

**AGENDA DESCRIPTION:**

Consideration and possible action to approve Revision “EEE” to the Trump National Golf Club Project.

**RECOMMENDED COUNCIL ACTION:**

- 1) Adopt Resolution No. 2016-\_\_\_, adopting Addendum No. 47 to Environmental Impact Report No. 36;
- 2) Adopt Urgency Ordinance No. \_\_\_, an ordinance of the City of Rancho Palos Verdes, approving amendment No. 16 to the Trump National Development Agreement, authorizing an extension to the Development Agreement to September 21, 2018, and declaring the urgency thereof;
- 3) Authorize the Mayor and City Clerk to execute and record the documents on behalf of the City;
- 4) Adopt Resolution No. 2016-\_\_\_, extending Vesting Tentative Tract Map No. 50666 for two additional years, which is consistent with the extended term of the Development Agreement; and,
- 5) Adopt Resolution No. 2016-\_\_\_, amending Grading Permit No. 1541 to allow an extension to the operation of the driving range to September 21, 2018.

**FISCAL IMPACT:** None

<b>Amount Budgeted:</b>	N/A
<b>Additional Appropriation:</b>	N/A
<b>Account Number(s):</b>	N/A

**ORIGINATED BY:** So Kim, Senior Planner 

**REVIEWED BY:** Ara Mihranian, AICP, Director of Community Development 

**APPROVED BY:** Doug Willmore, City Manager 

**ATTACHED SUPPORTING DOCUMENTS:**

- A. Resolution No. 2016-\_\_\_, adopting Addendum No. 47 of EIR 36 (page A-1)
  - B. Urgency Ordinance No. \_\_\_, extending the Development Agreement (page B-1)
  - C. Resolution No. 2016-\_\_\_, extending Vesting Tentative Tract Map No. 50666 (page C-1)
  - D. Resolution No. 2016-\_\_\_, extending the temporary operation of the Driving Range (page D-1)
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## **BACKGROUND AND DISCUSSION:**

In June 1992, the City Council approved the Ocean Trails Project (now known as Trump National Golf Club), which, at that time, included an 18-hole golf course, clubhouse, public open space and 83 single-family residential lots. Since June 1992, the project has been revised several times. Today, the approved project includes an 18-hole golf course, clubhouse, driving range, public open space and 57 single-family residential lots. The 57 single-family residential lots are located within two different tracts: 21 lots in Tract No. 50666 and 36 lots in Tract No. 50667. Tract No. 50666 is still a Vesting Tentative Tract Map, while Tract No. 50667 was finalized and recorded in 1999.

On December 20, 2005, the City Council approved Revision "Y" to the Trump National Golf Club Project, authorizing a 3-month temporary opening of the golf course and driving range. The golf course officially "temporarily" opened on January 20, 2006. On May 1, 2007, because all of the outstanding items necessary for allowing permanent opening of the golf course had been completed, including approval by the City Geologist, the City Council acknowledged that the golf course was officially, permanently opened and approved the applicant's request to allow the driving range to remain open on a "temporary" basis, while the outstanding geologic issues related to the driving range are addressed.

Vesting Tentative Tract Map (VTTM) No. 50666 (originally approved in 1993), the Development Agreement (originally approved in 1997), and the applicant's temporary use of the driving range (originally approved in 2005) have all been extended by the City Council several times. Most recently, on September 16, 2014, the City Council extended all three approvals to September 21, 2016. Since these approvals are about to expire, the Trump Organization is requesting approval of an additional two-year extension to allow additional time for recordation of Final Tract Map No. 50666, as discussed below.

### Vesting Tentative Tract Map No. 50666 Extension Request

The VTTM, as conditioned, is consistent with the City's Development Code for projects within the RS-1 zoning district under the Residential Planned Development zoning district, the policies and guidelines of the Local Coastal Plan and the General Plan. This current extension request, if approved, would constitute the 24<sup>th</sup> extension of VTTM 50666 since its approval by the Coastal Commission in 1993. A majority of the past extensions were granted for 6-month time periods because the prior City Council was concerned with the project not moving forward fast enough, particularly related to the resolution of the various geologic disputes that were occurring at the time.

Based on past revisions and the current status of the project, particularly with the California Coastal Commission's recent approval of other project-related improvements, some of which are currently pending (e.g., habitat restoration associated with the removal of the waterfall), Staff believes that there is nothing that would preclude the Trump Organization from finishing the project in its current configuration. However,

Staff continues to hear concerns from the public regarding the incomplete status of the project, especially the unfinished appearance of VTTM 50666 along Palos Verdes Drive South. Additionally, Staff is concerned with the incomplete status of the project, particularly related to the public amenities (trails, signage, open space, and landscaping) on the westerly side of the project surrounding the driving range. Staff is working closely with the Trump Organization to bring the project to completion as soon as possible.

### Development Agreement Extension Request

On November 20, 1997, the City entered into a Development Agreement with the former property owner (Zuckerman) that defines the responsibilities and obligations of each party as they pertain to a variety of development and operational aspects of the project, including (but not limited to) the maintenance of habitat areas and public amenities. The term of the Development Agreement was originally set at 10 years with an expiration date of November 20, 2007.

Government Code Section 65858 allows for the amendment for a development agreement. Since the Development Agreement was first approved, there have been 15 extensions approved by the City Council. Based on the changes made to the project over the past years and other potential future changes (e.g., removal of waterfalls), the need to amend the map with the new Foundation Setback Line, the current status of the project and outstanding condition compliance, Staff believes that the current Development Agreement is in need of some additional changes. Therefore, Staff believes that it would be advantageous to re-address the Development Agreement at a later date when the Trump Organization is ready to submit a revised/finalized tract map for VTTM 50666. In the meantime, Staff is recommending that the Development Agreement be extended for two years to be consistent with the life of the extended VTTM 50666.

### Driving Range

On May 29, 2012, the City Council approved Revision "QQ," which allowed additional changes to the City's adopted conditions/mitigation measures governing the use and design of the driving range. On July 9, 2014, the Coastal Commission amended the Coastal Development Permit approving certain changes to the driving range. Additionally, although the geology report has been approved for the driving range (which was one of the main issues holding up its permanent opening), there are other items/conditions of approval that still need to be completed/complied with before the City can allow a permanent opening of the driving range. These include the submittal of a paleontological report addressing any finds discovered through the grading operation, and the installation of specific fencing, landscaping and signage.

In December 2014, the Trump Organization dedicated a conservation easement over the existing driving range area to the Palos Verdes Peninsula Land Conservancy. The purpose of this easement is to assure that this piece of property is maintained solely as

an area of open space for the scenic enjoyment of the general public, and for the regular and substantial use of the general public for outdoor recreation, including, but not limited to a driving range, putting green, or other golf course uses. As a result, the operation of the driving range is consistent with the purpose of the conservation easement placed over said area. Therefore, Staff recommends that Grading Permit No. 1541 be extended for two years to allow the on-going, temporary operation of the driving range to be consistent with the life of the extended VTTM 50666 and Development Agreement.

### **ADDITIONAL INFORMATION**

#### **Landscape Plan Review for Lot D of VTTM 50666**

According to the VTTM 50666 (pursuant to Revision "W" approved in 2005), Lot D is depicted as a 1.4-acre fire buffer lot located between the west end of the driving range and the western property line shared with the Portuguese Bend Club. Lot D is required to be landscaped in accordance with the overall project landscape plan and consistent with the Coastal Commission approved plant palette. In December 2013, the Trump Organization planted a ficus hedge along the western project boundary, which is a species not permitted under the approved Coastal Permit. As such, the City requested that the Trump Organization either remove the hedge or relocate it and submit a revised landscape plan for review. On February 25, 2014, the landscape plan for Lot D was submitted to the City and deemed incomplete on March 3, 2014, due to insufficient information. Since that time, despite the numerous reminders, the hedge continues to remain in its original location and the Trump Organization has yet to submit a revised landscaping plan that removes the ficus hedge. As a result, the City informed the Trump Organization in June 2016 that the City will not be accepting for processing future applications for entitlements until this matter is addressed.

#### **Environmental Assessment**

In accordance with the provisions of the California Environmental Quality Act (CEQA), Staff has prepared Addendum No. 47 to EIR No. 36. The current request, which is analyzed in the addendum, merely allows a 2-year extension of the planning entitlements and does not involve any additional physical changes to the subject property. Further, this request is consistent with all mitigation measures found within the City Council-certified EIR No. 36 and all Supplements and prior Addenda thereto for the Trump National Project, and there will be no changes to the project as a result of this action.

#### **Public Notice**

A Notice of Public Hearing for this request was published in the *Peninsula News* on Thursday, July 28, 2016, mailed to all property owners within a 500' radius of the subject site and to the "Trump National" interested parties list. Staff received no comments in response to the public notice.

**CONCLUSION:**

Based on the discussion above, Staff recommends that the City Council approve the extension of VTTM 50666 for an additional 2-year period; and extend the Development Agreement and the temporary use of the driving range for an additional two years to be consistent with the life of VTTM 50666, setting a new expiration date of September 21, 2018; and adopt Addendum No. 47 to EIR No. 36.

**ALTERNATIVES:**

In addition to the Staff recommendation, the following alternative actions are available for the City Council's consideration:

1. Extend VTTM 50666 and the Development Agreement, but decline to extend the temporary use of the driving range beyond its current expiration date of September 21, 2016.
2. Extend VTTM 50666, the Development Agreement the temporary use of the driving range for a different period of time.

## **RESOLUTION NO. 2016-**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES ADOPTING ADDENDUM NO. 47 TO ENVIRONMENTAL IMPACT REPORT NO. 36 IN CONNECTION WITH REVISION "EEE" TO THE TRUMP NATIONAL GOLF COURSE PROJECT**

WHEREAS, an application package was filed by the Zuckerman Building Company and Palos Verdes Land Holdings Company requesting approval of tentative parcel maps, vesting tentative tract maps, conditional use permits, a coastal permit and a grading permit to allow the construction of a Residential Planned Development of 120 single family dwelling units and for development of an 18-hole golf course, a clubhouse and parking facilities on a 258 acre site bounded by Palos Verdes Drive South on the north, Portuguese Bend Club and Community Association on the west, the Pacific Ocean on the south and Los Angeles County Shoreline Park on the east; and,

WHEREAS, a Draft Environmental Impact Report (DEIR) was prepared and circulated for 45 days from June 7, 1991 through July 22, 1991 in order to receive written comments on the adequacy of the document from responsible agencies and the public; and,

WHEREAS, subsequent to the circulation of the Draft Environmental Impact Report and preparation of written responses, the applicant revised the scope of the project and reduced the number of proposed single family residences to 40 units in Vesting Tentative Tract Map No. 50666 and 43 in Vesting Tentative Tract Map No. 50667, and an 18 hole golf course with related facilities within the boundaries of both Vesting Tentative Tract Maps, and, due to the changes in the project, an Addendum to the Draft Environmental Impact Report (AEIR) was prepared; and,

WHEREAS, based on review of the Addendum to the Draft Environmental Impact Report, the City determined that the information submitted in the AEIR cited potential additional significant environmental impacts that would be caused by the revised project, and directed preparation of a Supplemental Environmental Impact Report (SEIR). The SEIR, which incorporates information and findings set forth in the Addendum to the Draft Environmental Impact Report, was prepared and circulated for 45 days from March 19, 1992 through May 4, 1992, during which time all interested parties were notified of the circulation period and invited to present written comments to the information contained in the SEIR, in conformance with the requirements of the California Environmental Quality Act; and,

WHEREAS, on June 1, 1992 the City Council of the City of Rancho Palos Verdes adopted Resolution No. 92-53 certifying Environmental Impact Report No. 36, in connection with Vesting Tentative Tract Map Nos. 50666 and 50667, Tentative Parcel Map Nos. 20970 and 23004, Conditional Use Permit Nos. 162 and 163, Coastal Permit No. 103, and Grading Permit No. 1541 for an 83 lot Residential Planned Development, public open

space, and an 18 hole public golf course with clubhouse and related facilities on 261.4 acres in Coastal Subregions 7 and 8; and,

WHEREAS, on December 7, 1992, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 92-115 approving Addendum No. 1 to Environmental Impact Report No. 36, in connection with approving Revisions to the Ocean Trails project applications described above, in order to address concerns expressed by the California Coastal Commission with regard to adequate provisions for public open space, public access and habitat preservation; and,

WHEREAS, on October 5, 1993, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 93-89 approving Addendum No. 2 to Environmental Impact Report No. 36, in connection with re-approval of the Ocean Trails project applications described above, in order to comply with a Court mandate to provide affordable housing in conjunction with the project, pursuant to Government Code Section 65590; and,

WHEREAS, on September 6, 1994, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 94-71 approving Addendum No. 3 to Environmental Impact Report No. 36, in connection with approval of Revision "A" to the Ocean Trails project applications described above, in order to incorporate changes to the project made by the California Coastal Commission in April 1993, and (based on additional geologic information) relocate the golf course clubhouse, reduce the number of single family lots from 83 to 75 and approve a location for the golf course maintenance facility and on-site affordable housing units; and,

WHEREAS, on March 11, 1996, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 96-15 approving Addendum No. 4 to Environmental Impact Report No. 36, in connection with approval of Revision "B" to the Ocean Trails project applications described above, in order to incorporate changes to the project made by the California Coastal Commission in January 1995 regarding the relocation of the golf course clubhouse, Paseo Del Mar roadway and public trails to accommodate a reconfiguration of the public parking facilities, as well as additional modifications to the public trails in order to provide clarification or to be consistent with the California Coastal Commission's approval and to include an 8.5 acre vacant property owned by the Palos Verdes Peninsula Unified School District into the golf course.

