

Council Meeting of  
June 17, 2008

Honorable Mayor and Members  
 of the City Council  
 City Hall  
 Torrance California

**PUBLIC HEARING**

Members of the Council:

Subject: Community Development – City Council consideration of an ordinance creating a definition for decks and roof decks, establishing development standards for roof decks, and establishing a review process for roof deck applications.

**LUS07-00002: City of Torrance – Roof Decks**

**RECOMMENDATION**

Recommendation of the Planning Commission and the Community Development Director that the City Council:

1. Adopt an **ORDINANCE** to add definitions to Article 2 of Chapter 1 of Division 9 of the Torrance Municipal Code and to add a new article to Chapter 2 of Division 9 of the Torrance Municipal Code to establish development standards for roof decks and to establish a review process for roof deck applications.

**Funding:** Not applicable

**BACKGROUND**

On May 2<sup>nd</sup>, 2007, the Planning Commission directed staff to organize a Planning Commission workshop in which several matters of local concern could be discussed with information from staff and forum for public input. On July 25<sup>th</sup>, 2007, the Commission reviewed a report and presentation regarding Roof Decks. The materials prepared by staff provided information compiled from a survey of 12 local and/or comparable cities. Upon reviewing the materials and receiving public testimony, the Commission reached a consensus that the Torrance Municipal Code lacked definitions for patios, balconies, decks and roof decks, and that a higher level of review than what is currently in place should be adopted.

The Planning Commission held a second workshop on this matter on October 17<sup>th</sup>, 2007 to finalize the specific Commission recommendations for the preparation of an ordinance that will define roof decks and define a process in which roof deck applications should be reviewed. The Commission heard and discussed these matters and then voted 6-0, with a Commissioner absent, for deck and roof deck definitions, development standards, and a review process. On November 7<sup>th</sup>, 2007, staff presented a report of the results, along with suggested modifications. At that meeting, the Commission directed staff to prepare a draft ordinance. A draft ordinance was brought forth on January 16<sup>th</sup>, 2008, but discussion was continued until February 6<sup>th</sup>, 2008. At

that meeting, the Commission directed staff to forward the draft ordinance to the City Council.

### **PRIOR HEARING AND PUBLICATIONS**

The Planning Commission adjourned the Public Hearing of July 18, 2007 to July 25, 2007 to conduct a series of public workshops. The matter of Roof Decks was considered by the Planning Commission on October 17, 2007. On September 5, 2007, both a legal ad was published in the newspaper and 42 notices were sent to the Homeowners Association Coalition and various individuals. The item is scheduled for the City Council meeting of June 17, 2008. On June 7, 2008, a legal advertisement was published in the newspaper and on June 5, 2008, 35 notices were sent to the Coalition of Homeowners Associations and various individuals.

### **PRIOR ENVIRONMENTAL REVIEW**

The proposal is to revise the Code by adding definitions and development standards for decks and providing a process for reviewing roof deck applications. This will further restrict the type of roof deck construction that is permitted. As existing requirements are proposed to become more restrictive, not expanded, this modification will not have a significant effect on the environment and is, therefore, not subject to the California Environmental Quality Act (CEQA) per section 15061 (b)(3). Future individual projects will continue to require CEQA review.

### **ANALYSIS**

At the July Planning Commission workshop, there was discussion on the shortcomings of the Torrance Municipal Code in regards to roof decks. It was noted that although mentioned in the Code, decks and roof decks are not formally defined, nor are any formal development standards or guidelines in place. Aside from the Hillside Overlay District, roof decks within the City are handled through the Building Permit process without requiring additional review. Based on the informational survey, it was noted that most of the participating cities regulate roof decks through the Building Permit process without additional review, and that four cities prohibit roof decks by Code or by policy. After further discussion and public testimony, a consensus was reached that a potential roof deck ordinance should cover the following items: definitions of roof decks, balconies and patios; applicability to all residential zones; separate development standards that guide construction; and a process for reviewing roof deck applications.

At the October Planning Commission workshop, a consensus was reached that the following recommendations for a new roof deck ordinance be made to the City Council:

- a) That the adopted definitions for a patio and balcony shall continue to be used;
- b) That new deck and roof deck definitions shall be added to the Code;
- c) That the existing roof deck standards in the R-3 and R-4 Zones shall continue to be used;
- d) That the roof deck ordinance shall apply City-wide in all zones;
- e) That roof deck development standards shall be adopted for all residential zones;

- f) That the Planning Commission shall use case-by-case discretion for roof decks in all other zones;
- g) That exterior access to roof decks shall be prohibited; and
- h) That all roof deck applications shall apply for a Planning Commission Review.

### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this item on five occasions from July 2007 to February 2008. At the July workshop, the Planning Commission was presented with information with how roof decks are reviewed and processed within the City, in addition to information on how other Cities regulate roof decks and roof deck applications. Testimony was provided by members of the public expressing roof deck concerns related to privacy intrusion, safety, noise, compatibility, and fairness with the existing review process. Many noted that roof decks should go through a more stringent review process. Several Commissioners reiterated these concerns and agreed that roof decks should go through an additional review process.

At the October workshop, the Planning Commission reviewed and discussed various options on potential definitions, development standards, applicability, and review processes. The Planning Commission then voted unanimously (absent Commissioner Uchima) on the above-mentioned recommendations. At the November workshop, the results were presented to the Planning Commission, and there was consensus that staff prepare a draft ordinance. Due to time constraints, discussion on the draft ordinance was continued from January 16, 2008 to February 6, 2008. At that meeting, there was a unanimous vote that the draft ordinance be brought forward and given to the City Council for consideration.

Respectfully submitted,

Jeffery W. Gibson  
Community Development Director

CONCUR:

  
\_\_\_\_\_  
Jeffery W. Gibson  
Community Development Director

By   
\_\_\_\_\_  
Gregg D. Lodan, AICP  
Planning Manager

NOTED:

  
\_\_\_\_\_  
LeRoy J. Jackson  
City Manager

- Attachments:
- A. Ordinance
  - B. Ordinance Summary
  - C. Planning Commission Staff Reports
  - D. Proofs of Publication and Notification
  - E. Mayor's Script (Limited Distribution)



## ROOF DECK (DRAFT) ORDINANCE

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO CREATE A DEFINITION FOR DECKS AND ROOF DECKS, ESTABLISH DEVELOPMENT STANDARDS FOR ROOF DECKS, AND ESTABLISH A REVIEW PROCESS FOR ROOF DECK APPLICATIONS.**

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THE CITY COUNCIL OF THE CITY OF TORRANCE DOES HEREBY ORDAIN AS FOLLOWS:

### SECTION 1

That the following definitions be added to Article 2 of Chapter 1 of Division 9 of the Torrance Municipal Code:

#### **“SECTION 91.2.170. DECK.**

An unsheltered raised floor constructed of wood or other commonly used building materials.

