

RESOLUTION NO. R09-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES APPROVING VESTING TENTATIVE PARCEL MAP NO. 70848 AND ASSOCIATED MITIGATED NEGATIVE DECLARATION FOR THE DIVISION OF THE VACANT LOT AT 3000 PASEO DEL MAR

WHEREAS, on November 21, 2008, an application was filed for a Vesting Tentative Tract Map for the subdivision of the real property located at and commonly known as 3000 Paseo del Mar in the City of Palos Verdes Estates; and

WHEREAS, an environmental assessment has been conducted for this project in compliance with the California Environmental Quality Act (CEQA) and, in accordance with the provisions of CEQA, an Initial Study and Mitigated Negative Declaration have been prepared; and

WHEREAS, notice of a public hearing regarding the Vesting Tentative Tract Map and the Mitigated Negative Declaration was duly given, published and posted in the time, form, and manner as required by law; and

WHEREAS, the public hearing was scheduled to be held before the City Council on September 22, 2009 and at the Applicant's request that hearing was continued to October 13, 2009; and

WHEREAS, the continued public hearing was held before the City Council on October 13, 2009.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES HEREBY RESOLVES AS FOLLOWS:

Section 1. The City Council does hereby find, determine and declare that:

- A. An Initial Study (IS) and Mitigated Negative Declaration (MND) were prepared for Vesting Tentative Parcel Map 70848 in accordance with the provisions of the California Environmental Quality Act (CEQA), State CEQA Guidelines, and the City of Palos Verdes Estates' procedures for implementing CEQA.
- B. The IS and MND were made available to the public for review and comment from September 10, 2009, to and including September 22, 2009.
- C. A properly noticed public hearing was held by the City Council of the City of Palos Verdes Estates on October 13, 2009, at which time evidence was heard on the IS and MND. The City Council fully reviewed and carefully considered them, together with any comments received during the public review period, and determined that the MND was consistent with CEQA.

Section 2. Based upon the above findings and determinations, Mitigated Negative Declaration is hereby approved, as presented for the Vesting Tentative Tract Map for 3000 Paseo del Mar.

Section 3. Attached hereto as Exhibit 1 is a copy of the Initial Study and Mitigated Negative Declaration for the Vesting Tentative Tract Map for 3000 Paseo del Mar.

Section 4. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED this 13th day of October, 2009.



ELLEN PERKINS, Mayor

ATTEST:



JUDY SMITH, City Clerk

APPROVED AS TO FORM:



JOSEPH W. PANNONE, City Attorney

Exhibit 1 – Initial Study and Environmental Checklist

NOTICE IS HEREBY GIVEN: IF YOU DESIRE TO CHALLENGE THE COUNCIL'S CONDITIONAL APPROVAL OF YOUR APPLICATION YOU MUST FILE A COURT ACTION WITHIN NINETY (90) DAYS FOLLOWING THE DATE THIS RESOLUTION IS MAILED TO YOU.

CITY OF PALOS VERDES ESTATES ENVIRONMENTAL INITIAL STUDY

Supporting Information Sources:

- #1 City of Palos Verdes Estates Municipal Code
- #2 City of Palos Verdes Estates General Plan
- #3 City of Palos Verdes Estates Zoning Map
- #4 _____
- #5 _____

Issues and Supporting Information Sources	Sources (if applicable)	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
1. LAND USE AND PLANNING. Would the project:					
a). Physically divide an established community?	1,2,3				x
b). Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	2,3				x
c). Conflict with any applicable habitat conservation plan or natural community conservation plan?					x
2. POPULATION AND HOUSING. Would the project:					
a). Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	2			x	
b). Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	2				x
c). Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	2,3				x

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Issues and Supporting Information Sources	Sources (if applicable)	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
b). Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?					x
d). Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?					x
e). Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	2				x
f). Otherwise substantially degrade water quality?					x
g). Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	2				x
h). Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	2				x
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?					x
j) Inundation by Seiche, tsunami, or mudflow?					x
5. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a). Conflict with or obstruct implementation of the applicable air quality plan?					x

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Issues and Supporting Information Sources	Sources (if applicable)	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
7. BIOLOGICAL RESOURCES. Would the project:					
a). Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?					X
b). Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?					X
c). Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to: marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					X
d). Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?					X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?					X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?					X
Biological resources shall not be impacted as a result of this project.					
8. MINERAL RESOURCES. Would the project:					
a). Result in the loss of availability of a known mineral resource that would be of value to the region and the resident of the state?					X

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Issues and Supporting Information Sources	Sources (if applicable)	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
a). Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	2				x
b). Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	2				x
c). A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	2				x
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	2				x
e). For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	2				x
f). For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	2				x
11. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for an of the following public services:					
a). Fire protection?	1,2				x
b). Police protection?	1,2				x
c). Schools?	1,2				x
d). Parks?	1,2,3				x
e). Other public facilities?	1,2,3				x
12. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a). Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?					x

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Issues and Supporting Information Sources	Sources (if applicable)	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
b). Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?					X
c). Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?					X
d). Disturb any human remains, including those interred outside of formal cemeteries?					X
e). Restrict existing religious or sacred uses within the potential impact area?					X
15. RECREATION.					
a). Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	1,2				X
b). Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?					X
16. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:					
a). Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?					X
b). Conflict with existing zoning for agricultural use, or a Williamson Act contract?					X
c). Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?					X
17. MANDATORY FINDINGS OF SIGNIFICANCE.					



**NOTICE OF INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION**

Notice is hereby given that the City of Palos Verdes Estates has prepared an Environmental Initial Study for the following location:

PROJECT: Tentative Parcel Map No. 70848

LOCATION: 3000 Paseo Del Mar

PROJECT DESCRIPTION: The division of an existing 36,280 sq. ft. vacant lot to create two new lots.

APPLICANT: Jeffery A. Dahl
18684 Amalia Lane
Huntington Beach, CA 92648

Based on the environmental information gathered and analyzed for the project during the Initial Study process, the City of Palos Verdes Estates has determined that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment. Therefore, a Mitigated Negative Declaration for the project is proposed pursuant to the requirements of the California Environmental Quality Act (CEQA)

The 20-day public review period for this document begins on July 29, 2009 and expires on August 18, 2009.

The proposed Mitigated Negative Declaration is available for public inspection during normal business hours at: The City of Palos Verdes Estates, 340 Palos Verdes Drive West, Palos Verdes Estates, CA 90274.

The Planning Commission of the City of Palos Verdes Estates will conduct a public hearing to consider the proposed Mitigated Negative Declaration on **Tuesday, August 18, 2009** at 6:30 pm or as soon thereafter as possible, in the Palos Verdes Estates City Council Chambers, City Hall, 340 Palos Verdes Drive West, Palos Verdes Estates, California.

Please address all public comments (before the close of the environmental review period noted above) to City of Palos Verdes Estates, Attention: Stacey Kinsella, 340 Palos Verdes Drive West, Palos Verdes Estates, CA 90274, (310) 378-0383, skinsella@pvestates.org.

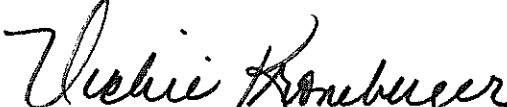
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF PALOS VERDES ESTATES)

I, Vickie Kroneberger, Deputy City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R09-31** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 13th day of October, 2009, by the following vote:

AYES: COUNCILMEMBERS: Perkins, Humphrey, Goodhart,
Rea, and Bird

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None


Vickie Kroneberger, Deputy City Clerk