

P.C. RESOLUTION NO. 2010-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES APPROVING, WITH CONDITIONS OF APPROVAL, PLANNING CASE NO. ZON2009-00441 (CONDITIONAL USE PERMIT NO. 200 REVISION 'A', GRADING PERMIT, COASTAL DEVELOPMENT PERMIT) TO ALLOW PARKING LOT AND SITE IMPROVEMENTS AT LOWER POINT VICENTE CONSISTING OF THE CONSTRUCTION OF A RECONFIGURED AND EXPANDED PARKING LOT (101 PARKING SPACES INCLUDING LOADING AND ACCESSIBLE SPACES), NEW LANDSCAPING, NEW HARDSCAPE (WALKWAYS AND PLAZAS), NEW DECOMPOSED GRANITE TRAILS, AND NEW DRAINAGE IMPROVEMENTS LOCATED AT 31501 PALOS VERDES DRIVE WEST.

WHEREAS, on September 8, 1998, the Planning Commission adopted P.C. Resolution No. 98-29 making certain environmental findings in connection with the adopted Mitigated Negative Declaration and adopted P.C. Resolution No. 98-30, conditionally approving Conditional Use Permit No. 200, Grading Permit No. 1993, and Coastal Permit No. 143 to allow site improvements at Lower Point Vicente consisting of, among other things, a 7,400 square foot addition to the PVIC building, 139 new parking spaces (for a total of 207 parking spaces), reconfigured driveways, approximately 11,000 cubic yards of grading (cut and fill), new and expanded decomposed granite trails, new landscaping and other outdoor park amenities. Due to budget limitations, portions of the parking lot expansion and some site improvements were not constructed; and,

WHEREAS, on September 2, 2008, the City Council adopted the Rancho Palos Verdes Coast Vision Plan which is an informational planning document for the City's coastal areas (including five key sites not included in the City's Palos Verdes Nature Preserve), with public access, interpretive materials, recreational amenities, and other amenities to improve the coastal open space experience for Palos Verdes residents and visitors. One of the five key sites identified in the Vision Plan is Lower Point Vicente. According to the goals identified in the Council adopted Vision Plan, improvements to the Lower Point Vicente site should integrate, in terms of design and amenities, existing and proposed facilities. These facilities include the PVIC building and its proposed outdoor education components (Phase III, relating to cultural, social, physical and natural history and environments), expanded parking, public parkland and trails, and other potential, complementary educational public uses; and,

WHEREAS, Pursuant to the Council adopted Vision Plan, the City, in partnership with the Annenberg Foundation, is now proposing to complete the construction of the improvements at Lower Point Vicente originally approved by the Planning Commission in 1998. These improvements consist of the removal of the existing parking lot to accommodate a reconfigured and expanded parking lot totaling 101 spaces (including 6

accessible spaces and 2 loading spaces); new landscaping; new hardscape (walkways and plazas); new decomposed granite trails; and drainage improvements (see attached project plans) located at Lower Point Vicente at 31501 Palos Verdes Drive West; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 et. seq. ("CEQA"), the State CEQA Guidelines, California Code of Regulations, Title 14, Sections 15000 et. seq., the City's Local CEQA Guidelines, and Government Code Section 65952.5(e) (Hazardous Waste and Substances Statement), a Mitigated Negative Declaration for the project has been submitted and adopted as found in P.C. Resolution No. 2010-XX; and,

WHEREAS, after notice issued pursuant to the requirement of the Rancho Palos Verdes Development Code, the Planning Commission held a duly noticed public hearing on January 26, 2010 and February 9, 2010, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1: That the site is adequate in size and shape to accommodate the proposed use and for all of the yards, setbacks, walls, fences, landscaping and other features required by this title or by conditions imposed under this section to integrate said use with those on adjacent land and within the neighborhood. The Open Space Recreation district does not establish any required setbacks for buildings, the proposed project will be located well away from other surrounding land uses and Palos Verdes Drive West. Additionally, various site improvements are proposed including trails, landscaping and hardscape intended to enhance the public experience at Lower Point Vicente and to aesthetically enhance the project site from neighboring properties.

Section 2: The project involves improvements to the existing parking lot that are intended to enhance the existing amenities available to the public and improve both vehicular and pedestrian access to the project site. The project does not propose improvements or uses that would generate additional traffic not previously studied as part of the environmental review and approval for the 1998 PVIC expansion project. As such, the project will not generate new traffic, but rather enhances and expands the amenities, such as parking, driveway aisles, and vehicular drop-off, for the traffic generated by the existing PVIC building and outdoor amenities.

Section 3: That, in approving the improvements at the Lower Point Vicente, there will be no significant adverse effect on adjacent property or the permitted use thereof because the improvements will be constructed within the central location of the project site, the large setback between the improvements and adjacent properties, and relatively quiet use of the facility by visitors, the only potential issue effecting adjacent properties would be lighting, landscaping, and construction related noise. In order to address these potential impacts, conditions are imposed that will regulate lighting in terms of height of light standards and light wattage, shielding lighting to avoid spill over

onto neighboring properties, height restrictions of trees, and hours of operation for construction, with stricter limitations on Fridays and Saturdays, and no work on Sundays and Federal Holidays. As such, with the adoption of the conditions of approval, as shown in the attached Exhibit "A," potential impacts are adequately addressed and this finding can be made.

Section 4: That the proposed use is not contrary to the General Plan, as the proposed site and parking lot improvements to Lower Point Vicente are consistent with the uses permitted within the Open Space Recreational zoning district and is therefore consistent with the Zoning Code and the Recreational/Passive land use designation of the General Plan.

Section 5: That the proposed project is consistent with the applicable requirements of the Natural, Socio/Cultural, and Urban Overlay Control Districts.

Section 6: That conditions necessary to project the health, safety and general welfare, have been imposed as the proposed project has been designed and conditioned through this Resolution and the Mitigation Measures defined within the Mitigated Negative Declaration so that the proposed project will not cause an impact to the health, safety and general welfare of the site nor surrounding area residents.

Section 7: That the proposed development is in conformance with the Coastal Specific Plan as the project site is located within Subregion 2 of Coastal Specific Plan, and in reference to Subregion 2, the Specific Plan indicates, *"This Subregion's character is that of an attractor/generator to the vast majority of the populace with resides outside the Peninsula"* (Page S2-5). The proposed project is in conformance with the statement as the proposed project will improve the existing "attractor/generator" use of Lower Point Vicente and the existing interpretive center and provide a resource for those persons residing on and off the peninsula. Additionally, the project is consistent with the Coastal Specific Plan policy to *"Facilitate justifiable coastal-dependent development in a manner that is compatible with the City and surrounds, while allowing a positive utilization of coastal resources"* (Page U-18), as the proposed project has been designed to be compatible with the existing surroundings of the subject site, and consistent with the policy that indicates, *"Provide mitigating measures where possible to control surface runoff that might be degrading to the natural environment"* (Page N-46), as the proposed project includes the installation of a new drainage system that will focus the on-site drainage into one system instead of allowing the drainage to sheet flow over the bluff edge, where it currently erodes the bluff face and causes damage to the marine environment as a result of the urban type pollutants associated with the run-off.

