



## MARYMOUNT COLLEGE

### COMPARISON OF CURRENT CONDITIONAL USE PERMIT WITH MEASURE P: THE MARYMOUNT PLAN

- Conditional Use Permit (“CUP”) requires Marymount to accept City-imposed conditions on construction, operation of facilities, etc.
  - The Marymount Plan ensures that Marymount will comply 100 percent with the City’s building, safety, sound, fire and landscaping codes. The Plan imposes 171 additional conditions, known as Campus Requirements, on Marymount’s construction, operations, etc.; most City-approved conditions are mirrored in the Campus Requirements. (Campus Specific Plan Initiative Measure, Attachment F, Campus Requirements Nos. 1 – 171.)
- CUP requires Marymount to comply with mitigation measures set forth in the Environmental Impact Report (“EIR”).
  - Although voter approval supersedes the EIR, the Campus Requirements impose approximately 90 percent of the same mitigation measures included in the EIR and provide additional mitigation measures (e.g., campus “Quiet Hours”) not included in the EIR. (Campus Requirements Nos. 1 – 171.)
- City empowered to enforce conditions attached to CUP and mitigation measures in EIR.
  - City’s general police powers authorize it to enforce Campus Requirements. (See Rancho Palos Verdes Municipal Code.) The citizens of Rancho Palos Verdes also retain significant oversight of the College’s operations.
- City has discretion to revoke approvals if it determines Marymount is not complying with conditions.
  - City’s general police powers authorize revocation of approvals if it can be demonstrated that Marymount’s non-compliance with conditions is a danger to public health, safety or welfare. (See Rancho Palos Verdes Municipal Code.)
- CUP authorizes City to conduct 6-month review of operations.
  - Under Marymount Plan, City has power to continually monitor operations; no requirement to wait for 6-month review period. In addition, a Neighborhood Advisory Committee will have ongoing review authority over campus operations, and must make periodic reports of its findings to the City Council and Planning Commission. (Campus Requirements No. 124.)
- CUP for campus expansion does not mention residence halls.
  - EIR thoroughly studied residence halls; residence halls were approved by the City in 1979 and again in 1980, but were not constructed at that time due to financial constraints.
- CUP would relocate athletic field to City-preferred location.
  - Marymount Plan relocates the athletic field differently than the City; however, there are no adverse impacts because the field will be up to 10 feet below grade and Marymount has pledged \$200,000 to construct a barrier along Palos Verdes Drive East to protect against errant balls. The athletic facilities in the initiative are the same plans that were approved by the City Planning Commission. (Campus Requirements No. 162; City Council Resolution No. 2010-42, p. 5.)
- CUP limits construction to eight years; Save Our City (“SOC”) alleges Marymount Plan has no time limits on construction.
  - Marymount College will have to obtain building permits, including strict time limits for construction, from the City for every part of the Plan. (Campus Requirements No. 48.)
- CUP requires indemnification of City for all claims.
  - Marymount Plan requires indemnification of City for all claims relating to construction and/or operation of campus improvements. (Campus Requirements No. 32.)
- CUP lowers height of athletic building to protect residents’ views.
  - Marymount Plan achieves same result by requiring redesign of athletic building if residents’ views are compromised, as demonstrated by installation of

view silhouette for review by Director of Planning. The athletic facilities in the initiative are the same plans that were approved by the City Planning Commission. (Campus Requirements No. 41.)

