



CITY OF RANCHO PALOS VERDES

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: THE CITY ATTORNEY AND THE DIRECTOR OF PLANNING,
BUILDING & CODE ENFORCEMENT
DATE: JUNE 20, 2006
SUBJECT: PROPOSED MORATORIUM ON CERTAIN DEVELOPMENT WITHIN
THE ENTIRE LANDSLIDE MORATORIUM AREA OUTLINED IN
RED AND BLUE PENDING REVIEW OF ADDITIONAL
INFORMATION AND AN UPCOMING STUDY SESSION

RECOMMENDATION:

- 1) ADOPT ORDINANCE NO. _____ U, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES EXTENDING URGENCY ORDINANCE NO. 427U AND URGENCY ORDINANCE NO. 439U TO OCTOBER 25, 2006, THEREBY ESTABLISHING A MORATORIUM ON THE ISSUANCE OF CERTAIN PERMITS AND THE PROCESSING OF PLANNING APPROVALS; SUSPENDING CERTAIN PREVIOUSLY ISSUED BUILDING PERMITS AND APPROVALS IN THE LANDSLIDE MORATORIUM AREA OUTLINED IN RED AND BLUE ON THE LANDSLIDE MORATORIUM MAP ON FILE IN THE CITY'S PLANNING, BUILDING AND CODE ENFORCEMENT DEPARTMENT; EXEMPTING CERTAIN PREVIOUSLY CONSTRUCTED PROJECTS FROM SAID MORATORIUM; AND DECLARING THE URGENCY THEREOF.
- 2) RESCHEDULE THE STUDY SESSION TO SATURDAY, OCTOBER 7, OR SATURDAY, OCTOBER 14, 2006.

INTRODUCTION

At the April City Council meetings, the City Council heard testimony about the recent movement of the Klondike Canyon Landslide. At the meeting that was held on April 18th, a majority of the Members of the City Council stated that they wished to have staff bring back an ordinance restricting development within the larger portion of the Landslide Moratorium Area ("the Red Area") so that development within the Red and Blue Areas would be treated similarly. The City Council also stated that the Council would like to schedule a future workshop to occur within sixty days to discuss the regulation of development within the entire Moratorium Area, and the scientific distinctions that can be drawn between the various portions of the Moratorium Area.

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**Memorandum: Report on Proposed Moratorium on Certain Development within
the Landslide Moratorium Area
June 20, 2006**

BACKGROUND

On November 15, 2005, the City Council adopted Urgency Ordinance No. 427U, which established a 60-day moratorium on the processing and issuance of building, grading or other permits, and landslide moratorium exception permits and the processing or approval of Environmental Assessments, Environmental Impact Reports, Conditional Use Permits, height variation applications, tentative maps or parcel maps in the Blue Area and temporarily suspended Section 15.20.040 K of the Rancho Palos Verdes Municipal Code. These actions were taken to allow time for the completion of collection of new geological data to determine whether construction in the Blue Area is safe in light of the newly observed cracks in the street, or if the proposed development could adversely impact the stability of said Area, or if new structures in the Blue Area will be adversely impacted by the recent increase of movement of the Klondike Canyon Landslide.

Ordinance No. 427 U has been extended three times, once in order for additional time to collect more GPS data and for the City's Geologist to be able to review and evaluate that data and prepare a report to the City Council; a second time so that the City Council and the public would have adequate time to review the report from the City's Geologist, and a third time so that the City's geologic experts could prepare reports for a study session that the City Council would like to conduct regarding construction within the entire Moratorium Area. The third extension of Ordinance No. 427 U, which was adopted by Ordinance No. 439U, will expire on June 30, 2006.

DISCUSSION

In the meantime, the City has been engaged in litigation with the owners of certain undeveloped properties within the portion of the Moratorium that has been referred to as Zone 2. As part of that litigation, information is being prepared for submittal to the City that appears to be relevant to the issue of the stability of the Zone 2 area of the Moratorium. Because of the litigation and the generation of additional information regarding the stability of certain portions of the Moratorium Area in connection with that litigation, it was not possible for City Staff and the City's geologic consultants to complete their review of all of the information regarding the stability of the Moratorium Area in time to prepare comprehensive reports for the City Council for the study session that had been scheduled to occur on June 3, 2006. As such, on May 16, 2006, the City Council agreed to postpone the study session to a future, yet to be determined, date.

Additional time is required to submit the information to the City for review and analysis by the City's geologic consultants. Also, it is uncertain when the additional information will be submitted to the City and how long it will take the City's consultants to review and analyze the information so that it can be presented to the City Council as part of the workshop.

**Memorandum: Report on Proposed Moratorium on Certain Development within
the Landslide Moratorium Area
June 20, 2006**

Accordingly, it is necessary for the Moratorium to continue so that the status quo will be preserved while the City is preparing for and conducting the study session. For these reasons, it is necessary to extend Ordinance No. 427U, as previously amended by Ordinance No. 439U, again. The attached Urgency Ordinance extends the provisions of Ordinance No. 427 U and 439U for an additional one hundred seventeen days, to October 25, 2006. This additional time is required so that there will be adequate time: (1) for the City to receive the information; (2) to have the information analyzed by the City's geologic consultants; (3) to have the information included in the reports that will be prepared for the City Council in connection with the study session, if appropriate; (4) to have the City Council hold upcoming study session, and (5) to have the City Council give direction to Staff about how the Council wishes to proceed.

This means that pursuant to Ordinance No. 427U, the City will continue to refrain from issuing permits for construction of additions or new structures within the Blue Area, pursuant to the special exception that was created for the Blue Area that is codified in Section 15.20.040 K of the Municipal Code. Pursuant to Ordinance No. 439U, the City also will continue to refrain from approving new additions to existing homes within the Red Area, pursuant to Sections 15.20.040 H and L of the Municipal Code.

As previously directed by the City Council at the April 18, 2006 City Council meeting, the Moratorium imposed by Ordinance No. 427U and Ordinance 439U will not apply to applications processed under Paragraphs A, B, C, D, E, F, G, I, J, M, N and O of Section 15.02.040 of the Municipal Code.

The City Council also directed that the Moratorium would not apply to certain minor projects that already had been constructed in violation of the existing provisions of the Municipal Code so that they could be legalized and brought into compliance with the Code. Staff previously stated that it was aware of two such projects that the Code Enforcement Division had been pursuing. (There may be other situations of which Staff is not aware.) One involves a 104 square-foot addition at 82 Narcissa Drive, and the second involves an unpermitted second story addition at 4335 Admirable Drive. Both of these additions to existing structures are relatively modest, and both homes are connected to a sewer system. Section 4 of the attached Ordinance memorializes this exception to the Moratorium.

In addition, the City Council previously exempted several projects that have received Moratorium Exception permits because they also have received a building permit from the City and have commenced construction. That exemption also is continued in the attached ordinance.

