30 a.m. to 4:30 p.m. on Friday, and can be reached by telephone during these hours at (310) 544-5228.