- CUP imposes limits on grading.
  - Marymount Plan includes maximum amounts and depths of grading with oversight by the City, allowing minor deviations (up to 10 percent) only for unforeseen conditions encountered in the field and only so long as the new grading quantities achieve the same result as would compliance with the original grading plan. An amended grading plan is required for any change in grading limits. (Campus Requirements No. 54.)
- CUP prohibits export of graded earth; all materials required to be balanced onsite.
  - Marymount Plan prohibits export of grading materials and requires materials to be balanced onsite except for fine material such as select fill unless unforeseen /exceptional circumstances are encountered in the field. (Campus Requirements No. 54.)
- CUP limits number of saws at the site for stone cutting.
  - Marymount Plan also limits stonecutting onsite, and allows only minimal number of saws which are required to be operated as far as possible from nearby residences. (Campus Requirements No. 78.)
- CUP requires that outdoor decks and tennis courts be closed from sunset to sunrise.
  - Marymount Plan requires closure of athletic field and rose garden from sunset to sunrise (tennis courts are automatically closed during these hours because unlighted) and employs 24-hour security to ensure that noise from other outdoor areas, which may remain open for an additional few hours to accommodate students' needs, is minimized as much as possible during these hours. (Campus Requirements Nos. 118, 122.)
- CUP limits outdoor amplification to 24 times per year.
  - Marymount Plan does not allow any outdoor amplification unless it can be demonstrated based upon verifiable sound tests that the activity will not exceed City noise standards or, in the alternative, that a Special Use Permit can be obtained from the City. (Campus Requirements No. 136.)
- CUP prohibits commercial subleasing for non-college events.
  - Marymount Plan does not authorize commercial subleasing for non-college events.
- CUP includes driver training program for local streets.
  - Marymount Plan requires staff monitoring of late-night student driving. Marymount College already has students take safe driving programs with L.A. County Sheriffs at their orientation. (Campus Requirements No. 117.)
- CUP limits B.A. enrollment to 250 students out of the maximum 793 students.
  - Marymount Plan retains maximum enrollment cap of 793 students; unclear what City seeks to achieve by limiting B.A. enrollment to 250 students. (Campus Requirements No. 131(A).)
- CUP requires submittal of enrollment report to verify compliance with enrollment cap.
  - Marymount Plan requires submittal of enrollment report to City for each term no later than 30 days after term commences. (Campus Requirements No. 132.)
- CUP allows graduation activities to exceed City's 65 dBA noise standard.
  - Marymount Plan requires all on-campus activities to comply with City's 65 dBA noise standard, unless a Special Use Permit is obtained. (Campus Requirements No. 136.)
- CUP requires submittal of lighting plan to demonstrate compliance with City lighting standards, and mockup plan to verify lighting.
  - Marymount Plan requires lighting plan for campus improvements that complies with City standards; plan must be submitted to City for review and approval. Also requires submittal of as-built lighting plan to City to verify lighting prior to issuance of Certificate of Occupancy for each new facility or building. (Campus Requirements No. 137.)
- CUP includes annual parking strategy to limit neighborhood parking.
  - Marymount Plan increases amount of on-site parking to 463 spaces so that parking in neighborhood is not necessary. (Campus Requirements Nos. 125, 152.)
- CUP requires preparation and review of landscape plan.
  - Marymount Plan requires that all landscaping be planted and maintained in compliance with City standards. (Campus Requirements No. 153.)
- CUP requires trimming and lacing of certain trees to restore views.
  - Under the Marymount Plan, all landscaping must comply with City standards; a Campus Landscape Maintenance Plan, including tree pruning and

[continued]

We encourage everyone to read the initiative by going to [www.marymountplan.com](http://www.marymountplan.com)

trimming to restore views, must be submitted to and approved by Director of Planning prior to issuance of any grading permits. (Campus Requirements No. 158.)

- CUP mandates preservation of mature trees to screen athletic building.
  - Marymount Plan requires planting/maintaining of landscaping to screen athletic building from Palos Verdes Drive East and down-slope properties. (Campus Requirements No. 155.)
- CUP directs screening of side and property line with 6-foot fence.
  - Marymount Plan requires 6-foot screening wall along eastern campus property line. (Campus Requirements No. 161.)
- CUP requires review of landscaping plan for compliance after 6 months.
  - Marymount Plan allows City to review landscaping plan at any time; need not wait for expiration of 6-month period. (See Rancho Palos Verdes Municipal Code.)
- CUP requires implementation of corrective measures for justified noise complaints.
  - City's general police powers authorize it to prosecute justified noise complaints as nuisances, and to require corrective action. (See Rancho Palos Verdes Municipal Code.)
- Under CUP, violations in landscaping result in revocation of project approvals.
  - Marymount Plan requires 100 percent compliance with City's landscaping standards. City authorized to use its general police powers to enforce this requirement; citizens of Rancho Palos Verdes have oversight role. (See Rancho Palos Verdes Municipal Code.)
- CUP requires 30-foot retractable fence for athletic field.
  - Marymount Plan requires 20-foot retractable fence for athletic field, but also locates field below surface ground level (up to 10 feet) so that at some points the height of the fence is more than 20 feet. In addition, the College will contribute \$200,000 to construct a median/barrier on Palos Verdes Drive East to guard against errant balls. The 30-foot fence appears impractical due to weight and support issues, but Marymount is open to further investigation of this mitigation. (Campus Requirements No. 162; City Council Resolution No. 2010-42, p. 5.)
- CUP prohibits activities that require fence on Sundays and Federal holidays.
  - Marymount Plan allows use of field by students and community on Sundays and Federal holidays.
- CUP prohibits athletic activities using balls not controlled by fence.
  - Marymount Plan includes 20-foot retractable net and below grade location for athletic field; these are sufficient to control most ball activity. (Campus Requirements No. 163.)
- CUP requires 20-foot chain link fence on west side of tennis courts.
  - Marymount Plan requires 10-foot chain link fencing for tennis courts, but, if shown to be warranted, may consider installation of higher fencing. (Campus Requirements No. 165.)
- CUP requires annual athletic association membership to ensure compliance.
  - Marymount does not understand this requirement, or what the reference to "compliance" is intended to mean.
- CUP requires construction safety lighting to be directed away from adjacent residential areas.
  - Under Marymount Plan, all lighting must comply with City standards; lighting of any kind on the campus required to be directed away from nearby residences. (Campus Requirements Nos. 137-139.)
- CUP requires adjustment of lighting after installation to achieve proper levels and direction.
  - Marymount Plan requires submittal to City of as-built lighting plan consistent with City standards, which standards include the proper levels and direction for lighting sources. (Campus Requirements No. 137.)
- CUP requires use of minimally reflective glass on south-facing façade (Palos Verdes Drive East safety).
  - Marymount Plan does not include this requirement, but may implement it if demonstrated to be necessary.
- CUP limits enrollment to 793 weekday and 150 weekend students.
  - Marymount Plan includes enrollment cap of 793 students; Non-Traditional degree programs, which generally occur on the weekends, are limited to 150 students. (Campus Requirements Nos. 131(A), (B).)
- CUP includes parking management strategy.
  - Marymount Plan also contains parking management strategy to reduce weekday campus-related parking demand, including provisions, among others, for "carpool only" parking spaces, utilization of remote parking,