Section 8: That the proposed development, which is located between the sea and the first public road, is in conformance with applicable public access and recreation policies of the Coastal Act as the proposed project only involves the construction of site improvements, such as trails, landscaping and hardscape, as well as expanded and reconfigured parking lot that will not impede any existing trails or access points, but

instead will actually allow for greater public use and access of the site as additional parking spaces are being constructed.

Section 9: The grading does not exceed that which is necessary for the permitted primary use of the lot, as defined in Section 17.96 of this title because given the large site, focused grading areas, and purpose of the proposed project, the project grading is necessary for the permitted primary use of the lot.

Section 10: The grading and/or related construction does not significantly adversely affect the visual relationships with, nor the views from, neighboring properties because the site improvements are minor in nature and general consist of landscaping, hardscape and other site improvements.

Section 11: The nature of the grading minimizes disturbances to the natural contours, and finished contours area reasonably natural because the proposed contours will still maintain the general configuration and sloping character of the natural contours between Palos Verdes Drive West and the Bluff face.

Section 12: The grading takes into account the preservation of natural topographic features and appearances by means of land sculpturing so as to blend any man-made or manufactured slope into the natural topography because, although the proposed project will change the existing natural contours to create a level area for the parking lot, the proposed man made slopes are designed to blend into the natural topography.

Section 13: The grading utilizes street designs and improvements which serve to minimize grading alternatives and harmonize with the natural contours and character of the hillside because although the proposed project does not include any new streets, it does include a parking area and service driveway; both of which blend into the natural contours and character of the existing site.

Section 14: The grading would not cause excessive and unnecessary disturbance of natural landscape or wildlife habitat through removal of vegetation because as identified in the biological analysis, mitigation measures and conditions of approval are included to protect biological resources.

Section 15: Any interested person aggrieved by this decision or by any portion of this decision may appeal to the City Council. Pursuant to Section 17.56.070 of the Rancho Palos Verdes Municipal Code, any such appeal must be filed with the City, in writing, and with the appropriate appeal fee, no later than fifteen (15) days following February 9, 2010, the date of the Planning Commission's final action.

Section 16: For the foregoing reasons and based on the information and findings included in the Staff Report, minutes and other records of proceedings, the Planning Commission of the City of Rancho Palos Verdes hereby approves Planning Case No. ZON2009-00441 (Conditional Use Permit No. 200 Revision 'A', Grading Permit, and Coastal Development Permit), thereby approving the construction of a

reconfigured and expanded parking lot (101 parking spaces including loading and accessible spaces), new landscaping, new hardscape (walkways and plazas), new decomposed granite trails, and new drainage improvements to Lower Point Vicente located at 31501 Palos Verdes Drive West subject to the conditions of approval contained in Exhibit "A" and the Mitigation Measures contained in Exhibit "B", attached hereto and made a part thereof, which are necessary to project the public health, safety and welfare.

PASED, APPROVED, and ADOPTED this 9th day of February 2010 by the following roll call vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Jeffrey Lewis
Chairman

Joel Rojas, AICP
Director of Community Development; and,
Secretary to the Planning Commission

RESOLUTION NO. 2010-__ - EXHIBIT "A"
CONDITIONS OF APPROVAL
LOWER POINT VICENTE
ZON2009-00441 (Conditional Use Permit No. 200 Revision "A",
Grading Permit and Coastal Development Permit)

General

1. All construction shall be completed in substantial conformance to the plans approved by the Planning Commission on September 8, 1998 and February 9, 2010.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

2. ~~This~~ The original approval (September 8, 1998 per P.C. Resolution No. 98-30) is for the construction of a 7,437 square foot addition to the existing Point Vicente Interpretive Center, an outdoor amphitheatre, teaching terraces, walls and fences, 139 new parking spaces, driveways, new landscaping, and other amenities to the Point Vicente Interpretive Center Site. The approval for Conditional Use Permit No. 200 Revision 'A' is for the construction of 35 parking spaces that were not constructed as part of the original approval resulting in a total of 101 spaces (including 6 accessible spaces and 2 loading spaces), new landscaping, new hardscape (walkways and plazas), new decomposed granite trails (including a decomposed granite trail along Palos Verdes Drive West right-of-way adjacent to the project site), and drainage improvements.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

3. These approvals shall expire one year from the date of this action unless application for building permits is made. Extensions of up to one year may be granted by the Planning Commission if requested prior to expiration. The project development shall conform to the specific standards contained in these Conditions of Approval or, if not addressed herein, shall conform to the appropriate development and operational standards of the Rancho Palos Verdes Municipal Code ("RPVMC").

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

4. The project, including site layout, the building and appearances, and signage throughout the site, must be constructed and maintained in substantial compliance with the plans reviewed and approved by the Planning Commission, and stamped APPROVED by the City with the effective date of the Notice of Decision.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

5. The Director of Community Development shall be 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 such plans and conditions.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

6. These conditions are organized by topic type for ease of reference. Regardless of such organization, each condition is universally applicable to the entire project site, unless a condition clearly indicates otherwise. The conditions shall be applicable as long as a Lower Point Vicente is operated as a City park, unless otherwise stated herein.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

7. In the event that a Condition of Approval is in conflict or is inconsistent with any Mitigation Measure for this project, the more restrictive shall govern.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

8. All applicable permits required by the Department of Building and Safety and the Department of Public Works shall be obtained prior to the commencement of any construction activities associated with this approval.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

9. The development shall comply with all mitigation measures found in the Mitigated Monitoring Program as adopted through P.C. Resolution Nos. 1998-29 and 2010-XX

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

- ~~6.10.~~ Each and every mitigation measure contained in the Mitigation Monitoring Program attached as Exhibit "A" of Resolution No. 2010-XX is hereby incorporated into the Conditions of Approval, as Exhibit "B", for planning case number ZON2009-00441 (Conditional Use Permit No. 200 Revision 'A,' Grading Permit, and Coastal Development Permit).

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

GENERAL CONSTRUCTION

11. Temporary construction fencing shall be installed in accordance with the RPVMC and the Construction Management Plan included in the development package reviewed and approved by the Planning Commission on February 9, 2010. Additionally, public information on the project in the form of posted signs or other posted information that is affixed to the construction fencing shall be included in the Temporary Construction Fencing Plan for review and approval by the Director of Community Development.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

12. All on-site construction and grading activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Thursday, and between 7:00 a.m. and 4:00 p.m. Friday through Saturday. No construction shall occur on Sundays or Federal holidays as set forth in RPVMC unless a special construction permit, allowing construction work on Sundays or Federal holidays between the hours of 7:00 am and 4:00 pm, is first obtained from the Director of Community Development at least 48-hours in advance of construction work. Any deviation from this Condition shall require an amendment to these Conditions of Approval and the approval of a Variance Permit.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

13. The construction site and adjacent public and private properties and streets shall be kept free of all loose materials in excess of the material used for immediate construction purposes. Such excess material includes, but is not limited to, the accumulation of debris, garbage, lumber, scrap metal, concrete asphalt, salvage materials, abandoned or discarded furniture, appliances, or fixtures.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

14. No overnight parking or storage of vehicles associated with construction shall be permitted in the public right-of-way during construction.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

15. Prior to issuance of any grading permit, final geotechnical and soils reports shall be submitted to the City for review and approval by the Building Official and the City's Geotechnical Consultant. All conditions specified in the approved geotechnical and soils reports will be incorporated into the project.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