**Memorandum: Report on Proposed Moratorium on Certain Development within
the Landslide Moratorium Area
June 20, 2006**

ADDITIONAL INFORMATION

Projects that are subject to exemption categories H, K and L of Municipal Code Section 15.20.040, and have not received building permits and/or are not yet under construction, will be subject to the Moratorium. Because these projects have not received a building permit, they do not have a vested right to start and complete the construction. Staff is aware of four such projects. One of these projects is in the Blue Area, and three are in the Red Area. They are:

4342 Admirable Drive (Mirich), which is the construction of a new single-family residence. This project has received planning approval but is currently in plan check in the Building and Safety Division.

86 Yacht Harbor Drive (Peusich), which is an addition to an existing home and the construction of a new deck. This project has received planning approval but is in plan check in the Building and Safety Division.

38 Cinnamon Lane (Siegel/Friend), which is a replacement of a single-family residence that was demolished with additional floor area. This application is currently in the planning review process and is not complete.

31 Narcissa Drive (De La Tore), which is a proposal to add a 596 square-foot addition accompanied by 28 cubic yards of grading. This application is currently in the planning review process and is not complete.

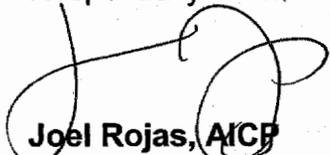
There also are two property owners that were in the planning process when the City Council established the initial temporary moratorium in November 2005. One is the property owner at 4394 Dauntless Drive (Matura), who was seeking approval of a second story addition by the Planning Commission. The other is the property owner at 4380 Dauntless Drive (Arregoces) who was seeking a Landslide Moratorium Exception Permit for first and second story additions. Both applications were denied without prejudice after the temporary moratorium was enacted on November 15, 2005. These projects also do not have a vested right to proceed with development.

**Memorandum: Report on Proposed Moratorium on Certain Development within
the Landslide Moratorium Area
June 20, 2006**

CONCLUSION

Staff recommends that the City Council review this report and reschedule the study session after the end of the summer vacation season so that a majority of the affected property owners will be able to attend the study session and have their opinions considered. Also new geologic information is expected to be submitted to the City by the Zone 2 plaintiffs sometime this summer. As such, to allow enough time for staff and its consultants to review and report on the new geologic information to the Council, Staff believes that the study session should occur in early October. Therefore, Staff is recommending that the City Council reschedule the study session to Saturday, October 7 or Saturday, October 14, 2006.

Respectfully submitted:


Joel Rojas, AICP
Director of Planning, Building
and Code Enforcement

Carol Lynch
City Attorney

Reviewed by:


Les Evans
City Manager

Attachments

Draft urgency ordinance
Ordinances 427U and 439U
Landslide Moratorium Ordinance (Chapter 15.20)
Landslide Moratorium Area maps
Any additional public comments received since the last Council meeting
Proposed agenda for study session

ORDINANCE NO. ___ U

AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES EXTENDING URGENCY ORDINANCE NO. 427U AND URGENCY ORDINANCE NO. 439U TO OCTOBER 25, 2006, THEREBY ESTABLISHING A MORATORIUM ON THE ISSUANCE OF CERTAIN PERMITS AND THE PROCESSING OF PLANNING APPROVALS AND SUSPENDING CERTAIN PREVIOUSLY ISSUED BUILDING PERMITS AND APPROVALS, IN THE LANDSLIDE MORATORIUM AREA OUTLINED IN RED AND BLUE ON THE LANDSLIDE MORATORIUM MAP ON FILE IN THE CITY'S PLANNING, BUILDING AND CODE ENFORCEMENT DEPARTMENT, EXEMPTING CERTAIN PREVIOUSLY CONSTRUCTED PROJECTS FROM SAID MORATORIUM AND DECLARING THE URGENCY THEREOF

WHEREAS, in September 1978, the City Council adopted Urgency Ordinance No. 108U, which established the Landslide Moratorium Area in a portion of the City, as depicted on a map that is on file in the City's Department of Planning, Building and Code Enforcement; and

WHEREAS, in February 1981, the City Council adopted Ordinance No. 139U, which added the area known as Klondike Canyon to the Landslide Moratorium Area, which is described as the area outlined in red on the map that is on file in the City's Department of Planning, Building and Code Enforcement; and

WHEREAS, in September 1989, the City Council adopted Ordinance No. 247, which added a new provision to the Landslide Moratorium Ordinance that provided the possibility for more intense development than previously was permitted in the Klondike Canyon Area, as outlined in blue on the map that is on file in the City's Department of Planning, Building and Code Enforcement ("Blue Area"); and

WHEREAS, in May 2005, following the unusual winter rains during the winter of 2004-2005, the first indications that the Blue Area may be experiencing landslide movement appeared; and

WHEREAS, in October 2005, the City received a report from the City Geologist, who was reviewing a proposed development in the Blue Area, that discussed the issue of landslide movement in the Blue Area; and

WHEREAS, based on the new evidence of landslide movement in the Blue Area, the City Council has asked the City Geologist to determine whether the more flexible development standards that had been allowed in the Blue Area

since 1989 should be repealed so that the Blue Area will be subject to the same development criteria that are applicable to the other areas that are subject to the Landslide Moratorium Ordinance, as was the case from February 1981 through September 1989; and,

WHEREAS, on November 15, 2005, the City Council adopted Urgency Ordinance No. 427U, which established a 60-day moratorium on the processing and issuance of building, grading or other permits, and landslide moratorium exception permits and the processing or approval of Environmental Assessments, Environmental Impact Reports, Conditional Use Permits, height variation applications, tentative maps or parcel maps in the Blue Area and temporarily suspended Section 15.20.040 K of the Rancho Palos Verdes Municipal Code pending the completion of new geological data to determine whether construction in the Blue Area is safe in light of the newly observed instability or if the proposed development could adversely impact the stability of said Area; and,

WHEREAS, because the Global Positioning System ("GPS") Data still was being collected, and the City Geologist still was in the process of completing the review of that data to assess the potential impacts of construction in the Blue Area upon the overall stability of said Area and upon the public health, safety and welfare and, accordingly, needed additional time to complete that review before determining if the moratorium imposed by Ordinance 427 U should be lifted, the moratorium was extended by the City Council to March 21, 2006; and

WHEREAS, because the City Geologist's report has been completed and was presented to the City Council, but the City Council would like to conduct a study session to discuss the entire Moratorium Area and the geologic issues that are relevant to development of new structures and additions to existing structures within the Moratorium Area before determining whether to amend the Chapter 15.20 of the Rancho Palos Verdes Municipal Code; and

WHEREAS, due to ongoing litigation regarding development in a portion of the Moratorium Area and the generation of additional information regarding the stability of certain portions of the Moratorium Area in connection with that litigation, which may be relevant to the analysis of the issues that the City Council would like to have addressed at the upcoming study session, it was not possible for City Staff and the City's geologic consultants to complete their review of all of the information regarding the stability of portions of the Moratorium Area in time to prepare comprehensive reports for the City Council for the study session that had been scheduled to occur on June 3, 2006; and

WHEREAS, because additional time is required for certain information, which may be relevant to the geologic workshop, to be submitted to the City for review and analysis by the City's geotechnical consultants, and because it is uncertain when the additional information will be submitted to the City and how

long it will take the City's consultants to review and analyze that information so that it can be presented to the City Council as part of the workshop, it is necessary to further extend the Moratorium that was established by Ordinance 427U and Ordinance No. 439U;

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

SECTION 1. The City Council of the City of Rancho Palos Verdes hereby extends Urgency Ordinance No. 427U and Urgency Ordinance No. 439 U for an additional 117 days, until October 25, 2006. Except as previously modified by Urgency Ordinance 439 U, and except as modified herein, all provisions of Urgency Ordinance No. 427U shall remain in full force and effect through and including October 25, 2006, unless earlier rescinded or extended by another ordinance adopted by the City Council.