#### **SECTION 91.2.171. ROOF DECK**

The walkable or otherwise useable open space recreation area located above the top plate of the uppermost floor, the only access to which is from the floors below through an enclosed accessway.”

### SECTION 2

That a new Article 40 be added to Chapter 2 of Division 9 of the Torrance Municipal Code to read as follows:

#### **“ARTICLE 40 – DECK AND ROOF DECK STANDARDS**

##### **SECTION 92.40.1. PURPOSE.**

The purpose of this Article is to set forth standards and requirements for the review process of roof deck applications in all zones so as to protect the peace, health, safety, and general welfare of the residents of the City.

##### **SECTION 92.40.2. PLANNING COMMISSION REVIEW.**

a) That in order to provide for the orderly and harmonious development of the area, the Planning Commission shall review all roof deck applications City-wide in all zones. The Commission shall approve plans only after finding that the proposed roof deck(s) will not adversely affect the orderly and harmonious development of the area and the general welfare of the City; otherwise, such plans shall be disapproved. In making such findings, the Commission shall consider, among other factors, the following:

- 1) Safety;
- 2) Noise; and

3) Privacy.

b) If the plans are approved, the Commission may impose thereon such conditions as they may deem appropriate to effectuate the purpose of the Official Land Use Plan and the best interests of the City.

c) The provisions of this Section shall apply to all new development and to any renewal of use of a structure which has been unused for ninety (90) days prior to the proposed date of renewal of use.

### **SECTION 92.40.3. DEVELOPMENT STANDARDS.**

Except as provided in Sections 91.7.11(h) and 91.9.12(c), the following development standards for all decks and roof decks as defined in Sections 91.2.170 and 91.2.171 shall apply City-wide in all zones.

a) Setbacks:

1) Front yard: The minimum presently required by the underlying residential zone;

2) Side yard: A minimum ten foot setback from the required side yard building setback;

3) Rear yard: A minimum ten foot setback from the building line.

b) Building Height: The maximum height limit of what is allowed by the underlying residential zone, for the structure proposed.

c) Floor Area Ratio: Roof decks enclosed on not more than two (2) sides shall be excluded from the total Floor Area Ratio requirement.

d) Lot Coverage: Roof decks enclosed on not more than two (2) sides shall be excluded from the total Lot Coverage ratio.

e) Open Space: Refer to the underlying zone for open space requirements.

f) Accessory Structures: Roof decks shall be prohibited on accessory structures.

g) Building Compatibility: In order to promote aesthetic cohesion, all guard rails, railings or balustrades should be architecturally integrated parapet walls.

h) Maximum Size: Roof decks shall not exceed **50%** of the gross floor area of the floor located directly below the roof deck.

i) Access: Exterior access to roof decks shall be prohibited.

### **SECTION 92.40.4. PUBLIC HEARING.**

a) Upon receipt of the complete application, the Community Development Director shall set a date, time and place for a public hearing thereon as soon as practicable and shall send notice thereof to the owners of land included within a five hundred (500) foot radius of the exterior boundaries of the land for which the permit is sought as shown on the last equalized assessment roll. The Planning Commission may conduct said hearing in an informal manner. The rules of evidence shall not apply. The hearing may be adjourned to a future time at the discretion of the Planning Commission without the giving of further notice, other than announcement by the Commission of the date, time and place of such adjourned meeting at the time of said adjournment.

b) The applicant shall have the burden of proving that all the requirements of this Article have been met.

c) The Planning Commission may consider all measures which are proposed by the project proponents to be included in the project and other measures that are not included but could reasonably be expected to reduce the adverse impacts of the project, if required as conditions.

**SECTION 92.40.5. RIGHT OF APPEAL.**

The decision of the Planning Commission may be appealed to the City Council pursuant to the provision of Article 5, Chapter 1, Division 1 of this Code, commencing at Section 11.5.1."

**SECTION 3**

Any provisions of the Torrance Municipal Code or its appendices, or any other ordinances of the City inconsistent with this ordinance to the extent of the inconsistencies and no further, are repealed.

**SECTION 4**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision will not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase irrespective of the fact that any one or more sections, subsections, sentence, clauses or phrases are declared invalid or unconstitutional.

**SECTION 5**

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

Introduced and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Adopted and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Frank Scotto, MAYOR, of the City of Torrance

ATTEST:

\_\_\_\_\_  
Sue Herbers, City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By \_\_\_\_\_  
Ronald T. Pohl, Assistant City Attorney



**(DRAFT) ORDINANCE \_\_\_\_\_****SUMMARY**

On \_\_\_\_\_, 2008, the City Council of the City of Torrance adopted Ordinance No. \_\_\_\_\_. This ordinance adds new sections to the City's Municipal Code that creates a definition for decks and roof decks, establishes development standards for roof decks, and establishes a review process for roof deck applications.



**AGENDA ITEM NO. 13A**

**TO:** Members of the Planning Commission

**FROM:** Development Review Division

**SUBJECT:** Land Use Study: LUS07-00002/City of Torrance

The attached Land Use Study regarding roof decks was scheduled for the January 16, 2008 Planning Commission Meeting. The Commission voted to continue the item to February 6, 2008 due to time constraints.

If satisfied with the information, staff will forward the Draft Ordinance to the City Council for review. The City Council will then have the opportunity to accept and file the information, or adopt a new Ordinance.

Prepared by,



Soc Angelo Yumul  
Planning Assistant

Respectfully submitted,



Gregg D. Lodan, AICP  
Planning Manager

Attachments:  
LUS07-00002 - Draft Ordinance

**AGENDA ITEM NO. 13A**

**TO:** Members of the Planning Commission

**FROM:** Development Review Division

**SUBJECT:** Land Use Study: LUS07-00002/City of Torrance

The following Draft Ordinance intends to amend portions of the Torrance Municipal Code to create a definition for decks and roof decks, establish development standards for roof decks, and establish a review process of roof deck applications. The Draft Ordinance includes the guidelines approved by the Planning Commission.