16. Construction and grading activities within the public right-of-way shall be limited to the days and hours approved by the Director of Public Works at the time of permit issuance.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

17. No on-site repair, maintenance, delivery of equipment and materials or vehicle idling shall occur before 7:00 a.m. or after 7:00 p.m. Monday through Saturday, nor on any Sunday or Federal holiday, unless otherwise specified in these Conditions of Approval or a Special Construction Permit is obtained from the City. Emergency repairs are exempt from this condition.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

18. Prior to the issuance of any grading permits, a final Construction Management Plan shall be submitted for review and approval by the Director of Public Works. Said Plan shall include, but not be limited to, the proposed routes to and from the project site for all deliveries of equipment, materials, and supplies, and shall set forth the parking plan for construction employees, the installation of traffic control signs at and around the project site, hours of arrival and departure for construction workers, sound abatement measures, street maintenance (street cleaning and repairs) and the location and dimensions of all temporary trailers or structures. All construction related parking must be accommodated on-site. No on-street construction related parking shall be permitted. The queuing and idling of construction worker vehicles and construction vehicles/equipment shall be prohibited on-site and on City streets. Furthermore, the contractor shall prepare and submit a Haul Plan to the Public Works Department for review and approval prior to issuance of grading permits.

Additionally, as part of the review of the Construction Management Plan, the contractor shall demonstrate to the City's satisfaction, including the Director of Parks and Recreation, how the continued operation of Lower Point Vicente and the Point Vicente Interpretative Center will be maintained and impacts minimized during project construction. At a minimum, temporary parking spaces shall be provided for 100 vehicles and 2 buses, and an accessible pathway to the Point Vicente Interpretative Center. Prior to issuance of any grading or building permit, the City shall obtain approvals from the Coast Guard for the temporary use of the dirt parking lot located on the neighboring Coast Guard property.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

19. The contractor shall be responsible for repairs to any public streets which may be damaged as a result of development of the project.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

20. Prior to issuance of any grading or building permit, the contractor shall film the public roads that will be used for construction traffic to and from the project site, as described in the City approved Construction Management Plan, to document the pre-construction road condition. Said film, in either a DVD or CD format,

shall be reviewed and approved by the Director of Public Works and shall be used to document any roadway damage that may be associated with project construction.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

21. Prior to the issuance of any grading or building permit, the contractor shall submit security, in a form reasonably acceptable to the City, to cover any damage to existing public roadways caused by project construction. The amount of such security shall be determined by the Director of Public Works and shall not be released until all construction related activities have been completed and after final inspections by the City's Building Official.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

22. Prior to the release of the security to cover any damages to existing public roadways (see above conditions), the contractor shall repair or replace all curbs, gutters, and sidewalks that are damaged as a result of project construction, as determined by the Director of Public Works.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

23. If excavation is required in any public roadway, the roadway shall be resurfaced with an asphalt overlay to the adjacent traffic lane line to the satisfaction of the Director of Public Works.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

24. Prior to commencing any excavation or construction within the public rights-of-way, the contractor shall obtain all necessary permits from the Director of Public Works.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

25. The project shall comply with all requirements of the various municipal utilities and agencies that provide public services to the property.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

- 30-26. All existing easements shall remain in full force and effect unless expressly released by the holder of the easement.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

CONDITIONAL USE PERMIT NO. 200

- [32-27.](#) The building setbacks shall not be less than 95' to the west property line, 512' to the east property line, 560' to the northern property line, and 480' to the southern property line.
- [33-28.](#) The maximum height of the proposed facility shall not exceed 30'-6" as measured from the point where the lowest foundation or slab meets finished grade, and 22'-0" from the highest elevation of existing grade to be covered by the structure. Prior to installation of roof sheathing, Ridge Height Certification shall be submitted by the developer.
- [34-29.](#) Parking and security lighting shall be kept to minimum safety standards and shall conform to City requirements within the Development Code. Fixtures shall be shielded so that only the subject property is illuminated; there shall be no spillover onto neighboring properties.
- [35-30.](#) Subject to review and approval by the Director of Community Development, all block wall fences shall be composed of a decorative material such as slumpstone.
- [36-31.](#) During construction activity, the contractor shall protect the existing Botanical Garden as much as possible. A chain link fence will be installed around the construction area to restrict equipment and employees to the immediate construction area. Any plant species destroyed in the Garden in conjunction with project construction will be replaced in another location near the Center upon completion of the project. Although some existing plants will have to be removed to allow for the expansion of the Center, those plants shall be replaced with plants in-kind. The contractor shall work with the California Native Plant Society to replace said plants removed during construction and to re-establish the Garden in the immediate vicinity of the Center. Subject to review and approval by the Director of Public Works, the contractor shall minimize potential impacts to the soil by taking all feasible precautions to prevent pollution by construction waste, and minimize soil compaction and loss of suitable soil for re-planting areas.

GRADING PERMIT

32. [The following maximum quantities and depths of grading are approved for the Parking Lot and Site Improvement Project at Lower Point Vicente, as shown on the grading plan reviewed and approved by the Planning Commission at its February 9, 2010 meeting:](#)
- a. [Maximum Total Grading \(Cut and Fill\): 20,520 cubic yards.](#)
 - b. [Maximum Cut: 10,260 cubic yards \(9,860 cubic yards of cut soil and 400 cubic yards of cut bedrock\).](#)
 - c. [Maximum Fill: 10,260 cubic yards.](#)
 - d. [Maximum Depth of Cut: 7 feet.](#)

e. Maximum Depth of Fill: 6 feet.

The Community Development Director shall be authorized to allow deviations to the above grading quantities up to 200 cubic yards over the stated maximum quantities for unforeseen circumstances or due to conditions encountered in the field provided that such deviation or modification to the grading quantities achieve substantially the same results as with the strict compliance with the grading plan.

Any modifications resulting in additional grading in excess of the above amounts shall require approval of an amendment to the grading permit by the Planning Commission at a duly noticed public hearing. This is a balanced grading project. No import or export of earth shall be permitted, except for rock material or fine grading materials, such as select fill.

Prior to the final inspection of the precise grading, a certified as-built grading plan prepared and wet-stamped by a licensed engineer shall be reviewed and approved by the Building Official and the Director of Public Works. If applicable, the as-built grading plan shall identify all revisions to the Planning Commission's approved grading plan.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

33. Recommendations made by the City Geologist, Building Official or Director of Public Works during the plan check review process shall be incorporated into the design and construction of the project.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

34. Prior to issuance of a grading permit, the contractor shall demonstrate to the satisfaction of the Director of Community Development how dust generated by grading activities will be mitigated so as to comply with the South Coast Air Quality Management District Rule 403 and the City's Municipal Code requirements which require watering for the control of dust.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

35. Prior to the issuance of any grading permit, the project geologist shall review and approve the final plans and specifications and shall stamp and sign such plans and specifications.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

36. All grading shall be monitored by a licensed engineering geologist and/or soils engineer in accordance with the applicable provisions of the RPVMC and the recommendations of the Director of Public Works. Written reports, summarizing grading activities, shall be submitted on a weekly basis to the Director of Public Works and the Building Official.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

- ~~42.37.~~ Unless otherwise provided in these conditions of approval or permitted by the Director of Community Development, the project shall comply with all appropriate provisions of the City's Grading Ordinance (Chapter 17.50 Grading).