SECTION 2. In addition to suspending the provisions of Section 15.20.040 K of the Rancho Palos Verdes Municipal Code, the provisions of Paragraphs H and L of Section 15.20.040 have been suspended, and no permits or approvals shall be processed or granted by the City pursuant to any of those Paragraphs.

SECTION 3. Notwithstanding any other ordinance or code of the City of Rancho Palos Verdes, no application for a building permit, grading permit, conditional use permit, height variation, tentative map or parcel map for the subdivision of land, or other any other permit to develop property, or for a Landslide Exception Permit shall be accepted for filing, processed or approved as to any land within the Landslide Moratorium Area, as outlined in Red or Blue on the Map that is on file in the City's Planning Building and Code Enforcement Department, and no such permit shall be issued, for any project for which a landslide moratorium exception permit had been issued previously by the City pursuant to Paragraphs H, K and L of Section 15.20.040 of the Rancho Palos Verdes Municipal Code.

SECTION 4. Other than the building permit and other permits that have been issued by the City to construct the home at 4369 Dauntless Drive and any other home where above-ground construction work has been performed in substantial reliance on a building permit that has been issued by the City, which shall not be affected by the provisions of this Ordinance, any building or grading permit, landslide moratorium exception permit, or other permit for new construction in the Landslide Moratorium Area, which has been previously granted by the City but which has not been acted upon in substantial reliance by the holder thereof, is suspended indefinitely. Construction in reliance on any such suspended permit shall be prohibited unless and until the City lifts the suspension. This Ordinance, Ordinance No. 427U and Ordinance No. 439 U

shall not prevent the processing and issuance of permits to legalize the construction of two minor additions to existing residential structures at 82 Narcissa Drive and 4335 Admirable Drive, which were completed prior to October 1, 2005, because those structures were completed and connected to a functioning sewer system prior to the adoption of Ordinance No. 427U, and the issuance of the permits will bring them into compliance with the Municipal Code.

SECTION 5. It has recently come to the attention of the City Council that the land identified in the Blue Area, which was previously thought to be stable, may in fact be experiencing current landslide movement. In order to protect the public health, safety and welfare, the City Geologist was to review recently collected GPS Data to determine the stability of the land in question and to whether development of new structures on undeveloped lots or parcels, substantial additions to existing homes, or the construction of certain accessory structures on properties in the Blue Area should be allowed. The City Geologist's report has been completed and has been submitted to the City Council. However, additional time is needed for new information to be submitted to the City for review by the City's geotechnical consultants regarding the stability of other portions of the Moratorium Area. Additional time also is required for the City's consultants to include the analysis of that information into reports that will be prepared for the City Council in connection with the upcoming City Council study session that will be held to discuss the Moratorium Area and the geologic issues that are relevant to development of new structures and additions to existing structures within the Moratorium Area. The City Council has stated that it would like to hold the study session before determining whether to amend the Chapter 15.20 of the Rancho Palos Verdes Municipal Code. Thus, the City's geologic experts and the City Council needs additional time to review all of the reports and information and determine whether additional controls on development are necessary to protect the public health, safety, and general welfare from the harmful effects associated with slope failure. The City Council finds that continued development in the Landslide Moratorium Area during this additional time could expose residents to undue health hazards and safety risks and could pose a current and immediate threat to the public health, safety, or general welfare and approval of additional entitlements for development inconsistent with the provisions of Urgency Ordinances No. 427U and 439U and would frustrate the City's ability to protect the public health, safety and welfare by minimizing the adverse effects of slope failure. This ordinance is therefore necessary for the immediate preservation of the public peace, health, safety and welfare and shall take effect immediately upon adoption as an urgency ordinance. This ordinance is effective until 11:59 p.m. on October 25, 2006, unless further extended by the City Council by the adoption of another ordinance.

PASSED, APPROVED AND ADOPTED this 20th day of June 2006, by the following vote:

AYES:

NOES:

ABSENT

MAYOR

ATTEST:

CAROLYNN A. PETRU, CITY CLERK

I HEREBY CERTIFY that the foregoing is true and correct copy of Ordinance No. ___U approved and adopted by the City Council of the City of Rancho Palos Verdes at a meeting thereof held on the 20th day of June, 2006.

CAROLYNN A. PETRU, CITY CLERK

ORDINANCE NO. 427U

AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES ESTABLISHING A MORATORIUM ON THE ISSUANCE OF CERTAIN PERMITS AND THE PROCESSING OF PLANNING APPROVALS AND SUSPENDING CERTAIN PREVIOUSLY ISSUED BUILDING PERMITS AND APPROVALS, IN THE PORTION OF THE LANDSLIDE MORATORIUM AREA OUTLINED IN BLUE ON THE LANDSLIDE MORATORIUM MAP ON FILE IN THE CITY'S PLANNING, BUILDING AND CODE ENFORCEMENT DEPARTMENT, WHICH INCLUDES PORTIONS OF DAUNTLESS DRIVE, EXULTANT DRIVE, ADMIRABLE DRIVE AND PALOS VERDES DRIVE SOUTH, AND DECLARING THE URGENCY THEREOF.

WHEREAS, in September 1978, the City Council adopted Urgency Ordinance No. 108U, which established the Landslide Moratorium Area in a portion of the City, as depicted on a map that is on file in the City's Department of Planning, Building and Code Enforcement; and

WHEREAS, in February 1981, the City Council adopted Ordinance No. 139U, which added the area known as Klondike Canyon to the Landslide Moratorium Area, which is described as the area outlined in red on the map that is on file in the City's Department of Planning, Building and Code Enforcement; and

WHEREAS, in September 1989, the City Council adopted Ordinance No. 247, which added a new provision to the Landslide Moratorium Ordinance that provided the possibility for more intense development than previously was permitted in the Klondike Canyon Area, as outlined in blue on the map that is on file in the City's Department of Planning, Building and Code Enforcement ("Blue Area"); and

WHEREAS, in May 2005, following the unusual winter rains during the winter of 2004-2005, the first indications that the Blue Area may be experiencing landslide movement appeared; and

WHEREAS, in October 2005, the City received a report from the City Geologist, who was reviewing a proposed development in the Blue Area, that discussed the issue of landslide movement in the Blue Area; and

WHEREAS, based on the new evidence of landslide movement in the Blue Area, the City Council has considered whether the more flexible development standards that had been allowed in the Blue Area since 1989 should be repealed so that the Blue Area will be subject to the same development criteria that are applicable to the other areas that are subject to the Landslide Moratorium Ordinance, as was the case from February 1981 through September 1989;

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

SECTION 1. The City Council of the City of Rancho Palos Verdes hereby declares a sixty-day moratorium on the processing and issuance of building, grading or other permits, and landslide moratorium exception permits and the processing or approval of Environmental Assessments, Environmental Impact Reports, Conditional Use Permits, height variation applications, tentative maps or parcel maps in the Blue Area, unless otherwise exempted from the moratorium pursuant to terms of Sections 4 or 5 below.

