

In compliance with the Americans with Disabilities Act (ADA), if special assistance is needed to participate in the meeting, please contact the City Clerk's Office at (310) 618-2780. Notification given 48 hours prior to the meeting will enable the City Clerk's Office to make reasonable arrangements to ensure accessibility to the meeting. [28CFR35.102-35.104 ADA Title II]

The Planning Commission serves as an advisory to the City Council and conducts public hearings on matters related to land use and development. Meetings are held monthly on the first and/or third Wednesday at 6:30pm. A limited number of meeting agenda copies will be made available during the Planning Commission meeting at the back of the Council Chamber room. Minutes are available after they are approved by the Planning Commission. Direct questions or concerns to the Planning Division at (310) 618-5990 prior to submission to the Planning Commission. Parties will be notified if the complaint will be included on a subsequent agenda.

Members of the public may provide comments related to any items on the meeting agenda. Oral comments are limited to two minutes per speaker for items on the agenda and limited to one minute per speaker for items not on the agenda. Everyone interested in speaking on an agenda item will be heard at the meeting. Speakers are asked to come forward to the podium, speak clearly, and provide their name and address for the record. Meetings are audio recorded. Language translation services are not available. If presenting handout material to the Planning Commission, please provide 10 color copies to staff before speaking.

Written comments may be submitted via email to PlanningCommission@TorranceCA.Gov. Written comments may also be delivered by mail or submitted in-person to the Permit Center (Planning Counter) in the Community Development Department located at the above referenced address, open 8:00am to 5:00pm, Monday through Thursday, open alternate Fridays. Comments must include in the subject line "Public Comment" and the record number and project address. Comments must be pertinent to the agenda item and must not include personal remarks. All personal signatures, personal addresses, personal telephone numbers and personal email addresses must be omitted or will be redacted. Repetitive comments and/or duplicate copies of petitions and flyers are neither necessary nor helpful.

Comments that are submitted no later than 5:00pm on Tuesday the day before the Planning Commission meeting will be included as a supplemental agenda item and will be posted on the City webpage. A copy of the supplemental agenda item will be available at the back of the Council Chamber room. Comments that are submitted in writing after 5:00pm on Tuesday the day before the Planning Commission meeting will be filed with the public record.

**TORRANCE PLANNING COMMISSION AGENDA
FEBRUARY 21, 2024
REGULAR MEETING
6:30 P.M. IN LEROY J. JACKSON COUNCIL CHAMBER
AT 3031 TORRANCE BL.**

**PLANNING COMMISSION MAY TAKE ACTION ON ANY ITEM
LISTED ON THE AGENDA**

1. CALL MEETING TO ORDER

ROLL CALL: Commissioners Anunson, Choi, Riggs, Rudolph, Turner, Yeh, and
Chairman Kartsonis

2. FLAG SALUTE

3. REPORT OF STAFF ON THE POSTING OF THE AGENDA

The agenda was posted on the Public Notice Board at 3031 Torrance Bl. and on the City webpage on Friday, February 16, 2024.

4. ANNOUNCEMENT OF WITHDRAWN, DEFERRED, AND/OR SUPPLEMENTAL ITEMS

5. ORAL COMMUNICATIONS

This portion of the meeting is limited up to a 15-minute period and reserved for comment on items on the Consent Calendar or that are not listed on the agenda. Under the Ralph M. Brown Act, the Commission cannot act on items raised during public comment, but may respond briefly to statements made or questions posed; request clarification; or refer the item to staff. **Speakers under this public comment period will have no longer than 1 minute per speaker.** If presenting handout material to Commission, please provide 10 color copies to staff before speaking.

6. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed by a Commissioner from the Consent Calendar and considered separately.

6A. Approval of Minutes: None

7. ADMINISTRATIVE MATTERS

8. HEARINGS

8A. Community Development – Conduct a Public Hearing to Consider Approval of CUP23-00029: LIAAUTOMOTIVE, LLC (US TELECOM ALLIANCE)

Recommendation of the Community Development Director that Planning Commission conduct a public hearing to consider approval of a Conditional Use Permit to allow the operation of an automotive services facility on property located in the M-1 Zone at 2416 Amsler Street. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities. (Res. No. 24-006)

8B. Community Development – Conduct a Public Hearing to Consider Approval of MOD23-00015: MICHAEL ZISLIS (DA CIRCLE LLC)

Recommendation of the Community Development Director that Planning Commission conduct a public hearing to consider approval of a Modification of a previously approved Conditional Use Permit (CUP18-00018) to allow the addition of an outdoor dining patio to the existing food hall building on property located in the H-DA2 Zone at 21770 Del Amo Circle East. This project is Categorically Exempt from California Environmental Quality Act (CEQA) per Guidelines Section 15301 – Existing Facilities. (Res. No. 24-007)

8C. Community Development – Conduct a Public Hearing to Consider Approval of PRE23-00009, WAV23-00009: MARY WU (LINDA AND RICHARD MORIOKA)

Recommendation of the Community Development Director that Planning Commission conduct a public hearing to consider approval of a Precise Plan of Development to allow the construction of a new two-story single-family residence and a semi-subterranean garage, in conjunction with a Waiver of the front yard fence height limit, on property located within the Hillside Overlay in the R-1 Zone at 202 Paseo De Suenos. This project is Categorically Exempt from California Environmental Quality Act (CEQA) per Guidelines Section 15303 – New Construction and 15305 – Minor Alterations. (Res. Nos. 24-008, 24-009)

8D. Community Development – Conduct a Public Hearing to Consider Approval of LUS24-00002: CITY OF TORRANCE (DIGITAL SIGNS)

Recommendation of the Community Development Director that Planning Commission conduct a public hearing to consider proposed amendments to the Torrance Municipal Code pertaining to digital / electronic billboards. This item is exempt from the California Environmental Quality Act (CEQA) per Guidelines Sections 15060(c)(3) and 15061(b)(3).

9. RESOLUTIONS

10. COMMISSION ORAL COMMUNICATIONS

11. ADJOURNMENT

Adjournment of Planning Commission Meeting to Wednesday, March 20, 2024, at 6:30 p.m. in the Council Chamber.



AGENDA ITEM NO. 5

TO: Members of the Planning Commission

FROM: Planning Division

SUBJECT: Oral Communications

Please find attached correspondence submitted for Agenda Item No. 5 – Oral Communications.

Respectfully submitted,

/s/ Leo Oorts
Planning Manager

Attachments:

1. Correspondence

ITEM 5

ATTACHMENT 1

CORRESPONDENCE

Oorts, Leo

From: joedsl [REDACTED]
Sent: Tuesday, February 13, 2024 8:16 PM
To: Planning Commission
Subject: Public Comment - Planning Commission Agenda February 21, 2024 -Oral Comment - Item 5
Attachments: Letter to Planning Commission-2-21-24.pdf; transcript of Item 5- P17.mp3 (revised 2-7-24).pdf

Dear Leo Oorts,

I plan to submit, as Public Comment, to the Planning Commission, February 21, 2024, Agenda Item 5, a copy of the Document that I have attached here to, identified as: "Letter to Planning Commission-2-21-24.pdf, together with a copy of my "Transcript of Item 5-P17.mp3 (revised 2-7-24).

So that the Members of the Planning Commission will have the opportunity to carefully review, and consider the contents of the Letter, together with the Transcript, prior to the hearing on February 21, 2024, would you please deliver to each member fo the Planning Commission, well prior to the date of the hearing, a copy of the attached documents.

Would you also please accept, and publish the attached documents as Public Comment to the Feb. 21, 2024, agenda item 5.

If you have any questions, please don't hesitate to call me at [REDACTED]. If I am home, I will pick up the phone, if not, leave your telephone number and I will return your call.

Thank you.

Sincerely,

G. Joseph Buck - resident of the Hillside for 40 years.

Letter to Planning Commission-2-21-24

In previous submissions to the Planning Commission, I have asked you to direct Staff to schedule public hearings before the Planning Commission for the purpose of determining whether or not the recent approval by the Community Development Director of the Minor Hillside Exemption for proposed construction at 139 Via Alameda (M.H.E. 23-00021) revealed a major flaw in the Torrance Municipal Code governing residential development in the Hillside Overlay Zone.

In my previous submissions, I also pointed out that the Torrance Municipal Code (“TMC”), expressly specifies the Powers and Duties of the Commission as follows:

“13.1.7 - Powers and Duties of the Commission.

a) *The Commission **shall** hold hearings, make recommendations to the City Council and perform all duties required by law. (emphasis added)*

b) *The Commission **may** investigate, hold hearings on and make recommendations to the City Council on any matters concerning the use and development of land in the City. (emphasis added)*

c) *The Commission **shall** advise the Council on any matters concerning the use and development of land in the City **when so requested** by the City Council.*

d) *The Commission **shall** make an annual report to the City Council of its activities for the previous year and shall make such other reports as it shall deem necessary or proper.”*

In the present Letter to Planning Commission-2-21-24, I, again, ask the Planning Commission to fulfill its Duty, and to exercise its Power pursuant to subsection b) of TMC Article 13.1.7 :

“to investigate, and to hold hearings on and make recommendations to the City Council on any matters concerning the use and development of land in the City,”

In particular, I ask the Planning Commission to investigate and hold hearings to determine whether or not the recent approval by the Community Development Director of M.H.E.23-00021 revealed a major flaw in the Torrance Municipal Code governing residential development in the Hillside Overlay Zone.

If, the Commission decides that the approval by the Community Development Director of M.H.E.23-00021 revealed a major flaw in the TMC, I then

ask the Planning Commission to fulfill its Duty (pursuant to subsection b) of TMC Article 13.1.7 to further investigate and hold hearings to determine the provisions of the TMC that the Commission recommends be amended by the Council, and to determine the specific content of the amendments to the TMC that the Commission recommends be enacted by the Council to address and remove the major flaw in the TMC.

The Commission's consideration of my previous request to the Commission on January 17, 2024, was interrupted by Deputy City Attorney Tatia Strader. As I explain below, it is my impression that Deputy Strader's interruption was ill founded and inappropriate.

In response to my request that the Commission adopt a motion directing Staff to schedule the hearings that I requested, a Member of the Commission stated that he was not ready to make a motion, but the Member asked: ¹ (see footnote)

"can I have the Planning Department review Mr. Buck's submission and then give a..."

However, Deputy City Attorney Tatia Strader chose to interrupt the Member's question and stated:

"I can address it right here on the spot, and I have spoken on this before. So the Planning Commission, it serves at the pleasure of the Council, you are all appointed by Council. The Council, ultimately, has the authority to amend the Municipal Code, which is what Mr. Buck is requesting. So if he wants to go before the City Council, and the City Council wants to direct you to do that,... it does not have enough time..., if we look specifically at the power and duties of the Commission, TMC Section 13.1.7 section c), it says that:

"The Commission shall advise the Council on any matters concerning the use and development of land in the City when so requested by the City Council." (Deputy City Attorney Strader emphasized the words "when so requested".)

Deputy City Attorney Strader then stated:

"Everything that the Community Development Director is doing...that the activities of ??? the City Manager and the activities ??? of the City Council, and unless otherwise....or by some type of motion...with

¹ I obtained an audio recording of the Planning Commission hearing on January 17, 2024. I then prepared a transcript of the portion of the audio recording pertaining to the hearing of Agenda Item 5. For your reference, I have included with this letter a copy of the transcript.

some other open item, that it is not within the authority of this body to “just go for it”, unilaterally, and to do that.”

Following Deputy City Attorney’s interruption and discussion with the Member, the Member appeared to address Buck, and said:

“So I would suggest that you find... for your district and go to that Council Member and present what you would like to see brought forth to the Council.”

Buck than asked: “May I respond briefly”, Deputy City Attorney Strader again interrupted and stated:

“no”.

Buck then stated:

“ I differ with your characterization of what is said in the code, ... you (meaning the Commission) have a duty to advise the Council, although you don’t make the law, ...you have a duty to advise them...”