On July 25<sup>th</sup>, 2007, the Planning Commission reviewed a report and presentation regarding roof decks. On October 17<sup>th</sup>, 2007, the Commission heard and discussed these matters and then voted 6-0, with a Commissioner absent, for deck and roof deck definitions, development standards, and a review process. On November 7<sup>th</sup>, 2007, staff presented a report of the results, along with suggested modifications. At that meeting, the Commission directed staff to prepare a Draft Ordinance.

If satisfied with the information, staff will forward the Draft Ordinance to the City Council for review. The City Council will then have the opportunity to accept and file the information, or adopt a new Ordinance.

Prepared by,



Soc Angelo Yumul  
Planning Assistant

Respectfully submitted,



Gregg D. Lodan, AICP  
Planning Manager

Attachments:

1. Previous Staff Reports and Attachments
2. Minutes Excerpt

## ROOF DECK (DRAFT) ORDINANCE

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO CREATE A DEFINITION FOR DECKS AND ROOF DECKS, ESTABLISH DEVELOPMENT STANDARDS FOR ROOF DECKS, AND ESTABLISH A REVIEW PROCESS OF ROOF DECK APPLICATIONS.**

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THE CITY COUNCIL OF THE CITY OF TORRANCE DOES HEREBY ORDAIN AS FOLLOWS:

### **SECTION 1**

That the following definitions be added to Article 2 of Chapter 1 of Division 9 of the Torrance Municipal Code:

Deck: An unsheltered floor constructed of wood or other compatible material

Roof Deck: The walkable or otherwise useable open space recreation area located above the top plate of the uppermost floor, the only access to which is from the floors below through an enclosed accessway

### **SECTION 2**

That the following Section be added to Chapter 2 of Division 9 of the Torrance Municipal Code:

#### **ROOF DECKS**

a) Except as provided in Sections 91.7.11(h) and 91.9.12(c), the following development standards for all decks and roof decks as defined in Article 2 of Chapter 1 of this Division shall apply City-wide in all zones.

#### Setbacks:

- Front yard: The minimum presently required by the underlying residential zone
- Side yard: A minimum ten foot setback from the required side yard building setback
- Rear yard: A minimum ten foot setback from the building line

#### Building Height:

- The maximum height limit of what is allowed by the underlying residential zone, for the structure proposed

#### Floor Area Ratio:

- Roof decks enclosed on not more than two (2) sides shall be excluded from the total Floor Area Ratio requirement

Lot Coverage:

- Roof decks enclosed on not more than two (2) sides shall be excluded from the total Lot Coverage ratio

Open Space:

- Refer to the underlying zone for open space requirements

Accessory Structures:

- Roof decks shall be prohibited on accessory structures

Building Compatibility:

- In order to promote aesthetic cohesion all guard rails, railings or balustrades should be architecturally integrated parapet walls

Maximum Size:

- Roof decks shall not exceed **50%** of the gross floor area of the floor located directly below the roof deck

Access:

- Exterior access to roof decks shall be prohibited

b) That in order to provide for the orderly and harmonious development of the area, the Planning Commission shall review all roof deck applications City-wide in all zones. The Commission shall approve plans only after finding that the proposed roof deck(s) will not adversely affect the orderly and harmonious development of the area and the general welfare of the City; otherwise, such plans shall be disapproved. In making such findings, the Commission shall consider, among other factors, the following:

- 1) Safety
- 2) Noise
- 3) Privacy

**SECTION 3**

Any provisions of the Torrance Municipal Code or its appendices, or any other ordinances of the City inconsistent with this ordinance to the extent of the inconsistencies and no further, are repealed.

**SECTION 4**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision will not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase irrespective of the fact that any one or more sections, subsections, sentence, clauses or phrases are declared invalid or unconstitutional.

**SECTION 5**

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by

the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

Introduced and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Adopted and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
MAYOR, of the City of Torrance

ATTEST:

\_\_\_\_\_  
City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By \_\_\_\_\_



**AGENDA ITEM NO. 13A****TO:** Members of the Planning Commission**FROM:** Development Review Division**SUBJECT:** Land Use Study: LUS07-00002/City of Torrance

This is a public workshop item related to a potential roof deck ordinance that would cover: the definitions of decks, roof decks, balconies and patios; applicability to all residential zones; separate development standards that guide construction; and a process for reviewing roof deck applications. On October 17<sup>th</sup>, 2007, the Planning Commission heard and discussed these matters. The Commission then voted 6-0, with Commissioner Uchima absent, on the following:

## 1) Definitions

a) The Planning Commission voted to continue to use the adopted definitions for a patio and balcony, and voted for the following deck and roof deck definitions:

Deck definition: An unsheltered floor of wood construction

Roof Deck definition: The walkable or otherwise useable open space recreation area located above the top plate of the uppermost floor, the only access to which is from the floors below

b) While preparing this report, Staff has discovered certain limitations of the approved definitions in regards to the materials a deck may be constructed with and the manner in which a roof deck could be accessed. Staff has modified the definitions to accommodate these limitations and offers the following suggestions for the Commission's consideration:

Deck definition: An unsheltered floor constructed of wood or other compatible material

Roof Deck definition: The walkable or otherwise useable open space recreation area located above the top plate of the uppermost floor, the only access to which is from the floors below through an enclosed accessway

## 2) Applicable zones

The Planning Commission voted to continue to use the existing roof deck standards in the R-3 and R-4 Zones, and voted to apply the roof deck ordinance City-wide in all zones.

## 3) Development Standards

The Planning Commission voted to adopt Staff recommended roof deck development standards for all residential zones and to use case-by-case discretion

for roof decks in all other zones. The Planning Commission added that exterior access to roof decks be prohibited.

Setbacks:

- Front yard: The minimum presently required by the underlying residential zone
- Side yard: A minimum ten foot setback from the required side yard building setback
- Rear yard: A minimum ten foot setback from the building line

Building Height:

- The maximum height limit of what is allowed by the underlying residential zone, for the structure proposed

Floor Area Ratio:

- Roof decks enclosed on not more than two (2) sides shall be excluded from the total Floor Area Ratio requirement

Lot Coverage:

- Roof decks enclosed on not more than two (2) sides shall be excluded from the total Lot Coverage ratio

Open Space:

- Refer to the underlying zone for open space requirements

Accessory Structures:

- Roof decks shall be prohibited on accessory structures.