SECTION 2. Section 15.20.040 K of the Rancho Palos Verdes Municipal Code is hereby suspended and no permits or approvals shall be processed or granted pursuant to that section.

SECTION 3. Notwithstanding any other ordinance or code of the City of Rancho Palos Verdes, no building permit, grading permit, or landslide moratorium exception permit or other permit for new construction shall be issued and no applications for conditional use permits, height variations, tentative maps or parcel maps for the subdivision of land shall be accepted for filing, processed or approved as to any property located in the Blue Area.

SECTION 4. Other than the building permit and other permits that have been issued by the City to construct the home at 4369 Dauntless Drive, which shall not be affected by this Ordinance, any building or grading permit, landslide moratorium exception permit or other permit for new construction in the Blue Area, which has been previously granted by the City but which has not been acted upon in substantial reliance by the holder thereof, is hereby suspended indefinitely. Construction in reliance on any such suspended permit shall be prohibited unless and until the City lifts the suspension.

SECTION 5. It has recently come to the attention of the City Council that the land identified in the Blue Area, which was previously thought to be stable, may in fact be experiencing current landslide movement. In order to protect the public health, safety and welfare, geological studies should be conducted to determine the stability of the land in question and to whether development of new structures on undeveloped lots or parcels, substantial additions to existing homes, or the construction of certain accessory structures on properties in the Blue Area should be allowed. Until such geological studies are completed and evaluated it cannot be determined whether such construction in the Blue Area (1) is safe in light of the newly observed instability, or (2) will adversely impact the stability of said Area. This ordinance is therefore necessary for the immediate preservation of the public peace, health, safety and welfare and shall take effect immediately upon adoption as an urgency ordinance. This ordinance is effective for sixty days unless further extended by the City Council.

12

PASSED, APPROVED AND ADOPTED this 15th day of November 2005,
by the following vote:

/s/ Larry Clark
Mayor

Attest:

/s/Carolynn Petru
City Clerk

I, Carolynn Petru, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. 427U was duly and regularly approved and adopted by the City Council of the City of Rancho Palos Verdes at a regular meeting thereof held on the 15th day of November 2005, and that the same was passed and adopted by the following roll call vote:

Ayes: Gardiner, Long, Stern, Wolowicz, and Mayor Clark
Noes: None
Absent: None
Abstain: None

City Clerk

13

ORDINANCE NO. 439 U

AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES EXTENDING URGENCY ORDINANCE NO. 427U AND ESTABLISHING A MORATORIUM ON THE ISSUANCE OF CERTAIN PERMITS AND THE PROCESSING OF PLANNING APPROVALS AND SUSPENDING CERTAIN PREVIOUSLY ISSUED BUILDING PERMITS AND APPROVALS, IN THE LANDSLIDE MORATORIUM AREA OUTLINED IN RED AND BLUE ON THE LANDSLIDE MORATORIUM MAP ON FILE IN THE CITY'S PLANNING, BUILDING AND CODE ENFORCEMENT DEPARTMENT, AND DECLARING THE URGENCY THEREOF.

WHEREAS, in September 1978, the City Council adopted Urgency Ordinance No. 108U, which established the Landslide Moratorium Area in a portion of the City, as depicted on a map that is on file in the City's Department of Planning, Building and Code Enforcement; and

WHEREAS, in February 1981, the City Council adopted Ordinance No. 139U, which added the area known as Klondike Canyon to the Landslide Moratorium Area, which is described as the area outlined in red on the map that is on file in the City's Department of Planning, Building and Code Enforcement; and

WHEREAS, in September 1989, the City Council adopted Ordinance No. 247, which added a new provision to the Landslide Moratorium Ordinance that provided the possibility for more intense development than previously was permitted in the Klondike Canyon Area, as outlined in blue on the map that is on file in the City's Department of Planning, Building and Code Enforcement ("Blue Area"); and

WHEREAS, in May 2005, following the unusual winter rains during the winter of 2004-2005, the first indications that the Blue Area may be experiencing landslide movement appeared; and

WHEREAS, in October 2005, the City received a report from the City Geologist, who was reviewing a proposed development in the Blue Area, that discussed the issue of landslide movement in the Blue Area; and

WHEREAS, based on the new evidence of landslide movement in the Blue Area, the City Council has asked the City Geologist to determine whether the more flexible development standards that had been allowed in the Blue Area since 1989 should be repealed so that the Blue Area will be subject to the same development criteria that are applicable to the other areas that are subject to the Landslide Moratorium Ordinance, as was the case from February 1981 through September 1989; and,

WHEREAS, on November 15, 2005, the City Council adopted Urgency Ordinance No. 427U, which established a 60-day moratorium on the processing and issuance of building, grading or other permits, and landslide moratorium exception permits and the processing or approval of Environmental Assessments, Environmental Impact Reports, Conditional Use Permits, height variation applications, tentative maps or parcel maps in the Blue Area and temporarily suspended Section 15.20.040 K of the Rancho Palos Verdes Municipal Code pending the completion of new geological data to determine whether construction in the Blue Area is safe in light of the newly observed instability or if the proposed development could adversely impact the stability of said Area; and,

WHEREAS, because the Global Positioning System ("GPS") Data still was being collected, and the City Geologist still was in the process of completing the review of that data to assess the potential impacts of construction in the Blue Area upon the overall stability of said Area and upon the public health, safety and welfare and, accordingly, needed additional time to complete that review before determining if the moratorium imposed by Ordinance 427U should be lifted, the moratorium was extended by the City Council to March 21, 2006; and

WHEREAS, because the City Geologist's report has been completed and presented to the City Council, but the City Council would like to conduct a study session to discuss the Moratorium Area and the geologic issues that are relevant to development of new structures and additions to existing structures within the Moratorium Area before determining whether to amend the Chapter 15.20 of the Rancho Palos Verdes Municipal Code;

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

SECTION 1. The City Council of the City of Rancho Palos Verdes hereby extends Urgency Ordinance 427U for an additional 71 days, until June 30, 2006. Except as otherwise modified by this Ordinance, all provisions of Urgency Ordinance No. 427U shall remain in full force and effect through and including June 30, 2006.