The Chairman then stated: “ I recommend that you speak to your Council Member, and lets move on...” (to Item number 6).

In support of my original request to the Commission, I now offer the following comment and criticism of the statements made by Deputy Strader when she chose to interrupt the Council Member ‘s inquiry asking to have the Staff present its analysis of the flaw that I had asked the Commission to address.

When Deputy City Attorney Tatia Strader interrupted the Council Member’s proposal, she stated:

“I can address it right here on the spot, and I have spoken on this before.”

Deputy Strader then stated that:

“the Planning Commission serves at the pleasure of the Council, you are all appointed by Council.”

It is not clear to me why Deputy Strader chose to point out that the Planning Commission “serves at the pleasure of the Council”, since, as far as I have been

able to determine, the Members of the City Council, in a similar manner, serve at the pleasure of the residents of the City of Torrance.

Deputy Strader then stated that:

“the Council, ultimately has the authority to amend the Municipal Code, which is what Mr. Buck is requesting.”

May I ask the Commission to note that at no point in all of my submissions to the Commission have I ever asked the Commission to to amend the provisions of the Torrance Municipal Code. I am fully aware that only the Council has the power to amend the Code. However as stated in TMC Article 13.1.7, the Commission, has both the power and the duty to hold hearings to determine whether, based upon its extensive, “front-line”, experience, to make knowledgeable recommendations to the Council as to whether or not the Council should make such amendments, and to recommend to the Council specific amendments that the Council may enact to remove this particular flaw from the Code.

Apparently In an attempt to justify her interruption, Deputy Strader recited subsection c) of the TMC which states that:

“The Commission shall advise the Council on any matters concerning the use and development of land in the City when so requested by the City Council.”

As far as I could determine, Deputy Strader apparently contends that the Planning Commission is not allowed to exercise the Planning Commission’s express Duty and Power stated in part b) of Article 13.1.7 that:

“b) The Commission may investigate, hold hearings on and make recommendations to the City Council on any matters concerning the use and development of land in the City.”

The assertion by Deputy Strader appears to me, to be ill-founded and not supported by the facts, nor by the statement of the Powers and Duties of the Commission in Article 13.1.7 of the Code.

I submit that none of my requests to the Commission assume, or even suggest, that the Commission, by itself, has the power to unilaterally amend the provisions of the TMC. The statement by Deputy Strader that:

“the Council (and not the Commission), ultimately has the authority to amend the Municipal Code, which is what Mr. Buck is requesting”

appears, at least to me, to contend that I have asked the Commission, itself, to amend the TMC. I, instead, have asked the Commission to hold hearings to

determine whether or not the Commission believes that the approval of M.H.E.23-00021, reveals a major flaw in the TMC, and, if the Commission reaches that conclusion, I then ask the Commission to hold a further hearing to determine the specific recommendations that the Commission shall make to Council with respect to the amendments that the Council may adopt to “fix” the flaw in the TMC.

If Deputy Strader contends that the Commission does not have the Duty, as well as the Power, to hold these hearings and has neither the duty, nor the power, following these hearings, to submit to the Council the Commission’s recommendations of amendments to the TMC that the Commission believes should be enacted by the Council to “fix” this flaw, then may I suggest that the Commission, ask Deputy Strader to unambiguously state to the Commission her contentions as to each of these matters, and that she also clearly and unambiguously explain to the Commission, as well as to the residents of Torrance, her “Legal” reasoning upon which she bases her contentions.

Transcript of Item 5-P17.mp3 (revised 2-7-24)

In the following transcript of selected portions of the audio recording of Planning Commission meeting on January 17, 2024, the references to time, (e.g. 0:00:57) indicate the time displayed at lower edge of the clipped mp3 audio recording of the meeting. The mp3 audio recording of the meeting was "clipped" so as to include within "Item 5-P17.mp3", only the portion of the Planning Commission hearing on January 17, 2024 devoted to Item 5 of the agenda. ("..." and "???" represent unintelligible or irrelevant portions of the audio recording.)

0:00:12 Chairman: ...We are going to move on to Item No. 5, which is oral communications . This portion of the meeting is reserved for comment on items **not** on the agenda. Under the Ralph M. Brown Act, the Planning Commission cannot act on items raised during public comment, but may respond briefly to statements made or questions posed, request clarification or refer items to staff. Speakers are told they may speak for no longer than one minute per speaker. Is there anyone from the public who wishes to speak?

0:00:44 - (Joe Buck) - First ... (Chairman, would you speak into the mike a little closer)

0:00:57 - First let me welcome the new manager and I look forward to seeing him again and again. (I don't know that.....).

Anyway, I previously pointed out that the issue by the Community Development Director of the Minor Hillside Exemption 23-00021 revealed a major flaw in the section of the Hillside Ordinance on the size of the building that may be built on a lot. I pointed that out in the material that there is some question on how we get that scheduled to allow you to hold hearings to ?? input and then to make recommendations to City Council as to how they can address that. I put in today, a motion, wording, that my understanding is if (one member) wanted to make that motion today, and a second one seconds it, and then, at the same time the chairman then determines whether that motion needs to be voted on or not to direct members of the staff to schedule the matter and give you the opportunity use your experience to...

0:02:15 - (Chairman)- you may talk for one minute,

(Joe Buck) yes sir, thank you.....

0:02:25 - Chairman - is there anyone else who would like to speak on items that are not on the agenda tonight?

Council Member - May I ask a question about the statement that he made. I just want a, can we have the Planning Department provide a ... I'm not ready to

make a motion, but can I have the Planning Department review Mr. Buck's submission and then give a.....

0:02:48 - (interruption by Tatia Strader) - I can address it right here on the spot, and I have spoken on this before. So the Planning Commission, it serves at the pleasure of the Council, you are all appointed by Council. The Council, ultimately, has the authority to amend the Municipal Code, which is what Mr. Buck is requesting, so if he wants to go before the City Council, and the City Council wants to direct you to do that, ...it does not have enough time..., if we look specifically at the powers and duties of the Commission, TMC Section 13.1.7. Section c., It says, that:

"The Commission shall advise the Council on any matters concerning the use and development of land in the City when so requested by the City Council."
(Strader emphasized "when so requested".)

Everything that the Community Development Director is doing...that the activities of ??? the City Manager and the activities ??? of the City Council, and unless otherwise.... or by some type of motion.... with some other open item, that it is not within the authority of this body to "just go for it", unilaterally, and to do that.

0:03:58 Member - thank you.
Strader - my pleasure.

0:04:00 Member - So could we, maybe ask him to go a Council Member again and ask him...

Strader - I don't know that you could "ask him",

Member - "suggest"

Strader - great

Member - (addressed to Buck) So I would suggest that you find for your district and go to that Council Member and present what you would like to see brought forth to the council.

0:04:20 Joe Buck - may I respond briefly?

Strader - No

Buck- I differ with your characterization of what is said in the code - that you have a duty to advise the Council, although you don't make the law, .. you have a duty to advise them...

0:04:38 Chairman - I recommend that you speak to your Council Member, and lets move on, I don't see any more.. wanting to comment on items that are not on the agenda. Let's move on to item number 6 which is the consent calendar....

SUPPLEMENTAL #1 TO AGENDA ITEM NO. 5

TO: Members of the Planning Commission

FROM: Planning Division

SUBJECT: Oral Communications

Please find attached additional correspondence for Agenda Item No. 5 – Oral Communications.

Respectfully submitted,

/s/ Leo Oorts
Planning Manager

Attachments:

1. Correspondence

ITEM 5
ATTACHMENT 1
CORRESPONDENCE

Oorts, Leo

From: joedsl [REDACTED]
Sent: Sunday, February 18, 2024 11:43 AM
To: Planning Commission
Subject: Public Comment - 2nd Letter to Planning Commission Agenda February 21, 2024 -Oral Comment - Item 5
Attachments: 2nd Letter to Planning Commission-2-21-24.pdf

Dear Leo Oorts,

Please accept as further Public Comment to the Planning Commission, February 21, 2024, Agenda Item 5, a copy of the Document that I have attached here to, identified as: "2nd Letter to Planning Commission-2-21-24.pdf.

So that the Members of the Planning Commission will have the opportunity to carefully review, and consider the contents of the 2nd Letter, prior to the hearing on February 21, 2024, would you please deliver to each member of the Planning Commission, prior to the date of the hearing, a copy of the attached document.

Thank you for including, within the agenda published for the hearing, a copy of the two documents that I previously submitted to you.

If you have any questions, please don't hesitate to call me at [REDACTED]. If I am home, I will pick up the phone, if not, leave your telephone number and I will return your call.

Thank you.

Sincerely,

G. Joseph Buck - resident of the Hillside for 40 years.

2nd Letter to Planning Commission-2-21-24

The City of Torrance website¹ at www.torranceca.gov, with respect to the Planning Commission, opens with the statement:

“Planning Commission

POWERS AND DUTIES

In accordance with [Article 1, Chapter 3, Division 1 of the Torrance Municipal Code](#),

“the Planning Commission serves as an advisory to the City Council and conducts public hearings on matters related to land use and development.”

Deputy City Attorney Tatia Strader, apparently prefers to view the Planning Commission in a different manner.

The website: <https://www.torranceca.gov/our-city/community-development/planning-division>, describes the Planning Division as follows:

“Planning Division

The Planning Division is committed to urban planning and design to provide an attractive, safe, and enriching environment that assures a high quality of life. The Planning Division is comprised of two sections:

Development Review is focused on reviewing development plans for conformance with land use policies and standards, and is responsible for processing development applications, conducting environmental review, and responding to inquiries on zoning and land use. **Development Review also provides staff support to the Planning Commission and to the City Council.**

Comprehensive Planning is focused on developing plans, policies and programs to guide development in Torrance, and is responsible for maintaining the General Plan, conducting special studies related to land use, and collaborating with regional and state agencies.

¹ <https://www.torranceca.gov/government/city-clerk/commissions-and-advisory-boards/planning-commission>;

Comprehensive Planning also provides staff support ... to the Planning Commission and the City Council.”

Deputy City Attorney Tatia Strader, also apparently prefers to view in a different manner the Planning Commission’s relationship to the personnel employed by the City of Torrance within the Planning Division.

Rather than have the Planning Commission ask Planning Division personnel to prepare and submit to the Planning Commission, the Planning Division’s analysis of the flaw (if any) revealed by the the Community Development Director’s approval of M.H.E.23-00021, Deputy Strader prefers to “suggest” that a member of the public ask a member of the City Council to ask the Planning Commission, in turn, to direct the Planning Division to prepare and submit its analysis to the Planning Commission.

May I respectfully request that the members of the Planning Commission conduct their own evaluation of the validity of Deputy Strader’s “suggestion”, and, if the members of the Planning Commission, so conclude, that the members of the Planning Commission, “propose”, “second”, and “vote” to approve a motion to “direct” the Planning Division personnel to prepare and submit to the Planning Commission the Planning Division’s analysis of the flaw, if any, revealed by the approval of M.H.E.23-00021.

Sincerely,

G. Joseph Buck - Resident of the Hillside for 40 years

AGENDA ITEM NO. 8A

CASE TYPE AND NUMBER: Conditional Use Permit – CUP23-00029

NAME: LiaAutomotive, LLC (US Telecom Alliance)

PURPOSE OF APPLICATION: Request for approval of a Conditional Use Permit to allow the operation of an automotive services facility on property located in the M-1 Zone.

LOCATION: 2416 Amsler Street

ZONING: M-1 Light Manufacturing District

ADJACENT ZONING AND LAND USE:

NORTH: M-1 Manufacturing Use

SOUTH: City of Lomita, Residences

EAST: M-1 Industrial Business Park

WEST: M-1 Laboratory

GENERAL PLAN DESIGNATION: Industrial Business Park

COMPLIANCE WITH GENERAL PLAN: This property has a General Plan land use designation of Industrial Business Park (I-BP), which allows a maximum Floor Area Ratio of 0.6. The designation allows a mixture of business, professional and medical office, research and development, and light industrial uses. Ancillary retail uses are allowed to support these uses. Light industrial activities are limited to the interiors of structures.