38. Grading activity on-site shall occur in accordance with all applicable City safety standards.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

39. Prior to final grading inspection by Building and Safety, the graded slopes shall be properly planted and maintained in accordance with the approved Landscape Plan required in **Condition No. XX**. Plant materials shall generally include significant low ground cover to impede surface water flows.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

40. If applicable, any water features (fountains, etc.), including the bioswale, shall be lined to prevent percolation of water into the soil. Designs for all water features shall be included on the grading plans submitted for review by the City's Building Official and the City's Geologist prior to the issuance of any grading permits.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

41. The use of on-site rock crushing, including large-scale stonecutting, shall be prohibited with the exception of the use of a minimal number of stonecutting saws for the final fitting and installation of the stone veneer on the building and site walls, provided that these stonecutting saws are located immediately adjacent to the areas where the stone veneer is being applied and as far as possible from nearby residences.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

UTILITIES

42. Prior to issuance of the final inspection for the project grading, all new utilities exclusively serving the project site shall be placed underground including cable

television, telephone, electrical, gas and water. All appropriate permits shall be obtained for any such installation.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

43. No above ground utility structure cabinets, poles, pipes, or valves shall be constructed within the public rights-of-way without prior approval of the Director of Public Works. If permitted, above ground utility structure cabinets, pipes, or valves shall not impede on the pedestrian circulation flow. The use of above ground utility poles is prohibited.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

HYDROLOGY AND WATER QUALITY

44. Prior to issuance of any building or grading permits, a Storm Water Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Public works to ensure compliance with the current California State Regional Water Quality Control Board (RWQCB) regulations. The Storm Water Pollution Prevention Plan shall incorporate by detail or reference appropriate post-construction Best Management Practices (BMPs) to:

- a. Implement, the maximum extent practicable, requirements established by appropriate governmental agencies under CEQA, Section 404 of the Clean Water Act, local ordinances and other legal authorities intended to minimize impacts from storm water runoff on the biological integrity of natural drainage systems and water bodies;
- b. Maximize, to the maximum extent practicable, the percentage of permeable surfaces to allow more percolation of storm water into the ground;
- c. Minimize, to the maximum extent practicable, the amount of storm water directed to impermeable areas;
- d. Minimize, to the maximum extent practicable, parking lot pollution through the use of appropriate BMPs, such as retention, infiltration and good housekeeping.
- e. Establish reasonable limits on the clearing of vegetation from the project site including, but not limited to, regulation of the length of time during which soil may be exposed and, in certain sensitive cases, the prohibition of bare soil; and,
- f. Provide for appropriate permanent controls to reduce storm water pollutant load produced by the development site to the maximum extent practicable.

Further, the Storm Water Pollution Prevention Plan shall contain requirements to be adhered to during project construction. These practices should:

- i. Include erosion and sediment control practices;
- ii. Address multiple construction activity related pollutants;
- iii. Focus on BMPs such as source minimization, education, good housekeeping, good waste management, and good site planning;
- iv. Target construction areas and activities with the potential to generate significant pollutant loads;
- v. Require retention on the site, to the maximum extent practicable, of sediment, construction waste, and other pollutants from construction activity;
- vi. Require, to the maximum extent practicable, management of excavated soil on site to minimize the amount of sediment that escapes to streets, drainage facilities, or adjoining properties;
- vii. Require, to the maximum extent practicable, use of structural drainage controls to minimize the escape of sediment and other pollutants from the site; and,
- viii. Require, to the maximum extent practicable, containment of runoff from equipment and vehicle washing at the construction sites, unless treated to remove sediments and pollutants.

45. The irrigation system and area drains proposed shall be reviewed and approved by the City's Building Official, Director of Public Works, and the Director of Community Development.

46. Prior to the issuance of any grading permit, it shall be demonstrated to the satisfaction of the Director of Public Works that the design storm can be conveyed through the site without conveying the water in a pipe and without severely damaging the integrity of the Standard Urban Stormwater Mitigation Plan (SUSMP). If such integrity cannot be demonstrated, the SUSMP shall be redesign to the satisfaction of the Director of Public Works, which may require off-site flows to be diverted into a piped system and carried through the site.

47. Prior to the acceptance and final inspection of the storm drain system, all catch basins and public access points that crosses or abut an open channel shall be marked (such as a City approved stencil) with a water quality message in accordance with the SUSMP and SWPPP.

48. Prior to issuance of any building or grading permit, a SUSMP pursuant to the guidelines in *Development Planning for Stormwater Management – A Manual for the Standard Urban Stormwater Mitigation Plan (SUSMP)* prepared by Los Angeles County Department of Public Works 2002 (or most current version) shall be submitted for review and approval by the City. The SUSMP shall include both structural and non-structural BMPs and shall comply with RWQCB and applicable National Pollution Discharge Elimination System (NPDES) permits. The SUSMP shall identify how on-site flows and off-site water flows that mix with on-site water flows are treated for pollutants prior to leaving the site. The WQMP shall also include an Integrated Pest Management Plan (IPMP) that addresses the use of grasscycling and pesticides for the lawn and landscape areas.
49. Prior to final inspection, the SUSMP Maintenance Agreement, outlining the post-construction Best Management Practices, shall be recorded with the Los Angeles County Recorders Office.
50. Prior to issuance of any building or grading permits, any required documents shall be filed, including the Notice of Intent (NOI), and obtain all required permits from the California RWQCB.

LEAD REMEDIATION (HAZARDOUS MATERIAL)

51. Prior to issuance of any grading or building permit, the Department of Toxic and Substance Control (DTSC) shall review and approve the Lead Remediation Work Plan (“Work Plan).
52. Prior to commencing construction, it shall be demonstrated to the satisfaction of the Director of Community Development how construction complies with all requirements of the ‘Covenant to Restrict Use of Property’ (Covenant) including, but not limited to, the following:
 - 4.01. *Restrictions on Use.* Covenantor promises and covenants to restrict its use of the Property to use as a public park; an educational, research, recreation, and community center; and other related governmental and public uses.
 - 4.02. *Future Construction or Demolition Activities.* The Covenantor will notify the Department [meaning Department of Toxic Substances Control] prior to any future construction or demolition of existing Improvements that may involve disturbance of the cap or the soils underneath the cap, and if Hazardous Substances are encountered during any future construction or demolition of existing Improvements on the Property the Covenantor will take such appropriate

action as directed by the Department to address the presence, and if necessary, the remediation of any hazardous substances so encountered.

4.03 Soil Management.

(a) Activities that may disturb soils beneath the Capped Property (e.g. excavation, grading, removal, trenching, filling, earth moving, mining, etc.) shall not be permitted without prior review and approval by the Department.

(b) No uses, improvements, or development of the Capped Property (other than routine, non-invasive maintenance) shall disturb the integrity of the concrete and asphalt that serve as caps on the Capped Property without prior review and approval by the Department.

(c) The concrete and asphalt that serve as caps on the Capped Property (other than routine, non-invasive maintenance) shall not be altered without written approval by the Department.

(d) The Owner shall maintain the caps on the Capped Property in a Manner that avoids potential harm to persons or property which may result from the potential contaminated soils on the Capped Property.