WHEREAS, on September 3, 1996, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 96-72 approving Addendum No. 5 to Environmental Impact Report No. 36, in connection with approval of Revision "C" to the Ocean Trails project applications described above, in order to relocate two single family residential lots in Vesting Tentative Tract Map No. 50667 from the end of Street "A" to the end of Street "C," revise the boundaries of open space Lots B, C, G and H, convert the split-level lots in Vesting Tentative Tract Map No. 50667 to single-level lots, revise the golf course layout, revise the public trail system, combine parallel trail easements, construct a paved fire access road west of the Ocean Terraces Condominiums and modify several amendments

to the Conditions of Approval and Mitigation Measures to change the required timing for compliance; and,

WHEREAS, on August 18, 1998, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 98-76 approving Addendum No. 6 to Environmental Impact Report No. 36 and the proposed Revision "G" to the Ocean Trails project, which included: 1) an 18% increase in the size of the clubhouse from 27,000 square feet to 32,927 square feet; 2) an increase in the size of the maintenance facility from 6,000 square feet to 9,504 square feet; 3) a two foot increase in the upslope height of the maintenance facility building; and, 4) relocation of the maintenance building and reconfiguration of the maintenance facility parking lot.

WHEREAS, on February 2, 1999, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 99-10 approving Addendum No. 7 to Environmental Impact Report No. 36 and the proposed Revision "H" to the Ocean Trails project, which included: changing 6 of the residential lots within VTTM 50667 from flat pad lots to split level lots, lowering the overall pad elevation for each lot, and lowering Street 'B' within the subdivision, and lowering the pad elevation for 6 other lots within the subdivision. Additionally, the approval included the modification of the project's mitigation measures and conditions of approval to allow the permitted construction hours for the entire Ocean Trails project to be expanded to include Sundays through March 21, 1999.

WHEREAS, on May 4, 1999, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 99-29 approving Addendum No. 8 to Environmental Impact Report No. 35 and the proposed Revision "I" to the Ocean Trails project, which included a change to the design of the storm drain facilities of the Ocean Trails project from a tunneled pipe system to the existing on-site canyons. Revision "I" only amended the drainage for the east side of the Ocean Trails project, involving La Rotonda canyon; and,

WHEREAS, on July 20, 1999, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 99-55 approving Addendum No. 9 to Environmental Impact Report No. 35 and the proposed Revision "J" to the Ocean Trails project, which included 1), the conditions requiring the establishment of a maintenance district be revised by eliminating the maintenance district and having the golf course owner be the sole responsible entity for maintenance thereby excluding the future residential homeowners; 2) withdrawn by applicant; 3), the timing of the installation of ornamental fencing on each residential lot be delayed until prior to issuance of certificate of occupancy; 4), delay the construction of two trails within VTTM 50666 from the Second Stage to the Third Stage of phasing within the Public Amenities Plan; 5), lower the approved residential building pad elevations and create split-level pads in VTTM No. 50666; 6), delay the payment of traffic impact fees to prior to Final Map No. 50666; 7), allow an increase in total building area of the clubhouse by permitting a basement space; 8), withdrawn by applicant; and 9), revise the hours permitted for golf course landscape gardening; and,

WHEREAS, on May 16, 2000, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 2000-27 approving Addendum No. 10 to Environmental Impact

Report No. 36 and the proposed Revision "K" to the Ocean Trails project, which allowed a portion of the golf course to open for play before all of the required public amenities have been completed due to delays caused by the failure of Landslide C on June 2, 1999; and,

WHEREAS, on June 21, 2000, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 2000-38 certifying a Final Supplemental Environmental Impact Report to Environmental Impact Report No. 36, adopting a Mitigation Monitoring Program, adopting a Statement of Overriding Considerations, and the proposed Revision "L" to the Ocean Trails project, for the repair of Landslide C at Ocean Trails; and,

WHEREAS, on July 18, 2000, the City Council of the City of Rancho Palos Verdes approved Revision "M" to the Ocean Trails Project, thereby approving an amendment to the Habitat Conservation Plan (HCP), an amendment to the HCP Implementing Agreement, and approval of a Conservation Easement over the lower portion of Shoreline Park; and,

WHEREAS, on September 5, 2000, the City Council of the City of Rancho Palos Verdes approved Revision "N" to the Ocean Trails Project, thereby approving a Mitigated Negative Declaration and amending the project to accommodate a change to the design of the storm drain facilities of the Ocean Trails project from a tunneled pipe system to the existing on-site canyons. Revision "N" only amended the drainage for the west side of the Ocean Trails project, involving Forrestal Canyon; and,

WHEREAS, on February 20, 2001, the City Council of the City of Rancho Palos Verdes approved Revision "P" to the Ocean Trails Project, thereby approving an amendment to allow Ocean Trails an extension of time to provide 4 on-site affordable housing units for rent from "prior to one year of the opening of the clubhouse" to "prior to the opening of the 18-hole golf course"; and,

WHEREAS, on February 20, 2001, the City Council of the City of Rancho Palos Verdes approved Revision "Q" to the Ocean Trails Project, thereby approving an amendment which allows Ocean Trails to re-construct (instead of re-pave) La Rotonda Drive from Palos Verdes South to the end of La Rotonda Drive, in lieu of re-paving Palos Verdes Drive South from La Rotonda Drive to the eastern City limits; and,

WHEREAS, on September 21, 2001, the City Council of the City of Rancho Palos Verdes approved Revision "R" to the Ocean Trails project to revise the Conditions of Approval for VTTM No. 50666 and VTTM No. 50667, so as to adjust Condition I-3 allowing an extension to completing the reconstruction of La Rotonda Drive from Palos Verdes Drive South to its end; and,

WHEREAS, on March 4, 2003, the City Council of the City of Rancho Palos Verdes approved Amendment No. 2 to the Ocean Trails Development Agreement to clarify that the City Council may extend any approved tentative tract not to exceed the term of the Development Agreement and extend Vesting Tentative Tract Map No. 50666; and,

WHEREAS, on November 20, 2007, the City Council of the City of Rancho Palos Verdes approved Amendment No. 3 to the Ocean Trails Development Agreement which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from November 20, 2007 through March 9, 2008; and,

WHEREAS, on March 4, 2008, the City Council of the City of Rancho Palos Verdes approved Amendment No. 4 to the Ocean Trails Development Agreement which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from March 9, 2008 through July 18, 2008; and,

WHEREAS, on July 15, 2008, the City Council of the City of Rancho Palos Verdes approved Amendment No. 5 to the Ocean Trails Development Agreement which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from July 18, 2008 through October 22, 2008; and,

WHEREAS, on October 21, 2008, the City Council of the City of Rancho Palos Verdes approved Amendment No. 6 to the Ocean Trails Development Agreement which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from October 22, 2008 through January 22, 2008; and,

WHEREAS, on January 21, 2009, the City Council of the City of Rancho Palos Verdes approved Revision "RR" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from January 22, 2009 through July 22, 2009, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through July 22, 2009; and,

WHEREAS, on July 21, 2009, the City Council, via Minute Order, approved a two month extension (Revision "SS") of the Development Agreement, Vesting Tentative Tract Map No. 50666 and the temporary use of the Driving Range at the request of the Applicant in order to accommodate the Applicant's schedule and availability to attend the Council meeting. Said two month extension was granted to September 16, 2009. As part of that action, the Council also continued the item/public hearing on Revision "SS" to September 15, 2009; and

WHEREAS, on September 15, 2009, the City Council of the City of Rancho Palos Verdes approved Revision "SS" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 16, 2009 through March 17, 2010, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through March 17, 2010; and,

WHEREAS, on March 16, 2010, the City Council of the City of Rancho Palos Verdes approved Revision "UU" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from March 16, 2010 through September 21, 2010, and revised Grading Permit No.

1541 to allow an additional temporary opening of the driving range to the public through September 21, 2010; and,

WHEREAS, on September 21, 2010, the City Council of the City of Rancho Palos Verdes approved Revision "V V" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2010 through March 21, 2011, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through March 21, 2011; and,

WHEREAS, on March 15, 2011, the City Council of the City of Rancho Palos Verdes approved Revision "WW" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from March 21, 2011 through September 21, 2011, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2011; and,

WHEREAS, on September 20, 2011, the City Council of the City of Rancho Palos Verdes approved Revision "XX" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2011 through March 21, 2012, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2012; and,

WHEREAS, on March 6, 2012, the City Council of the City of Rancho Palos Verdes approved Revision "AAA" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from March 21, 2012 through September 21, 2012, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2012; and,

WHEREAS, on August 7, 2012, the City Council of the City of Rancho Palos Verdes approved Revision "BBB" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2012 through September 21, 2014, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2014; and

WHEREAS, on September 16, 2014, the City Council of the City of Rancho Palos Verdes approved Revision "DDD" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2014 through September 21, 2016, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2016; and

WHEREAS, on June 15, 2016, VH Property Corp., submitted an application to the City of Rancho Palos Verdes requesting approval of Revision "EEE" to the Trump National Golf Club project to extend the Development Agreement and Vesting Tentative Tract Map No. 50666 for an additional two years, and revise Grading Permit No. 1541, to allow an additional two year extension to the temporary opening of the driving range to the public; 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), on August 9, 2016, copies of the draft Addendum No. 47 to Environmental Impact Report No. 36 were distributed to the City Council in its City Council agenda packet and on August 16, 2016, prior to taking action on the proposed amendment to the Development Agreement for the Trump National project, the City Council independently reviewed and considered the information and findings contained in Addendum No. 47 to EIR No. 36; and,

WHEREAS, on August 16, 2016, after notice issued pursuant to the provisions of the Development Code, the City Council held a public hearing to consider draft Addendum No. 47 to Environmental Impact Report No. 36, the proposed amendment to the Development Agreement for the project, and the extension for the use of the driving range, at which time all interested parties were given an opportunity to be heard and present evidence; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

Section 1: This request is for an amendment to the Development Agreement, Vesting Tentative Tract Map No. 50666 and Grading Permit No. 1541, to allow a two year extension to said Development Agreement and Vesting Tentative Tract Map No. 50666 from September 21, 2016 through September 21, 2018. Additionally, this request is for an extension of the use of the driving range for the same period. Therefore, pursuant to Sections 15162 and 15164 of the State CEQA Guidelines, approval of Addendum No. 47 to the previously certified EIR, rather than the preparation of a subsequent or supplemental EIR, is appropriate for the consideration of the proposed revisions to the Trump National project, based on the following findings:

1. That subsequent changes proposed to the project do not require important revisions to the previous EIR, since there are no new significant environmental impacts that have been identified, which were not considered in the previous EIR. This is so, since the proposed changes identified in Section 1 and attached Exhibit "A" would not result in any new or increased impacts to the environment that are not already analyzed within EIR No. 36, because it merely extends the life of the Development Agreement, Vesting Tentative Tract Map No. 50666, and the use of the driving range for a specific period and makes no other substantial revisions to the project.

2. That substantial changes to the project would not occur with respect to the circumstances under which the project is undertaken, which would require important revisions to the previous EIR, since, as noted in #1 above, there are no new significant environmental impacts that were not considered in the previous EIR, Supplement and previous Addenda thereto, and the project only changes the period for the temporary use of the driving range and the timing of the life of Development Agreement and Vesting Tentative Tract Map No. 50666 for the project.
3. That there is no new information of substantial importance to the project which indicates that these proposed changes will have one or more significant effects not discussed previously in the EIR; that significant effects previously examined will not be substantially more severe than shown in the EIR; that no mitigation measures or alternatives, previously found not to be feasible, would now in fact be feasible and would substantially reduce one or more significant effects of the project; or that no mitigation measures or alternatives which were not previously considered in the EIR, would now substantially lessen one or more significant effects of the environment, because this project is only to change the period for the temporary use of the driving range and the life of the Development Agreement and Vesting Tentative Tract Map No. 50666 for the project.

Section 2: In approving Addendum No. 47 to EIR No. 36, the City Council has reviewed and considered the Addendum No. 47 document, attached hereto and made a part thereof as Exhibit "A".

Section 3: The Addendum No. 47 to EIR No. 36 identifies no new potential significant adverse environmental impacts to the areas listed below, beyond those already identified in the Final EIR No. 36, the Supplement, Second Supplement, and Addenda Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47 to EIR No. 36, as a result of the proposed revisions to the Trump National project:

1. Landform, Geology, and Soils
2. Hydrology and Drainage
3. Biological Resources
4. Cultural and Scientific Resources
5. Aesthetics
6. Land Use and Relevant Planning
7. Circulation and Traffic
8. Air Resources
9. Noise
10. Public Services and Utilities
11. Population, Employment and Housing
12. Fiscal Impacts

Section 4: That implementation of the proposed changes to the project would not require additional mitigation measures or significant deletions/modifications to the mitigation measures included in the Final EIR, as well as the Supplemental, Second Supplemental, and Addends Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47 to EIR No. 36.