The proposed automotive services facility within an existing industrial building is conditionally permitted within the M-1 Zone and is consistent with the surrounding industrial area, which is a mixture of other industrial properties and uses, including manufacturing, an industrial business park and a laboratory, as well as nearby commercial uses, such as a shopping center to the northwest. Recommended conditions of approval will ensure the facility does not have the potential to impact surrounding businesses.

EXISTING IMPROVEMENTS AND/OR NATURAL FEATURES: The subject property is currently developed with an industrial building and onsite parking, constructed in 1958. There are no outstanding natural features on the subject property. Staff notes there are no prior land use entitlements associated with the property.

ENVIRONMENTAL FINDINGS: Licensing of an existing private structure involving negligible or no expansion of use beyond that previously existing is Categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15301.

ANALYSIS:

The applicant, LiaAutomotive, LLC, requests approval by the Planning Commission to allow the operation of an automotive services facility within an existing industrial building on property located in the M-1 Zone at 2416 Amsler Street. The development standards of the M-1 Zone (Light Manufacturing District) and the Torrance Municipal Code (TMC) are applicable to the project, and therefore require discretionary review and approval of a Conditional Use Permit (CUP) to allow a commercial service use in the M-1 Zone. Staff has determined the project complies with the development standards to the extent applicable. The balance of this report provides an overview of the project.

Project Site

The proposed automotive services facility is located on the south side of Amsler Street, just east of where Dormont Avenue intersects into Amsler Street. The site is developed with an industrial building and onsite parking, and is surrounded by other industrial properties and uses, including manufacturing, an industrial business park and a laboratory, as well as nearby commercial uses, such as a shopping center to the northwest. The industrial building features a total building floor area of 4,560 square feet.

Access to the site is provided via a driveway on Amsler Street, and pedestrian connections along Amsler Street. The site is proposed to be restriped to yield a total of 10 parking spaces (7 standard, 2 compact, and 1 ADA), with 3 at the front of the building, and the rest at the rear. Staff notes the rear lot is secured with a gate.

As part of the parking restriping, the existing ADA space in the rear parking lot will be relocated to the front, as preferred by Building Code. To accommodate this, a new wheelchair lift will be installed to the front of the building to comply with access requirements. Otherwise, the building exterior will remain as-is. Finally, in the rear lot, new landscaping will be installed at the property's southeast corner, with a new trash enclosure proposed between the landscaping and east parking row.

Floor Plan

The proposed automotive services facility floor plan features a front showroom with display cabinets, storage, office, restrooms, and work area with perimeter equipment/storage areas. There will be one vehicle lift, and two vehicle service areas (in lieu of a formally designated bay).

Business Operation

The proposed automotive services facility offers window tinting, detailing, reconditioning, wheel and tire services, the installation of security and audio/visual systems, other accessories, and more. No separate retail is proposed as part of the operation, and product sold is part of the service provided for vehicles. More information about the business is shared in the Project Narrative (Attachment 3).

The proposed hours of operation are 8:00am – 6:00pm Monday – Saturday. Per the Project Narrative, the applicants anticipate a customer volume of 2 per day for approximately 48 per month. Due to the nature of the services provided, which usually take a day or two, customers typically drop off their vehicles and do not wait during service. There will be a maximum of 4 employees, with 2 working in the primary work area, and 1-2 working in the showroom or office.

Parking Requirements

Per Torrance Municipal Code 95.3.15(k) the parking requirement for service bays is a minimum of 3 parking spaces for each service bay. Staff has historically counted the bay itself as 1 space, thus requiring 2 net spaces per bay.

Staff notes that historically the Planning Commission has approved vehicle repair facilities with a blended parking ratio of 2 net spaces per bay/lift, a commercial service rate of 1 parking space for every 250 square feet (1:250) for customer areas (lobby, waiting lounge, retail section, etc.), and an office rate of 3 parking spaces for every 1,000 square feet (3:1,000) for office areas.

However, as the business does not have a retail component nor a formal customer waiting area, staff recommends incorporating the auto dealership standard instead, with 1 parking space for every 2,000 square feet (1:2,000) of display area, plus 1 parking space for every 2 employees. This becomes a blended parking ratio of: 1:2,000 for the showroom plus 1 parking space for

every 2 employees; 3:1,000 for office; and two net spaces per lift/service area. This results in a parking requirement of 9 spaces, with the aforementioned 10 spaces provided. Therefore, staff does not anticipate a parking conflict.

Staff conducted a site visit of the subject property and observed that it was generally maintained and in good repair. The site currently lacks a trash enclosure, but as previously mentioned, a new trash enclosure is proposed as part of the project.

Staff recommends typical conditions of approval related to vehicle repair facilities such as all persons associated with the use shall park onsite, all service and repair activities shall be indoors, no overnight outdoor storage of vehicles, no outdoor storage of parts/inventory/tires/etc., and all loading and unloading shall be onsite.

Conclusion

In the judgment of staff, the proposed automotive services facility, as conditioned, is compatible with the surrounding uses which are industrial and commercial in nature. The project will not conflict or interfere with the adjacent industrial businesses, and provides adequate parking. Therefore, staff recommends approval of the subject request, as conditioned.

The applicant is advised that a partial list of Code requirements has been included as an attachment to the staff report and is not subject to modification. Decisions made by the Planning Commission may be appealed to the City Council within 15 calendar days of adoption of the resolution.

As of the preparation of this report, no written correspondence has been received pertaining to the project.

PROJECT RECOMMENDATION: APPROVAL

FINDINGS OF FACT IN SUPPORT OF APPROVAL OF THE REQUEST:

Findings of fact in support of the subject request are set forth in the attached Resolution.

RECOMMENDED CONDITIONS, IF THE PROJECT IS APPROVED:

Recommended conditions of the subject request are included in the attached Resolution.

Prepared by,

Respectfully submitted,

/s/ Soc Angelo Yumul
Planning Associate

/s/ Leo Oorts
Planning Manager

Attachments:

1. Resolution No. 24-006
2. Location and Zoning Map
3. Project Narrative
4. Code Requirements
5. Project Plans (Limited Distribution)

ITEM 8A
ATTACHMENT 1
RESOLUTION NO. 24-006

PLANNING COMMISSION RESOLUTION NO. 24-006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 3 OF THE TORRANCE MUNICIPAL CODE, TO ALLOW THE OPERATION OF AN AUTOMOTIVE SERVICES FACILITY ON PROPERTY LOCATED IN THE M-1 ZONE AT 2416 AMSLER STREET.

**CUP23-00029: LIAAUTOMOTIVE, LLC
(US TELECOM ALLIANCE)**

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on February 7, 2024, to consider an application for a Conditional Use Permit filed by LiaAutomotive, LLC (US Telecom Alliance) to allow the operation of an automotive services facility, on property located in the M-1 Zone at 2416 Amsler Street; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 5, Article 1 of the Torrance Municipal Code; and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property is located at 2416 Amsler Street;
- b) That the property is described as TR=23327 E 50 FT OF LOT 3, as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That licensing of an existing private structure involving negligible or no expansion of use beyond that previously existing is Categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15301;
- d) That the proposed automotive services facility is conditionally permitted in the Light Manufacturing District (M-1 Zone) and complies with all of the applicable provisions of the Torrance Municipal Code, as conditioned;
- e) That the proposed automotive services facility, as conditioned, will not impair the integrity and character of the Light Manufacturing District (M-1 Zone) because vehicle repair facilities are conditionally permitted and the automotive services facility is compatible with surrounding industrial uses, and has been conditioned to address potential operational nuisances;
- f) That the subject site is physically suitable for the proposed automotive services facility because the facility will occupy an industrial tenant space on property developed as a manufacturing building, located within an industrial corridor, and the existing access, ingress, egress, and parking will adequately service the proposed use;

- g) That the proposed automotive services training facility, as conditioned, will be compatible with existing and proposed future land uses within the Light Manufacturing District (M-1 Zone) and the general area in which the facility is located because the site is surrounded by industrial properties and uses, including manufacturing, an industrial business park and a laboratory, as well as nearby commercial uses, such as a shopping center to the northwest. In addition, the proposed hours of operation will not conflict with the adjacent and nearby businesses, and will not interfere with the surrounding uses in terms of parking and access;
- h) That the proposed automotive services facility, as conditioned, will encourage and be consistent with the orderly development of the City as provided for in the General Plan because the proposed use is located within the Industrial Business Park land use designation, which is characterized by a mixture of business, professional and medical office, research and development, light industrial uses, ancillary commercial uses, and include services such as an automotive services facility;
- i) That the proposed automotive services facility, as conditioned, will not discourage the appropriate existing or planned future use of surrounding property and tenancies because the automotive services facility is compatible with the existing surrounding uses and complies with all applicable development standards;
- j) That there will be adequate provisions for water, sanitation, and public utilities and services to ensure the proposed automotive services facility, as conditioned, is not detrimental to public health and safety;
- k) That there will be adequate provisions for public access to serve the proposed automotive services facility, because the project will maintain all existing pedestrian walkways and vehicular access points along Amsler Street, and improve ADA accessibility;
- l) That the location, size, design, and operating characteristics of the proposed automotive services facility will not be detrimental to the public interest, health, safety, convenience or welfare, or to the property of person located in the area because the proposed use has been thoroughly reviewed and found to be in compliance with the development standards of the M-1 Zone and because the site is surrounded by industrial properties and uses, including manufacturing, an industrial business park and a laboratory, as well as nearby commercial uses, such as a shopping center to the northwest;
- m) That the proposed automotive services facility, as conditioned, will not produce any or all of the following results:
 - Damage or nuisance from noise, smoke, odor, dust or vibration,
 - Hazard from explosion, contamination or fire,
 - Hazard occasioned by unusual volume or character of traffic or the congregating of large numbers of people or vehicles; and

WHEREAS, the Planning Commission by the following roll call vote APPROVED CUP23-00029, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that CUP23-00029 filed by LiaAutomotive, LLC (US Telecom Alliance) for approval of a Conditional Use Permit to allow the operation of an automotive services facility, on property located in the M-1 Zone at 2416 Amsler Street, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the development and use of the subject space as an automotive services facility shall be subject to all conditions imposed in Conditional Use Permit 23-00029 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the use shall be maintained in conformance with such maps, plans, drawings, specifications, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Conditional Use Permit is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period of time as provided for in Section 92.27.1;
3. That a copy of Planning Commission Resolution No. 24-006 shall appear on the building plans associated with the automotive services facility tenant improvements to facilitate coordination and effective implementation of the conditions of approval; (Planning)
4. That the hours of operation shall not exceed 8:00am – 6:00pm Monday – Saturday, and that no modification to the hours of operation shall be made without prior approval from the Community Development Director; (Planning)
5. That there shall be no outdoor or exterior telephones, speakers/sound system, unattended collection boxes, vending machines, kiosks, storage containers, etc. permitted onsite. Outdoor storage of vehicles/equipment/parts/tires/products/inventory shall be prohibited; (Planning)
6. That all persons associated with the operation shall be required to park onsite, including customers, clients, employees, deliveries, etc; (Planning)
7. That no public address speakers, radios, paging, telephone bells, buzzers, or similar signaling devices shall be used in conjunction with the use of the proposed building; (Planning)
8. That all service and repair activities shall be conducted inside the building; (Planning)
9. That vehicles serviced by this operation shall not be stored outside overnight; (Planning)
10. That all loading and unloading activities shall be conducted onsite; (Planning)
11. That should parking, traffic, or circulation issues arise, the project shall be reevaluated, and that the applicants shall continue to work with staff on securing a resolution, to the satisfaction of the Community Development Director; (Planning)
12. That within 30 days of the final public hearing, the applicant shall return the City's "Public Notice" sign and stake (provided there is no appeal) to Planning; (Planning)
13. That the business name and address shall be visible from street, and that hours of operation shall be visible at or near the business entrance; (Police/Planning)
14. That there shall be non-glare security lighting for parking lot; (Police/Planning)
15. That the applicants shall install alarmed doors for main access points; (Police/Planning)

