

I N D E XCity Council - March 31, 1976Adjourned Regular Meeting

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Ava Cripe
Minute Secretary

City Council
March 31, 1976

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MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in an Adjourned Regular Meeting on Wednesday, March 31, 1976, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Armstrong, Brewster, Geissert, Rossberg, Wilson, and Mayor Miller. Absent: Councilman Surber. It was necessary for Councilman Wilson to leave the meeting at 7:15 P.M.

Also present: City Manager Ferraro, Assistant City Manager Scharfman, City Attorney Remelmeyer, and City Clerk Coil.

3. FLAG SALUTE:

Councilman Armstrong led in the salute to the flag.

PLANNING AND ZONING MATTERS:

4. Continued discussion from March 30th Council meeting involving report on effect and effectiveness of the "Hillside Ordinance" with EMERGENCY ORDINANCE re: proposed moratorium on Hillside Development.

At the request of Mayor Miller, City Attorney Remelmeyer clarified the contents on the proposed Emergency Ordinance. City Clerk Coil was then directed to assign a number and read title to same.

ORDINANCE NO. 2644

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF TORRANCE IMPOSING A MORATORIUM
ON THE CONSTRUCTION OF BUILDINGS AND
STRUCTURES AND THE GRADING OF REAL
PROPERTY WITHIN THE AREA DESCRIBED
HEREIN (RIVIERA-WALTERIA HILLSIDE AREA)
AND DECLARING THE PRESENCE OF AN
EMERGENCY

Councilwoman Geissert moved for the adoption of Emergency Ordinance No. 2644 at its first and only reading. The motion was seconded by Councilman Wilson.

Prior to taking action on the motion, Mayor Miller invited comments from the audience.

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Mr. John Otto, 985 Calle Miramar, stated that he is the owner of a lot at 3816 Paseo de las Tortugas, and has just learned that he cannot obtain a building permit even though he is through Plan Check -- this property is a level lot, not a hillside site. It was the request of Mr. Otto that he be excluded from the emergency ordinance.

It was noted by both City Attorney Remelmeyer and Building and Safety Director McKinnon that lot-by-lot analysis was not possible in the short time permitted to prepare the Emergency Ordinance, and the likelihood of exceptions was acknowledged by them. It was their further thought that it might be necessary to return to the Council with an amended "Exhibit A" which would provide such lot-by-lot detail; this could be provided for the April 6th Council meeting, per Mr. McKinnon.

It was also pointed out by Director of Building and Safety McKinnon that Section 2 (Page 2) of the ordinance could affect people who actually have permits in hand who will be stopped under this ordinance. It states "...this provision shall not preclude completion of construction for which a building permit has been issued and substantial physical improvement of the site other than grading has been done....." It has been determined, per Mr. McKinnon, "substantial physical improvement" would mean the actual pouring of the foundation -- anything before that would not constitute "substantial improvement". It was also confirmed by Mr. McKinnon that the proposed ordinance would include, and therefore prohibit, room additions.

Next to speak was a resident (name unintelligible) at 4309 Paseo de las Tortugas who reviewed at length the history of problems in the hillside area -- the underground springs, water drainage, faults, etc., as well as his recent experience where he observed that a sidewalk on Tortugas, during the night, had moved up over two inches, dropping down 1½ inches in the following 24-hour period, and eventually restored to where it was. Further, per the speaker, this type of underground water is not easy to detect -- the best manner is by way of infra-red aerial photography. The worry of the residents in this area is not whether a driveway is too steep or whether a garage door is 5 ft. or 10 ft. from the street -- it's whether their homes are going to end up on top of the people below them. He indicated support of the moratorium, and urged that there be extensive study of the underground water streams.

Mr. James Gurlock of Rancho Palos Verdes advised that he has an application in the Building Department for construction of single family dwellings on Lots 41 and 42, Tract 301 -- he has reports stating that there are absolutely no problems in the development of the subject lots. Mr. Gurlock questioned the purpose and the basis of the Emergency Ordinance, and noted the financial distress for him and others which will result with such action. The justification and purpose of the subject moratorium was reviewed at length, it being the finding of City Attorney Remelmeyer that sufficient justification exists in view of the problems of record, the need for study, and the wisdom of improving the hillside ordinance before proceeding further in the development of this area.

Mr. Lee Scott, 18332 Kingsdale, owner of Lot 33 on Mesa Street, advised that he has a construction loan in the amount of \$88,000 on this lot, and reviewed the problems presented thereby -- the moratorium would have a very damaging financial impact on him.

The next speaker was Mr. Sam Jewett, 4503 Newton Street, who stated that he is in the process of developing preliminary plans, at substantial cost, for the construction of a home on Via El Chico, and indicated his concern at accidentally learning of the proposed moratorium on a routine visit to the Planning Department.

Mrs. Ruby McKee, 4405 Paseo de las Tortugas, pointed out that homeowner objections to building in this area are based, in large part, on the fact that the grading below existing houses has caused a great deal of damage -- whenever there is grading into a fault zone, whether it is active or inactive, problems are present. There should have been more thorough investigation by the builders prior to investment in this area, in view of the established history regarding its problems.

There was lengthy Council discussion -- reviewed were past and present procedures; the acknowledged need for further study of the hillside area; the necessity, albeit hardship, of the moratorium; the need for investigation re: physical phenomena; etc. -- it being the unanimous consensus of the Council that the moratorium should be imposed, with the understanding that the matter would be expedited.

The motion to adopt Emergency Ordinance No. 2644 carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Armstrong, Brewster, Geissert,
Rossberg, Wilson; Mayor Miller.
NOES: COUNCILMEMBERS: None.
ABSENT: COUNCILMEMBERS: Surber.

It was the request of Councilwoman Geissert that a representative from Converse Davis appear before the Council at a future date; Building and Safety Director McKinnon advised that he would make such arrangements.

Councilman Brewster directed Staff to prepare a brief report regarding the reported manifestations of the problems in the area.

It was the comment of Mayor Miller that the point of resolution of this problem has now arrived, and "the next 60 days ought to be it" -- it is now time to substantiate the reported problems and to determine, once and for all, the validity of these concerns.

Councilman Rossberg reiterated the need for expediting this matter in order to free the problem-free lots -- further, in his opinion, Staff has all the tools; the tools need sharpening, and this should be accomplished in the 60-day period, or less, per Mr. Rossberg.

City Manager Ferraro requested Council approval of the necessary expenditures in this matter, and the following action resulted:

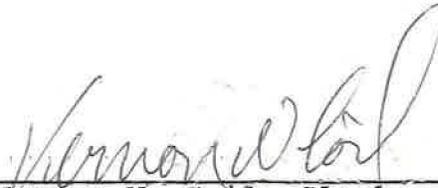
MOTION: Mayor Miller moved to approve an appropriation of \$10,000 from the General Fund Reserve for a hillside soils consultant (Converse Davis Dixon Associates). The motion was seconded by Councilman Brewster, and carried, with roll call vote as follows:

- AYES: COUNCILMEMBERS: Armstrong, Brewster, Geissert, Rossberg; Mayor Miller.
- NOES: COUNCILMEMBERS: None.
- ABSENT: COUNCILMEMBERS: Wilson (left the meeting at 7:15 P.M.)
Surber.

5. ADJOURNMENT:

At 7:25 P.M., Councilman Armstrong moved to adjourn to Tuesday, April 6, 1976, at 5:30 P.M. The motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable (Absent: Councilmembers Surber and Wilson).

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 Vernon W. Coil, Clerk of the
 City of Torrance

APPROVED:



 Mayor of the City of Torrance

Ava Cripe
Minute Secretary

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