Building Compatibility:

- In order to promote aesthetic cohesion all guard rails, railings or balustrades should be architecturally integrated parapet walls

Maximum Size:

- Roof decks shall not exceed **50%** of the gross floor area of the floor located directly below the roof deck

Access:

- Exterior access to roof decks shall be prohibited

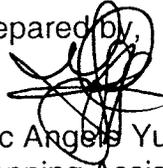
4) Review process

The Planning Commission voted that all roof deck applications must apply for a Planning Commission Review.

**Conclusion**

If satisfied with the preceding information, staff will prepare and forward a draft ordinance to the City Council for review. The City Council will then have the opportunity to accept and file the information, or adopt a new ordinance.

Prepared by,



Soc Angela Yumul  
Planning Assistant

Respectfully submitted,



Gregg D. Lodan, AICP  
Planning Manager

Attachments:

1. Previous Staff Report and Attachments
2. Minutes Excerpt

**AGENDA ITEM NO. 13A****CASE TYPE AND NUMBER:** Land Use Study: LUS07-00002**NAME:** City of Torrance (Roof Deck Ordinance)**PURPOSE OF APPLICATION:** The Planning Commission proposes to amend portions of the Torrance Municipal Code to create a definition of decks and roof decks, establish development standards for roof decks and establish a review process of roof deck applications.**ENVIRONMENTAL FINDINGS:** The proposal is to revise the code by adding definitions and development standards for decks and providing a process for reviewing roof deck applications. This will further restrict the type of roof deck construction that is permitted. As existing requirements are proposed to become more restrictive, not expanded, this modification will not have a significant effect on the environment and is, therefore, not subject to the California Environmental Quality Act (CEQA) per section 15061 (b)(3). Future individual projects will continue to require CEQA review.**BACKGROUND**

On May 2<sup>nd</sup>, 2007, the Planning Commission directed staff to organize a Planning Commission workshop in which several matters of local concern could be discussed with information from staff and a forum for public input. On July 25<sup>th</sup>, 2007, the Commission reviewed a report and presentation regarding Roof Decks. The materials prepared by staff provided information compiled from a survey of 12 local and/or comparable cities. Upon reviewing the materials and receiving public testimony, the Commission reached a consensus that the Torrance Municipal Code lacked definitions for patios, balconies, decks and roof decks and that a higher level of review than what is currently in place should be adopted. The Commission then voted 6-0, with Commissioner Uchima absent, to direct staff to return a draft ordinance for review within 90 days of the workshop. The intent behind this second workshop is to finalize the specific Commission recommendations for the preparation of an ordinance that will define roof decks and define a process in which roof deck applications should be reviewed. Once a majority opinion has been reached the recommended Municipal Code modifications will be forwarded to the City Council for review. The City Council will then have the opportunity to accept and file the information or adopt a new ordinance.

**ANALYSIS:**

At the July Planning Commission workshop, a consensus was reached that a potential roof deck ordinance should cover the following items: definitions of roof decks, balconies and patios; applicable to all residential zones; separate development standards that guide construction; and a process for reviewing roof deck applications.

### Definitions

The Torrance Municipal Code provides definitions of both patios and balconies. These definitions are provided below. Staff recommends that the Planning Commission continue to use these adopted definitions. Additionally, staff recommends that the Planning Commission adopt a definition of a deck and a separate definition of a roof deck as the Torrance Municipal Code does not currently define roof decks or decks. Staff recommends the first definition listed under decks and the fifth definition listed under roof decks.

#### Patio definition:

1. The Torrance Municipal currently defines a patio as: a ground level recreation space located in an area that adjoins a dwelling. (TMC 91.2.77)

#### Balcony definition:

1. Torrance Municipal Code currently defines a balcony as: a platform enclosed by a parapet or railing that projects, in whole or in part from the wall of a building and which is designed in such a manner that it can be entered only from adjacent rooms. (TMC 91.2.76)

#### Deck definition:

1. An unsheltered floor of wood construction (National Association of Women in Construction)
2. An exterior floor supported on at least two opposing sides by an adjacent structure, and/or posts, piers or other independent supports (International Building Code)
3. A flat floored roofless area adjoining a house (Merriam-Webster)
4. An open, unroofed porch or platform extending from a house or other building. (Ching)

#### Roof Deck definition:

1. The City of Hermosa Beach defines a roof deck as *"the walkable or otherwise usable open space area located above the roof framing of the building, the only access to which is from the floors below"* (Section 17.12).
2. An unsheltered floor on the exterior top covering of a structure. (National Association of Women in Construction)
3. A flat floored roofless area on the covering of any building that serves to protect the inhabitants from outside elements. (Merriam-Webster) (Dictionary of Architecture)
4. An open unroofed platform that is located on the external upper covering of a building. (Ching)
5. The walkable or otherwise useable open space recreation area located above the top plate of the uppermost floor. –Staff Recommendation
6. Roof Deck: An exterior floor supported on at least two opposing sides by an adjacent structure, and/ or posts, piers or other independent supports that is located on the exterior surface of a system designed to provide weather protection and resistance to design loads. (International Building Code)

Applicable residential zones

Staff is recommending that any definitions or development standards adopted apply to all residential zones including:

- RTH: Residential Town House
- R1: Single Family Residential
- R2: Two Family Residential
- R3: Limited Multiple Family Residential
- R33: Three Family Residential
- RR3: Restricted Multiple Family Residential
- RD: Downtown Multiple Family Residential
- R4: Unlimited Multiple Family Residential
- R5: High Rise Residential
- RP: Residential Professional
- R-MF: Residential Multiple Family District (Redevelopment Project Only)

The R3 and R4 Zones currently have development standards regulating roof decks. In the R-4 zone roof decks can count to 33.3% of the total open space requirement and they must be open, easily accessible, aesthetically surfaced, and provided with recreational equipment or outdoor leisure furniture. In the R-3 Zone roof decks are specifically excluded from contributing to meeting open space requirements. Staff recommends leaving these existing standards in place and not modifying them with this ordinance.