16. That the applicants shall install surveillance cameras to monitor entry/exits, cash handling areas (as applicable), offices housing store assets, and parking lot. Security cameras shall be maintained in proper working order at all times and stored video data shall be made available to Police upon request. Surveillance footage shall be stored for no less than 60 days. Should the applicants elect to share video security feed access with Police, surveillance system shall be Open Network Video Interface Forum(ONVIF) capable; (Police/Planning)
17. That the applicants shall install rooftop numbers in order to assist law enforcement and other emergency personnel locate the property. The numbers shall be 4 feet high and 2 feet wide, spaced 12 inches apart, be parallel to the street, and be a non-reflective color that contrasts the color of the roof; (Environmental)
18. That the project shall provide 9-inch (minimum) contrasting address numerals for non-residential uses; (Environmental)
19. That all trash shall be kept in an enclosure that is bounded on three sides by a decorative wall, decorative trellis and solid doors, and shall be constructed of materials and of a design, color and texture which is architecturally compatible with the buildings and structures on the property. The trash enclosure for the subject building shall have a metal barrier roof covering to prevent rainwater intrusion to meet current NPDES requirements. Bins/containers shall be provided within trash enclosure for the storage and retrieval of trash and recyclable materials; (Environmental)
20. That the site shall provide bicycle rack(s). The applicants shall install onsite bicycle racks and submit placement plan and bicycle rack detail to the satisfaction of Environmental Division; (Environmental)
21. That all signs (new, modified or revised) must be approved by the Environmental Division with appeal rights to the Planning Commission, or comply with the previously approved sign program. Check for and comply with sign program on file; (Environmental)
22. That prohibited signage for this use shall include: freestanding or A-frame signs; signs attached to light or utility poles and trees; inflatable signs; air assisted signs; signs attached/mounted to the roof of the building; persons holding signs or twirlers; electronically moveable signs; electronically changing signs; bow/flag/feather banners; or any other temporary signage that violates Torrance Municipal Code requirements for temporary signs. Permits for banners must be obtained before use Directional signs and parking signage are allowable; and (Environmental)
23. That all conditions of all other City departments received prior to or during the consideration of this case by the Planning Commission shall be met.

Introduced, approved and adopted this 21st day of February 2024.

ATTEST:

Secretary, Torrance Planning Commission

Chairperson, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, LEO OORTS, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 21st day of February 2024, by the following roll call vote:

AYES: COMMISSIONERS:

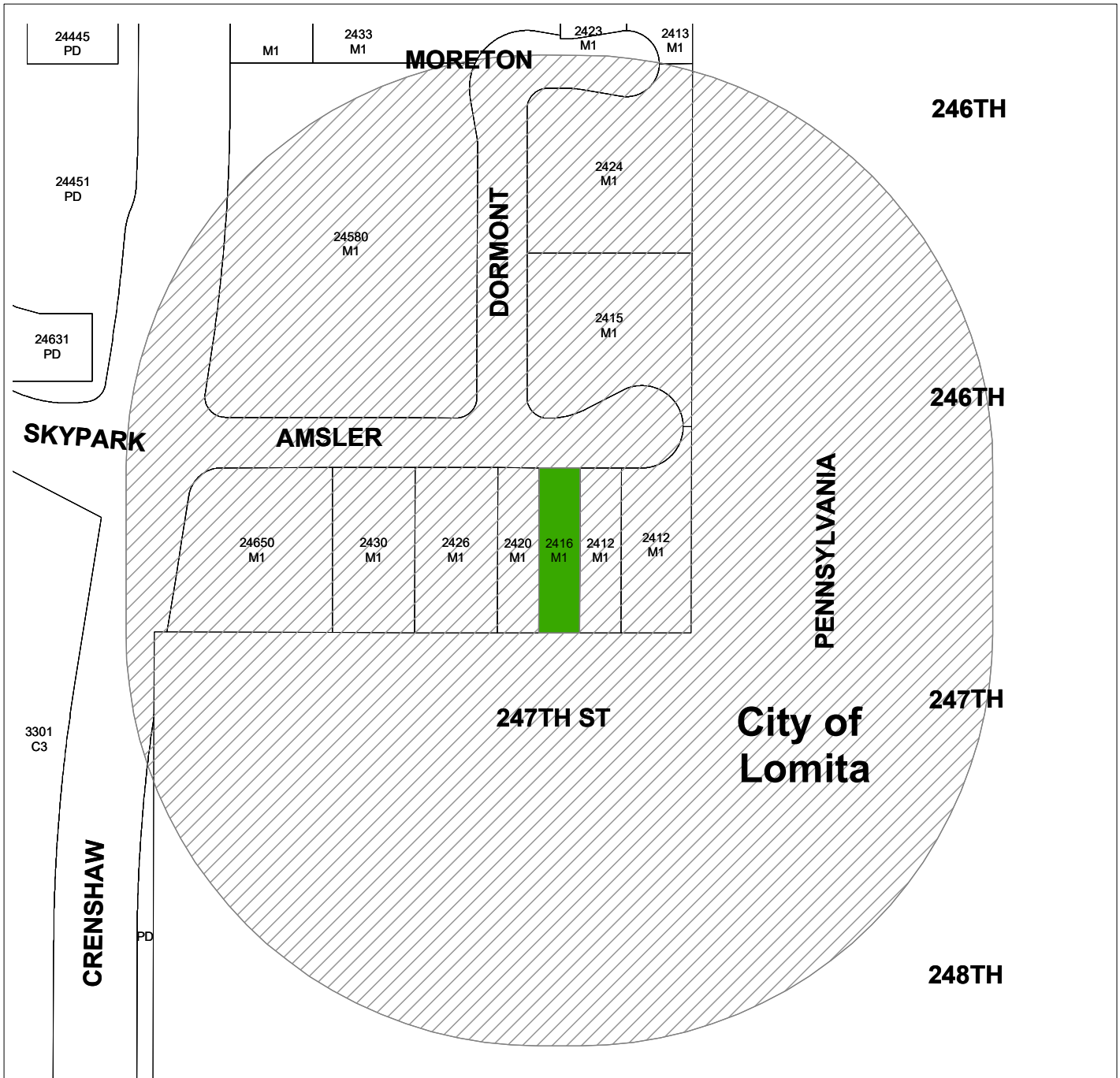
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

ITEM 8A
ATTACHMENT 2
LOCATION AND ZONING MAP



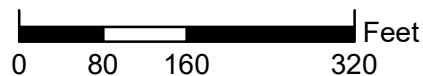
LOCATION AND ZONING MAP

CUP23-00029
2416 Amsler St



LEGEND

-  Notification Area
-  2416 Amsler St



ITEM 8A
ATTACHMENT 3
PROJECT NARRATIVE

TINT WORLD: AN OVERVIEW

Tint World's operation will be an entirely service-based business, not retail driven. Customer services will be provided via appointment only and the store front will be open to the public for display, estimate, and appointment setting purposes only. Approximately two appointments will be scheduled each day. Customers will drop their vehicles off at the building and will return to pick their vehicle up 1 to 2 days later. Customers will not wait onsite. We anticipate that two vehicles will be serviced per day, 12 per week, and 48 per month.

General business hours are Monday through Saturday from 8am to 6pm with the business being closed on Sundays. Our store is expected to have a maximum of 4 employees on site at any given time with 2 employees working in the warehouse area and 1-2 people working in the office/showroom area.

Drivers use tinted glass to limit sun exposure and its harmful UV rays, lower interior temperatures, and increase privacy. LiaAutomotive's Tint World will offer a wide range of automotive services that will appeal to the local community, including window tinting, detailing, reconditioning, wheel and tire services, and the installation of security and audio-visual systems. Furthermore, the Company operations at the site will not only provide a popular service to members of the community but it will also be a source of sales tax for the City. Founded in 1982, Tint World is the largest auto styling franchise operation in the country and will back the Company with substantial operational and marketing support.

Product and Services Description

Tint World offers a huge array of services to meet nearly any automotive need. Whether a customer wants a few slight modifications or a complete overhaul of their vehicle, Tint World will become the number-one resource in the area. LiaAutomotive's Tint World will consult with experts in the industry when designing its facilities to maximize efficiency. The Company will also offer residential and commercial window tinting. Window tinting can block a staggering 86% percent of the sun's heat, improving energy efficiency.¹ It blocks infrared light – which carries over 50% of the sun's heat – as well as UV light.² This can save up to 30% of a commercial building's cooling costs.³ In houses, window films can reduce heat by 80%, cutting cooling costs in half. When it comes to heating, the film helps keep the heated air inside the home, resulting in lower heating costs.⁴ The Company's Tint World will offer the following services:

- Adapted vehicle products
- Detailing
- Reconditioning
- Window tinting
 - Auto
 - Commercial buildings
 - Residences
 - Boats and yachts
- Accessories Installation
 - Car covers
 - Tonneau covers
 - Grille guards
 - Chrome trim packages
 - Lighting
 - Seat covers
 - Floor mats
- Paint protection treatments
- Vehicle Wraps and graphics
- Security alarm systems
- Remote start
- Audio and video systems
- Mobile electronics
- Custom wheels and tires
- Marine styling & window tinting
- Boat graphics & wraps
- Pedal & shift knobs
- Custom dash kits
- Body kits
- Custom gauges
- Train horn kits
- Roof racks
- Running boards
- Bug deflectors

Window Tinting

Tinted glass is a multifunctional product that contributes to the global effort to reduce energy consumption by lowering temperatures in vehicles, homes, and commercial businesses. Tinted glass is also an ideal solution for reducing glare and light exposure for customers who have medical conditions exacerbated by the sun. Moreover, for cars and trucks, tinted glass can enhance the look and feel of an automobile or boat, making the driving experience more private and serene. For boat owners, tinting can be a necessity to reduce sun damage from near constant exposure from both the sun and reflection from the water. For residences and businesses, tinted windows can add privacy without compromising visibility; solar control window film can eliminate the need for other window treatments like blinds and drapes. Not only do tinted windows protect inhabitants from harmful UV rays, but they also keep interiors from fading and cracking as well.

Thank you for your consideration

ITEM 8A
ATTACHMENT 4
CODE REQUIREMENTS

CODE REQUIREMENTS

The following is a partial list of Code requirements applicable to the proposed project. Not all Code requirements are provided and the applicant is strongly advised to contact each individual department for further clarification. The Planning Commission may not waive or alter the Code requirements. They are provided for information purposes only.

BUILDING AND SAFETY

1. Comply with all California Codes and Torrance Ordinances.

ENVIRONMENTAL

2. The Van Accessible loading area shall be at least 8 feet wide and the words "NO PARKING" shall be painted on the ground within each loading access aisle in white lettering no less than 12-inches high and located so that it is visible to traffic enforcement officials.
3. All parking spaces, including handicap accessible spaces, must be double-lined striped and sized to meet Code (93.4.6).
4. Electrical and mechanical equipment, including all roof equipment, must be screened from view with materials that are compatible with the main structure. Staff approval of screening materials are required (92.30.2).
5. Direct lighting away from residential land uses (92.30.5).
6. Lot sweeping, deliveries and trash pick-up are prohibited between 10pm and 7am (92.30.4).