(e) Any contaminated soils brought to the surface by grading, excavation, trenching, backfilling, or other activities shall be managed in accordance with all applicable provisions of state and federal law.

The Covenantor will notify the Department (DTSC) of each of the following: (i) the type, cause, location, and date of any disturbance and/or damage to the caps and (ii) the type and date of repair of such damage. Notification to the Department shall be made as provided below within ten (10) working days of both the discovery of any such disturbance and/or damage and the completion of any repairs. Timely and accurate notification by any Owner or Occupant shall satisfy this requirement on behalf of all other Owners and Occupants. Any information provided under this section should also be attached to the annual report required.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

53. Construction activities within the capped property including the reconfigured parking areas and driveway access roads shall adhere to the work plan prepared by SGI Environmental and approved by the DTSC (November 2009) including but not limited to the following:

- The surface soil underlying the paved areas shall be scarified and re-compacted in place to accommodate placement of fill material over existing soils.
- To achieve final grade elevations planned for the proposed project, up to one (1) to seven (7) feet of clean soil fill material shall be placed over the former paved parking lot and paved access road of the capped property.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

54. Construction and landscaping activities within the Area of Concern (AOC) shall adhere to the work plan prepared by SGI Environmental (November 2009) and approved by the DTSC including, but not limited to, the following:

- The first one-foot of surface soil shall be removed. This soil should be clean fill material placed over the AOC during 2003 site remedial activities.
- Excavated soils greater than one foot shall be segregated and stockpiled.
- Excavated soils shall be returned to or placed back into area of excavation. However soils removed from the AOC may be replaced anywhere within the boundary limits of the AOC, as long as a one (1) foot clean soil cover is utilized, as described below.
- Work area shall be covered with a one (1) foot thick, minimum, interval of clean fill soil.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

55. The proposed project shall adhere to the work plan guidelines developed by SGI Environmental for the proper handling and onsite management of potentially lead-impacted soil should they be encountered during construction activities. These guidelines shall be utilized by all parties involved in any activities where disturbance of onsite soil would occur (i.e., excavation, grading and landscaping), including the site Owner or record at the time of the activity as well as the Contractor and Consulting Project Engineer engaged in the construction activity. These guidelines include general practices that that are consistent with California Title 8, Occupational Safety and Health Administration (Cal-OSHA) regulations. The work plan guidelines developed by SGI Environmental that shall be implemented during construction and grading activities include but are not limited to the following:

Health and Safety Planning. A site health and safety plan (HASP) shall be reviewed and updated prior to any construction activity involving earthwork or soil removal the site.

Utility Clearance. For exterior construction activity that involves earthwork, the Contractor and/or Project Engineer shall contact Underground Service Alert (USA) for underground utilities mark out. The USA's underground utility markout should be confirmed prior to initiating site work, particularly earthwork.

Asphalt Concrete and Debris Removal. If concrete (Portland or Asphalt) overlies portions of the construction area, the concrete should be saw-cut or ripped and removed to provide access prior to earthwork. Mixing underlying soil with the

removed concrete and/or asphalt debris should be minimized as much as is practical. The concrete debris should be broken into removable fragments, loaded into end-dump trucks and transported to a local Class III landfill for disposal, or if possible, to a crushing/recycling facility. If necessary, trees, stumps, roots, brush, and other vegetation in areas to be excavated or cleared should be cut off flush with or below the original ground surface, except such trees and vegetation as may be indicated or directed to be left standing. Trees and other vegetation to be left in place should be protected from incidental damage during construction by the placement/erection of barriers or fences.

Soil Removal. Appropriately trained and experienced environmental professionals shall be onsite during site preparation, grading, and related earthwork activities to monitor soil conditions encountered. If required, removal of potentially lead-impacted soil shall be addressed as follows:

- a) The Contractor and/or Consulting Project Engineer, along with the Site owner of record shall coordinate field activities with equipment operators and other personnel.
- b) Prior to beginning earthwork, excavation boundaries shall be delineated and marked at the site.
- c) Eight-millimeter (minimum) plastic sheeting shall be placed on the ground prior to stockpiling impacted soil to prevent cross contamination with underlying soils. Alternatively, excavated soil may also be placed in roll-off bins designed for this purpose.
- d) If work is in the AOC, remove first 1-foot topsoil layer of soil and segregate from remaining soil. It is assumed this clean soil cap should be free of lead impacts.
- e) The remaining soil shall be properly segregated, stockpiled, and if necessary, tested.
- f) Once soil removal is complete, the exact earthwork or soil excavation boundary shall be identified and recorded by a California-licensed surveyor. A detailed map shall be prepared by the surveyor to document the lateral and vertical extent of earthwork and/or soil removal.

Dust Mitigation. Dust may be generated by site construction activities. When earthwork activities occur in the Area of Concern or Capped Property, there is the potential that dust- or air-borne lead particles may be generated. Therefore, the need for dust control measures shall be evaluated. General dust control measures and other recommended practices include:

- a) Sprinkling water to maintain soil moisture. Water may be provided from water hoses and/or sprinklers
- b) Covering trucks hauling soil
- c) Sweeping roads and staging areas
- d) Restricting non-essential traffic
- e) Limiting vehicle speeds on unpaved areas

f) Covering exposed soil stockpiles

Surface Water Protection. While earthwork is being conducted in either the AOC or capped property, the remedial contractor shall effectively prevent erosion and control sedimentation from storm water through approved methods including, but not limited to, diversion ditches, benches, berms, and any measures required by area wide plans under the Clean Water Act and local ordinances. Stockpiled soil shall be covered and surrounded by a berm to prevent storm water run-off and run-on. Earthwork shall be planned and conducted to minimize the duration of exposure of unprotected soils.

Soil Storage or Stockpiling. If soil is removed from either the AOC or Capped Property, excavated soil shall be stored in separate piles on plastic sheeting or within individual roll-off bins (or other structures) to avoid potential contamination of underlying soil. Soils derived from individual excavations shall be isolated to avoid potential cross-contamination. The excavated soil shall be covered with plastic sheeting at the end of each day and upon completion of each excavation. Excavated soil shall be managed in a way that shall not cause sediment in storm water runoff.

Reporting. Upon the completion of field work, a summary letter report shall be prepared for submittal to the DTSC and City of Rancho Palos Verdes. The report shall include a summary of the earthwork or soil penetration that may have resulted from onsite construction activities, a summary of all soil sample analytical results, as well as analytical laboratory reports (if necessary), a sample location map, a tabular summary of GPS positional data for any sample collection locations, a map depicting the lateral and vertical extent of earthwork, and conclusions. This report (or summary of the report) with maps depicting the restricted area and AOC in relation to the finished structure and grade of the project should be attached to the recorded Deed Restriction.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

OPERATIONAL

56. No person shall be or remain in any park at any time between one hour after sundown and one hour before sunrise, unless attending or participating in any City authorized event/activity as stated in Section 12.16.030 of the Rancho Palos Verdes Municipal Code.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

57. The hours of operation for the public use of the Point Vicente Interpretative Center building shall generally be 10 a.m. to 5 p.m. with the exception of special events or meetings approved by the City. Additionally, rentals of the Point

Vicente Interpretative Center and adjoining grounds for private party events shall be permitted to occur until 10 p.m. and all related clean-up to be completed by midnight unless otherwise permitted by the City or the rental agreement executed by the City.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

58. The delivery of goods and supplies, including food supplies, shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Sunday with the exception of deliveries related to City approved special events.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

PUBLIC TRAILS AND WALKWAYS

59. The location and number of on-site trails shall generally comply with the project plans approved by the Planning Commission on February 9, 2010. These trails shall be constructed utilizing decomposed granite and pursuant to standards approved by the Director of Public Works. The trails shall connect to the proposed on-site parking lot, including the adjacent Coast Guard overflow dirt parking lot and to the existing trails located within the Vicente Bluffs Reserve.