SECTION 2. In addition to suspending the provisions of Section 15.20.040 K of the Rancho Palos Verdes Municipal Code, the provisions of Paragraphs H and L of Section 15.20.040 also are suspended, and no permits or approvals shall be processed or granted by the City pursuant to any of those Paragraphs.

SECTION 3. Notwithstanding any other ordinance or code of the City of Rancho Palos Verdes, no application for a building permit, grading permit, conditional use permit, height variation, tentative map or parcel map for the

15

subdivision of land, or other any other permit to develop property, or for a Landslide Exception Permit shall be accepted for filing, processed or approved as to any land within the Landslide Moratorium Area, as outlined in Red or Blue on the Map that is on file in the City's Planning Building and Code Enforcement Department, and no such permit shall be issued, for any project for which a landslide moratorium exception permit had been issued previously by the City pursuant to Paragraphs H, K and L of Section 15.20.040 of the Rancho Palos Verdes Municipal Code.

SECTION 4. Other than the building permit and other permits that have been issued by the City to construct the home at 4369 Dauntless Drive and any other home where above-ground construction work has been performed in substantial reliance on a building permit that has been issued by the City, which shall not be affected by the provisions of this Ordinance, any building or grading permit, landslide moratorium exception permit, or other permit for new construction in the Landslide Moratorium Area, which has been previously granted by the City but which has not been acted upon in substantial reliance by the holder thereof, is suspended indefinitely. Construction in reliance on any such suspended permit shall be prohibited unless and until the City lifts the suspension.

SECTION 5. It has recently come to the attention of the City Council that the land identified in the Blue Area, which was previously thought to be stable, may in fact be experiencing current landslide movement. In order to protect the public health, safety and welfare, the City Geologist was to review recently collected GPS Data to determine the stability of the land in question and to whether development of new structures on undeveloped lots or parcels, substantial additions to existing homes, or the construction of certain accessory structures on properties in the Blue Area should be allowed. The City Geologist's report has been completed and has been submitted to the City Council. However, additional time is needed for the City Council to conduct a study session to discuss the Moratorium Area and the geologic issues that are relevant to development of new structures and additions to existing structures within the Moratorium Area before determining whether to amend the Chapter 15.20 of the Rancho Palos Verdes Municipal Code. Thus, the City Council needs additional time to review the report and determine whether additional controls on development are necessary to protect the public health, safety, and general welfare from the harmful effects associated with slope failure. The City Council finds that continued development in the Landslide Moratorium Area during this additional time could expose residents to undue health hazards and safety risks and pose a current and immediate threat to the public health, safety, or general welfare and approval of additional entitlements for development inconsistent with the provisions of Urgency Ordinance No. 427U would frustrate the City's ability to protect the public health, safety and welfare by minimizing the adverse effects of slope failure. This ordinance is therefore necessary for the immediate preservation of the public peace, health, safety and welfare and shall take effect

immediately upon adoption as an urgency ordinance. This ordinance is effective until 11:59 p.m. on June 30, 2006, unless further extended by the City Council.

PASSED, APPROVED AND ADOPTED this 18th day of April 2006.

/s/ Stefan Wolowicz
Mayor

Attest:

/s/Carolynn Petru
City Clerk

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

I, Carolynn Petru, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. 439U was duly and regularly adopted by the City Council of said City at a regular meeting thereof held on April 18, 2006, and that the same was passed and adopted by the following roll call vote:

AYES: Clark, Gardiner, Long, Stern, and Mayor Wolowicz
NOES: None
ABSENT: None
ABSTAIN: None

City Clerk

17

Chapter 15.20

MORATORIUM ON LAND USE PERMITS*

Sections:

- 15.20.010 Definitions.
- 15.20.020 New construction permits not issued.
- 15.20.030 Revocation of unused permits.
- 15.20.040 Exceptions.
- 15.20.050 Landslide mitigation measures required.
- 15.20.060 Application.
- 15.20.070 Appeals.
- 15.20.080 Expiration.
- 15.20.090 Municipal code and environmental regulations.
- 15.20.100 Exclusions.
- 15.20.110 Required connection to operational sanitary sewer system.

* Prior ordinance history: Ordinances 108U, 118U, 120U, 123U, 128U, 130U, 131U, 139U, 140U, 143U, 148U, 155U, 208, 223, 247, 249U and 276.

15.20.010 Definitions.

The following definitions shall apply to this chapter:

"Alter" means to change in some, but not all, aspects where necessary to continue the use of, and where repair, replacement and restoration are not possible.

"Director" means the director of planning, building and code enforcement.

"Geologic investigation permit" means a permit issued by the city to allow field research for the preparation of geologic, geotechnical or soils reports. Field research shall include investigative trenching, boring or grading which is performed mechanically or by hand. Such trenching, boring or grading shall pertain only to the accumulation of necessary data.

"Maintenance" means to keep in a particular safe condition.

"Repair" means to bring back to a safe condition after partial decay or destruction.

"Replacement" means to exchange a damaged portion for a new equivalent portion without changing form or function. For a dwelling unit it means to construct a new portion of a dwelling to substitute for that existing prior to damage.

"Restoration" means to bring back to the original condition.

"Permanent detached accessory structure" means a structure that is constructed on a permanent foundation,

separate from and appurtenant to a main dwelling unit, which meets the minimum Uniform Building Code standards for human habitation, does not include any kitchen facilities and is not used as a separate dwelling unit. Acceptable structures shall include guest rooms, workshops or similar structures.

"Plumbing fixture" means a plumbing fixture as defined by the Uniform Plumbing Code, unless expressly defined otherwise in this chapter.

"Served by a sanitary sewer system" means that an operational sanitary sewer system is located within the boundaries of the subject lot or parcel or is located within a thoroughfare or right-of-way that is immediately adjacent to the lot or parcel and is no more than two hundred feet from the boundary of the lot or parcel. (Ord. 357 § 5 (part), 2000; Ord 309 § 4 (part), 1995)

15.20.020 New construction permits not issued.

Notwithstanding any other ordinance or code of the city, the city declares a moratorium on the filing, processing, approval or issuance of building, grading or other permits, environmental assessments, environmental impact reports, conditional use permits, tentative maps or parcel maps in the area of the city identified as the "landslide moratorium area" as outlined in red on the landslide moratorium map on file in the office of the director, unless expressly allowed by Section 15.20.040 of this chapter. However, the filing and preparation of environmental assessments, initial studies, negative declarations or environmental impact reports for the exclusive purpose of determining whether a parcel of land may be excluded from the moratorium pursuant to Section 15.20.100 of this chapter are not precluded by this section. (Ord. 309 § 4 (part), 1995)

15.20.030 Revocation of unused permits.

Any building, grading permit or other permit for new construction in the landslide moratorium area which has been previously granted by the city but which has not been acted upon in substantial reliance by the holder thereof is revoked. (Ord. 309 § 4 (part), 1995)

15.20.040 Exceptions.

The moratorium shall not be applicable to any of the following:

A. Maintenance of existing structures or facilities which do not increase the land coverage of those facilities or add to the water usage of those facilities;

B. Replacement, repair or restoration of a residential building or structure which has been damaged or destroyed due to one of the following hazards, provided that a land-

slide moratorium exception permit is approved by the director, and provided that the project complies with the criteria set forth in Section 15.20.050 of this chapter:

1. A Geologic Hazard. Such structure may be replaced, repaired or restored to original condition; provided, that such construction shall be limited to the same square footage and in the same general location on the property and such construction will not aggravate any hazardous geologic condition, if a hazardous geologic condition remains. Prior to the approval of a landslide moratorium exception permit, the applicant shall submit to the director any geological or geotechnical studies reasonably required by the city to demonstrate to the satisfaction of the city geotechnical staff that the proposed project will not aggravate the existing situation. The applicant shall comply with any requirements imposed by the city's geotechnical staff and shall substantially repair the geologic condition to the satisfaction of the city geotechnical staff prior to the issuance of a final building permit. Upon application to the director, setbacks may conform to the setbacks listed below:

Minimum Setback Standards

Front	Interior side	Street side	Rear
20	5	10	15

2. A Hazard Other Than a Geologic Hazard. Such structure may be replaced, repaired or restored to original condition; provided, that such construction shall be limited to the same square footage and in the same general location on the property and such construction will not aggravate any hazardous condition, if a hazardous condition remains. Prior to the approval of a landslide moratorium exception permit, the applicant shall submit to the director any geological or geotechnical studies reasonably required by the city to demonstrate to the satisfaction of the city geotechnical staff that the proposed project will not aggravate the existing situation. Upon application to the director, setbacks may conform to the setbacks listed in subsection (B)(1) of this section;

C. Building permits for existing structures which were constructed prior to October 5, 1978, for which permits were not previously granted, in order to legalize such structure(s). Such permits may only be granted if the structure is brought into substantial compliance with the Uniform Building Code;

D. The approval of an environmental assessment or environmental impact report for a project as to which the city or redevelopment agency is the project applicant;

E. Projects that are to be performed or constructed by the city or by the Rancho Palos Verdes redevelopment agency to mitigate the potential for landslide or to otherwise enhance public safety;

F. Remedial grading to correct problems caused by landslide or to otherwise enhance public safety, performed pursuant to a permit issued pursuant to Section 17.76.040(B)(3) of this Code;

G. Geologic Investigation Permits. Prior to the approval of such a permit, the applicant shall submit to the director any geological or geotechnical studies reasonably required by the city to demonstrate to the satisfaction of the city geotechnical staff that the proposed investigation will not aggravate the existing situation;

H. Minor projects on a lot that currently is developed with a residential structure or other lawfully existing non-residential structure and involves an addition to an existing structure, enclosed patio, conversion of an existing garage to habitable space or construction of a permanent attached or detached accessory structure and does not exceed a cumulative project(s) total of six hundred square feet per parcel; provided that a landslide moratorium exception permit is approved by the director and provided that the project complies with the criteria set forth in Section 15.20.050 and does not include any additional plumbing fixtures, unless the lot is served by a sanitary sewer system. The six hundred square foot limitation on cumulative projects that can be approved on a lot pursuant to this subsection does not include the construction of a new garage, which can be approved pursuant to subsection L of this section. Minor projects involving the construction of an enclosed permanent detached accessory structure shall include a requirement that a use restriction covenant, in a form acceptable to the city, that prevents the enclosed permanent detached accessory structure from being used as a separate dwelling unit is recorded with the Los Angeles County register-recorder. Such covenant shall be submitted to the director prior to the issuance of a building permit. Prior the approval of a landslide moratorium exception permit for such minor projects, the applicant shall submit to the director any geological or geotechnical studies reasonably required by the city to demonstrate to the satisfaction of the city geotechnical staff that the proposed project will not aggravate the existing situation

I. Construction of temporary minor nonresidential structures which are less than one hundred twenty square feet in size, with no plumbing fixtures and which do not increase water use, may be approved by the director. If the lot is served by a sanitary sewer system, the permit may allow the installation of plumbing fixtures. All permits shall include a requirement that a use restriction covenant,

19

in a form acceptable to the city which prevents the structure from being used for any purpose other than a nonhabitable use, is recorded with the Los Angeles County registrar-recorder. A minor nonresidential structure is defined as temporary if the Building Code does not require it to be erected upon or attached to a fixed, permanent foundation and if, in fact, it will not be erected upon or attached to such a foundation. Prior to approval of the application, the applicant shall submit to the director any geological or geotechnical studies reasonably required by the city to demonstrate to the satisfaction of the city geotechnical staff that the proposed project will not aggravate the existing situation;

J. Submittal of a lot-line adjustment application;

K. The construction of residential buildings, accessory structures, pools/spas and grading in the "landslide moratorium area" as outlined in blue on the landslide moratorium map on file in the director's office; provided, that a landslide moratorium exception permit is approved by the director, and provided that the project complies with the criteria set forth in Section 15.20.050 of this chapter. Such projects shall qualify for a landslide moratorium exception permit only if all applicable requirements of this Code are satisfied, and the parcel is served by a sanitary sewer system. Prior to the issuance of a landslide moratorium exception permit, the applicant shall submit to the director any geological or geotechnical studies reasonably required by the city to demonstrate to the satisfaction of the city geotechnical staff that the proposed project will not aggravate the existing situation;

L. Construction of one attached or detached garage per parcel that does not exceed an area of six hundred square feet, without windows or any plumbing fixtures, on a lot that currently is developed with a residential structure or other lawfully existing nonresidential structure; provided that a landslide moratorium exception permit is approved by the director, and provided that the project complies with the criteria set forth in Section 15.20.050. If the lot is served by a sanitary sewer system, the permit may allow the installation of windows and plumbing fixtures in the garage. The approval of a landslide moratorium exception permit for such a project shall be conditioned to require that a use restriction covenant, in a form acceptable to the city, that prevents the garage from being used for any purpose other than parking of vehicles and storage of personal property is recorded with the Los Angeles County registrar-recorder. Such covenant shall be submitted to the director prior to the issuance of a building permit. Prior to the approval of a landslide moratorium exception permit for such garage, the applicant shall submit to the director any geological or geotechnical studies reasonable required by the city to demonstrate to the satisfaction of the city's

geotechnical staff that the proposed project will not aggravate the existing situation;

M. Submittal of applications for discretionary planning permits for structures or uses which are ancillary to the primary use of the lot or parcel, where there is no possibility of any adverse impact upon soil stability. Examples of these types of applications include special use permits for minor, temporary uses and events; fence, wall and hedge permits that do not involve grading or the construction of retaining walls; permits for the keeping of large domestic animals and exotic animals; conditional use permits for the establishment of a use or activity at or on an existing structure where no structural modifications are required; and such other uses, activities and structures that the city geotechnical staff determines to have no potential for adverse impacts on landslide conditions;