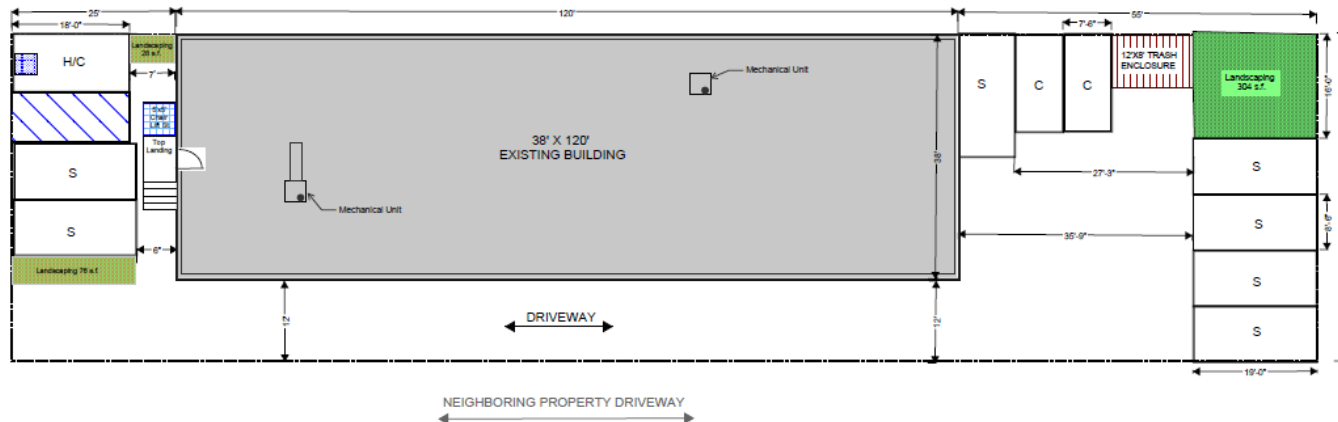
FIRE

7. Comply with California Fire Code.

PUBLIC WORKS

8. No improvements required at this time. However, for the property owner's reference: at such time a new parkway is created in the future, install a 24-inch box size Crape Myrtle tree "Natchez" every 50' for the width of this lot (74.3.2), and ensure new parkway is irrigated.

ITEM 8A
ATTACHMENT 5
PROJECT PLANS



SITE PLAN

1/8" = 1'-0"

PARKING REQUIREMENTS:

STORAGE	= 1/ 400 S.F.
OFFICE	= 1/ 333 S.F.
RETAIL	= 1/ 250 S.F.
WAREHOUSE	= 1/1500 S.F.

SITE INFORMATION		PARKING INFORMATION	
EXISTING BUILDING	4560 S.F.	STANDARD PARKING (8.5' X 19')	7
TRASH ENCLOSURE (8' X 12')	1	COMPACT PARKING (7.5' X 15')	2
STAIRS 4' X 4' AREA (4 STEPS)		ACCESSIBLE (9' X 18') + ACCESS AISLE	1
RAMP (27' Sloped Ramp + 3 Landings)		TOTAL PARKING	10
DRIVEWAY 12' WIDE		*TOTAL PARKING REQUIRED (9.1)	10
LANDSCAPE AREA	371 S.F.	*TOTAL PARKING PROVIDED	10

LEGEND

	LANDSCAPE AREA
	TRASH ENCLOSURE
	ACCESSIBLE PARKING STALL
	ACCESSIBLE ACCESS AISLE
	ACCESSIBLE LIFT

Site Address:	2416 Amsler Street, Torrance, CA
APN:	7376-003-030
Proposed Use:	Tint Shop / Auto Wrap
Occupancy Group:	M (Mercantile)
Type of Construction:	III-B
Building s.f.:	4560 s.f.
No. of Stories:	1
Lot size:	10,000 s.f.
Total Parking:	10 (7 Std + 2 Comp + 1 Accessible)
Min-Max Egress Dist:	121'
No. of Exits:	2 (1 front, 1 rear) 72' wide total
Bathrooms:	2 Unisex Accessible bathrooms
No. of Bays:	1
No. of Car Jacks:	1

DEVELOPMENT SOLUTION
 DEVELOPMENT@SOLUTIONS.AMFCORP.COM
 866-488-2789

PROPOSED: TENANT IMPROVEMENT (TINT WORLD)
 ADDRESS: 2416 AMSLER STREET, TORRANCE, CA 90505
 OWNER: MR. AND MRS BARANDEH

Date: 10/10/2023
 Scale: As indicated
 COVER SHEET
 Job: 23-C-012
 Sheet: A-1.0

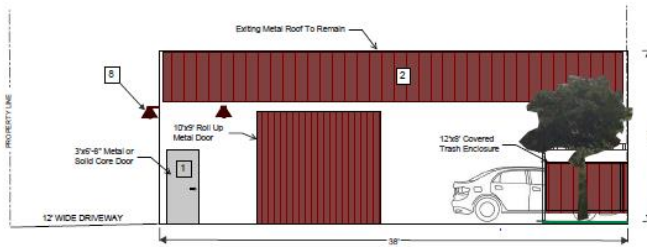


EXISTING FRONT VIEW

- NOTE:**
- 1 ALL EXISTING DOORS AND WINDOWS TO REMAIN.
 - 2 EXISTING METAL ROOF TO REMAIN.
 - 3 ACCESSIBLE 5'X5' LIFT TO BE PROVIDED.
 - 4 VERIFY IF THE EXISTING STAIRS AND HANDRAIL WILL MEET PROPOSED PLANS AND ACCESSIBILITY REQUIREMENT. IF NOT, CONSTRUCT PER PLAN.
 - 5 EXISTING GREEN IVY ON EXTERIOR WALL TO REMAIN.
 - 6 NEW SIGN (UNDER SEPARATE PERMIT).
 - 7 EXISTING STONE VENEER TO REMAIN.
 - 8 EXISTING EXTERIOR LIGHTS TO REMAIN.



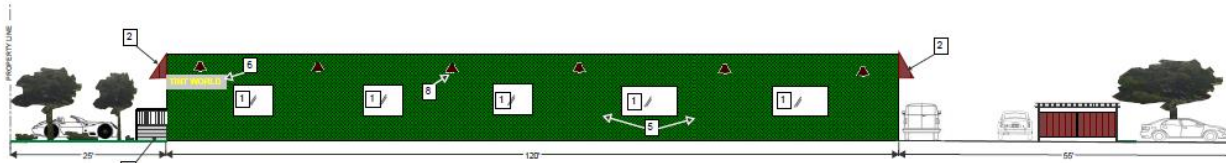
PROPOSED FRONT VIEW



SOUTH ELEVATION
1/4" = 1'-0"



NORTH ELEVATION
1/4" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"

DEVELOPMENT SOLUTION
 888.498.2766
 WWW.DEVELOPMENTSOLUTIONS.COM

PROPOSED: TENANT IMPROVEMENT (TINT WORLD)
 ADDRESS: 2416 ANSLER STREET, TORRANCE, CA 90505
 OWNER: MR. AND MRS BARANDEH



Date: 10/10/2023
 Scale: As indicated
 COVER SHEET
 Job: 23-C-012
 Sheet

A-2.0

AGENDA ITEM NO. 8B

CASE TYPE AND NUMBER: Modification – MOD23-00015

NAME: Michael Zislis (DA CIRCLE LLC)

PURPOSE OF APPLICATION: Request for approval of a Modification of a previously approved Conditional Use Permit (CUP18-00018) to allow the addition of an outdoor dining patio to an existing food hall building on property located in the H-DA2 Zone.

LOCATION: 21770 Del Amo Circle East

ZONING: H-DA2 (Hawthorne Boulevard Corridor Specific Plan – Del Amo Business Sub-district 2)

ADJACENT ZONING AND LAND USE:

NORTH:	H-DA2	Private Sump
SOUTH:	H-DA2	Commercial Shopping Center
EAST:	H-DA2	Commercial Shopping Center
WEST:	H-DA1	Regional Shopping Center

GENERAL PLAN DESIGNATION: Commercial Center

COMPLIANCE WITH GENERAL PLAN: The site is located within the Del Amo Business District (H-DA2 Zone) and the Commercial Center land use designation, which is described as the urban core of the City of Torrance, containing the largest and tallest buildings as well as the most diverse and highest concentration of land uses, such as the Del Amo Fashion Center along Hawthorne Boulevard and the surrounding commercial centers near Torrance Boulevard and Sepulveda Boulevard. The Commercial Center designation is implemented by the C-4, PD, and HBCSP Zones. The H-DA2 Zone and the Commercial Center designation permit a base density of 43 dwelling units per acre and allow mixed-use development to exceed a 1.0 Floor Area Ratio with approval of a Conditional Use Permit. The General Plan encourages the intensification of commercial uses on underutilized commercial properties. The existing food hall building with outdoor dining is consistent with the Commercial Center designation.

EXISTING IMPROVEMENTS AND/OR NATURAL FEATURES: The site is currently developed with a commercial building and onsite parking, constructed in 1969. There are no outstanding natural features on the subject property.

ENVIRONMENTAL FINDINGS: Minor alterations of existing structures, involving negligible expansion of the existing use, are Categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15301.

ANALYSIS: The project applicant, Michael Zislis, requests approval by the Planning Commission to allow a new outdoor dining patio addition to an existing food hall building on property located in the H-DA2 Zone at 21770 Del Amo Circle East. The development standards of the H-DA2 Zone and the Torrance Municipal Code (TMC) are applicable to the project, and therefore require discretionary review and approval of a Modification to a previously approved Conditional Use Permit (Record No. CUP18-00018) to allow modifications to the building and onsite parking. The balance of this report provides an overview of the project.

Project Site

The project site is located at the southeast corner of Plaza Del Amo and Del Amo Circle East, adjacent to a commercial center. The site is developed with a commercial building and onsite parking, and is surrounded by large scale commercial uses, such as a grocery market to the east, a retail store to the south, and a regional shopping center to the west. The commercial building measures 9,941 square feet and features a T-shape configuration with large roll up doors along the east and west elevations and an existing patio structure along the west side of the building.

Access to the site is provided via two driveways on Del Amo Circle and Plaza Del Amo that connect to private drive aisles and onsite circulation shared with the adjacent commercial center, and a pedestrian connection along Plaza Del Amo. The site contains 74 parking spaces that are distributed on all four sides of the building through a combination of angled and perpendicular spaces. Staff notes that 10 parking spaces are currently being displaced by a temporary patio located along the east side of the building.

Business Operation

The existing business operation involves a food hall with three individually licensed food vendors and a brewery that share common areas such as restrooms and the indoor and outdoor dining areas. No changes are proposed to the food hall business model nor the hours of operation. Staff notes the conditions of approval that are listed in the previously approved Conditional Use Permit (Record No. CUP18-00018) continue to apply.

Floor Plan

The project involves a new patio addition along the east side of the building to replace a temporary patio that was permitted during the COVID-19 pandemic. No modifications are proposed to the interior floor plan, which contains a brewery, a kitchen and bar, take-out service counters, restrooms, storage areas, and mechanical rooms.

The new patio addition along the east side of the building measures 1,092 square feet and contains bench seating for outdoor dining. The patio addition is accessed directly from the building through the large roll up doors as well as exterior passageways. The patio addition features a 13' tall aluminum truss shade structure that is attached to the building and is partially enclosed along the outer perimeter with planter boxes and bollards that are spaced intermittently. Staff recommends a condition of approval that the planter boxes be replaced with a permanent masonry planter along the outer perimeter as a design enhancement and that the bollards be maintained as a protective barrier as shown on the project plans. Staff also notes the Police Department recommends a condition of approval that the outdoor seating area shall be accessed only from the interior of the restaurant and that along the outer perimeter the self-closing gates will be for exit only.

No modifications are proposed the existing patio along the west side of the building; however, during a recent field visit staff observed the existing patio area was expanded from 485 square feet, as originally permitted, to now approximately 2,200 square feet without the benefit of a permit. Staff notes that insufficient parking is available onsite to accommodate the expanded seating area and therefore recommends a condition of approval that requires the existing patio structure, fencing, and outdoor seating area, all along the west side of the building to be reduced in size to 732 square feet as indicated on the project plans, and that the planter boxes be replaced with a permanent masonry planter along the outer perimeter as a design enhancement that matches the proposed patio addition along the east side of the building and with self-closing gates that are for exit only.