Development Standards

The informal survey conducted prior to the July workshop revealed that several cities have some development standards for roof decks. At that workshop meeting a consensus was reached that development standards should be considered. Staff has developed several standards to consider that affect setbacks, height, floor area ratio, lot coverage, building compatibility and maximum size, etc. Additionally, staff is recommending that all development standards apply to all residential structures equally, regardless of the number of the stories.

Setbacks:

- Front yard: no additional setback is proposed beyond what is presently required by the underlying residential zone.
- Side yard: A minimum ten foot setback from the required side yard building setback is recommended.
- Rear yard: A minimum ten foot setback from the building line is recommended.

Building Height:

- The maximum height limit of what is allowed by the underlying residential zone, for the structure proposed.

Floor Area Ratio:

- Torrance Municipal Code currently excludes patios and balconies enclosed on not more than two (2) sides from the total Floor Area Ratio requirement. Staff recommends this standard also apply to roof decks.

Lot Coverage:

- Torrance Municipal currently excludes covered patios enclosed on not more than two (2) sides from the total Lot Coverage ratio. Staff recommends this standard also apply to roof decks.

Open Space:

- Refer to the underlying zone for open space requirements

Accessory Structures:

- Accessory structures tend to be placed near side and rear property lines which decreases the distance between neighboring properties. The intention of the roof deck development standards is to increase the distance between a roof deck and a neighboring property. The increase in distance will serve to buffer surrounding properties from potential roof deck impacts. Based on these considerations, staff is recommending that roof decks be prohibited on accessory structures.

Building Compatibility:

- In order to promote aesthetic cohesion all guard rails, railings or balustrades should be architecturally integrated parapet walls.

Maximum Size:

- Roof decks should not exceed **50%** of the gross floor area of the floor located directly below the roof deck.

Review process:

Applications for roof decks can be reviewed through several different procedures including ministerial, administrative and discretionary. Many building proposals do not require discretionary review if the applicant meets the code requirements including the development standards. For example when new homes are constructed or remodeling projects are undertaken outside of any special overlay district and all the development standards are met a ministerial review such as a building permit is required. Multiple family residential units intended for rental only can be built without discretionary review if all development standards and code requirements are met. Other applications require an administrative review with the Community Development Director's approval such as applications for telecommunication facilities, large family day cares, and fence height exceptions. In the Hawthorne Boulevard Corridor a minimal amount of development can occur with an administrative approval and certain uses can be allowed with an administrative approval. Finally, other uses in the city always require discretionary review such as restaurant and food uses, new development in commercial zones, new auto related development, and multiple owner residential and commercial proposals.

There are several options for reviewing roof deck applications:

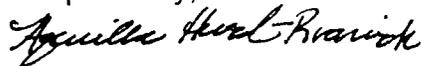
1. Roof decks that meet all roof deck development standards and are not proposed to be located in the Hillside Side Overlay District are eligible to forgo any discretionary review and apply for building permits.
2. Roof decks that meet the development standards and are not located in the Hillside Overlay District may apply for an administrative approval from the Community Development Director in which the directly abutting property owners are notified of the application.
3. Roof deck applications that wish to exceed the roof deck development standards and are not in the Hillside Overlay District would require a Planning Commission Review.
4. All roof deck applications must apply for a Planning Commission Review.
5. Finally, the outright prohibition of roof decks.

### **Conclusion**

The Planning Commission at this point has several options in which to direct Staff. The Planning Commission may:

- Accept and file the information that has been presented;
- Direct Staff to conduct further research in a specified area; or
- Direct Staff to modify, add, or eliminate sections of the above listed recommendations for modifying the code with respect to:
  1. Definitions
  2. Development Standards
  3. Review Process

Prepared by,



Aquilla Hurd-Ravich  
Planning Associate

Respectfully submitted,



Gregg D. Lodan, AICP  
Planning Manager

Attachments:

1. Previous Workshop Staff Minutes
2. Staff Report
3. References

**EXCERPT OF MINUTES**

√ Minutes Approved  
 Minutes Subject to Approval

July 25, 2007

**MINUTES OF TORRANCE PLANNING  
 COMMISSION CODE SECTION WORKSHOP**

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a Code Section Workshop at 6:00 p.m. on Wednesday, July 25, 2007 in City Council Chambers at Torrance City Hall.

**3. ROLL CALL**

Present: Commissioners Browning, Faulk, Gibson, Horwich, Weideman and Chairperson Busch.

Absent: Commissioner Uchima (excused).

Also Present: Planning Manager Lodan, Sr. Planning Associate Santana, Plans Examiner Noh and Deputy City Attorney Whitham.

Agenda Item No. 5 was considered out of order at this time

**5. ROOF DECK TOPIC**

With the aid of slides, Planning Manager Lodan reviewed information on roof decks per written material of record. He explained that the City of Torrance allows roof decks in the Hillside Overlay District via the Precise Plan process and in other residential zones via the Building Permit process and they must comply with all development standards, including height restrictions. He reported that staff surveyed 12 nearby cities and learned that most cities review roof decks through the Building Permit process and require that they comply with development standards in the specific zone. He noted, however, that four of the cities surveyed prohibit roof decks either by code or policy – Gardena, Rancho Palos Verdes, Cerritos and Rolling Hills Estates.

Commissioner Browning asked staff to differentiate between the terms balcony, deck and patio.

Planning Manager Lodan explained that, from a planning perspective, a roof deck is decking at roof level, typically, without direct access from living space; a balcony is decking adjacent to living space on upper floors; and a patio is decking at ground level. He noted that the Torrance Municipal Code does not define "roof deck."

Commissioner Horwich noted that this issue was originally brought to the attention of the Commission when a resident who does not live in the Hillside Overlay District objected to a neighbor's roof deck due to the impact on her privacy and subsequently learned that there is no protection from intrusion on privacy outside the Hillside Overlay area. He related his belief that it was inherently unfair to protect the privacy of some residents but not others and voiced his opinion that there should be some type of review before anyone is allowed to build a roof deck in Torrance.

Chairperson Busch noted his concurrence with Commissioner Horwich's remarks.

Commissioner Browning stressed the need for a clear definition of "deck" and "balcony" should new regulations be enacted. He voiced his opinion that both roof decks and balconies should be subject to Planning Commission review due to the potential privacy impact.

Chairperson Busch invited public input.

Joan Davidson, Palos Verdes, noted that roof decks can be very intrusive and urged that regulations be enacted to grant the same protection to the rest of Torrance as in the Hillside Overlay District.