N. Minor projects on those lots which are currently developed with a residential structure, which do not involve new habitable space, which cannot be used as a gathering space and viewing area, and which do not constitute lot coverage;

O. Permits issued pursuant to Section 15.20.110 of this chapter to connect existing structures with functional plumbing fixtures to an operational sewer system. (Ord. 432U § 1, 2005; Ord. 427U § 2, 2005; Ord. 407 § 6, 2004; Ord. 383 § 5, 2002; Ord. 382U § 5, 2002; Ord. 357 § 5 (part), 2000; Ord. 309 § 4 (part), 1995)

15.20.050 Landslide mitigation measures required.

Within the landslide moratorium area as identified in Section 15.20.020 of this chapter, the city shall require that appropriate landslide abatement measures be implemented as conditions of issuance of any permit issued pursuant to this chapter. With respect to proposed projects and uses requiring a landslide moratorium exception permit pursuant to subsections B, H, K and L of Section 15.20.040, which must satisfy all of the criteria set forth in this section, the conditions imposed by the city shall include, but not be limited to, the following:

A. If lot drainage deficiencies are identified by the director of public works, all such deficiencies shall be corrected by the applicant.

B. If the project involves additional plumbing fixtures, or additions of habitable space which exceed two hundred square feet, or could be used as a new bedroom, bathroom, laundry room or kitchen, and if the lot or parcel is not served by a sanitary sewer system, septic systems shall be replaced with approved holding tank systems in which to dispose of on-site waste water. The capacity of the required holding tank system shall be subject to the

review and approval of the city's building official. For the purposes of this subsection, the addition of a sink to an existing bathroom, kitchen or laundry room shall not be construed to be an additional plumbing fixture. For those projects which involve additions of less than two hundred square feet in total area and which are not to be used as a new bedroom, bathroom, laundry room or kitchen, the applicant shall submit for recordation a covenant specifically agreeing that the addition of the habitable space will not be used for those purposes. Such covenant shall be submitted to the director for recordation prior to the issuance of a building permit. For lots or parcels which are to be served by a sanitary sewer system on or after the effective date of this ordinance (July 6, 2000), additional plumbing fixtures may be permitted and the requirement for a holding tank may be waived, provided that the lot or parcel is to be connected to the sanitary sewer system. If a sanitary sewer system is approved and/or under construction but is not yet operational at the time that a project requiring a landslide moratorium exception permit is approved, the requirement for a holding tank may be waived, provided that the lot or parcel is required to be connected to the sanitary sewer system pursuant to Section 15.20.110 of this chapter, or by an agreement or condition of project approval.

C. Roof runoff from all buildings and structures on the site shall be contained and directed to the streets or an approved drainage course.

D. If required by the city geotechnical staff, the applicant shall submit a soils report, and/or a geotechnical report, for the review and approval of the city geotechnical staff.

E. If the lot or parcel is not served by a sanitary sewer system, the applicant shall submit for recordation a covenant agreeing to support and participate in existing or future sewer and/or storm drain assessment districts and any other geological and geotechnical hazard abatement measures required by the city. Such covenant shall be submitted to the director prior to the issuance of a building permit.

F. If the lot or parcel is not served by a sanitary sewer system, the applicant shall submit for recordation a covenant agreeing to an irrevocable offer to dedicate to the city a sewer and storm drain easement on the subject property, as well as any other easement required by the city to mitigate landslide conditions. Such covenant shall be submitted to the director prior to the issuance of a building permit.

G. A hold harmless agreement satisfactory to the city attorney promising to defend, indemnify and hold the city harmless from any claims or damages resulting from the requested project. Such agreement shall be submitted to the director prior to the issuance of a building permit.

H. The applicant shall submit for recordation a covenant agreeing to construct the project strictly in accordance with the approved plans; and agreeing to prohibit further projects on the subject site without first filing an application with the director pursuant to the terms of this chapter. Such covenant shall be submitted to the director for recordation prior to the issuance of a building permit.

I. All landscaping irrigation systems shall be part of a water management system approved by the director of public works. Irrigation for landscaping shall be permitted only as necessary to maintain the yard and garden.

J. If the project involves pools and/or spas, a leak detection system approved by the city building official shall be installed.

K. All other necessary permits and approvals required pursuant to this Code or any other applicable statute, law or ordinance shall be obtained. (Ord. 357 § 5 (part), 2000; Ord. 309 § 4 (part), 1995)

15.20.060 Application.

A. Applicants for an exception to this chapter under Sections 15.20.040(B), (H), (K) and (L), shall file an application for a landslide moratorium exception permit with the director. The application shall be signed by the property owner, and shall include the following:

1. A letter, signed by the property owner, setting forth the reason for request, as well as a full description of the project;

2. Copies of a site plan, showing accurate lot dimensions; the location, dimensions, and heights of all existing and proposed structures; the location of the existing and proposed septic systems and/or holding tank systems; and the location of the existing and/or proposed sanitary sewer system, if the site is or will be served by a sanitary sewer system. The number of copies required shall be determined by the director;

3. Information satisfactory to the city's geotechnical staff (including but not limited to geological, geotechnical, soils or other reports) reasonably required by the city to demonstrate that the proposed project will not aggravate the existing situation;

4. A fee as established by resolution of the city council;

5. If grading is proposed, a grading plan showing the topography of the lot and all areas of project cut and fill, including a breakdown of the earthwork quantities.

B. A landslide moratorium exception permit application shall become null and void if, after submitting the required application to the director, the application is ad-

ministratively withdrawn by the director because the application is allowed to remain incomplete by the applicant for a period which exceeds one hundred eighty days, or if the application is withdrawn by the applicant. (Ord. 357 § 5 (part), 2000; Ord. 309 § 4 (part), 1995)

15.20.070 Appeals.

Any interested person may appeal any decision or any condition imposed by the director to the city council by filing a written request, together with an appeal fee as established by resolution of the city council, with the city within fifteen days after the decision is made. (Ord. 309 § 4 (part), 1995)

15.20.080 Expiration.

A moratorium exception permit shall become null and void after one hundred eighty days from the date of issuance unless the planning applications necessary for the proposed project have been submitted to the director. The director may grant extensions beyond these periods for good cause. (Ord. 309 § 4 (part), 1995)

15.20.090 Municipal code and environmental regulations.

The building code, as amended, and existing plan checking procedures are adequate and appropriate to allow and regulate maintenance, repair, restoration, replacement and alteration as defined in this chapter. The Administrative Code, including Sections 309 through 319 as added by Section 15.18.110, applies and permits are required. Nothing contained in this chapter shall except the proposed construction or use from any requirement or regulation of the building code, zoning ordinance or other ordinance of this Code or the California Environmental Quality Act. (Ord. 309 § 4 (part), 1995)

15.20.100 Exclusions.

For a parcel of land to be excluded from the landslide moratorium area, a landowner, or his designated agent, may apply for such exclusion to the city council.