During the recent field visit staff also observed inventory stored outside, such as kegs stacked along the building, as well as large trash bins obstructing access to parking areas. Staff notes the building floor plan shows a storage area that measures 416 square feet and a trash room that measures 210 square feet; however, it is apparent there is insufficient indoor space to store inventory and trash for the food hall operation. Per the Hawthorne Boulevard Corridor Specific Plan (HBCSP) all trash bins

must be stored within a trash enclosure and all inventory must be stored within the building or an outside storage yard that is screened from public view. Staff notes there is sufficient outdoor space to construct a trash enclosure and storage yard alongside the building and therefore recommends a condition of approval that the applicant continue working with staff to identify the placement of new a trash enclosure and storage yard and that should these result in a reduction in size to the proposed patio addition along the east side of the building that amount of outdoor area may be utilized to increase the size of the existing patio along the west side of the building provided there is sufficient onsite parking.

Parking

Per Torrance Municipal Code 93.2.46 the parking requirement for food halls is 1 parking space for every 100 square feet (1:100) of dining area, and 1 parking space for every 250 square feet (1:250) of the remaining floor area. Using the blended ratio for food halls the parking requirement has been calculated at 64 spaces total, with 64 spaces provided onsite. Staff notes the proposed patio addition would displace 10 parking spaces located along the east side of the building, therefore leaving insufficient parking for a single tenant restaurant operation. Staff recommends a condition of approval that requires the food hall operation to consist of no less than three individually licensed businesses at all times, as defined by Torrance Municipal Code Section 91.2.177, and that should the food hall operation not consist of three or more individually licensed businesses for more than 90 consecutive calendar days, the Conditional Use Permit and Modification shall expire and become null and void in accordance with Torrance Municipal Code Section 95.1.9.

Conclusion

In the judgment of staff, the proposed patio addition, as conditioned, is compatible with surrounding uses and the food hall operation will continue to serve the employees and customers of surrounding businesses, and residences in the area. The project intensifies the commercial use, furthering the goals of the General Plan. The project is consistent with the orderly development of the City as provided for in the General Plan, which designates this site as Commercial Center. Therefore, staff recommends approval of the subject request, as conditioned.

The applicant is advised that a partial list of Code requirements has been included as an attachment to the staff report and is not subject to modification by the Planning Commission. Decisions made by the Planning Commission may be appealed to the City Council within 15 calendar days of adoption of the resolution.

PROJECT RECOMMENDATION: APPROVAL

FINDINGS OF FACT IN SUPPORT OF APPROVAL OF THE REQUEST:

Findings of fact in support of the subject request are set forth in the attached Resolution.

RECOMMENDED CONDITIONS IF THE PROJECT IS APPROVED:

Recommended conditions of the subject request are included in the attached Resolution.

Prepared by,

Respectfully submitted,

/s/ Riley Symons
Planning Assistant

/s/ Leo Oorts
Planning Manager

Attachments:

- 1. Resolution No. 24-007
- 2. Resolution No. 18-076
- 3. Code Requirements
- 4. Location and Zoning Map
- 5. Project Plans (Limited Distribution)

ITEM 8B

ATTACHMENT 1

RESOLUTION NO. 24-007

PLANNING COMMISSION RESOLUTION NO. 24-007

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A MODIFICATION OF A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT (CUP18-00018) AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 28 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE ADDITION OF AN OUTDOOR DINING PATIO TO THE EXISTING FOOD HALL, ON PROPERTY LOCATED IN THE H-DA2 ZONE AT 21770 DEL AMO CIRCLE EAST.

MOD23-00015: MICHAEL ZISLIS (DA CIRCLE LLC)

WHEREAS, on September 19, 2018, the Planning Commission of the City of Torrance approved a Conditional Use Permit (CUP18-00018) to allow the operation of a new restaurant with brewery and a Type 75 ABC license (On Sale General-Brewpub), in conjunction with a Waiver (WAV18-00011) to allow the reduction of the landscaped setback requirement, on property located in the H-DA2 Zone at 21770 Del Amo Circle East; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on February 21, 2024, to consider an application for a Modification of a previously approved Conditional Use Permit (CUP18-00018) filed by Michael Zislis (DA Circle LLC) to allow the addition of an outdoor dining patio to the existing food hall, on property located in the H-DA2 Zone at 21770 Del Amo Circle East; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 2, Article 28 of the Torrance Municipal Code; and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property is located at 21770 Del Amo Circle East;
- b) That the property is described as a Part of the Rancho San Pedro allotted to Manuel Dominguez Lot 17, as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That minor alterations of existing structures, involving negligible expansion of the existing use, are Categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15301
- d) That the proposed outdoor dining patio addition to an existing food hall building is conditionally permitted in the H-DA2 Zone and the project complies with all of the applicable provisions of the Torrance Municipal Code as conditioned;
- e) That the proposed outdoor dining patio addition to an existing food hall building will not impair the integrity and character of the H-DA2 Zone because foods halls with outdoor dining are conditionally permitted and the proposed patio addition is compatible with surrounding commercial uses;

- f) That the subject site is physically suitable for the proposed outdoor dining patio addition to an existing food hall building because the existing access, ingress, egress, and parking will adequately service the proposed use;
- g) That the proposed outdoor dining patio addition to an existing food hall building, as conditioned, will be compatible with existing and future land uses within the H-DA2 Zone and the general area in which the food hall is located because the site is surrounded by other commercial uses and will not interfere with the surrounding uses in terms of parking and access;
- h) That the proposed outdoor dining patio addition to an existing food hall building, as conditioned, will encourage and be consistent with the orderly development of the City as provided for in the General Plan because the proposed use is located within the Commercial Center land use designation, which is characterized as the urban core of the City of Torrance, containing the largest and tallest buildings as well as the most diverse and highest concentration of land uses, such as the Del Amo Fashion Center along Hawthorne Boulevard and the surrounding commercial centers near Torrance Boulevard and Sepulveda Boulevard;
- i) That the proposed outdoor dining patio addition to an existing food hall building, as conditioned, will not discourage the appropriate existing or planned future use of surrounding property or tenancies because the existing food hall building is compatible with the existing surrounding uses and complies will all applicable development standards;
- j) That there will be adequate provisions for water, sanitation, and public utilities and services to ensure that the existing food hall building, as conditioned, is not detrimental to public health and safety;
- k) That there will be adequate provisions for public access to serve the existing food hall building because the existing pedestrian and vehicle access points will be maintained along Del Amo Circle East and Plaza Del Amo;
- l) That the location, size, design, and operating characteristics of the proposed outdoor dining patio addition to an existing food hall building will not be detrimental to the public interest, health, safety, convenience or welfare, or to the property of person located in the area because the proposed use has been thoroughly reviewed and found to be in compliance with the development standards of the H-DA2 Zone and because the site is surrounded by commercial properties and uses, including a grocery market to the east, a retail store to the south, and a regional shopping center to the west;
- m) That the proposed outdoor dining patio addition to an existing food hall building, as conditioned, will not produce any or all of the following results:
 - Damage or nuisance from noise, smoke, odor, dust or vibration,
 - Hazard from explosion, contamination or fire,
 - Hazard occasioned by unusual volume or character of traffic or the congregating of large numbers of people or vehicles.

WHEREAS, the Planning Commission by the following roll call vote APPROVED MOD23-00015, subject to conditions:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS
ABSENT:	COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that MOD23-00015 filed by Michael Zislis (DA CIRCLE LLC) to allow the addition of an outdoor dining patio to the existing food hall building, on property located in the H-DA2 Zone at 21770 Del Amo Circle East, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the development and use of the subject space as an outdoor dining area in conjunction with a food hall building shall be subject to all conditions imposed in Planning Commission case Modification 23-00015 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the use shall be maintained in conformance with such maps, plans, drawings, specifications, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Modification is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period of time as provided for in Section 92.27.2;
3. That within 30 days of the final public hearing, the applicants shall remove the City's Public Notice" sign, provided there is no appeal, to the satisfaction of the Community Development Director; (Planning)
4. That a copy of Planning Commission Resolution No. 24-007 shall appear on the building plans associated with the patio addition and tenant improvements to facilitate coordination and effective implementation of the conditions of approval; (Planning)
5. That all applicable conditions of the previous entitlement (CUP18-00018) shall be met; (Planning)
6. That the food hall operation shall consist of no less than three individually licensed businesses at all times, as defined by Torrance Municipal Code Section 91.2.177, and that should the food hall operation not consist of three or more individually licensed businesses for more than 90 consecutive calendar days, the Conditional Use Permit and Modification shall expire and become null and void in accordance with Torrance Municipal Code Section 95.1.9; (Planning)
7. That any use of sound amplifying equipment shall comply with the provisions for amplified sound as listed in Division 3, Chapter 3, Article 4, and Division 4, Chapter 6, Article 5 of the Torrance Municipal Code; (Planning)
8. That any form of live entertainment shall be prohibited unless approved by the Planning Commission or License Review Board in accordance with the provisions for live entertainment as listed in Division 3, Chapter 5, Article 5 of the Torrance Municipal Code, or as part of a Temporary Event Permit approved by the Community Development Director; (Planning)
9. That any sale or service of food or beverages for onsite consumption in outdoor areas shall comply with the provisions for outdoor restaurants as listed in Division 3, Chapter 5, Article of the Torrance Municipal Code; (Planning)
10. That all new restaurant operators shall obtain approval of a business license through the City of Torrance License Review Board prior to commencing operations; (Planning)

11. That the applicant shall continue to work with staff to identify the placement of new a trash enclosure and storage yard alongside the building and that should these result in a reduction in size to the proposed patio addition along the east side of the building that amount of outdoor area displaced may be utilized to increase the size of the existing patio along the west side of the building provided there is sufficient onsite parking and to the satisfaction of the Community Development Director; (Planning)
12. That all inventory and trash shall be stored inside the building or within the new trash enclosure and storage yard; (Planning)
13. That the planter boxes shall be replaced with a permanent masonry planter along the outer perimeter of the outdoor dining areas and that bollards be maintained as a protective barrier to the satisfaction of the Community Development Director; (Planning)
14. That the existing patio structure, fencing, and outdoor seating area, all along the west side of the building shall be reduced in size, as indicated on the project plans, and that the planter boxes shall be replaced with a permanent masonry planter along the outer perimeter as a design enhancement that matches the proposed patio addition along the east side of the building to the satisfaction of the Community Development Director; (Planning)
15. That all new restaurant operators shall obtain the appropriate alcohol license for the business model and shall comply with the conditions and regulations of the California Department of Alcohol Beverage Control (ABC); (Police)
16. That security cameras shall be provided at the outdoor dining patio area and that the security footage shall be retained for at least 60 days. The video security system shall be Open Network Video Interface Forum (ONVIF) compatible to enable the applicant to allow select or universal access to law enforcement in situations such as a crime in progress; (Police)
17. That all outdoor seating areas shall be accessed only from the interior of the food hall building and shall not be accessible to pedestrian traffic outside of the building and that self-closing gates shall be for exit only; (Police)
18. That the applicant submit a noise attenuation plan to the satisfaction of the Environmental Division and that the recommendations of the Noise Study/Noise consultant shall be adhered to and incorporated into plans submitted to the City of Torrance. Plans shall show how noise recommendations will mitigate noise, so that when completed, this use will comply with the Torrance Municipal Code and will not disturb neighboring properties; and (Environmental)
19. That all conditions of all other City departments received prior to or during the consideration of this case by the Planning Commission shall be met.

Introduced, approved and adopted this 21st day of February 2024.

ATTEST:

Secretary, Torrance Planning Commission

Chairperson, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, LEO OORTS, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 21st day of February 2024, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

ITEM 8B
ATTACHMENT 2
RESOLUTION NO. 18-076

PLANNING COMMISSION RESOLUTION NO. 18-076

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 3 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE OPERATION OF A NEW RESTAURANT WITH BREWERY AND A TYPE 75 ABC LICENSE (ON SALE GENERAL-BREW PUB), IN CONJUNCTION WITH A WAIVER FOR THE REDUCTION OF THE LANDSCAPE SETBACK REQUIREMENT, ON PROPERTY LOCATED IN THE H-DA2 ZONE AT 21770 DEL AMO CIRCLE EAST.