60. Handicapped access ramps shall be installed and or retrofitted in accordance with the current standards established by the Americans with Disabilities Act. Access ramps shall be provided at all intersections and driveways.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

77.61.

- All sidewalks and pathways throughout the project site shall be designed to comply with the minimum width standards set forth in the most recent California Disabled Accessibility Guidebook.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

62. Prior to the final inspection for the Project, a 5-foot wide trail, utilizing decomposed granite, shall be constructed to the satisfaction of the Director of Public Works along Palos Verdes Drive West directly adjacent to the project site's property line. The trail shall connect to the existing trail adjacent to Ocean Front Estates up to the northern most entry driveway to Lower Point Vicente, as depicted on the project plans. When applicable, the trail shall be setback approximately 5-feet from the curb edge of Palos Verdes Drive West. This area shall serve as a landscape parkway that is to be planted with the installation of irrigation at the time the related trail is constructed.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

63. The existing donor brick walkway, adjacent to the native plant garden seaward of the Point Vicente Interpretative Center, and the donor brick entry plaza to the Point Vicente Interpretative Center shall be protected during construction and preserved in its current location.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

PARKING AND CIRCULATION

64. No fewer than 101 on-site parking spaces consisting of 93 standard parking paces at a minimum dimension of 9' wide by 20' deep, 6 accessible parking spaces and 2 loading spaces shall be constructed and maintained as part of this project.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

65. Prior to issuance of any grading or building permit, the City shall enter into an agreement with the Coast Guard for the use of the dirt parking lot during construction as a temporary parking lot and as a long-term overflow parking lot for Lower Point Vicente.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

66. The parking lot shall be constructed in general compliance with the Parking Plan reviewed and approved by the Planning Commission on February 9, 2010. The parking lot improvements shall include, but not be limited to, parking striping, directional arrows, wheel stops or curbs, landscaping, way finding signs, and other necessary parking and circulation amenities.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

67. All proposed driveways shall be designed in substantially the same alignment as shown on the approved site plans, subject to final design review and approval by the Los Angeles County Fire Department and the Director of Public Works.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

68. The existing vehicle drop-off adjacent to the entry plaza to the Point Vicente Interpretative Center shall generally remain in its current location as approved by the Fire Department for the Point Vicente Interpretative Center Expansion Project.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

NOISE / MECHANICAL EQUIPMENT

69. If applicable, all new mechanical equipment, regardless of its location, shall be housed in enclosures designed to attenuate noise to a level of 65 dBA CNEL at the project site's property lines.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

70. Mechanical equipment shall be oriented away from any sensitive receptors such as neighboring residences, and where applicable, must be installed with any required acoustical shielding.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

71. All hardscape surfaces, such as the parking area and walkways, shall be properly maintained and kept clear of trash and debris. The hours of maintenance of the project grounds shall be restricted to Mondays through Fridays from 7:00 a.m. to 5:00 p.m., and on Saturdays from 9:00 a.m. to 4:00 p.m. Said maintenance activities shall be prohibited on Sundays and Federal holidays listed in the RPVMC.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

LIGHTING

- ~~72)~~72. The Lighting Plan approved by the Planning Commission on February 9, 2010 shall comply with the RPVMC. An as-built lighting plan shall be submitted to the City prior to the final inspection and shall include, but not be limited to, the location, height, number of lights, wattage and estimates of maximum illumination on site and spill/glare at property lines for all exterior circulation lighting, outdoor building lighting, trail and sidewalk lighting, parking lot lighting, landscape ambiance lighting, and sign lighting. The Lighting Plan shall be submitted for review and approval by the Director of Community Development prior to issuance of any building permit.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

73. Prior to the installation of any on-site lighting for the parking lot, trails, and walkways, an illuminated mock-up utilizing sample light standards and bulbs shall be set-up for review and approval by the Director of Community Development to ensure compliance with the intent of the Municipal Code.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

74. Parking and Security lighting shall be kept to minimum safety standards and shall conform to City requirements. Fixtures shall be shielded so that only the subject property is illuminated; there shall be no spillover onto residential properties or halo into the night sky. A trial period of thirty (30) days from the installation of all the project exterior lighting, including building and parking lot lighting shall be assessed for potential impacts to the surrounding properties. At the end of the thirty (30) day period, the Director of Community Development may require additional screening or reduction in the intensity or numbers of lights which are determined to be excessively bright or otherwise create adverse impacts.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

75. No outdoor lighting is permitted where the light source or fixture, if located on a building, is above the line of the eaves. If the light source or fixture is located on a building with no eaves, or if located on a standard or pole, the light source or fixture shall not be more than ten feet above existing grade, adjacent to the building or pole.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

76. The parking lot light standards shall be limited to a maximum height of 10-feet, as measured from adjacent finished grade.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

LANDSCAPING AND PARK IMPROVEMENTS

77. A final Landscape Plan shall be prepared by a qualified Landscape Architect in accordance with the standards set forth in RPVMC. The Landscape Plan shall be reviewed and approved by the Director of Community Development, a qualified Landscape Architect, and/or an Arborist hired by the City, prior to the issuance of any building or grading permits. A Trust Deposit account shall be set-up with the City prior to the submittal of Landscape Plans to cover all costs incurred by the City in conducting such review. The Landscape Plan shall include, at a minimum, the plant species (Latin and common names), growth rate, and maximum height at maturity of all proposed trees. The Landscape Plan shall also identify the areas to be landscaped based on the phased construction plan described in these conditions of approval. Included in the Landscape Plan shall be a maintenance schedule as stated in these conditions. During the Director's review, the Landscape Plan shall also be made available to the public for review and input.

The Landscape Plan shall comply with the water conservation concepts, the Water Efficient Landscape Ordinance, the View Preservation Ordinance, the planting requirements, the irrigation system design criteria, and all other requirements of the RPVMC. All new trees and foliage shall not exceed 16-feet

in height, as measured from grade adjacent to the tree or foliage, except as described in Condition No. 90.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

87)78. Where practical, landscaping shall be planted and maintained to screen the project buildings, ancillary structures, and the project's night lighting as seen from surrounding properties and/or public rights-of-way, as depicted on the Landscape Plan.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

79. Prior to installing the park benches, picnic tables, trash bins and other park furniture and fencing, the Director of Community Development and the Director of Public Works shall review and approve the final specifications for all park furniture.

(REVISED PER P.C. RESOLUTION NO. 2010-XX ON FEBRUARY 9, 2010)

Mitigation Monitoring and Reporting Program

Point Vicente Interpretive Center Parking Expansion Project IS/MND

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February 2010

MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Mitigated Negative Declaration, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program (MMRP).