Section 5: While the implementation of mitigation measures as discussed in Final EIR No. 36 and the Supplemental, and the Second Supplemental, and Addenda EIR Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 43, 44, 45, 46 and 47 to EIR No. 36 will further reduce these impacts, it is not possible to entirely eliminate cumulative impacts to the areas of concern listed in Section 1, above. Therefore, the Findings and Statement of Overriding Considerations, as provided in Final EIR No. 36, are hereby incorporated by reference.

Section 6: All findings, attachments and Statement of Overriding Considerations contained in Resolution Nos. 92-53, 92-115, 93-89, 94-71 and 96-15, as adopted by the City Council on June 1, 1992, December 7, 1992, October 5, 1993, September 6, 1994, March 11, 1996 and September 3, 1996, respectively, are hereby incorporated by reference.

Section 7: The time within which the judicial review of the decision reflected in this Resolution, if available, must be sought is governed by Section 1094.6 of the California Code of Civil Procedure or any other applicable short period of limitations.

Section 8: For the foregoing reasons and based on the information and findings contained in the staff reports, minutes, and evidence presented at the public hearings, the City Council of the City of Rancho Palos Verdes hereby approves Addendum No. 47 to Environmental Impact Report No. 36, based on the City Council's determination that the document was completed in compliance with the requirements of the California Environmental Quality Act and State and local guidelines with respect thereto.

PASSED, APPROVED, and ADOPTED this 16<sup>th</sup> day of August 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES        ) ss  
CITY OF RANCHO PALOS VERDES    )

I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, hereby certify that the above Resolution No. 2016-\_\_ was duly and regularly passed and adopted by the said City Council at a regular meeting held on August 16, 2016.

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City Clerk

**Resolution No. 2016-\_\_\_  
Exhibit "A"**

**ADDENDUM NO. 47  
TO  
ENVIRONMENTAL IMPACT REPORT NO. 36**

The City Council has reviewed the proposed Revision "EEE" to the Trump National Golf Course Project, which is a request to allow a continued temporary opening of the driving range to the public from September 21, 2016 through September 21, 2018, and an amendment to the Trump National Development Agreement and Vesting Tentative Tract Map No. 50666 to extend such from September 21, 2016 through September 21, 2018, in conjunction with the requirements of the California Environmental Quality Act (CEQA), as well as State and Local CEQA Guidelines, and find as follows:

That the approved request would not result in any new or increased impacts to the environment that are not already analyzed within EIR No. 36, because it simply allows for the continued temporary opening of the previously approved driving range, which is not being altered, and will cause slight delays in the completion dates for certain project amenities.

Further, 1) it merely amends the Development Agreement and Vesting Tentative Tract Map No. 50666 to extend the life of such Development Agreement and Vesting Tentative Tract Map for a limited specific period, and 2) there have been no substantial changes to the Project or to the environment caused by the extension of the Driving Range, Development Agreement and Vesting Tentative Tract Map No. 50666 that would cause the Project to significantly impact the environment, nor does the proposed extension affect a change that would impact the environment in any manner that was not previously considered and mitigated to the extent feasible.

**URGENCY ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES APPROVING AMENDMENT NO. 16 TO THE TRUMP NATIONAL DEVELOPMENT AGREEMENT, AUTHORIZING AN EXTENSION TO THE DEVELOPMENT AGREEMENT TO SEPTEMBER 21, 2018, AND DECLARING THE URGENCY THEREOF.**

WHEREAS, California Government Code Section 65864 *et seq.* authorizes cities to enter into development agreements with private property owners; and

WHEREAS, the Rancho Palos Verdes City Council (the "City Council") previously adopted Ordinance No. 328 approving that certain Development Agreement (the "Development Agreement") by and between the City of Rancho Palos Verdes (the "City") and Palos Verdes Land Holdings Company, L.P., a California limited partnership, and the Zuckerman Entities (as defined in the Development Agreement), dated as of November 20, 1997, and recorded on December 8, 1997, as Instrument No. 97-1929840 in the Official Records of Los Angeles County, California; and

WHEREAS, pursuant to Government Code Section 65868, development agreements may be amended; and

WHEREAS, the City Council previously approved an Amendment to Ocean Trails Development Agreement (the "First Amendment"), by and between the City and Ocean Trails, L.P., the successor in interest to Palos Verdes Land Holdings Company, L.P. and the Zuckerman Entities, on September 18, 2001, and recorded on December 3, 2001 as Instrument No. 01-2301342 in the Official Records of Los Angeles County, California. Additionally, the City Council previously approved a second Amendment to the Ocean Trails Development Agreement (the "Second Amendment"), by and between the City and VH Property Corp., a Delaware corporation, on March 4, 2003, and recorded as Instrument No. 03-1139102. Furthermore, the City Council previously approved a third Amendment to the Ocean Trails Agreement (the "Third Amendment") by and between the City and VH Property Corp., a Delaware corporation, on November 20, 2007. Furthermore, the City Council previously approved a fourth Amendment to the Ocean Trails Agreement (the "Fourth Amendment") by and between the City and VH Property Corp., a Delaware corporation, on March 4, 2008. Furthermore, the City Council previously approved a fifth Amendment to the Ocean Trails Agreement (the "Fifth Amendment") by and between the City and VH Property Corp., a Delaware corporation, on July 15, 2008. Furthermore, the City Council previously approved a sixth Amendment to the Ocean Trails Agreement (the "Sixth Amendment") by and between the City and VH Property Corp., a Delaware corporation, on October 21, 2008. Furthermore, the City Council previously approved a seventh Amendment to the Ocean Trails Agreement (the "Seventh Amendment") by and between the City and VH Property Corp., a Delaware corporation, on January 21, 2009. Furthermore, the City Council previously approved an eighth Amendment to the Ocean Trails Agreement (the "Eighth Amendment") by and between the City and VH Property Corp., a Delaware corporation, on September 15, 2009. Furthermore, the City Council previously approved a ninth Amendment to the

Ocean Trails Agreement (the “Ninth Amendment”) by and between the City and VH Property Corp., a Delaware corporation, on March 16, 2010. Furthermore, the City Council previously approved a tenth Amendment to the Ocean Trails Agreement (the “Tenth Amendment”) by and between the City and VH Property Corp., a Delaware corporation, on September 21, 2010. Furthermore, the City Council previously approved an eleventh Amendment to the Ocean Trails Agreement (the “Eleventh Amendment”) by and between the City and VH Property Corp., a Delaware corporation, on March 15, 2011. Furthermore, the City Council previously approved a twelfth Amendment to the Ocean Trails Agreement (the “Twelfth Amendment”) by and between the City and VH Property Corp., a Delaware corporation, on September 20, 2011. Furthermore, the City Council previously approved a thirteenth Amendment to the Ocean Trails Agreement (the “Thirteenth Amendment”) by and between the City and VH Property Corp., a Delaware corporation, on March 6, 2012. Furthermore, the City Council previously approved a fourteenth Amendment to the Ocean Trails Agreement (the “Fourteenth Amendment”) by and between the City and VH Property Corp., a Delaware corporation, on August 7, 2012. Furthermore, the City Council previously approved a fifteenth Amendment to the Ocean Trails Agreement (the “Fifteenth Amendment”) by and between the City and VH Property Corp., a Delaware corporation, on September 16, 2014. The Development Agreement, First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment, Eleventh Amendment, Twelfth Amendment, Thirteenth Amendment, Fourteenth Amendment, and Fifteenth Amendment are sometimes referred to collectively herein as the “Agreement”; and

WHEREAS, VH Property Corp. (“Developer”) is the successor in interest to Ocean Trails, L.P; and

WHEREAS, the parties wish to extend the life of the Development Agreement from September 21, 2016 through September 21, 2018; and

WHEREAS, the City Council conducted a duly noticed public hearing on August 16, 2016, at which time all interested parties were given an opportunity to be heard and present evidence regarding the proposed Sixteenth Amendment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1.** The proposed Sixteenth Amendment to the Development Agreement makes a minor amendment to the Development Agreement to extend its life from September 21, 2016 through September 21, 2018. This minor change to the Development Agreement does not make any physical change to the Project or to the conditions of approval that were imposed on the Project and conforms to the maps and policies of the City's General Plan. Accordingly, the revision to the Development Agreement is consistent with all applicable provisions of the General Plan.

**Section 2.** The proposed Sixteenth Amendment to the Development Agreement complies with the requirements of California Government Code Sections 65865 through 65869.5.

**Section 3.** The proposed Sixteenth Amendment to the Development Agreement will not be detrimental, or cause adverse effects, to adjacent property owners, residents, or the general public, since the project will be constructed in accordance with the plans that were approved previously by the City Council, including any amendments to the plans that have been approved previously by the City Council.

**Section 4.** The proposed Sixteenth Amendment to the Development Agreement does not alter the clear and substantial benefit to the residents of the City of the Project, since the proposed amendment makes no substantive changes to the Project or to the Development Agreement.

**Section 5.** During the original ten-year term of the Development Agreement a major landslide occurred on the property that is subject to the Development Agreement. The landslide delayed completion of the project for several years while the landslide was being studied and repaired. In addition, two additional landslides on the property caused geologic concerns regarding the completion of the portion of the project that is within Tentative Tract Map No. 50666. The geologic issues were not easily resolved and required a panel of three experts to be retained by the City, as requested by the Developer. The failure to resolve these geologic issues in a satisfactory manner could result in additional land failures on the site, which could have an immediate and adverse impact upon the public health, safety and welfare. Furthermore, California Government Code Section 66452.24 requires the extension of the life of Vesting Tentative Tract Map No. 50666 for an additional two-year term, because the Map is consistent with the City's General Plan, Local Coastal Plan and Zoning Ordinance, and said Map is a portion of the "Development Plan" that said Development Agreement assures the Developer to be able to complete. If the Development Agreement is not extended to September 21, 2018, the Vesting Tentative Tract Map No. 50666 would continue to be in effect without the benefit of the Development Agreement to govern various provisions of the "Development Plan". Further, the Development Agreement needs to be revised to consider amendments over the past years and if it expires, the parties will not be able to revise its terms before it expires. This urgency ordinance, therefore, is necessary for the protection of the public health, safety and welfare and shall take effect immediately upon adoption as an urgency ordinance.

**Section 6.** For the foregoing reasons, and based on the information contained in the staff reports, supporting documentation, minutes and other records of the proceedings, all of which are incorporated herein by this reference, the City Council hereby approves the proposed Sixteenth Amendment to the Development Agreement with VH Property Corp., which amendment is attached hereto as Exhibit "A" and incorporated herein by this reference.

**Section 7.** The City Clerk shall cause this Urgency Ordinance to be posted in three (3) public places in the City within fifteen (15) days after its passage, in accordance with the provisions of Section 36933 of the Government Code. The City Clerk shall further certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting, to be entered in the Book of Ordinances of the Council of this City.

**Section 8.** This Ordinance shall go into effect and be in full force and effect immediately upon its passage. This ordinance is effective until 11:59 p.m. on September 21, 2018, unless further extended by the City Council by the adoption of another ordinance.

PASSED, APPROVED and ADOPTED this 16<sup>th</sup> day of August 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       )ss  
CITY OF RANCHO PALOS VERDES)

I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the whole numbers of the City Council of said City is five; that the foregoing Ordinance No. \_\_\_\_ was duly and regularly adopted by the City Council of said City at a regular meeting thereof held on August 16, 2016, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

\_\_\_\_\_  
City Clerk

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

CITY CLERK  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, CA 90275-5391

---

**AMENDMENT NO. 16 TO TRUMP NATIONAL DEVELOPMENT AGREEMENT  
(Pursuant to California Government Code Section 65868)**

THIS AMENDMENT NO. 16 TO TRUMP NATIONAL DEVELOPMENT AGREEMENT (“Sixteenth Amendment”) is entered into this 16<sup>th</sup> day of August 2016 by and between VH Property Corp., a Delaware corporation (“Developer”), and the City of Rancho Palos Verdes, a municipal corporation organized under the laws of the State of California (the “City”).