**CUP18-00018: DAVID ZISLIS
(GLAZER DIANE P CO TR)**

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on September 19, 2018, to consider an application for a Conditional Use Permit filed by David Zislis (Glazer Diane P Co Tr) to allow the operation of a new restaurant with brewery and a Type 75 ABC license (On Sale General-Brewpub), in conjunction with a Waiver for the reduction of the landscape setback requirement, on property located in the H-DA2 Zone at 21770 Del Amo Circle East; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 5, Article 2 of the Torrance Municipal Code; and

WHEREAS, a new restaurant and brewery with a Type 75 ABC License is Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, Sections 15301-Existing Facilities and 15305-Minor Alterations in Land Use Limitation; and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property for this Conditional Use Permit is located at 21770 Del Amo Circle East;
- b) That the property is described as a portion of Lot 3 of Parcel Map 3011 per map filed in Book 39, page 66 of Parcel Maps, per maps recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That the proposed restaurant with brewery, as conditioned, is conditionally permitted in the H-DA2 Zone and the project complies with all of the applicable provisions of the Torrance Municipal Code as conditioned;
- d) That the proposed use will not impair the integrity and character of the zoning district because restaurants are conditionally allowed in the H-DA2 Zone;
- e) That the subject site is physically suitable for the type of land use being proposed because the proposed restaurant with brewery operation is an adaptive re-use of an existing commercial building, is within the height and FAR requirements, and the proposed layout will

comply with parking requirements;

- f) That the proposed restaurant with brewery operation, as conditioned, will be compatible with existing and future uses within the district because there is currently a mix of uses including grocery, service, and retail uses on surrounding properties;
- g) That the proposed use, as conditioned, will encourage and be consistent with the orderly development of the City as provided for in the General Plan General Commercial designation and the H-DA2 Zoning designation as the restaurant with brewery operation is conditionally permitted in the Zone and is consistent with the General Plan;
- h) That the proposed use, as conditioned, will not discourage the appropriate existing or planned future use of surrounding property or tenancies as a restaurant with brewery operation can provide service to the existing surrounding uses;
- i) That there will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed development is not detrimental to public health and safety;
- j) That there will be adequate provisions for public access to serve the proposed use because the existing vehicle and pedestrian access will be improved along with clearer on-site circulation;
- k) That the proposed location, size, design, and operating characteristics of the proposed use would not be detrimental to the public interest, health, safety, convenience or welfare, or to the property of person located in the area;
- l) That the proposed use, as conditioned, will not produce any or all of the following results:
 - Damage or nuisance from noise, smoke, odor, dust or vibration,
 - Hazard from explosion, contamination or fire,
 - Hazard occasioned by unusual volume or character of traffic or the congregating of large numbers of people or vehicles.

WHEREAS, the Planning Commission by the following roll call vote APPROVED CUP18-00018, subject to conditions:

AYES:	COMMISSIONERS:	TSAO; RUDOLPH; GOBBLE; D'ANJOU; MARSHALL AND CHAIRPERSON POLCARI
NOES:	COMMISSIONERS:	FRENCH
ABSENT:	COMMISSIONERS:	NONE
ABSTAIN:	COMMISSIONERS:	NONE

NOW, THEREFORE, BE IT RESOLVED that CUP18-00018 filed by David Zislis (Glazer Diane P Co Tr) to allow the operation of a new restaurant with brewery and a Type 75 ABC license (On Sale General-Brewpub) in conjunction with a Waiver for the reduction of the landscape setback requirement, on property located in the H-DA2 Zone at 21770 Del Amo Circle East, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the development and use of the subject space as a restaurant with brewery and a Type 75 ABC license (On-Sale General-Brewpub) shall be subject to all conditions imposed in Planning Commission case Conditional Use Permit 18-00018 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the use shall be maintained in conformance with such maps, plans, drawings, specifications, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Conditional Use Permit is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period of time as provided for in Section 92.27.2;
3. That all conditions of Waiver 18-00011 and subsequent land use entitlements shall be met; (Planning)
4. That within 30 days of the final public hearing, the applicants shall remove the City's Public Notice" sign, provided there is no appeal, to the satisfaction of the Community Development Director; (Planning)
5. That the applicant shall comply with all conditions required by the Department of Alcoholic Beverage Control (ABC) in their approval of this request; (Planning)
6. That a sign shall be placed that states "NO ALCOHOL BEYOND THIS POINT" to the satisfaction of the Community Development Director; (Planning)
7. That the applicant modify the unisex restroom to eliminate exterior access and provide access from inside the building only; (Planning)
8. That the roll-up doors shall be in the closed position no later than 10:00 PM, Sunday through Thursday and 11:00 PM, Friday and Saturday; (Planning)
9. That the applicants shall show proof of or grant a cross access easement, and any required amendments, with the property to the south prior to issuance of Building Permit; (Planning)
10. That the applicant shall provide updated square footage calculations prior to submitting plans for plan check; (Planning)
11. That if parking complaints arises from the project, the Community Development Director shall serve the operator of the location with a 24-hour notice to cease using the play patio until after office operating hours; (Planning)
12. That all vehicles associated with the restaurant and brewery, including but not limited to, employees, customers, clients, patrons, visitors, and deliveries, are required to park on site; (Planning)
13. That the applicant shall continually make every reasonable effort to notify their employees, customers, clients, visitors and guests, not to park offsite in the adjacent shopping center, but that they shall utilize the onsite parking facilities exclusively; (Planning)
14. That the applicant shall post signage onsite directing staff and patrons to not park in the adjacent shopping center; (Planning)
15. That there shall be no outdoor vending machines, pay phones, kiosks, storage containers, food trucks, etc. permitted onsite; (Planning)

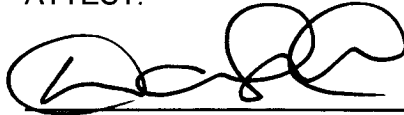
16. That a landscape plan shall be submitted to the Community Development Department for approval prior to the issuance of any building permits and shall be implemented prior to occupancy. The plan shall utilize drought resistant/xeriscape plant materials, and shall provide state-of-the-art water saving irrigation system and/or drip irrigation for larger shrubs and trees. That if more than 500 square feet is irrigated, the project shall comply with the 2015 State Water Efficient Landscape Ordinance. Landscaping shall be maintained to the satisfaction of the Community Development Director; (Planning)
17. That an exterior photometric lighting plan, in compliance with the California Green Code (CGC), shall be submitted to the Community Development Department for approval prior to the issuance of any building permits. The lighting plan shall ensure that all parking areas and pathways are provided with adequate illumination, security lights shall be non-glaring, all building lighting shall be properly shaded and reflected to prevent excess lighting and glare onto adjacent properties and public streets, and that the light fixtures in the parking areas shall be positioned in line with the parking striping so as not to prevent vehicle overhang, to the satisfaction of the Community Development Director; (Planning)
18. That a roof plan shall be submitted to the Community Development Department for approval prior to the issuance of any building permits. The roof plan shall ensure all roof appurtenances, such as ducts and vents, all mechanical equipment, electrical boxes, meters, pipes, transformers, air conditioners and all other equipment on the roof shall be completely screened from public view with materials compatible with the building. Such equipment or screening material shall be constructed in such a manner that noises emanating from the roof appurtenances shall not be audible beyond the property lines; (Planning)
19. That exterior color and material samples, incorporating the use of District Color of Eggplant Purple (Pantone Matching System Reference #255) shall be submitted to the Community Development Director for approval prior to the issuance of any building permits; (Planning)
20. That the applicant retain the services of a Licensed Traffic Engineer to study the potential for left-turn movements and work cooperatively with the adjacent property owner and City Traffic Engineer to determine if left-turning movements can be safely accommodated to the satisfaction of the Community Development Director; (Planning)
21. That the applicant shall design a security camera surveillance plan for review and approval by the Torrance Police Department prior to installation noting the placement of security cameras at all building entries and exits, bathrooms, as well as various locations in the parking area and that such video footage shall be retained for a period of thirty (30) calendar days and be made available to the Torrance Police Department upon request by the Torrance Police Chief; (Police)
22. That the applicants shall secure and maintain the appropriate ABC License per proposed business model; (Police)
23. That the business name and address shall be visible from street; (Police)
24. That the hours of operation shall be visible at or near the business entrance; (Police)
25. That the applicant shall provide non-glare lighting for the parking lot; (Police)
26. That signs require a separate permit, including any proposed murals, and must be reviewed and approved by the Environmental Division; (Environmental)
27. That all mechanical equipment, including roof equipment must be screened from view with materials that are compatible with the building; (Environmental)

28. That the applicant shall install on-site bicycle rack and submit placement plan and bicycle rack detail to the satisfaction of the Environmental Division; (Environmental)
29. That the following types of signage shall be prohibited: A-frame or free standing; bow or flag banners; air-assisted or inflatables; signs attached to light/utility poles, trees, vehicles, or on the roof of the building; persons holding signs; or any other temporary signage that violates Torrance Municipal Code requirements for temporary signs; permits for banners must be obtained before use; and (Environmental)
30. That all conditions of all other City departments received prior to or during the consideration of this case by the Planning Commission shall be met.

Introduced, approved and adopted this 3rd day of October 2018.


Chairman, Torrance Planning Commission

ATTEST:


Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Danny Santana, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 3rd day of October 2018, by the following roll call vote:

AYES:	COMMISSIONERS:	TSAO; RUDOLPH; GOBBLE; D'ANJOU; MARSHALL AND CHAIRPERSON POLCARI
NOES:	COMMISSIONERS:	FRENCH
ABSENT:	COMMISSIONERS:	NONE
ABSTAIN:	COMMISSIONERS:	NONE



Secretary, Torrance Planning Commission

ITEM 8B
ATTACHMENT 3
CODE REQUIREMENTS

CODE REQUIREMENTS

The following is a partial list of Code requirements applicable to the proposed project. Not all Code requirements are provided and the applicant is strongly advised to contact each individual department for further clarification. The Planning Commission may not waive or alter the Code requirements. They are provided for information purposes only.

BUILDING AND SAFETY

1. Comply with all current Codes: CBC, CMC, CEC, CPC, and CGBC.

ENVIRONMENTAL

2. The proponent shall provide Los Angeles County Health Department certification prior to the issuance of building permits.