[continued]

We encourage everyone to read the initiative by going to [www.marymountplan.com](http://www.marymountplan.com)

increased shuttle services and financial incentives. Marymount College reduced the number of resident student cars from 255 to no more than 125. (Campus Requirements No. 152.)

- CUP requires wrought iron fencing along Palos Verdes Drive East.
  - Marymount Plan includes 42-inch high combination wrought iron fence and wall along entire Palos Verdes Drive East frontage. (Campus Requirements No. 160.)
- CUP requires, “where possible,” the use of electric or diesel equipment, to be shut off when not in use.
  - Standard requirement of South Coast Air Quality Management District rules, with which Marymount Plan will be in full compliance. Common sense mandates that equipment be turned off when not in use.
- CUP requires demonstration of reasonable noise attenuation in parking lots.
  - Marymount Plan limits parking hours in certain lots and employs 24-hour security monitors to enforce restrictions and ensure that noise is kept to a minimum. (Campus Requirements Nos. 122, 147, 148.)
- CUP contains grading and drainage plan specifically for athletic field.
  - Marymount Plan includes grading and drainage plan, which must be reviewed by City’s Geologist and Geotechnical Engineer, for entire site, including athletic field. (Campus Requirements Nos. 56, 57,58, 64.)
- CUP requires temporary waste and recycling containers during athletic events.
  - Waste and recycling containers incorporated into site design; Marymount has always provided additional trash receptacles for events. (Campus Requirements No. 45.)
- CUP requires private security to enforce Marymount Code.
  - Marymount Plan includes 24-hour security which will monitor parking lots, man the security/information booth at the campus entrance and patrol throughout the campus. (Campus Requirements No. 122.)
- CUP requires verification that reasonable noise attenuation is achieved.
  - Marymount Plan requires that a sound test report be provided to the Director of Planning within 6 months of the completion of any campus improvement exceeding 20,000 square feet, to ensure reasonable noise attenuation. (Campus Requirements No. 136.)
- CUP requires a review of college code of conduct outlining measures to attenuate noise.
  - Marymount Plan includes noise attenuation measures – e.g., closing off certain parking areas at night, limiting residence hall parking, 24-hour monitoring of parking areas, sound tests for new facilities – discussed above. In addition, the campus maintains “Quiet Hours” from 10:00 p.m. to 7:00 a.m. daily. (Campus Requirements Nos. 117, 122, 147, 148.)
- CUP prohibits tennis court use between sunset and sunrise.
  - Marymount Plan does not envision tennis court use between sunset and sunrise, as the courts are not lighted.
- CUP prohibits amplified sound in outdoor areas (except graduation).
  - Marymount Plan does not specify the use of amplified sound for any outdoor events; City noise standards must be achieved at all times, unless City issues Special Use Permit for specified activity. (Campus Requirements No. 136.)