**RECITALS**

- A. Palos Verdes Land Holdings Company, L.P., a California limited partnership, and the Zuckerman Entities (as defined in the Agreement), as predecessors in interest to Developer, and City entered into that certain Development Agreement (the “Original Agreement”) dated as of November 20, 1997, and recorded on December 8, 1997, as Instrument No. 97-1929840 in the Official Records of Los Angeles County, California, as amended by that certain Amendment to Ocean Trails Development Agreement (the “First Amendment”), dated as of September 18, 2001, and recorded on December 3, 2001 as Instrument No. 01-2301342 in the Official Records of Los Angeles County, California; and as further amended by that certain Amendment No. 2 to Ocean Trails Development Agreement (the “Second Amendment”), dated as of March 4, 2003, and recorded as Instrument No. 03-1139102 in the Official Records of Los Angeles County, California; and as further amended by that certain Amendment No. 3 to the Ocean Trails Development Agreement (the “Third Amendment”), approved on November 20, 2007; and as further amended by that certain Amendment No. 4 to the Ocean Trails Development Agreement (the “Fourth Amendment”), approved on March 4, 2008; and as further amended by that certain Amendment No. 5 to the Ocean Trails Development Agreement (the “Fifth Amendment”), approved on July 15, 2008; and as further amended by that certain Amendment No. 6 to the Ocean Trails Development Agreement (the “Sixth” Amendment), approved on October 21, 2008; and as further amended by that certain Amendment No. 7 to the Ocean Trails Development Agreement (the “Seventh” Amendment), approved on January 21, 2009; and as further amended by that certain Amendment No. 8 to the Ocean Trails Development Agreement (the “Eighth” Amendment), approved on September 15, 2009; and as further amended by that certain Amendment No. 9 to the Ocean Trails Development Agreement (the “Ninth” Amendment), approved on March 16, 2010; and as further amended by that certain Amendment No. 10 to the Ocean Trails Development Agreement (the “Tenth” Amendment), approved on September 21, 2010; and as further amended by that certain Amendment No. 11 to the Ocean Trails Development Agreement (the “Eleventh” Amendment), approved on March 15, 2011; and as further amended by that certain

Amendment No. 12 to the Ocean Trails Development Agreement (the “Twelfth” Amendment), approved on September 20, 2011; and as further amended by that certain Amendment No. 13 to the Ocean Trails Development Agreement (the “Thirteenth” Amendment), approved on March 6, 2012; and as further amended by that certain Amendment No. 14 to the Ocean Trails Development Agreement (the “Fourteenth” Amendment), approved on August 7, 2012; and as further amended by that certain Amendment No. 15 to the Ocean Trails Development Agreement (the “Fifteenth” Amendment), approved on September 16, 2014; (referred to collectively with the Original Agreement, as the “Agreement”), pursuant to which Developer has certain vested rights to develop that certain real property described and/or depicted on Exhibit A attached hereto (the “Property”). Except as expressly stated to the contrary, all capitalized terms set forth herein shall have the same meaning as set forth in the Agreement.

- B. City previously approved Vesting Tentative Tract Map No. 50666 and Vesting Tentative Tract Map No. 50667 regarding the Property and subsequently approved certain amendments thereto.
- C. Final Tract Map No. 50667 was previously recorded as Instrument No. 99-1934089 in the Office of the County Recorder of Los Angeles County, California, on October 12, 1999.
- D. Both parties wish to extend the Development Agreement to September 21, 2018.
- E. On August 16, 2016, the City Council of City adopted Urgency Ordinance No. \_\_\_\_\_, approving this Sixteenth Amendment. Developer and City desire to amend the Agreement to reflect the foregoing.

### **AGREEMENT**

NOW, THEREFORE, in consideration of the foregoing recitals, and the mutual promises and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed as follows:

1. Section 7 of the Agreement, entitled Term, is hereby amended by replacing the paragraph with the following new paragraph, to read as follows:

“7. Term. The term of this Agreement shall commence upon the Effective Date and shall continue until all building permits required to complete the development of the Project as contemplated by the Development Plan have been issued, provided that in no event shall such term exceed nineteen (19) years following the Effective Date of this Agreement.”

2. Section 7 of the Agreement, entitled Term, is hereby amended by replacing paragraph 7.2 at the end of that Section 7 with the following new paragraph 7.2, to read as follows:

“7.2 Extension of Development Agreement. This Development Agreement is hereby extended from September 21, 2016 through September 21, 2018. The term of Vesting Tentative Tract Map No. 50666 is hereby extended along with the term of this Development Agreement.”

3. Full Force. Except as specifically set forth herein, the Agreement shall remain in full force and effect.

4. Counterparts. This Sixteenth Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. A facsimile signature shall be deemed an original signature.

5. Authority. The persons executing this Sixteenth Amendment on behalf of Developer and City represent and warrant that they are duly authorized so as to fully and legally bind Developer and City, respectively.

IN WITNESS WHEREOF, this Sixteenth Amendment is executed as of the date first written above.

**“DEVELOPER”:**

VH PROPERTY CORP.,  
a Delaware corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**THE “CITY”:**

CITY OF RANCHO PALOS VERDES

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA

COUNTY OF

On \_\_\_\_\_ before me, \_\_\_\_\_,  
personally appeared \_\_\_\_\_ who proved to me on  
the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or  
the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

STATE OF CALIFORNIA

COUNTY OF

On \_\_\_\_\_ before me, \_\_\_\_\_,  
personally appeared \_\_\_\_\_ who proved to me on  
the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or  
the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

STATE OF CALIFORNIA

COUNTY OF

On \_\_\_\_\_ before me, \_\_\_\_\_,  
personally appeared \_\_\_\_\_ who proved to me on  
the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or  
the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

**RESOLUTION NO. 2016-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES APPROVING A TWO-YEAR EXTENSION OF VESTING TENTATIVE TRACT MAP NO. 50666 AT THE TRUMP NATIONAL GOLF CLUB LOCATED IN COASTAL SUBREGIONS 7 AND 8.**

WHEREAS, an application package was filed by the Zuckerman Building Company and Palos Verdes Land Holdings Company requesting approval of tentative parcel maps, vesting tentative tract maps, conditional use permits, a coastal permit and a grading permit to allow the construction of a Residential Planned Development of 120 single family dwelling units and for development of an 18-hole golf course, a clubhouse and parking facilities on a 258 acre site bounded by Palos Verdes Drive South on the north, Portuguese Bend Club and Community Association on the west, the Pacific Ocean on the south and Los Angeles County Shoreline Park on the east; and,

WHEREAS, a Draft Environmental Impact Report (DEIR) was prepared and circulated for 45 days, from June 7, 1991 through July 22, 1991, in order to receive written comments on the adequacy of the document from responsible agencies and the public; and,

WHEREAS, subsequent to the circulation of the Draft Environmental Impact Report and preparation of written responses, the applicant revised the scope of the project and reduced the number of proposed single family residences to 40 units in Vesting Tentative Tract Map No. 50666 and 43 in Vesting Tentative Tract Map No. 50667, and an 18 hole golf course with related facilities within the boundaries of both Vesting Tentative Tract Maps, and, due to the changes in the project, an Addendum to the Draft Environmental Impact Report (ADEIR) was prepared; and,

WHEREAS, based on review of the Addendum to the Draft Environmental Impact Report, the City determined that the information submitted in the AEIR cited potential additional significant environmental impacts that would be caused by the revised project, and directed preparation of a Supplemental Environmental Impact Report (SEIR). The SEIR, which incorporates information and findings set forth in the Addendum to the Draft Environmental Impact Report, was prepared and circulated for 45 days from March 19, 1992 through May 4, 1992, during which time all interested parties were notified of the circulation period and invited to present written comments to the information contained in the SEIR, in conformance with the requirements of the California Environmental Quality Act; and,

WHEREAS, on June 1, 1992, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 92-53, certifying Environmental Impact Report No. 36 and adopted Resolution Nos. 92-54, 92-55, 92-56 and 92-57, respectively approving Vesting Tentative Tract Map Nos. 50666 and 50667, Tentative Parcel Map Nos. 20970 and 23004, Conditional Use Permit Nos. 162 and 163, Coastal Permit No. 103 and Grading Permit No.

1541 for a Residential Planned Development consisting of a total of eighty-three (83) single family dwelling units, an 18 hole public golf course and public open space on 261.4 acres in Coastal Subregion Nos. 7 and 8; and,

WHEREAS, on August 12, 1992, after finding that an appeal of the City's approval of the project raised a substantial issue, the California Coastal Commission denied Coastal Permit No. 103, directed the landowners to redesign the project to address the concerns raised by the Coastal Commission Staff and remanded the project back to the City of Rancho Palos Verdes for reconsideration; and,

WHEREAS, on December 7, 1992, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 92-115 approving the Addendum to Environmental Impact Report No. 36 and adopted Resolution Nos. 92-116, 92-117, 92-118 and 92-119 approving Revisions to Vesting Tentative Tract Map Nos. 50666 and 50667, Tentative Parcel Map Nos. 20970 and 23004, Conditional Use Permit Nos. 162 and 163, Coastal Permit No. 103, and Grading Permit No. 1541 in order to address concerns raised by the Coastal Commission with regard to adequate provisions for public open space, public access and habitat preservation; and,

WHEREAS, on April 15, 1993, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-5 (i.e. Coastal Permit No. 103), subject to additional conditions of approval; and

WHEREAS, on October 5, 1993, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 93-89 approving a second Addendum to Environmental Impact Report No. 36 and adopted Resolution Nos. 93-90, 93-91, 93-92 and 93-93 respectively re-approving Vesting Tentative Tract Map Nos. 50666 and 50667, Tentative Parcel Map Nos. 20970 and 23004, Conditional Use Permit Nos. 162 and 163, and Grading Permit No. 1541 in order to comply with a Court mandate to provide affordable housing in conjunction with the project, pursuant to Government Code Section 65590; and,

WHEREAS, on November 5, 1993, the California Coastal Commission adopted revised and expanded findings in conjunction with the project; and,

WHEREAS, on September 6, 1994, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 94-71 approving a third Addendum to Environmental Impact Report No. 36 and Adopted Resolution Nos. 94-72, 94-73, 94-74, 94-75, 94-76 and 94-77, respectively, approving Revision "A" to the approved Ocean Trails project, including, but not limited to, relocation of the golf course clubhouse from the area southwest of the School District property to an area north of Half Way Point, locating the golf course maintenance facility and four (4) affordable housing units southeast of the corner of Palos Verdes Drive South and Paseo Del Mar, reducing the number of single family residential

lots from eighty-three (83) to seventy-five (75) and increasing the height of the golf course clubhouse from thirty (30) feet to forty-eight (48) feet; and,

WHEREAS, on January 12, 1995, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), thereby approving its first amendment to the permit, subject to revised conditions of approval; and,

WHEREAS, on September 27, 1995, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), thereby approving its second amendment to the permit; and,

WHEREAS, on February 1, 1996, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), thereby approving its third amendment to the permit; and,

WHEREAS, on March 11, 1996, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 96-15 approving a fourth Addendum to Environmental Impact Report No. 36 and Adopted Resolution Nos. 96-16, and 96-17, respectively, approving Revision "B" to the approved Ocean Trails project, including, but not limited to, modifying the approved alignment of Paseo del Mar ("A" Street/"J" Bluff Road), revising the Conditions of Approval regarding several public trails, and relocating the golf course clubhouse approximately 80 feet to the west of its previously approved location; and,

WHEREAS, on July 11, 1996, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), thereby approving its fourth amendment to the permit, subject to revised conditions of approval; and,

WHEREAS, on September 3, 1996, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 96-72 approving a fifth Addendum to Environmental Impact Report No. 36 and Adopted Resolution Nos. 96-73, 96-74, 96-75, 96-76 and 96-77, respectively, approving Revision "C" to the approved Ocean Trails project, including, but not limited to, relocation of two single family residential lots in Vesting Tentative Tract Map No. 50667 from the end of Street "A" to the end of Street "C", revisions to the boundaries of open space Lots B, C, G and H, conversion the split-level lots in Vesting Tentative Tract Map No. 50667 to single-level lots, revisions to the golf course layout, revisions the public trail system, combination of parallel trails easements, construction of a paved fire access road west of the Ocean Terraces Condominiums and amendments to several Conditions of Approval and Mitigation Measures to modify the required timing for compliance; and,

WHEREAS, on September 9, 1997, the Planning Commission of the City of Rancho Palos Verdes adopted P.C. Resolution No. 97-44 approving Revision "D" to the Ocean Trails project, which involved an amendment to Conditional Use Permit No. 162

(Residential Planned Development) to modify the minimum rear yard setbacks on Lot Nos. 6 through 9 to provide an adequate buffer between the proposed residences and the potential brush fires that may occur on the adjacent habitat area; and,

WHEREAS, on April 21, 1998, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 98-32 approving Revision "E" to the Ocean Trails project, which involved an amendment to Conditional Use Permit No. 163 (Golf Course) to modify the bonding requirements for the golf course improvements; and,

WHEREAS, on June 16, 1998, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 98-59, approving Revision "F" to the Ocean Trails project, which involved, modifying the configuration of Streets "C" and "D" and Lot Nos. 1 through 13 of Vesting Tentative Tract Map No. 50667 to accommodate the final location of the Foundation Setback Line, and a revision to Conditional Use Permit No. 162 (Residential Planned Development) to address maximum building height; and,

WHEREAS, on July 14, 1998, the Planning Commission adopted P.C. Resolution Nos. 98-26 and 98-27, thereby recommending approval of Addendum No. 6 to EIR No. 36 and Revision "G" to Conditional Use Permit No. 163 to the City Council; and,

WHEREAS, on August 18, 1998, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 98-76 approving Addendum No. 6 to Environmental Impact Report No. 36 and the proposed Revision "G" to the Ocean Trails project, which included: 1) an 18% increase in the size of the clubhouse from 27,000 square feet to 32,927 square feet; 2) an increase in the size of the maintenance facility from 6,000 square feet to 9,504 square feet; 3) a two foot increase in the upslope height of the maintenance facility building; and, 4) relocation of the maintenance building and reconfiguration of the maintenance facility parking lot; and

WHEREAS, on February 2, 1999, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 99-10 approving Addendum No. 7 to Environmental Impact Report No. 36 and the proposed Revision "H" to the Ocean Trails project, which included: changing 6 of the residential lots within VTTM 50667 from flat pad lots to split level lots, lowering the overall pad elevation for each lot, and lowering Street 'B' within the subdivision, and lowering the pad elevation for 6 other lots within the subdivision. Additionally, the approval included the modification of the project's mitigation measures and conditions of approval to allow the permitted construction hours for the entire Ocean Trails project to be expanded to include Sundays through March 21, 1999; and