Pamela Moran, 5501 Via del Valle, indicated that she was opposed to rooftop decks because they are, in effect, third stories without ceilings and third stories are not allowed in the R-1 Zone. She stated that these outdoor living areas have the potential to severely compromise the privacy to which immediate neighbors are entitled. She expressed concerns about noise from roof decks, noting that there is nothing to act as a buffer unlike patios where there are fences and vegetation that absorb a certain amount of sound.

Judy Brunetti, 4815 Greenmeadows Avenue, urged the Commission to require some kind review process for all roof decks. Using photographs to illustrate, she reported that her neighbor added a large roof deck over a second story that has greatly intruded on her privacy. She noted that noise from the deck is exaggerated because there is no buffer and that there are also safety issues because a fall from this height would cause serious injury.

Planning Manager Lodan clarified that the Code does not explicitly prohibit a third story in the R-1 Zone and a home could have a third story as long as it is within the 27-foot height limit. He also clarified that railings are included when measuring the height of a house with a roof deck.

Plans Examiner Noh advised that railings must be at least 36 inches high.

Commissioner Gibson indicated that she thought the deck next to Ms. Brunetti's home was extremely intrusive and dangerous and she believed that all roof decks should be subject to review.

Commissioner Browning stated that he believed the City was operating under a double-standard, whereby those who live in the Hillside Overlay have their privacy protected while those who live in the "flatlands" do not.

Tricia Blanco, 22621 Gaycrest Avenue, stated that the roof deck next to Ms. Brunetti's home has had a big impact on the neighborhood and she felt it was only fair to require that roof decks undergo a review process in all areas of the City.

Eugene Dossi, 4733 Greenmeadows Avenue, echoed concerns about roof decks. He stated that he was sorry he didn't pursue this matter years ago when he had a similar situation because the deck next to Ms. Brunetti might never have been built.

Commissioner Faulk voiced his opinion that roof decks in all areas of the City should be subject to the same review process as a matter of fairness.

Planning Manager Loden suggested the possibility of establishing development standards for roof decks to reduce the privacy impact to the point where Planning Commission review may not be necessary or at least to guide the review process.

Commissioner Browning asked about placing a moratorium on roof decks until new regulations are enacted.

Deputy City Attorney Whitham advised that the City Council would have to adopt an ordinance establishing a moratorium and the findings necessary to extend a moratorium involving residential land uses beyond 45 days are very onerous.

Planning Manager Loden questioned whether Commissioners believed the new regulations should apply only to the R-1 Zone or to all residential zones.

Commissioner Browning, echoed by Commissioner Weideman, indicated that he favored regulating roof decks in all residential zones.

Commissioner Weideman stated that he believed the definition of roof deck used by Hermosa Beach, "the walkable or otherwise usable open space area located above the roof framing of the building, the only access to which is from the floors below," was a good definition and he favored requiring a Conditional Use Permit for rooftop decks like the City of Huntington Beach.

A brief discussion ensued, and it was the consensus of the Commission to direct staff to draft recommendations for modifications to the Torrance Municipal Code to regulate roof decks for review by the Commission within 90 days.

**MOTION:** Commissioner Horwich moved to direct staff to draft recommendations for regulating roof decks for review by the Commission within 90 days. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Commissioner Uchima).

###

TO: Members of the Planning Commission  
 FROM: Development Review Division  
 SUBJECT: Roof Decks  
 LOCATION: City of Torrance

On November 15, 2006, the Planning Commission considered a citizen's request to review the approval process for roof decks in residential zones. The concern came from a citizen who does not live in the Hillside Overlay District and her concerns included impacts to privacy, noise and safety in areas outside of the Hillside Overlay. The Commission directed staff to prepare a workshop item on roof decks.

### City of Torrance

The Torrance Municipal Code does not define roof decks nor does it provide definitions of decks or roofs. Excluding the Hillside Overlay District, roof decks are allowed where residential uses are allowed with the review of a building permit only. In the Hillside Overlay District a Precise Plan of Development, discretionary approval, is required for roof decks on residential and commercial property. Roof decks must comply with the development standards for the specific zone in which they are located including front, side and rear yard setbacks. The same standards apply for single family residential as well as multiple family residential zones. In the R-4 zone roof decks can count to 33.3% of the total open space requirement and they must be open, easily accessible, aesthetically surfaced, and provided with recreational equipment or outdoor leisure furniture. However, in the R-3 Zone roof decks are specifically excluded from contributing to meeting open space requirements. Roof decks would not count as part of Floor Area Ratio and Lot Coverage, provided they are uncovered and open on at least two sides.

### Comparable Cities

Staff surveyed 13 other municipalities regarding roof deck regulations and of those, 12 completed the survey. The 12 cities include: Santa Monica, Hermosa Beach, Pasadena, Whittier, Lomita, Cerritos, Huntington Beach, Rolling Hills Estates, Gardena, El Segundo, Rancho Palos Verdes and Manhattan Beach. The City of Redondo Beach was contacted but they did not complete the survey. Staff developed a written questionnaire that was answered either verbally over the phone by other planners or the planners from other cities wrote out responses that were submitted via email. Four of the cities prohibit roof decks either by code or by policy. These four include: Gardena, Rancho Palos Verdes, Cerritos and Rolling Hills Estates.

### Results

Of the eight cities that do allow roof decks one has a specific definition. The City of Hermosa Beach defines a roof deck as *"the walkable or otherwise usable open space area located above the roof framing of the building, the only access to which is from the floors below"* (Section 17.12). The remaining cities define decks and roofs but do not define roof decks.

Roof decks are reviewed either through a ministerial process, such as a building permit which requires reviewing applicable building and land use codes or a discretionary process such as an administrative director action or a public hearing such as a Conditional Use Permit. Most of the cities surveyed use a ministerial process to review roof decks. The cities of Manhattan Beach and Pasadena both have administrative processes to review roof decks. Pasadena only reviews roof deck applications when they fall within a special district otherwise they are reviewed through a ministerial process. The City of Huntington Beach requires the approval of a Conditional Use Permit for *“rooftop decks above the secondary story top plate line”* (HBZSO Chapter 210.06 (M)(1)(d)).