To implement this MMRP, the City of Rancho Palos Verdes will designate a Project Mitigation Monitoring and Reporting Coordinator ("Coordinator"). The coordinator will be responsible for ensuring that the mitigation measures incorporated into the project are complied with during project implementation. The coordinator will also distribute copies of the MMRP to those responsible agencies identified in the MMRP, which have partial or full responsibility for implementing certain measures. Failure of a responsible agency to implement a mitigation measure will not in any way prevent the lead agency from implementing the proposed project.

The following table will be used as the coordinator's checklist to determine compliance with required mitigation measures.



Point Vicente Interpretive Center Parking Expansion Project IS/MND
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
				Initials	Date	Comments
BIOLOGICAL RESOURCES						
<p>BIO-1 Nesting Bird Surveys and Avoidance. Tree pruning and removal shall be conducted outside of the bird breeding season (February 15 through August 31). If vegetation clearing (including tree pruning and removal) or other project construction is to be initiated during the bird breeding season, pre-construction nesting bird surveys shall be conducted by a qualified biologist. To avoid the destruction of active nests and to protect the reproductive success of birds protected by MBTA and the Fish and Game Code of California, nesting bird surveys shall be performed twice per week during the three weeks prior to the scheduled felling of the trees on the site. The surveys shall be conducted by a qualified biologist approved by the Director of Community Development. If any active non-raptor bird nests are found, the tree(s) or vegetation shall not be cut down and a suitable buffer area (varying from 25-300 feet) depending on the particular species found is established from the nest, and that area is avoided until the nest becomes inactive (vacated). If any active raptor bird nests are found, a suitable buffer area of typically 250-500 feet from the nest is established, and that area is avoided until the nest becomes inactive (vacated). Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the sensitivity of the area.</p>	<p>Once prior to any vegetation removal or pruning during the bird nesting season, and periodically during construction if buffering required</p>	<p>Director of Community Development</p>	<p>Verification that surveys are conducted per the measure before any vegetation clearing in the bird breeding season; verification of proper buffering consistent with biologist recommendations</p>			
<p>BIO-2 Pre-Construction Surveys. Two weeks prior to initiating construction, a qualified biologist approved by the Director of Planning, Building, and Code Enforcement shall survey the construction area for sensitive species, in particular coastal California gnatcatcher. The biologist shall be on site during initiation of operations and shall survey for species prior to construction. If a non-listed sensitive species is found, the biologist shall move it outside of the project area to appropriate habitat if possible. If listed species or other fully protected species are observed, consultation with the Department of Fish and Game or the US Fish and Wildlife Service shall be conducted. A plan shall be prepared for relocation or avoidance of the animal as necessary to avoid</p>	<p>Once prior to initiating grading, vegetation removal or construction, and once during initiation of these activities</p>	<p>Director of Community Development</p>	<p>Verification of completed survey; verification that biologist is onsite at initiation of grading/site preparation; verification of measures taken if species observed</p>			



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Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
				Initials	Date	Comments
potential harm and an appropriate take permit shall be retained if necessary to relocate or assist with species avoidance measures under the guidance of the Department of Fish and Game and or US Fish and Wildlife Service.						
CULTURAL RESOURCES						
CR-1 Stop Work Order. If archaeological or paleontological resources are encountered during construction or land modification activities, the applicable procedures established under CEQA shall be followed. In this event, all construction work shall stop immediately, and the Director of Community Development shall be notified at once to assess the nature, extent, and potential significance of any archaeological or paleontological resources. If such resources are determined to be significant, appropriate actions to mitigate impacts to the resources shall be implemented by a qualified archaeologist approved by the Director of Community Development. Depending upon the nature of the find, mitigation could involve avoidance, documentation, or other appropriate actions to be determined by a qualified archaeologist.	Ongoing during site preparation and grading	Onsite construction manager, and Director of Community Development	If potential cultural resources are encountered, verify that work is stopped and found materials are properly assessed and addressed			
HAZARDS AND HAZARDOUS MATERIALS						
HAZ-1 Adherence to Deed Restriction. Prior to commencing construction, the applicant for the proposed project shall demonstrate to the satisfaction of the Director of Community Development how construction complies with all requirements of the 'Covenant to Restrict Use of Property' (Covenant) including, but not limited to, the following: <i>4.01. Restrictions on Use. Covenantor promises and covenants to restrict its use of the Property to use as a public park; an educational, research, recreation, and community center; and other related governmental and public uses.</i> <i>4.02. Future Construction or Demolition Activities. The Covenantor will notify the Department [meaning Department of Toxic Substances Control] prior to any future</i>	Ongoing during project grading and site preparation	Onsite construction manager, Director of Community Development and Building Official	Verify compliance with the covenant			



Point Vicente Interpretive Center Parking Expansion Project IS/MND
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
				Initials	Date	Comments
<p><i>construction or demolition of existing Improvements that may involve disturbance of the cap or the soils underneath the cap, and if Hazardous Substances are encountered during any future construction or demolition of existing Improvements on the Property the Covenantor will take such appropriate action as directed by the Department to address the presence, and if necessary, the remediation of any hazardous substances so encountered.</i></p> <p>4.03 Soil Management. <i>(a) Activities that may disturb soils beneath the Capped Property (e.g. excavation, grading, removal, trenching, filling, earth moving, mining, etc.) shall not be permitted without prior review and approval by the Department.</i> <i>(b) No uses, improvements, or development of the Capped Property (other than routine, non-invasive maintenance) shall disturb the integrity of the concrete and asphalt that serve as caps on the Capped Property without prior review and approval by the Department.</i> <i>(c) The concrete and asphalt that serve as caps on the Capped Property (other than routine, non-invasive maintenance) shall not be altered without written approval by the Department.</i> <i>(d) The Owner shall maintain the caps on-the Capped Property in a Manner that avoids potential harm to persons or property which may result from the potential contaminated soils on the Capped Property.</i> <i>(e) Any contaminated soils brought to the surface by grading, excavation, trenching, backfilling, or other activities shall be managed in accordance with all applicable provisions of state and federal law.</i></p> <p><i>The Covenantor will notify the Department (DTSC)</i></p>						



Point Vicente Interpretive Center Parking Expansion Project IS/MND
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
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<p><i>of each of the following: (i) the type, cause, location, and date of any disturbance and/or damage to the caps and (ii) the type and date of repair of such damage. Notification to the Department shall be made as provided below within ten (10) working days of both the discovery of any such disturbance and/or damage and the completion of any repairs. Timely and accurate notification by any Owner or Occupant shall satisfy this requirement on behalf of all other Owners and Occupants. Any information provided under this section should also be attached to the annual report required.</i></p>						
<p>HAZ-2 Soil Management in Capped Property. Construction activities within the capped property including the reconfigured parking areas and driveway access roads shall adhere to the work plan prepared by SGI Environmental and approved by the DTSC (November 2009) including but not limited to the following:</p> <ul style="list-style-type: none"> • <i>The surface soil underlying the paved areas shall be scarified and re-compacted in place to accommodate placement of fill material over existing soils.</i> • <i>To achieve final grade elevations planned for the proposed project, up to one (1) to seven (7) feet of clean soil fill material shall be placed over the former paved parking lot and paved access road of the capped property.</i> 	Ongoing during project grading and site preparation	Director of Community Development and Building Official	Verification of soil management as prescribed in measure			
<p>HAZ-3 Soil Management in Area of Concern (AOC). Construction and landscaping activities within the AOC shall adhere to the work plan prepared by SGI Environmental (November 2009) and approved by the DTSC including, but not limited to, the following:</p> <ul style="list-style-type: none"> • <i>The first one-foot of surface soil shall be removed. This soil should be clean fill material placed over the AOC during 2003 site remedial activities.</i> 	Ongoing during project grading and site preparation	Director of Community Development and Building Official	Verification of soil management as prescribed in measure			