WHEREAS, on May 4, 1999, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 99-29 approving Addendum No. 8 to Environmental Impact Report No. 35 and the proposed Revision "I" to the Ocean Trails project, which included a change to the design of the storm drain facilities of the Ocean Trails project from a tunneled pipe

system to the existing on-site canyons. Revision "I" only amended the drainage for the east side of the Ocean Trails project, involving La Rotonda canyon; and,

WHEREAS, on June 2, 1999, Landslide C at the Ocean Trails site was re-activated; and,

WHEREAS, on July 20, 1999, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 99-55 approving Addendum No. 9 to Environmental Impact Report No. 36 and the proposed Revision "J" to the Ocean Trails project, which included 1), the conditions requiring the establishment of a maintenance district be revised by eliminating the maintenance district and having the golf course owner be the sole responsible entity for maintenance thereby excluding the future residential homeowners; 2) withdrawn by applicant; 3), the timing of the installation of ornamental fencing on each residential lot be delayed until prior to issuance of certificate of occupancy; 4), delay the construction of two trails within VTTM 50666 from the Second Stage to the Third Stage of phasing within the Public Amenities Plan; 5), lower the approved residential building pad elevations and create split-level pads in VTTM No. 50666; 6), delay the payment of traffic impact fees to prior to Final Map No. 50666; 7), allow an increase in total building area of the clubhouse by permitting a basement space; 8), withdrawn by applicant; and 9), revise the hours permitted for golf course landscape gardening; and,

WHEREAS, on May 16, 2000, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 2000-27 approving Addendum No. 10 to Environmental Impact Report No. 36 and the proposed Revision "K" to the Ocean Trails project, which allowed a portion of the golf course to open for play before all of the required public amenities have been completed due to delays caused by the failure of Landslide C on June 2, 1999; and,

WHEREAS, on June 21, 2000, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 2000-38 certifying a Final Supplemental Environmental Impact Report to Environmental Impact Report No. 36, adopting a Mitigation Monitoring Program, adopting a Statement of Overriding Considerations, and the proposed Revision "L" to the Ocean Trails project, for the repair of Landslide C at Ocean Trails; and,

WHEREAS, on July 18, 2000, the City Council of the City of Rancho Palos Verdes approved Revision M to the Ocean Trails Project, thereby approving an amendment to the Habitat Conservation Plan (HCP), an amendment to the HCP Implementing Agreement, and approval of a Conservation Easement over the lower portion of Shoreline Park; and,

WHEREAS, on September 5, 2000, the City Council of the City of Rancho Palos Verdes approved Revision N to the Ocean Trails Project, thereby approving a Mitigated Negative Declaration and amending the project to accommodate a change to the design of the storm drain facilities of the Ocean Trails project from a tunneled pipe system to the

existing on-site canyons. Revision "N" only amended the drainage for the west side of the Ocean Trails project, involving Forrestal Canyon; and,

WHEREAS, on February 20, 2001, the City Council of the City of Rancho Palos Verdes approved Revision P to the Ocean Trails Project, thereby approving an amendment to allow Ocean Trails an extension of time to provide 4 on-site affordable housing units for rent from "prior to one year of the opening of the clubhouse" to "prior to the opening of the 18-hole golf course"; and,

WHEREAS, on February 20, 2001, the City Council of the City of Rancho Palos Verdes approved Revision Q to the Ocean Trails Project, thereby approving an amendment which allows Ocean Trails to re-construct (instead of re-pave) La Rotonda Drive from Palos Verdes South to the end of La Rotonda Drive, in lieu of re-paving Palos Verdes Drive South from La Rotonda Drive to the eastern City limits; and,

WHEREAS, on September 4, 2001, the City Council of the City of Rancho Palos Verdes approved Revision R to the Ocean Trails Project, thereby revising the Conditions of Approval for VTTM No. 50666 and VTTM No. 50667, so as to adjust Condition I-3 allowing an extension to completing the reconstruction of La Rotonda Drive from Palos Verdes Drive South to its end; and,

WHEREAS, on April 20, 2004, the City Council of the City of Rancho Palos Verdes approved Revision "V" to the Ocean Trails Project, thereby allowing 1) basement areas of one-story structures to be excluded from the existing 30% "Maximum Habitable Space" requirement, but require that the basement habitable area be added to the first floor habitable area in complying with the "Maximum Habitable Space Square Footage" requirement; 2) permitting a change in the height of Lot #2 to allow for a subterranean garage; and 3) permitted construction of retaining walls and access to the proposed subterranean garage; and,

WHEREAS, on June 7, 2005, the City Council of the City of Rancho Palos Verdes adopted a Mitigated Negative Declaration and approved Revision "W" to the Trump National Golf Club (formally known as Ocean Trails) Project, thereby allowing a driving range to be constructed in place of 16 residential lots within VTTM No. 50666; and,

WHEREAS, on December 20, 2005, the City Council of the City of Rancho Palos Verdes approved Revision "Y" to the Trump National Golf Club (formally known as Ocean Trails) Project, thereby allowing a 3-month temporary opening of the golf course and driving range; and,

WHEREAS, on May 2, 2006, the City Council of the City of Rancho Palos Verdes approved Revision "Z" to the Trump National Golf Club (formally known as Ocean Trails)

Project, thereby amending CUP No. 163 allowing a change in the golf course design to permit a new back tee on Hole #2 and an increase in waterfall height for waterfall #1; and,

WHEREAS, on July 18, 2006, the City Council of the City of Rancho Palos Verdes approved Revision "AA" to the Trump National Golf Club Project, thereby amending Grading Permit No. 1541, to allow an additional temporary 3-month opening of the golf course and driving range to the public; and,

WHEREAS, on October 17, 2006, the City Council of the City of Rancho Palos Verdes approved Revision "CC" to the Trump National Golf Club Project, thereby amending Grading Permit No. 1541, to allow an additional temporary 3-month opening of the golf course and driving range to the public; and,

WHEREAS, on January 16, 2007, the City Council of the City of Rancho Palos Verdes, via Minute Order, approved a 1-month extension to the temporary opening of the Golf Course and Driving Range; and,

WHEREAS, on February 6, 2007, the City Council of the City of Rancho Palos Verdes approved Revision "DD" to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary 2-month opening of the golf course and driving range to the public; and,

WHEREAS, on May 1, 2007, the City Council of the City of Rancho Palos Verdes approved Revision "FF" to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary 6-month opening of the golf course and driving range to the public; and,

WHEREAS, on October 16, 2007, the City Council of the City of Rancho Palos Verdes approved Revision "HH" to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through December 4, 2007; and,

WHEREAS, on December 4, 2007, the City Council of the City of Rancho Palos Verdes approved Revision "KK" to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through January 18, 2008; and,

WHEREAS, on January 16, 2008, the City Council of the City of Rancho Palos Verdes approved Revision "LL" to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through July 18, 2008; and,

WHEREAS, on July 15, 2008, the City Council of the City of Rancho Palos Verdes approved Revision “NN” to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through October 22, 2008; and,

WHEREAS, on October 22, 2008, the City Council of the City of Rancho Palos Verdes approved Revision “PP” to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through January 22, 2009; and,

WHEREAS, on January 21, 2009, the City Council of the City of Rancho Palos Verdes approved Revision “RR” to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through July 22, 2009; and,

WHEREAS, on July 21, 2009, the City Council, via Minute Order, approved a two month extension (Revision “SS”) of the Development Agreement, Vesting Tentative Tract Map No. 50666 and the temporary use of the Driving Range at the request of the Applicant in order to accommodate the Applicant’s schedule and availability to attend the Council meeting. Said two month extension was granted to September 16, 2009. As part of that action, the Council also continued the item/public hearing on Revision “SS” to September 15, 2009; and

WHEREAS, on September 15, 2009, the City Council of the City of Rancho Palos Verdes approved Revision “SS” to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 16, 2009 through March 17, 2010, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through March 17, 2010; and,

WHEREAS, on March 16, 2010, the City Council of the City of Rancho Palos Verdes approved Revision “UU” to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from March 16, 2010 through September 21, 2010, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2010; and,

WHEREAS, on September 21, 2010, the City Council of the City of Rancho Palos Verdes approved Revision “V V” to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2010 through March 21, 2011, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through March 21, 2011; and,

WHEREAS, on March 15, 2011, the City Council of the City of Rancho Palos Verdes approved Revision "W W" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from March 21, 2011 through September 21, 2011, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2011; and,

WHEREAS, on September 20, 2011, the City Council of the City of Rancho Palos Verdes approved Revision "XX" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2011 through March 21, 2012, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2012; and,

WHEREAS, on March 6, 2012, the City Council of the City of Rancho Palos Verdes approved Revision "AAA" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from March 21, 2012 through September 21, 2012, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2012; and,

WHEREAS, on August 7, 2012, the City Council of the City of Rancho Palos Verdes approved Revision "BBB" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2012 through September 21, 2014, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2014; and

WHEREAS, on September 16, 2014, the City Council of the City of Rancho Palos Verdes approved Revision "DDD" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2014 through September 21, 2016, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2016; and

WHEREAS, on June 15, 2016, VH Property Corp., submitted an application to the City of Rancho Palos Verdes requesting approval of Revision "EEE" to the Trump National Golf Club project to extend the Development Agreement and Vesting Tentative Tract Map No. 50666 for an additional two years, and revise Grading Permit No. 1541, to allow an additional two year extension to the temporary opening of the driving range to the public; 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), on August 9, 2016, copies of the draft Addendum No. 47 to Environmental Impact Report No. 36 were distributed to the City Council in its City Council agenda packet and on August 16, 2016, prior to taking action on the proposed amendment to the Development Agreement for the Trump National project, the City Council independently reviewed and considered the information and findings contained in Addendum No. 47 to EIR No. 36; and,

WHEREAS, on August 16, 2016, after notice was issued pursuant to the provisions of the Development Code, the City Council held a public hearing to consider draft Addendum No. 47 to Environmental Impact Report No. 36, the proposed amendment to the Development Agreement for the project, and the Applicant's request to extend Vesting Tentative Tract Map No. 50666, and for Revision "EEE" to the Trump National Golf Club project for the continued temporary use of the driving range, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

**Section 1:** This request is to permit an extension of Vesting Tentative Map No. 50666. Government Code section 66452.6 (a)(1) allows a tentative map on property subject to a development agreement to be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement. On August 16, 2016 the City Council extended the Development Agreement for two years, such that it will expire on September 21, 2018. The Development Agreement was amended to state that Vesting Tentative Map No. 50666 could be similarly extended such that it would expire on September 21, 2018. The Trump Organization filed a timely request to extend Vesting Tentative Tract Map No. 50666. The City Council finds that Tentative Map No. 50666 is consistent with the City's General Plan, the Zoning Ordinance and Local Coastal Plan. The City Council hereby approves a two-year extension to Vesting Tentative Map No. 50666, such that it will expire on September 21, 2018.

**Section 2:** Pursuant to Sections 15162 and 15164 of the State CEQA Guidelines, approval of Addendum No. 47 to the previously certified EIR, rather than the preparation of a subsequent or supplemental EIR, is appropriate for the consideration of the proposed revisions to the Trump National Golf Club project, based on the following findings:

1. That subsequent changes proposed to the project do not require important revisions to the previous EIR, since there are no new significant environmental impacts that have been identified, which were not considered in the previous EIR.

This is so, since the proposed changes identified in Section 1 and attached Exhibit "A" to Addendum No. 47 would not result in any new or increased impacts to the environment that are not already analyzed within EIR No. 36. Specifically, the approved request will simply extend Vesting Tentative Map No. 50666 while minor issues related to the project's conditions of approvals are addressed. There have been no substantial changes to the Project or to the environment that would cause the Project to significantly impact the environment, nor does the proposed amendment affect a change that would impact the environment in any manner that was not previously considered and mitigated to the extent feasible.

2. That substantial changes to the project would not occur with respect to the circumstances under which the project is undertaken, which would require important revisions to the previous EIR, since, as noted in #1 above, there are no new significant environmental impacts that were not considered in the previous EIR, Supplement and previous Addenda thereto, and the approved project provides for changes that only affect the timing of when certain project amenities will be completed.

3. That there is no new information of substantial importance to the project which indicates that these approved changes will have one or more significant effects not discussed previously in the EIR; that significant effects previously examined will not be substantially more severe than shown in the EIR; that no mitigation measures or alternatives, previously found not to be feasible, would now in fact be feasible and would substantially reduce one or more significant effects of the project; or that no mitigation measures or alternatives which were not previously considered in the EIR, would now substantially lessen one or more significant effects of the environment, because this approved project is only to permit modifications that would cause slight delays in the completion dates for certain project amenities.

**Section 3:** The time within which judicial review of the decision reflected in this Resolution, if available, is governed by Section 1094.6 of the California Code of Civil Procedure or other applicable shortened periods of limitation.

**Section 4:** For the forgoing reasons, and based on information and findings contained in the public record, including the staff reports, minutes, records of proceedings, and evidence presented at the public hearing, the City Council of the City of Rancho Palos Verdes hereby approves Revision "EEE" to extend Vesting Tentative Tract Map No. 50666 for two additional years, through September 21, 2018. All conditions of approval that have been imposed on this project shall remain in effect and are incorporated herein by this reference.