A. Application. To obtain an exclusion from this chapter, an applicant shall file an application for exclusion with the director and signed by the property owner. An application shall not be deemed complete until all required geology studies have been completed and review has been completed by the city geotechnical staff. An application shall include the following:

1. The reason for the request;
2. A legal description of the property and a map of the property;
3. All anticipated development applications;

4. Any existing geological or geotechnical reports or necessary geology studies as determined by the city geotechnical staff;

5. A fee as established by the city council;

6. Any additional information as determined by the director or the city geotechnical staff;

7. A completed environmental assessment.

B. Public Hearing. Notice shall be published in a newspaper of general circulation in the community not less than fifteen days before the date set for the city council hearings. The notice shall contain all data pertinent to the hearing. Written notice shall also be mailed not less than fifteen days before the date set for the city council hearing to owners of property shown on the last equalized assessment roll as owning real property within five hundred feet of the boundaries of the subject property.

C. Findings. Upon approval of a landslide moratorium exclusion, the city council shall find as follows:

1. The exclusion is consistent with the general plan and any applicable specific plan of the city, including but not limited to, the coastal specific plan of the city;

2. The exclusion promotes the health, safety and welfare of the community;

3. The exclusion shall not aggravate any existing geologic conditions in the area.

D. Conditions on Issuance of Approval. In granting any exclusion under this chapter, the city council may impose such conditions as may be reasonably necessary to preserve the intent of the goals and policies of the general plan and the provisions of the municipal code, which conditions shall include, but are not limited to, recording a covenant against the property documenting the nature and scope of any significant remedial grading, which is defined as excavation, fill or any combination thereof, which involves the redistribution of earth materials for the purpose of reestablishing the stability and continuity of said area, and which involves: (1) excavation, fill or any combination thereof in excess of one thousand cubic yards within any two-year period, or (2) excavation ten feet or more below preconstruction grade or fill ten feet or more above preconstruction grade. (Ord. 416 § 4, 2005; Ord. 309 § 4 (part), 1995)

15.20.110 Required connection to operational sanitary sewer system.

Any owner of a lot or parcel within the "landslide moratorium area," as outlined in red on the landslide moratorium map on file in the director's office, which is developed with a residential structure or any other structure that contains one or more operational plumbing fixtures and is served by a sanitary sewer system, as defined

in this chapter, shall connect such structure(s) to the sanitary sewer system within six months after the commencement of operation of the sanitary sewer system. Either the director or the director of public works shall determine whether a lot or parcel is served by a sanitary sewer system, whether a structure contains one or more operational plumbing fixtures, or whether the connection to the sewer system is performed properly, including, without limitation, removal, or the discontinuation of the use, of any existing septic system. (Ord. 357 § 5 (part), 2000)

Chapter 15.24

DANGEROUS BUILDINGS CODE*

Sections:

- | | |
|------------------|--|
| 15.24.010 | Dangerous Buildings Code adopted. |
| 15.24.020 | Dangerous Buildings Code amended—Administrative provisions deleted. |

* Prior ordinance history: Ords. 249U, 280, 311U, 312 and 349U.

15.24.010 Dangerous Buildings Code adopted.

Except as hereinafter provided, the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials, is adopted by reference as the Dangerous Buildings Code of the city of Rancho Palos Verdes. A copy of the Dangerous Buildings Code of the city shall be maintained in the office of the city clerk and shall be made available for public inspection while the code is in force. (Ord. 381 § 7 (part), 2002)

15.24.020 Dangerous Buildings Code amended—Administrative provisions deleted.

Notwithstanding the provisions of Section 15.24.010, the administrative provisions of the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, contained in Chapters 1 and 2, except Sections 101 and 102, are deleted. The administrative provisions governing the Dangerous Buildings Code of the city shall be as set forth in the Administrative Code, as adopted in Chapter 15.18 of this title. Violation and penalty provisions shall be as set forth in Section 205 of the Administrative Code, as amended in Section 15.18.040 of this title. (Ord. 381 § 7 (part), 2002)

SUGGESTED LANDSLIDE WORKSHOP AGENDA TOPICS

- Presentation of history of landslide moratorium,
- Establishment, purpose and powers of Redevelopment Agency
- Establishment, purpose and powers of Geologic Hazard Abatement Districts
- Explanation of City geologic review process for proposed developments
- Explanation and application of "factor of safety" and discussion of factor of safety versus rate of movement
- Review of Perry Ehlig memorandum describing various "zones" within the moratorium area.
- Recommendations for future studies and monitoring within the landslide
- Presentations by independent geologists and homeowners/property owners or their representatives
- Remarks by the City "panel of geologists/geotechnical engineers"

Issues to be addressed by Council:

- Are there scientific/geologic distinctions that can be made between various "zones" in the landslide?
- What additional studies/monitoring/mitigation measures should be undertaken in the landslide area?
- What funding sources are available for landslide studies or projects?
- Are there any alternatives to establishing uniform treatment of all areas within the landslides and prohibiting any future construction?

RECEIVED
City of Rancho Palos Verdes

JUN 05 2006

CITY CLERK'S OFFICE

June 4th 06

1 Fruit Tree Rd
Rancho Palos Verdes Ca 90275

To All City Council Members,

We Homeowners are asking you to hold fast, do not allow

lot owners to build there by breaking the moratorium.

How will you then stop the existing homeowners from adding not more than 600 feet to these homes or putting up a second story when the moratorium has been violated.

Our roads are showing signs of movement, enclosing a picture of evidence. The A.P.S. shows signs of movement at the end of Narcissa, Upper Fruit Tree & end of Sugar Foot.

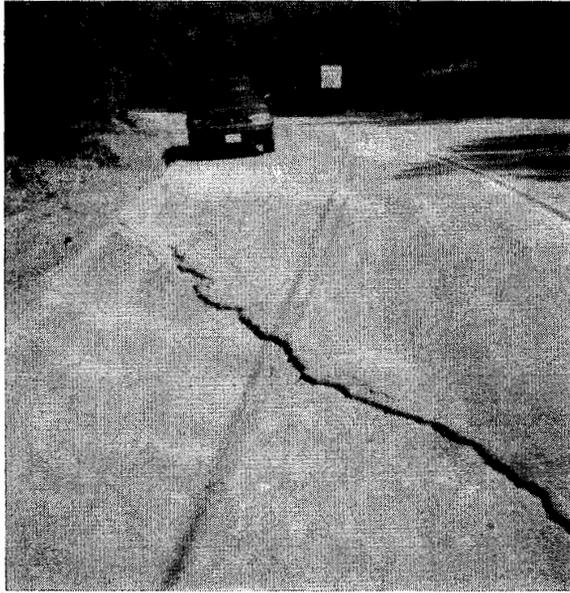
Allowing the moratorium to be broken would put all homeowners at risk. Flood insurance is not available & if it could be found its cost is prohibitive.

Putting you on notice we will form together & sue the city just as we did in the old days with the Homeowners.

Thank wisely

Mr & Mrs H.M. Wright

6-05



the depth of the crack
has increased noticeably

26