Typically, roof decks must comply with the development standards as designated by the zone in which they are located. There are some exceptions. In the City of Manhattan Beach, there is a minimum size of 48 square feet. The City of Pasadena requires structures that are three stories and higher to setback 10 feet from a central garden in specific districts. The City of Santa Monica has an additional three foot setback for roof decks in areas characterized by narrow lots, and roof decks that are greater than 50 square feet and located in the rear two-thirds of the lot are required to have 12 foot setbacks. Specific residential areas are limited to no more than 400 square feet of deck space and in multiple family zones the guard rails or railing on roof decks over 23 feet in height count in the volume calculation. In the City of Whittier roof decks facing a public street shall be setback a minimum of five feet from the wall of the first story. Huntington Beach allows roof decks to project above roof volumes but not beyond the height limit and the deck must be setback five feet from the exterior of the building. Additionally, decks above the second story plate line must be oriented toward public rights of way only.

Roof decks can count toward open space requirements depending on the zone or with some limitations. The cities of Pasadena and Whittier count roof decks as part of open space requirements in multiple family zones. The City of Lomita counts roof decks toward open space in all zones. Other cities allow roof decks to count as a portion of the open space requirement. El Segundo does not allow roof decks to count.

The height of roof decks and associated railings, guard rails and parapets must comply with the maximum height limit designated by the zone in most cities. In the City of Manhattan Beach the finished floor of the deck must be nine feet below the maximum building height. The cities of Santa Monica and Pasadena allow required railings or parapets to exceed the maximum height limit by 42 inches and three feet respectively.

Lot coverage and floor area ratios are not affected by roof decks in five cities. In the City of Santa Monica, in specific areas, the area of a roof deck which is open on less than two sides or has a finished floor less than 14 feet in height will count toward lot coverage. Roof decks do count in lot coverage calculations in the City of Whittier, and if the deck is enclosed it will count in floor area ratio. In the City of Hermosa Beach roof decks will count if the deck cantilevers out from a building or projects more than five feet from the face of building.

Structures over roof decks are allowed in most cities with some conditions. The City of Pasadena allows roof structures within the building height requirements. Likewise, Santa Monica will allow roof structures but the property must conform to building height and

volume calculations. In Manhattan Beach, roof structures are allowed but at least 25 percent of the deck must be free and clear to the sky. The City of Huntington Beach does not allow roof structures.

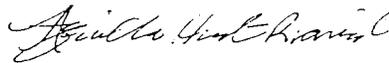
### Conclusion

The informal survey results reveal several commonalities. Most cities have not codified the definition of a roof deck, a ministerial process appears to be the most common form of review and the development standards for specific zones generally apply to roof decks with exceptions based on the zone, height, size and placement of the deck. Roof decks can count toward open space with some limitations, they will not affect lot coverage generally and structures over roof decks are conditionally allowed in most cities. The Planner from Manhattan Beach indicated that roof deck regulations vary, depend on the situation and they can be complicated to design. In El Segundo, the Planner indicated that roof decks are considered accessory structures. Finally, the Planner from Pasadena indicated that roof decks are allowed as long as interior access is provided as well as exterior access and that in certain areas of the city roof decks have recently become issues of concern.

The Planning Commission at this point has several options in which to direct Staff. The Planning Commission may:

- Accept and file the information that has been presented;
- Direct Staff to conduct further research in a specified area; or
- Draft recommendations for suggested modifications to Torrance Municipal Code and forward them to the City Council.

Prepared by,



Aquilla Hurd-Ravich  
Planning Associate

Respectfully submitted,



Gregg D. Lodan, AICP  
Planning Manager

## References

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**EXCERPT OF MINUTES**

Minutes Approved  
 Minutes Subject to Approval

October 17, 2007

**MINUTES OF A REGULAR MEETING OF  
 THE TORRANCE PLANNING COMMISSION**

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 6:02 p.m. on Wednesday, October 17, 2007, in the Council Chambers at Torrance City Hall.

**3. ROLL CALL**

Present: Commissioners Browning, Fauk\*, Gibson\*\*, Horwich, Weideman and Chairperson Busch.

\*arrived at 6:50 p.m.

\*\*arrived at 6:52 p.m.

Absent: Commissioner Uchima (excused).

Also Present: Planning Manager Lodan, Planning Associate Hurd-Ravich, Planning Assistant Yumul, Plans Examiner Noh, Associate Civil Engineer Symons, Fire Marshal Kazandjian and Deputy City Attorney Whitham.

**13A. LUS07-00002: CITY OF TORRANCE**

Planning Commission proposal to amend portions of the Torrance Municipal Code to create a definition for decks and roof decks, establish development standards for roof decks, and establish a review process for roof deck applications.

Planning Associate Hurd-Ravich provided a summary of the staff report, including options for defining decks and roof decks; proposed Development Standards for roof decks; and options for the review of roof deck applications.

Chairperson Busch commended staff for the well prepared report.

Commissioners briefly discussed the options for defining decks and roof decks and indicated their preference that all roof decks be subject to Planning Commission review.

Commissioner Weideman expressed support for the definition of roof decks recommended by staff, "*The walkable or otherwise useable open space recreation area located above the top plate of the uppermost floor,*" but questioned the need for the word "recreation."

Commissioner Fauk proposed that access to roof decks be limited to interior stairways from the floor below. He also proposed having the roof deck ordinance apply to all zones rather than just residential zones because a roof deck on a commercial building could be equally intrusive for nearby residents. He suggested including language in the ordinance to let applicants know that the Commission would be looking

## SUBJECT TO APPROVAL

at the impact on view and privacy, as well as compatibility, when considering whether or not to approve a roof deck. Referring to proposed Development Standards, he commended staff for recognizing that roof decks on accessory structures could create problems and should be prohibited.

Chairperson Busch noted his concurrence with Commissioner Fauk's comments.

Commissioner Browning suggested amending the existing definition for balcony, "*A platform enclosed by a parapet or railing that projects, in whole or in part from the wall of a building and which is designed in such a manner that it can be entered only from adjacent rooms*" (TMC §91.2.76) to limit their size to 72 square feet, above which they would become a deck and subject to Planning Commission review.

Chairperson Busch invited public comment.

Judy Brunetti, 4815 Greenmeadows Avenue, stated that she was very pleased the Commission was taking action on this matter because roof decks can have a great impact on a neighborhood and there is currently no review process outside the Hillside Overlay District. She reported that her next door neighbor built a large rooftop deck, which intrudes on her privacy and creates safety issues because children jump from the deck into the swimming pool below.