PASSED, APPROVED, and ADOPTED this 16<sup>th</sup> day of August 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       )ss  
CITY OF RANCHO PALOS VERDES   )

I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, hereby certify that the above Resolution No. 2016-\_\_ was duly and regularly passed and adopted by the said City Council at a regular meeting held on August 16, 2016.

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2016-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES APPROVING REVISIONS TO GRADING PERMIT NO. 1541 IN CONJUNCTION WITH REVISION "DDD" TO THE TRUMP NATIONAL GOLF CLUB LOCATED IN COASTAL SUBREGIONS 7 AND 8.**

WHEREAS, an application package was filed by the Zuckerman Building Company and Palos Verdes Land Holdings Company requesting approval of tentative parcel maps, vesting tentative tract maps, conditional use permits, a coastal permit and a grading permit to allow the construction of a Residential Planned Development of 120 single family dwelling units and for development of an 18-hole golf course, a clubhouse and parking facilities on a 258 acre site bounded by Palos Verdes Drive South on the north, Portuguese Bend Club and Community Association on the west, the Pacific Ocean on the south and Los Angeles County Shoreline Park on the east; and,

WHEREAS, a Draft Environmental Impact Report (DEIR) was prepared and circulated for 45 days from June 7, 1991 through July 22, 1991 in order to receive written comments on the adequacy of the document from responsible agencies and the public; and,

WHEREAS, subsequent to the circulation of the Draft Environmental Impact Report and preparation of written responses, the applicant revised the scope of the project and reduced the number of proposed single family residences to 40 units in Vesting Tentative Tract Map No. 50666 and 43 in Vesting Tentative Tract Map No. 50667, and an 18 hole golf course with related facilities within the boundaries of both Vesting Tentative Tract Maps, and, due to the changes in the project, an Addendum to the Draft Environmental Impact Report (ADEIR) was prepared; and,

WHEREAS, based on review of the Addendum to the Draft Environmental Impact Report, the City determined that the information submitted in the AEIR cited potential additional significant environmental impacts that would be caused by the revised project, and directed preparation of a Supplemental Environmental Impact Report (SEIR). The SEIR, which incorporates information and findings set forth in the Addendum to the Draft Environmental Impact Report, was prepared and circulated for 45 days from March 19, 1992 through May 4, 1992, during which time all interested parties were notified of the circulation period and invited to present written comments to the information contained in the SEIR, in conformance with the requirements of the California Environmental Quality Act; and,

WHEREAS, on June 1, 1992, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 92-53, certifying Environmental Impact Report No. 36 and adopted Resolution Nos. 92-54, 92-55, 92-56 and 92-57, respectively approving Vesting Tentative Tract Map Nos. 50666 and 50667, Tentative Parcel Map Nos. 20970 and 23004,

Conditional Use Permit Nos. 162 and 163, Coastal Permit No. 103 and Grading Permit No. 1541 for a Residential Planned Development consisting of a total of eighty-three (83) single family dwelling units, an 18 hole public golf course and public open space on 261.4 acres in Coastal Subregion Nos. 7 and 8; and,

WHEREAS, on August 12, 1992, after finding that an appeal of the City's approval of the project raised a substantial issue, the California Coastal Commission denied Coastal Permit No. 103, directed the landowners to redesign the project to address the concerns raised by the Coastal Commission Staff and remanded the project back to the City of Rancho Palos Verdes for reconsideration; and,

WHEREAS, on December 7, 1992, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 92-115 approving the Addendum to Environmental Impact Report No. 36 and adopted Resolution Nos. 92-116, 92-117, 92-118 and 92-119 approving Revisions to Vesting Tentative Tract Map Nos. 50666 and 50667, Tentative Parcel Map Nos. 20970 and 23004, Conditional Use Permit Nos. 162 and 163, Coastal Permit No. 103, and Grading Permit No. 1541 in order to address concerns raised by the Coastal Commission with regard to adequate provisions for public open space, public access and habitat preservation; and,

WHEREAS, on April 15, 1993, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-5 (i.e. Coastal Permit No. 103), subject to additional conditions of approval.

WHEREAS, on October 5, 1993, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 93-89 approving a second Addendum to Environmental Impact Report No. 36 and adopted Resolution Nos. 93-90, 93-91, 93-92 and 93-93 respectively re-approving Vesting Tentative Tract Map Nos. 50666 and 50667, Tentative Parcel Map Nos. 20970 and 23004, Conditional Use Permit Nos. 162 and 163, and Grading Permit No. 1541 in order to comply with a Court mandate to provide affordable housing in conjunction with the project, pursuant to Government Code Section 65590; and,

WHEREAS, on November 5, 1993, the California Coastal Commission adopted revised and expanded findings in conjunction with the project; and,

WHEREAS, on September 6, 1994, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 94-71 approving a third Addendum to Environmental Impact Report No. 36 and Adopted Resolution Nos. 94-72, 94-73, 94-74, 94-75, 94-76 and 94-77, respectively, approving Revision "A" to the approved Ocean Trails project, including, but not limited to, relocation of the golf course clubhouse from the area southwest of the School District property to an area north of Half Way Point, locating the golf course maintenance facility and four (4) affordable housing units southeast of the corner of Palos Verdes Drive South and Paseo Del Mar, reducing the number of single family residential

lots from eighty-three (83) to seventy-five (75) and increasing the height of the golf course clubhouse from thirty (30) feet to forty-eight (48) feet; and,

WHEREAS, on January 12, 1995, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), thereby approving its first amendment to the permit, subject to revised conditions of approval; and,

WHEREAS, on September 27, 1995, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), thereby approving its second amendment to the permit; and,

WHEREAS, on February 1, 1996, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), thereby approving its third amendment to the permit; and,

WHEREAS, on March 11, 1996, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 96-15 approving a fourth Addendum to Environmental Impact Report No. 36 and Adopted Resolution Nos. 96-16, and 96-17, respectively, approving Revision "B" to the approved Ocean Trails project, including, but not limited to, modifying the approved alignment of Paseo del Mar ("A" Street/"J" Bluff Road), revising the Conditions of Approval regarding several public trails, and relocating the golf course clubhouse approximately 80 feet to the west of its previously approved location; and,

WHEREAS, on July 11, 1996, the California Coastal Commission approved Coastal Development Permit No. A-5-RPV-93-005A (i.e. Coastal Permit No. 103), thereby approving its fourth amendment to the permit, subject to revised conditions of approval; and,

WHEREAS, on September 3, 1996, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 96-72 approving a fifth Addendum to Environmental Impact Report No. 36 and Adopted Resolution Nos. 96-73, 96-74, 96-75, 96-76 and 96-77, respectively, approving Revision "C" to the approved Ocean Trails project, including, but not limited to, relocation of two single family residential lots in Vesting Tentative Tract Map No. 50667 from the end of Street "A" to the end of Street "C", revisions to the boundaries of open space Lots B, C, G and H, conversion the split-level lots in Vesting Tentative Tract Map No. 50667 to single-level lots, revisions to the golf course layout, revisions the public trail system, combination of parallel trails easements, construction of a paved fire access road west of the Ocean Terraces Condominiums and amendments to several Conditions of Approval and Mitigation Measures to modify the required timing for compliance; and,

WHEREAS, on September 9, 1997, the Planning Commission of the City of Rancho Palos Verdes adopted P.C. Resolution No. 97-44 approving Revision "D" to the Ocean Trails project, which involved an amendment to Conditional Use Permit No. 162

(Residential Planned Development) to modify the minimum rear yard setbacks on Lot Nos. 6 through 9 to provide an adequate buffer between the proposed residences and the potential brush fires that may occur on the adjacent habitat area; and,

WHEREAS, on April 21, 1998, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 98-32 approving Revision "E" to the Ocean Trails project, which involved an amendment to Conditional Use Permit No. 163 (Golf Course) to modify the bonding requirements for the golf course improvements; and,

WHEREAS, on June 16, 1998, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 98-59, approving Revision "F" to the Ocean Trails project, which involved, modifying the configuration of Streets "C" and "D" and Lot Nos. 1 through 13 of Vesting Tentative Tract Map No. 50667 to accommodate the final location of the Foundation Setback Line, and a revision to Conditional Use Permit No. 162 (Residential Planned Development) to address maximum building height; and,

WHEREAS, on July 14, 1998, the Planning Commission adopted P.C. Resolution Nos. 98-26 and 98-27, thereby recommending approval of Addendum No. 6 to EIR No. 36 and Revision "G" to Conditional Use Permit No. 163 to the City Council; and,

WHEREAS, on August 18, 1998, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 98-76 approving Addendum No. 6 to Environmental Impact Report No. 36 and the proposed Revision "G" to the Ocean Trails project, which included: 1) an 18% increase in the size of the clubhouse from 27,000 square feet to 32,927 square feet; 2) an increase in the size of the maintenance facility from 6,000 square feet to 9,504 square feet; 3) a two foot increase in the upslope height of the maintenance facility building; and, 4) relocation of the maintenance building and reconfiguration of the maintenance facility parking lot.

WHEREAS, on February 2, 1999, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 99-10 approving Addendum No. 7 to Environmental Impact Report No. 36 and the proposed Revision "H" to the Ocean Trails project, which included: changing 6 of the residential lots within VTTM 50667 from flat pad lots to split level lots, lowering the overall pad elevation for each lot, and lowering Street 'B' within the subdivision, and lowering the pad elevation for 6 other lots within the subdivision. Additionally, the approval included the modification of the project's mitigation measures and conditions of approval to allow the permitted construction hours for the entire Ocean Trails project to be expanded to include Sundays through March 21, 1999

WHEREAS, on May 4, 1999, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 99-29 approving Addendum No. 8 to Environmental Impact Report No. 35 and the proposed Revision "I" to the Ocean Trails project, which included a change to the design of the storm drain facilities of the Ocean Trails project from a tunneled pipe

system to the existing on-site canyons. Revision "I" only amended the drainage for the east side of the Ocean Trails project, involving La Rotonda canyon; and,

WHEREAS, on June 2, 1999, Landslide C at the Ocean Trails site was re-activated; and,

WHEREAS, on July 20, 1999, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 99-55 approving Addendum No. 9 to Environmental Impact Report No. 36 and the proposed Revision "J" to the Ocean Trails project, which included 1), the conditions requiring the establishment of a maintenance district be revised by eliminating the maintenance district and having the golf course owner be the sole responsible entity for maintenance thereby excluding the future residential homeowners; 2) withdrawn by applicant; 3), the timing of the installation of ornamental fencing on each residential lot be delayed until prior to issuance of certificate of occupancy; 4), delay the construction of two trails within VTTM 50666 from the Second Stage to the Third Stage of phasing within the Public Amenities Plan; 5), lower the approved residential building pad elevations and create split-level pads in VTTM No. 50666; 6), delay the payment of traffic impact fees to prior to Final Map No. 50666; 7), allow an increase in total building area of the clubhouse by permitting a basement space; 8), withdrawn by applicant; and 9), revise the hours permitted for golf course landscape gardening; and,

WHEREAS, on May 16, 2000, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 2000-27 approving Addendum No. 10 to Environmental Impact Report No. 36 and the proposed Revision "K" to the Ocean Trails project, which allowed a portion of the golf course to open for play before all of the required public amenities have been completed due to delays caused by the failure of Landslide C on June 2, 1999; and,

WHEREAS, on June 21, 2000, the City Council of the City of Rancho Palos Verdes adopted Resolution No. 2000-38 certifying a Final Supplemental Environmental Impact Report to Environmental Impact Report No. 36, adopting a Mitigation Monitoring Program, adopting a Statement of Overriding Considerations, and the proposed Revision "L" to the Ocean Trails project, for the repair of Landslide C at Ocean Trails; and,

WHEREAS, on July 18, 2000, the City Council of the City of Rancho Palos Verdes approved Revision M to the Ocean Trails Project, thereby approving an amendment to the Habitat Conservation Plan (HCP), an amendment to the HCP Implementing Agreement, and approval of a Conservation Easement over the lower portion of Shoreline Park; and,

WHEREAS, on September 5, 2000, the City Council of the City of Rancho Palos Verdes approved Revision N to the Ocean Trails Project, thereby approving a Mitigated Negative Declaration and amending the project to accommodate a change to the design of the storm drain facilities of the Ocean Trails project from a tunneled pipe system to the

existing on-site canyons. Revision "N" only amended the drainage for the west side of the Ocean Trails project, involving Forrestal Canyon; and,

WHEREAS, on February 20, 2001, the City Council of the City of Rancho Palos Verdes approved Revision P to the Ocean Trails Project, thereby approving an amendment to allow Ocean Trails an extension of time to provide 4 on-site affordable housing units for rent from "prior to one year of the opening of the clubhouse" to "prior to the opening of the 18-hole golf course"; and,

WHEREAS, on February 20, 2001, the City Council of the City of Rancho Palos Verdes approved Revision Q to the Ocean Trails Project, thereby approving an amendment which allows Ocean Trails to re-construct (instead of re-pave) La Rotonda Drive from Palos Verdes South to the end of La Rotonda Drive, in lieu of re-paving Palos Verdes Drive South from La Rotonda Drive to the eastern City limits; and,