Point Vicente Interpretive Center Parking Expansion Project IS/MND
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
				Initials	Date	Comments
<ul style="list-style-type: none"> Excavated soils greater than one foot shall be segregated and stockpiled. Excavated soils shall be returned to or placed back into area of excavation. However soils removed from the AOC may be replaced anywhere within the boundary limits of the AOC, as long as a one (1) foot clean soil cover is utilized, as described below. Work area shall be covered with a one (1) foot thick, minimum, interval of clean fill soil. 						
<p>HAZ-4 General Soil Management Support Tasks and Practices. The proposed project shall adhere to the work plan guidelines developed by SGI Environmental for the proper handling and onsite management of potentially lead-impacted soil should they be encountered during construction activities. These guidelines shall be utilized by all parties involved in any activities where disturbance of onsite soil would occur (i.e., excavation, grading and landscaping), including the site Owner or record at the time of the activity as well as the Contractor and Consulting Project Engineer engaged in the construction activity. These guidelines include general practices that are consistent with California Title 8, Occupational Safety and Health Administration (Cal-OSHA) regulations. The work plan guidelines developed by SGI Environmental that shall be implemented during construction and grading activities include but are not limited to the following:</p> <p><u>Health and Safety Planning.</u> A site health and safety plan (HASp) shall be reviewed and updated prior to any construction activity involving earthwork or soil removal the site.</p> <p><u>Utility Clearance.</u> For exterior construction activity that involves earthwork, the Contractor and/or Project Engineer shall contact Underground Service Alert (USA) for underground utilities mark out. The USA's</p>	Ongoing during project grading and site preparation	Director of Community Development and Building Official	Verification of adherence to soil management tasks and practices as prescribed in measure			



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<p>underground utility markout should be confirmed prior to initiating site work, particularly earthwork.</p> <p><u>Aphalt Concrete and Debris Removal.</u> If concrete (Portland or Asphalt) overlies portions of the construction area, the concrete should be saw-cut or ripped and removed to provide access prior to earthwork. Mixing underlying soil with the removed concrete and/or asphalt debris should be minimized as much as is practical. The concrete debris should be broken into removable fragments, loaded into end-dump trucks and transported to a local Class III landfill for disposal, or if possible, to a crushing/recycling facility. If necessary, trees, stumps, roots, brush, and other vegetation in areas to be excavated or cleared should be cut off flush with or below the original ground surface, except such trees and vegetation as may be indicated or directed to be left standing. Trees and other vegetation to be left in place should be protected from incidental damage during construction by the placement/erection of barriers or fences.</p> <p><u>Soil Removal.</u> Appropriately trained and experienced environmental professionals shall be onsite during site preparation, grading, and related earthwork activities to monitor soil conditions encountered. If required, removal of potentially lead-impacted soil shall be addressed as follows:</p> <ol style="list-style-type: none"> 1. The Contractor and/or Consulting Project Engineer, along with the Site owner of record shall coordinate field activities with equipment operators and other personnel. 2. Prior to beginning earthwork, excavation 						



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<p>boundaries shall be delineated and marked at the site.</p> <p>3. Eight-millimeter (minimum) plastic sheeting shall be placed on the ground prior to stockpiling impacted soil to prevent cross contamination with underlying soils. Alternatively, excavated soil may also be placed in roll-off bins designed for this purpose.</p> <p>4. If work is in the AOC, remove first 1-foot topsoil layer of soil and segregate from remaining soil. It is assumed this clean soil cap should be free of lead impacts.</p> <p>5. The remaining soil shall be properly segregated, stockpiled, and if necessary, tested.</p> <p>6. Once soil removal is complete, the exact earthwork or soil excavation boundary shall be identified and recorded by a California-licensed surveyor. A detailed map shall be prepared by the surveyor to document the lateral and vertical extent of earthwork and/or soil removal.</p> <p><u>Dust Mitigation.</u> Dust may be generated by site construction activities. When earthwork activities occur in the Area of Concern or Capped Property, there is the potential that dust- or air-borne lead particles may be generated. Therefore, the need for dust control measures shall be evaluated. General dust control measures and other recommended practices include:</p> <p>1. Sprinkling water to maintain soil moisture. Water may be provided from water hoses and/or sprinklers</p> <p>2. Covering trucks hauling soil</p> <p>3. Sweeping roads and staging areas</p> <p>4. Restricting non-essential traffic</p>						



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<p>5. Limiting vehicle speeds on unpaved areas</p> <p>6. Covering exposed soil stockpiles</p> <p><u>Surface Water Protection.</u> While earthwork is being conducted in either the AOC or capped property, the remedial contractor shall effectively prevent erosion and control sedimentation from storm water through approved methods including, but not limited to, diversion ditches, benches, berms, and any measures required by area wide plans under the Clean Water Act and local ordinances. Stockpiled soil shall be covered and surrounded by a berm to prevent storm water run-off and run-on. Earthwork shall be planned and conducted to minimize the duration of exposure of unprotected soils.</p> <p><u>Soil Storage or Stockpiling.</u> If soil is removed from either the AOC or Capped Property, excavated soil shall be stored in separate piles on plastic sheeting or within individual roll-off bins (or other structures) to avoid potential contamination of underlying soil. Soils derived from individual excavations shall be isolated to avoid potential cross-contamination. The excavated soil shall be covered with plastic sheeting at the end of each day and upon completion of each excavation. Excavated soil shall be managed in a way that shall not cause sediment in storm water runoff.</p> <p><u>Reporting.</u> Upon the completion of field work, a summary letter report shall be prepared for submittal to the DTSC and City of Rancho Palos Verdes. The report shall include a summary of the earthwork or soil penetration that may have resulted from onsite construction activities, a summary of all soil</p>						



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<p>sample analytical results, as well as analytical laboratory reports (if necessary), a sample location map, a tabular summary of GPS positional data for any sample collection locations, a map depicting the lateral and vertical extent of earthwork, and conclusions. This report (or summary of the report) with maps depicting the restricted area and AOC in relation to the finished structure and grade of the project should be attached to the recorded Deed Restriction.</p>						
NOISE						
<p>N-1 Construction Hours. During project construction, operation of heavy equipment shall be prohibited except between the hours of 7:00 a.m. and 7:00 p.m. Monday through Thursday, and between 7:00 a.m. and 4:00 p.m. on Friday and Saturday. No such activity shall be permitted on Sunday or legal holidays. This measure shall be printed on all project grading and building plans submitted for City approval.</p>	<p>Once prior to issuance of grading and building permits; ongoing during project grading and construction</p>	<p>Director of Community Development and Building Official</p>	<p>Verification of printing of measure on grading and building plans; verification of adherence to prescribed hours of heavy equipment operation</p>			