Discussion on the definition of decks and roof decks resumed, and Commissioner Browning reiterated his suggestion that balconies larger than 72 square feet be categorized as decks and subject to Planning Commission review because the noise impact and intrusion on privacy can be the same from a second floor as from a deck on a rooftop.

Planning Manager Lodan advised that he would not recommend having different names for the same thing based solely on size because he felt it would be unnecessarily confusing. He noted that while the words "balcony" and "deck" are often used interchangeably on plans, it does not affect how staff treats them.

Commissioner Browning requested that staff re-label decks/balconies on plans in accordance with the City's definition so he could find the applicable Code section when reviewing projects.

It was the consensus of the Commission to recommend that the following definitions be added to the Torrance Municipal Code:

Deck – An unsheltered floor of wood construction.

Roof Deck – The walkable or otherwise useable open space recreation area located above the top plate of the uppermost floor the only access to which is from the floors below.

Following a brief discussion, it was the consensus of the Commission to recommend that roof decks in all zones be subject to Planning Commission review; that the Development Standards included in the staff report be applicable only to residential projects; and that roof decks on industrial/commercial projects be considered on a case-by-case basis.

## SUBJECT TO APPROVAL

Discussion of prohibiting exterior stairways for roof decks resumed. Planning Manager Lodan noted that exterior spiral staircases are sometimes used because they don't require a penthouse for a landing area.

Commissioner Faulk explained that he favored requiring interior stairways because he didn't want to encourage roof decks by making it too easy and designing a roof deck with an interior stairway requires a little more thought.

Commissioner Browning expressed concerns that it could be difficult to provide interior access in some multi-unit condominium projects where the roof deck is a common area.

A brief discussion ensued, and it was the consensus of the Commission that an exception to the interior stairway requirement could be made on a case-by-case basis if there are extenuating circumstances.

Commissioner Faulk reiterated his suggestion that the ordinance include language to let applicants know that the Commission will be looking at a roof deck's impact in terms of view, privacy, compatibility and noise.

Commissioner Weideman noted that safety was also a big factor to be considered along with the impact on view, light, air and privacy.

Planning Manager Lodan advised that staff would draft a list of findings incorporating the issues discussed at this meeting to be included in the ordinance. He tentatively scheduled the Commission's review of the draft ordinance for the first meeting in December.

###

**EXCERPT OF MINUTES**

√ Minutes Approved  
 Minutes Subject to Approval

November 7, 2007

**MINUTES OF A REGULAR MEETING OF  
 THE TORRANCE PLANNING COMMISSION**

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:00 p.m. on Wednesday, November 7, 2007 in the Council Chambers at Torrance City Hall.

**3. ROLL CALL**

Present: Commissioners Browning, Faulk, Gibson, Horwich, Uchima, Weideman and Chairperson Busch.

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Martinez, Planning Associate Gomez, Plans Examiner Noh, Associate Civil Engineer Symons, Fire Marshal Kazandjian and Deputy City Attorney Whitham.

**13. LUS07-00002: CITY OF TORRANCE (ROOF DECKS)**

Planning Commission consideration of proposed amendments to portions of the Torrance Municipal Code to create a definition for decks and roof decks, establish development standards for roof decks, and establish a review process for roof deck applications.

It was the consensus of the Commission to take no action at this time, and to wait for a draft ordinance to be brought back at the December 5, 2007 meeting.

###

# Daily Breeze

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## PROOF OF PUBLICATION (201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the THE DAILY BREEZE

a newspaper of general circulation, printed and published \_\_\_\_\_

in the City of Torrance  
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of \_\_\_\_\_

June 10, 1974

Case Number SWC7146

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

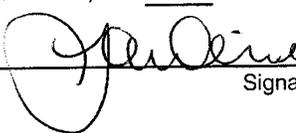
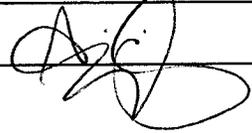
June 7,

all in the year 2008

the foregoing is true and correct.

Dated at Torrance

California, this 7 June 2008

  
Signature 

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DB

### DB 6-52 NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Torrance City Council at 7:00 p.m., June 17, 2008, in the City Council Chambers of City Hall, 3031 Torrance Boulevard, Torrance, California, on the following matter:

**LUS07-00002. City of Torrance - Roof Decks: City Council consideration of an ordinance creating a definition for decks and roof decks, establishing development standards for roof decks, and establishing a review process for roof deck applications.**

Material can be reviewed in the Community Development Department. All persons interested in the above matter are requested to be present at the hearing or to submit their comments to the City Clerk, City Hall, 3031 Torrance Boulevard, Torrance, CA 90503, prior to the public hearing.

If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department or the office of the City Clerk prior to the public hearing, and further, by the terms of Resolution No. 88-19, you may be limited to ninety (90) days in which to commence such legal action pursuant to Section 1094.6 of the Code of Civil Procedure.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (310) 618-5990. If you need a special hearing device to participate in this meeting, please contact the City Clerk's Office at (310) 618-2870. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title 11].

For further information, contact the **DEVELOPMENT REVIEW DIVISION** of the Community Development Department at (310) 618-5990.

**SUE HERBERS  
CITY CLERK**

Pub: Jun 07, 2008

**PROOF OF SERVICE BY MAIL**

I, the undersigned, am a resident of the County of Los Angeles, State of California, over the age of eighteen years, and not a party to the within action. I am employed by the City of Torrance, 3031 Torrance Boulevard, Torrance California 90503.

On **June 5, 2008**, I caused to be mailed **35** copies of the within notification for City Council **LUS07-00003: CITY OF TORRANCE – ROOF DECKS** to the interested parties in said action by causing true copies thereof to be placed in the United States mail at Torrance California.

I declare under penalty of perjury that the foregoing is true and correct.

Executed **June 5, 2008** at Torrance, California.

*Denise Adick*

---

(signature)

**CITY OF TORRANCE  
Community Development Department  
3031 Torrance Boulevard  
Torrance, CA 90503**

### **NOTICE OF PUBLIC HEARING**

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For further information, contact the **DEVELOPMENT REVIEW DIVISION** of the Community Development Department at (310) 618-5990.

Publish: **June 7, 2008**

**SUE HERBERS  
CITY CLERK**

**Thirty five (35) notices mailed 06/05/08. da**