WHEREAS, on September 4, 2001, the City Council of the City of Rancho Palos Verdes approved Revision R to the Ocean Trails Project, thereby revising the Conditions of Approval for VTTM No. 50666 and VTTM No. 50667, so as to adjust Condition I-3 allowing an extension to completing the reconstruction of La Rotonda Drive from Palos Verdes Drive South to its end; and,

WHEREAS, on April 20, 2004, the City Council of the City of Rancho Palos Verdes approved Revision "V" to the Ocean Trails Project, thereby allowing 1) basement areas of one-story structures to be excluded from the existing 30% "Maximum Habitable Space" requirement, but require that the basement habitable area be added to the first floor habitable area in complying with the "Maximum Habitable Space Square Footage" requirement; 2) permitting a change in the height of Lot #2 to allow for a subterranean garage; and 3) permitted construction of retaining walls and access to the proposed subterranean garage; and,

WHEREAS, on June 7, 2005, the City Council of the City of Rancho Palos Verdes adopted a Mitigated Negative Declaration and approved Revision "W" to the Trump National Golf Club (formally known as Ocean Trails) Project, thereby allowing a driving range to be constructed in place of 16 residential lots within VTTM50666; and,

WHEREAS, on December 20, 2005, the City Council of the City of Rancho Palos Verdes approved Revision "Y" to the Trump National Golf Club (formally known as Ocean Trails) Project, thereby allowing a 3-month temporary opening of the golf course and driving range; and,

WHEREAS, on May 2, 2006, the City Council of the City of Rancho Palos Verdes approved Revision "Z" to the Trump National Golf Club (formally known as Ocean Trails)

Project, thereby amending CUP No. 163 allowing a change in the golf course design to permit a new back tee on Hole #2 and an increase in waterfall height for waterfall #1; and,

WHEREAS, on July 18, 2006, the City Council of the City of Rancho Palos Verdes approved Revision "AA" to the Trump National Golf Club Project, thereby amending Grading Permit No. 1541, to allow an additional temporary 3-month opening of the golf course and driving range to the public; and,

WHEREAS, on October 17, 2006, the City Council of the City of Rancho Palos Verdes approved Revision "CC" to the Trump National Golf Club Project, thereby amending Grading Permit No. 1541, to allow an additional temporary 3-month opening of the golf course and driving range to the public; and,

WHEREAS, on January 16, 2007, the City Council of the City of Rancho Palos Verdes, via Minute Order, approved a 1-month extension to the temporary opening of the Golf Course and Driving Range; and,

WHEREAS, on February 6, 2007, the City Council of the City of Rancho Palos Verdes approved Revision "DD" to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary 2-month opening of the golf course and driving range to the public; and,

WHEREAS, on May 1, 2007, the City Council of the City of Rancho Palos Verdes approved Revision "FF" to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary 6-month opening of the golf course and driving range to the public; and,

WHEREAS, on October 16, 2007, the City Council of the City of Rancho Palos Verdes approved Revision "HH" to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through December 4, 2007; and,

WHEREAS, on December 4, 2007, the City Council of the City of Rancho Palos Verdes approved Revision "KK" to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through January 18, 2008; and,

WHEREAS, on January 16, 2008, the City Council of the City of Rancho Palos Verdes approved Revision "LL" to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through July 18, 2008; and,

WHEREAS, on July 15, 2008, the City Council of the City of Rancho Palos Verdes approved Revision “NN” to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through October 22, 2008; and,

WHEREAS, on October 22, 2008, the City Council of the City of Rancho Palos Verdes approved Revision “PP” to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through January 22, 2009; and,

WHEREAS, on January 21, 2009, the City Council of the City of Rancho Palos Verdes approved Revision “RR” to the Trump National Golf Club project to revise Grading Permit No. 1541, to allow an additional temporary opening of the driving range to the public through July 22, 2009; and,

WHEREAS, on July 21, 2009, the City Council, via Minute Order, approved a two month extension (Revision “SS”) of the Development Agreement, Vesting Tentative Tract Map No. 50666 and the temporary use of the Driving Range at the request of the Applicant in order to accommodate the Applicant’s schedule and availability to attend the Council meeting. Said two month extension was granted to September 16, 2009. As part of that action, the Council also continued the item/public hearing on Revision “SS” to September 15, 2009; and

WHEREAS, on September 15, 2009, the City Council of the City of Rancho Palos Verdes approved Revision “SS” to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 16, 2009 through March 17, 2010, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through March 17, 2010; and,

WHEREAS, on March 16, 2010, the City Council of the City of Rancho Palos Verdes approved Revision “UU” to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from March 16, 2010 through September 21, 2010, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2010; and,

WHEREAS, on September 21, 2010, the City Council of the City of Rancho Palos Verdes approved Revision “V V” to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2010 through March 21, 2011, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through March 21, 2011; and,

WHEREAS, on March 15, 2011, the City Council of the City of Rancho Palos Verdes approved Revision "W W" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from March 21, 2011 through September 21, 2011, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2011; and,

WHEREAS, on September 20, 2011, the City Council of the City of Rancho Palos Verdes approved Revision "X X" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2011 through March 21, 2012, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2012; and,

WHEREAS, on March 6, 2012, the City Council of the City of Rancho Palos Verdes approved Revision "AAA" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from March 21, 2012 through September 21, 2012, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2012; and,

WHEREAS, on August 7, 2012, the City Council of the City of Rancho Palos Verdes approved Revision "BBB" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2012 through September 21, 2014, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2014; and

WHEREAS, on September 16, 2014, the City Council of the City of Rancho Palos Verdes approved Revision "DDD" to the Trump National Golf Club project, which extended the life of the Development Agreement and existing Vesting Tentative Tract Map No. 50666 from September 21, 2014 through September 21, 2016, and revised Grading Permit No. 1541 to allow an additional temporary opening of the driving range to the public through September 21, 2016; and

WHEREAS, on June 15, 2016, VH Property Corp., submitted an application to the City of Rancho Palos Verdes requesting approval of Revision "EEE" to the Trump National Golf Club project to extend the Development Agreement and Vesting Tentative Tract Map No. 50666 for an additional two years, and revise Grading Permit No. 1541, to allow an additional two year extension to the temporary opening of the driving range to the public; 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), on August 9, 2016, copies of the draft Addendum No. 47 to Environmental Impact Report No. 36 were distributed to the City Council in its City Council agenda packet and on August 16, 2016, prior to taking action on the proposed amendment to the Development Agreement for the Trump National project, the City Council independently reviewed and considered the information and findings contained in Addendum No. 47 to EIR No. 36; and,

WHEREAS, on August 16, 2016, after notice issued pursuant to the provisions of the Development Code, the City Council held a public hearing to consider draft Addendum No. 47 to Environmental Impact Report No. 36, the proposed amendment to the Development Agreement for the project, and the Applicant's extension request for Revision "EEE" to the Trump National Golf Club project for the use of the driving range, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

**Section 1:** This request is to permit an extension of the temporary opening of the driving range.

The following conditions of approval of Grading Permit No. 1541 are hereby revised as follows (~~strikethrough~~ text for text removed, **bold and underline** text for text added):

Global Change:

- E-1. Revision "~~DDD~~" "**EEE**", as approved by the City Council on ~~September 16, 2014~~ **August 16, 2016**, permits a temporary opening of the driving range to ~~September 21, 2014~~ **September 21, 2018**.
- E-2. The Applicant may open the driving range to the public for a temporary period through ~~September 21, 2016~~ **September 21, 2018**. The applicant shall operate the site under a public safety plan, approved by the Director of Planning, Building and Code Enforcement and the City Geologist. Such Plan shall clearly designate any hazardous areas that may be un-safe. The plan shall show how these areas are signed, fenced and/or secured from public access. The plan shall also show how participants of the Golf Course and the public visiting the site will be able to traverse the site without entering into these hazardous secured areas. During the temporary operation, all of the improvements needed in the plan shall be maintained to the satisfaction of the Director of Planning, Building and Code Enforcement and the

*City's Geologist. Planning, Building and Code Enforcement Staff, Public Works Staff and/or the City's Geologist will be visiting the site during the temporary operation to verify compliance with this condition and the Safety Plan. The Director of Planning Building and Code Enforcement may revoke this temporary permit at any time if, in the opinion of the Director of Planning, Building and Code Enforcement, the City Geologist or the Director of Public Works, the temporary operation may have an adverse affect on the public health, safety and welfare.*

*E-5 During the two-year extension of the temporary opening of the driving range, which was approved through Revision ~~DDD~~<sup>EEE</sup> every 6-months, the Applicant shall submit a written report on the status of the driving range and Vesting Tentative Tract Map No. 50666 to the attention of the City's Deputy Community Development Director. Said status report shall include 1) a description of the Applicant's efforts and progress in obtaining the California Coastal Commission's approval of a Coastal Permit for the driving range and flag pole; 2) a list of all outstanding remaining items to be completed/constructed in order to secure permanent opening of the driving range along with an estimated schedule of completing such items; and 3) a list of all other outstanding items to complete within Vesting Tentative Tract Map No. 50666, including, but not limited to, the completion of all public amenities, dedication of open space, construction of infrastructure to support the subdivision, and submittal of the Final Map for tract 50666, along with an estimated schedule for completing such items. The first 6-month status report shall be submitted between March 14, 2015~~7~~ and March 21, 2015~~7~~, the second 6-month report shall be submitted between September 14, 2015~~7~~ and September 21, 2015~~7~~, the third 6-month report shall be submitted between March 14, 2016~~8~~ and March 21, 2016~~8~~, and the fourth 6-month report shall be submitted between September 14, 2016~~8~~ and September 21, 2016~~8~~. If during any time of the two-year period, the Applicant obtains final permanent opening of the driving range, then subsequent status reports will no longer be required. All status reports submitted by the Applicant will be made available to the City Council and the public by City Staff.*

**Section 2:** Pursuant to Sections 15162 and 15164 of the State CEQA Guidelines, approval of Addendum No. 47 to the previously certified EIR, rather than the preparation of a subsequent or supplemental EIR, is appropriate for the consideration of the proposed revisions to the Trump National Golf Club project, based on the following findings:

1. That subsequent changes proposed to the project do not require important revisions to the previous EIR, since there are no new significant environmental impacts that have been identified, which were not considered in the previous EIR. This is so, since the proposed changes identified in Section 1 and attached Exhibit "A" to Addendum No. 47 would not result in any new or increased impacts to the environment that are not already analyzed within EIR No. 36. Specifically, the approved request will simply allow the temporary opening of the driving range while

minor issues related to the project's conditions of approvals are addressed. There have been no substantial changes to the Project or to the environment that would cause the Project to significantly impact the environment, nor does the proposed amendment affect a change that would impact the environment in any manner that was not previously considered and mitigated to the extent feasible.

2. That substantial changes to the project would not occur with respect to the circumstances under which the project is undertaken, which would require important revisions to the previous EIR, since, as noted in #1 above, there are no new significant environmental impacts that were not considered in the previous EIR, Supplement and previous Addenda thereto, and the approved project provides for changes that only affect the timing of when certain project amenities will be completed.

3. That there is no new information of substantial importance to the project which indicates that these approved changes will have one or more significant effects not discussed previously in the EIR; that significant effects previously examined will not be substantially more severe than shown in the EIR; that no mitigation measures or alternatives, previously found not to be feasible, would now in fact be feasible and would substantially reduce one or more significant effects of the project; or that no mitigation measures or alternatives which were not previously considered in the EIR, would now substantially lessen one or more significant effects of the environment, because this approved project is only to permit modifications that would cause slight delays in the completion dates for certain project amenities.

**Section 3:** Pursuant to Section 17.76.040 of the Development Code, in approving Revision "EEE" to Grading Permit No. 1541 for a temporary opening of the driving range, the City Council finds as follows:

- A. The proposed project does not exceed that which is necessary for the permitted primary use of the lot, as defined in Chapter 17.96 of this title as it would permit the temporary opening of the driving range and cause minor delays to the implementation of certain public amenities.
- B. The proposed project does not significantly adversely affect the visual relationships with, nor the views from, neighboring properties because the project only affects the timing of the Applicant's compliance with certain conditions.
- C. The nature of the project does not affect or cause disturbance to the natural contours and finished contours are reasonably natural because the project only affects the timing of the Applicant's compliance with certain conditions.

D. The project would not cause excessive and unnecessary disturbance of the natural landscape or wildlife habitat through removal of vegetation because the project only affects the timing of the Applicant's compliance with certain conditions.

**Section 4:** The time within which the judicial review of the decision reflected in this Resolution, if available, must be sought is governed by Section 1094.6 of the California Code of Civil Procedure.

**Section 5:** For the forgoing reasons, and based on information and findings contained in the public record, including staff reports, minutes, records of proceedings, and evidence presented at the public hearings, the City Council of the City of Rancho Palos Verdes hereby approves Revision "EEE" to Grading Permit No. 1541, which is necessary to protect the public health, safety and general welfare. All other conditions of approval that have been imposed on this project shall remain in effect and are incorporated herein.

PASSED, APPROVED, and ADOPTED this 16<sup>th</sup> day of August 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES        )ss  
CITY OF RANCHO PALOS VERDES    )

I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, hereby certify that the above Resolution No. 2016-\_\_ was duly and regularly passed and adopted by the said City Council at a regular meeting held on August 16, 2016.

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2016-\_\_**  
**EXHIBIT "A"**

**GRADING PERMIT NO. 1541 – REVISION "EEE"**  
**CONDITIONS OF APPROVAL**

**A. GENERAL**

1. Within thirty (30) days of approval of Revision "EEE" to the Grading Permit, the developers shall submit, in writing, a statement that they have read, understand and agree to all the conditions or approval contained in this exhibit.

**B. GRADING PLAN**

1. Prior to recordation of each Final Map or prior to issuance of grading permits, whichever occurs first, a final grading plan shall be approved by the Director of Public Works and City Geologist, by manual signature. This grading plan shall be based on a detailed engineering, geology and/or soils engineering report(s) and shall specifically be approved by the City Geologist and/or soils engineer and comply with all recommendations submitted by them. It shall also be consistent with the vesting tentative tract maps and conditions, as approved by the City.
2. All geologic hazards associated with this proposed development shall be eliminated or the City Geologist shall designate a Restricted Use Area on each Final Map, in which the erection of buildings or other structures shall be prohibited.
3. Prior to issuance of grading permits, a bond, cash deposit, or combination thereof, shall be posted to cover costs for any geologic hazard abatement in an amount to be determined by the Director of Public Works.
4. Prior to issuance of grading permits and/or recordation of the Final Map, whichever occurs first, written approval must be obtained from the owners of adjacent properties within the City where offsite grading for trails is proposed or may result.
5. A note shall be placed on the approved grading plan that requires the Community Development Director's approval of rough grading prior to final clearance. The Director (or a designated staff member) shall inspect the graded sites for accuracy of pad elevations, created slope gradients, and pad size. The developer or its designee shall provide certification for all grading related matters.
6. All of the recommendations made by the Director of Public Works and City Geologist during their on-going review of the project shall be incorporated into the

approved grading plans.

7. All of the recommendations of the project geologist, except as modified by the City Geologist, will be incorporated into the approved grading plan and design of any structures.
8. All natural and created slopes greater than 3.1 shall be designated as Restricted Use Areas with a note on the Final Map.
9. Prior to issuance of a building permit, an independent Geology and/or Soils Engineer's report on the expansive properties of soils on all building sites shall be submitted to and approved by the City Geologist in conformance with accepted City practice. Such soils are defined by Building Code Section 2904(b).
10. Prior to issuance of a building permit, an as-graded soils and geologic report(s), complete with geologic map shall be submitted for review and approval by the City Geologist in conformance with accepted City practice.
11. Prior to issuance of a building permit, an as-built geological report(s) for structures founded on bed rock and an as-built soils and compaction report for structures founded on fill and all engineered fill areas shall be submitted for review and approval by the City Geologist in conformance with accepted City practice.
12. Foundations and floor slabs cast on expansive soils shall be designed in accordance with Los Angeles County Code Section 2907-i.
13. All grading shall conform to Chapter 29, "Excavations, Foundations, and Retaining Walls, and Chapter 70, "Excavation and Grading" of the Uniform Building Code.
14. Unless otherwise provided in these conditions of approval or permitted by the Community Development Director, the project shall comply with all appropriate provisions of the City's grading ordinance (Chapter 17.76.040 (formally 17.50)).
15. All grading shall be balanced on-site. However, should earth, rock or other material be required to be hauled from the project site, a revision to the grading permit, pursuant to requirements of the Development Code, shall be obtained.
16. No construction of permanent structures shall be allowed closer than twenty-five (25) feet landward of the Coastal Setback Zone (except for structures associated with public amenities or unless allowed by another project condition of approval). Grading within the Coastal Setback Zone shall be limited to that required for construction of approved trails, parks, vista points, driving range, and golf course holes, as indicated on the approved site plans.

17. Where feasible, and subject to the review and approval of the Community Development Director all graded slopes shall be "landform" graded so as to closely reflect naturally occurring topographic contours. Slope gradients shall be natural and no abrupt changes between natural and graded slopes shall be permitted.
18. All proposed retaining walls to be constructed shall be subject to review by the Community Development Director with subsequent review by the Planning Commission, if required, for review and approval pursuant to Chapter 17.76.040 (formally 17.50) of the Rancho Palos Verdes Development Code.
19. No created slopes within the tract shall exceed 2.1, unless approved by the Community Development Director.
20. Prior to the issuance of grading permits, or prior to recordation of a Final Tract Map, whichever occurs first, the developer shall submit a Storm Water Pollution Prevention Plan. The post-construction Storm Water Pollution Prevention Plan shall be reviewed and approved by the Planning Commission. The Storm Water Pollution Prevention Plan shall incorporate by detail or reference appropriate post-construction Best Management Practices (BMPs) to:
  - a. Implement, to 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
  - e. Provide for appropriate permanent controls to reduce storm water pollutant load produced by the development site to the maximum extent practicable.

Furthermore, the Storm Water Pollution Prevention Plan shall contain requirements to be adhered to during project construction. The pre-construction Storm Water Pollution Prevention Plan shall be reviewed and approved by the Director of Public Works. These practices include:

- a. Include erosion and sediment control practices;
- b. Address multiple construction activity related pollutants;
- c. Focus on BMPs such as source minimization, education, good housekeeping, good waste management, and good site planning;
- d. Target construction areas and activities with the potential to generate significant pollutant loads;
- e. Require retention on the site, to the maximum extent practicable, of sediment, construction waste, and other pollutants from construction activity;
- f. 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;
- g. Require, to the maximum extent practicable, use of structural drainage controls to minimize the escape of sediment and other pollutants from the site.
- h. Require, to the maximum extent practicable, containment of runoff from equipment and vehicle washing at construction sites, unless treated to remove sediments and pollutants.

**C. CONSTRUCTION PLAN**

1. Prior to the issuance of grading permits, a construction plan shall be submitted to the Community Development Director for review and approval. Said plan shall include, but not be limited to a phasing plan, limits of grading, estimated length of time for rough grading and construction of improvements, location of construction trailers, construction signs and equipment storage areas and the location and type of temporary utilities.
2. Prior to the issuance of grading permits and/or building permits, a program to control and prevent dust and windblown earth problems shall be submitted to the Community Development Director for review and approval. Methods may include, but shall not be limited to, onsite watering and vegetative planting.

3. As part of the control plan required in Condition C.2, if feasible, the water used to control fugitive dust shall not be taken from primary potable water sources. Instead, the developer shall explore other options such as using reclaimed “grey water” or other non-potable water to control dust on the site during construction, subject to the review and approval of the Community Development Director and the Los Angeles County Health Department.
4. The hours of operation for grading and construction activities shall be limited from Monday to Friday, 7am to 6pm and Saturday, 9am to 5pm. No grading or construction activities shall be conducted on Sunday or legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Development Code. Trucks and other construction vehicles shall not park, queue and/or idle at the project site or in the adjoining public rights-of-way before 7:00 AM, Monday through Saturday, in accordance with the permitted hours of construction stated above.
5. Flagmen shall be used during all construction activities, as required by the Director of Public Works.
6. The use of a rock crusher on the site is prohibited.
7. Noncompliance with the above construction and/or grading restrictions (Conditions C.1 through C.6) shall be grounds for the City to stop work immediately on the property.

**D. GRADING/CONSTRUCTION ACTIVITY**

1. All grading shall be monitored by a licensed engineering geologist and/or soils engineer in accordance with applicable provisions of the Municipal Code and the recommendations of the Director of Public Works.
2. All grading activity on the site shall occur in accordance with all applicable City safety standards.
3. Areas of the site that are not to be disturbed during grading or construction, or that are to be protected in accordance with the mitigation monitoring program established in Environmental Impact Report No. 36, Supplements thereto, and project certified Mitigated Negative Declarations, shall be temporary fenced during construction, subject to the review and approval of the Community Development Director.
4. All graded slopes shall be properly planted and maintained. Within ninety (90) days of being graded, all open space/slope areas and all areas that will remain

undeveloped shall be hydroseeded and/or planted. Plants shall be selected that are drought tolerant, capable of developing deep root systems and shall generally consist of low ground cover to impede water flow on the surface. Watering for establishment of said plant material shall be done in cycles that will promote deep rooting. Watering shall be diminished or stopped just prior to and during the rainy season or upon establishment of the plant material, whichever occurs first. To provide greater slope protection against scour and erosion, all graded slopes shall be covered with a jute mat to provide protection while the ground cover is being established. If appropriate, the Community Development Director may approve an alternative material or method to control erosion.

GRADING/CONSTRUCTION ACTIVITY FOR REVISION "W" ONLY (FOLLOWING CONDITIONS D-5 THROUGH D-12):

5. All construction activities (i.e. grading) will be minimized to the extent feasible within 300 feet of habitat occupied by the gnatcatcher and/or cactus wren during the breeding season.
6. Construction-related noise levels above 60 decibels A-weighted Leq hourly in or adjacent to suitable habitat for the gnatcatcher and/or cactus wren shall be avoided and minimized year-round to the maximum extent practicable, but particularly during the breeding season (February 15-August 15).
7. Gnatcatcher and cactus wren surveys will be conducted by a qualified biological monitor possessing a valid 10(a) permit (for the gnatcatcher) and will be subject to Service approval.
8. A minimum of two pre-construction surveys will be conducted in all suitable habitat within 300 feet of the project site. The first survey will be one week prior to construction activities and the last survey will occur no more than 3 days prior to beginning construction or grading for this project.
9. The Wildlife Agencies will be notified immediately of any gnatcatchers and/or cactus wrens detected during surveys. The Wildlife Agencies and the project proponent will coordinate on a strategy (e.g., noise monitoring plan, noise attenuation barriers, etc.) to avoid and minimize impacts to gnatcatchers and/or cactus wrens occurring within 300 feet of the project site.
10. A survey report will be provided to the Service upon completion of the final survey. The survey report will contain the date, time, and weather conditions, and all gnatcatcher, cactus wren and brown-headed cowbird (*Molothrus ater*) detections will be plotted on a suitably-scaled topographic map of the survey area.

11. The biological monitor will be present during construction activities. The biological monitor will have authority to halt localized construction activities if a gnatcatcher or cactus wren nest is discovered within or adjacent to the project area, and will contact the Wildlife Agencies immediately. If a nest is discovered, construction activities will be restricted within 300 feet of the nest until the nestlings fledge or unless other impact reduction measures, to the satisfaction of the Service, are implemented.
12. Dust resulting from construction in or adjacent to the project site shall be minimized using biologically sound techniques (e.g., earth watering).

**E. TEMPORARY OPENING OF THE DRIVING RANGE FOR REVISION "EEE" ONLY**

1. Revision "EEE", as approved by the City Council on August 16, 2016, permits a temporary opening of the driving range to September 21, 2018.
2. The Applicant may open the driving range to the public for a temporary period through September 21, 2018. The applicant shall operate the site under a public safety plan, approved by the Community Development Director and the City Geologist. Such Plan shall clearly designate any hazardous areas that may be unsafe. The plan shall show how these areas are signed, fenced and/or secured from public access. The plan shall also show how participants of the Golf Course and the public visiting the site will be able to traverse the site without entering into these hazardous secured areas. During the temporary operation, all of the improvements needed in the plan shall be maintained to the satisfaction of the Community Development Director and the City's Geologist. Community Development Staff, Public Works Staff and/or the City's Geologist will be visiting the site during the temporary operation to verify compliance with this condition and the Safety Plan. The Community Development Director may revoke this temporary permit at any time if, in the opinion of the Community Development Director, the City Geologist or the Director of Public Works, the temporary operation may have an adverse affect on the public health, safety and welfare.
3. With the exception to ficus trees planted on developed single-family residential properties through the approval of a landscape plan, all other ficus trees being temporarily stored on the property shall be removed from the property prior to July 22, 2008.
4. Maintenance and/or other project related vehicles shall be prohibited from using the temporary dirt road that runs parallel and adjacent to Palos Verdes Drive South within VTTM No. 50666.
5. During the two-year extension of the temporary opening of the driving range, which

was approved through Revision “EEE”, every 6-months, the Applicant shall submit a written report on the status of the driving range and Vesting Tentative Tract Map No. 50666 to the attention of the City’s Deputy Community Development Director. Said status report shall include 1) a description of the Applicant’s efforts and progress in obtaining the California Coastal Commission’s approval of a Coastal Permit for the driving range and flag pole; 2) a list of all outstanding remaining items to be completed/constructed in order to secure permanent opening of the driving range along with an estimated schedule of completing such items; and 3) a list of all other outstanding items to complete within Vesting Tentative Tract Map No. 50666, including, but not limited to, the completion of all public amenities, dedication of open space, construction of infrastructure to support the subdivision, and submittal of the Final Map for tract 50666, along with an estimated schedule for completing such items. The first 6-month status report shall be submitted between March 14, 2017 and March 21, 2017, the second 6-month report shall be submitted between September 14, 2017 and September 21, 2017, the third 6-month report shall be submitted between March 14, 2018 and March 21, 2018, and the fourth 6-month report shall be submitted between September 14, 2018 and September 21, 2018. If during any time of the two-year period, the Applicant obtains final permanent opening of the driving range, then subsequent status reports will no longer be required. All status reports submitted by the Applicant will be made available to the City Council and the public by City Staff.