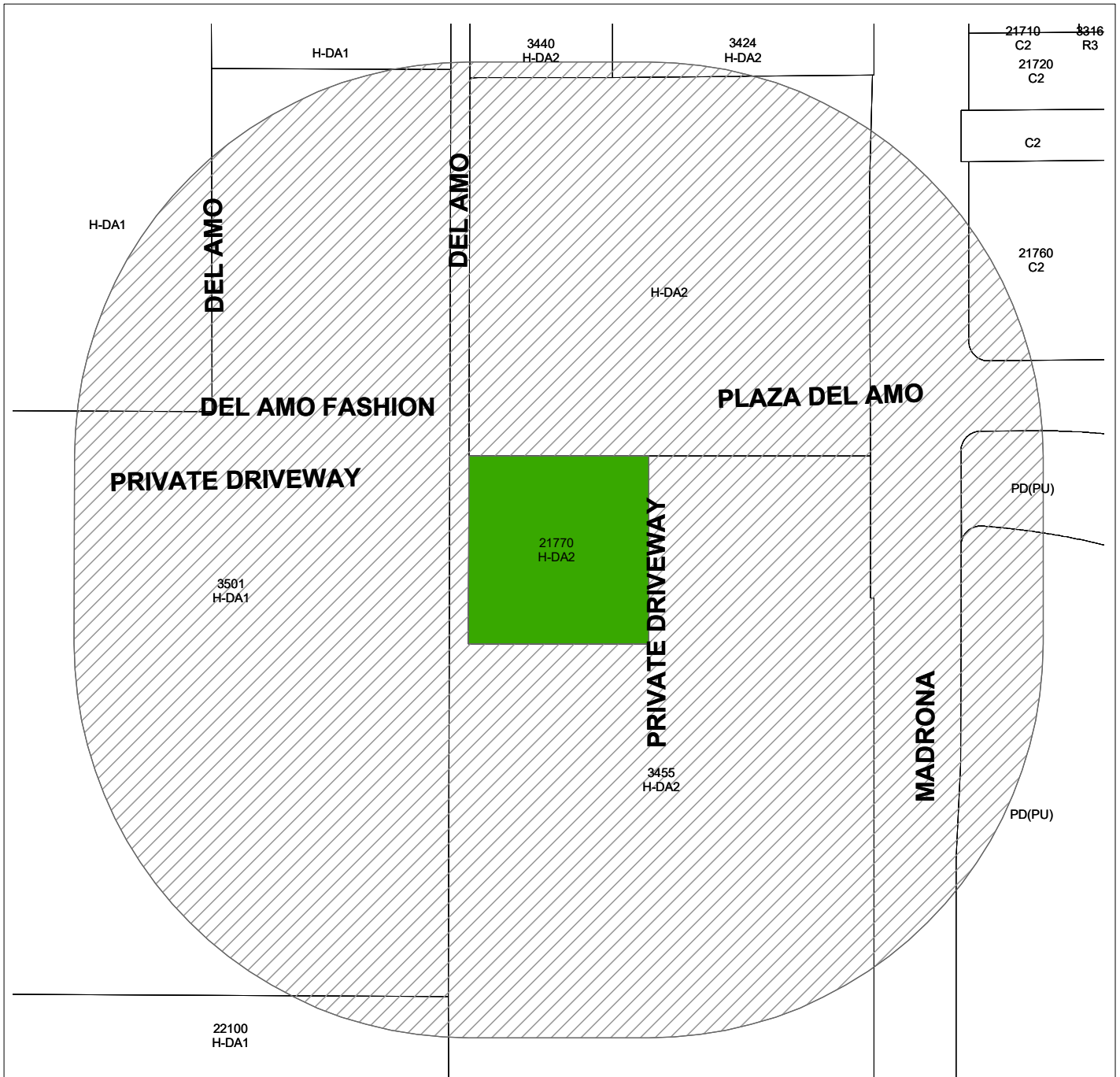
WATER

3. This property is not within the City of Torrance Municipal Water service area. Contact California Water Service Company at 310-257-1400 for water information.

ENGINEERING

4. Provide evidence of reciprocal cross access easement for ingress, egress, sewer, drainage, water, and utility purposes between adjacent properties.

ITEM 8B
ATTACHMENT 4
LOCATION AND ZONING MAP



LOCATION AND ZONING MAP

MOD23-00015
21770 Del Amo Circle East



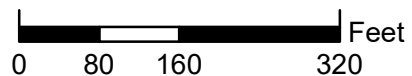
LEGEND



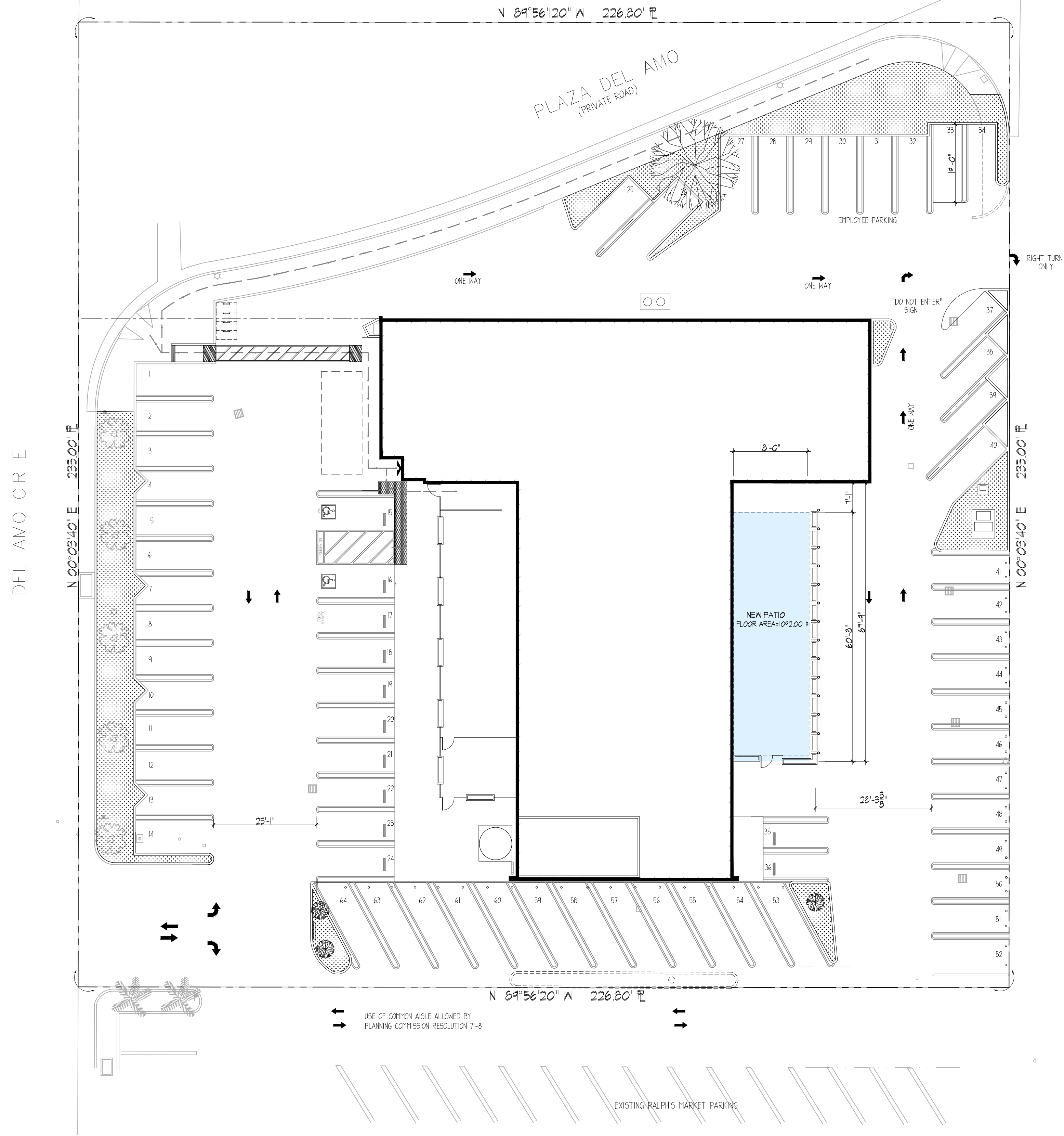
Notification Area



21770 Del Amo Circle East



ITEM 8B
ATTACHMENT 5
PROJECT PLANS



SITE PLAN
SCALE: 1/16"=1'-0"

PROJECT ANALYSIS

A.P.N. 7366-09-07	= 53,298.00 sq.ft.
ZONING = HBC5P (DA-1)	= 9,941.00 sq.ft.
EXISTING ONE STORY BUILDING	= 9,941.00 sq.ft.
EXISTING AREA TO REMAIN	= 9,941.00 sq.ft.
CONDITIONED FLOOR AREA	= 9,941.00 sq.ft.
EXISTING USE:	
CHINGON KITCHEN & BUZZROCK BREWERY	= 7,421.00 sq.ft.
(E) DINING PATIO	= 732.00 sq.ft.
PROPOSED USE:	
CHINGON FOOD HALL & BUZZROCK BREWERY G.M.F.A.	= 7,421.00 sq.ft.
(E) DINING PATIO	= 732.00 sq.ft.
NEW DINING PATIO	Δ 1,092.00 sq.ft.
PARKING DEMAND (ARTICLE 2 T.M.C.)	
93.2.66 FOOD HALL AREA (RESTAURANT / BAR)	2,674.00/100 = 26.74
93.2.66 RETAINING AREA KITCHEN AREA	2,246.00/250 = 8.98
STORAGE AREA	416.00/250 = 1.66
93.2.18 BREWING AREA	Δ 1,095.00/250 = 8.34
(E) PATIO DINING	732.00/100 = 7.32
NEW PATIO DINING	Δ 1,092.00/100 = 10.92
PARKING DEMAND	63% = 64 PARKING STALLS
PARKING PROVIDED	= 64 PARKING STALLS
PARKING PROVIDED:	
58 STANDARD SPACES (CBC 11B-206.2 - 2 ACCESS SPOTS REQUIRED)	
6 COMPACTS (64 X 108' = 6.4 = 6 ALLOWED)	
64 TOTAL H. LOADING @ 10'X25' SEC. 3.31	

E.B.E. associates, inc.
PLANNING . ARCHITECTURAL DESIGN . EXPEDITING

3125 N. ANDRITA STREET
GLASSSELL PARK, CA 90065
(323) 550-8335 (323) 550-8337
ebe@ebeassociates.com

TENANT:
BUZZROCK BREWING CO.
321 12th STREET SUITE 112
MANHATTAN BEACH, CA 90266
310.546.7800

PROJECT:
BREWS & FOOD HALL TORRANCE
21770 DEL AMO CIRCLE EAST
TORRANCE, CA 90503

MARK	DATE	DESCRIPTION
1	11/26/2023	Planning Corrections v.1
2	12/06/2023	Planning Corrections v.2
3		
4		
5		

SITE PLAN

PROJECT NUMBER: 23-2583TZG
DRAWN BY: EDEL G. VERA
DATE: 10/30/2023

ALL RIGHTS RESERVED. NOT PART OF THESE DOCUMENTS MAY BE REPRODUCED OR UTILIZED IN ANY FORM WITHOUT THE PRIOR WRITTEN AUTHORIZATION OF E.B.E. ASSOC. INC.

SHEET NUMBER
A-1.0

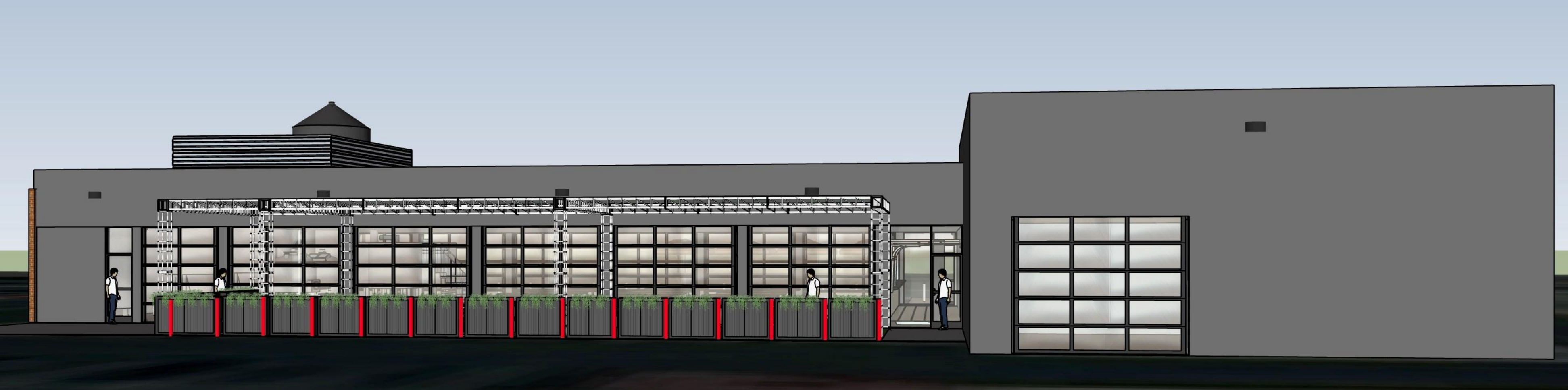
PLANNING DEPARTMENT
GEN-V-3

I HEREBY CERTIFY THAT THESE CONSTRUCTION DOCUMENTS WERE PREPARED BY ME, OR UNDER MY SUPERVISION.

EDEL VERA - DESIGNER
B-72460

THE DRAWINGS, SPECIFICATIONS, IDEAS AND ARRANGEMENTS ARE AND SHALL REMAIN PROPERTY OF E.B.E. ASSOCIATES, INC. NO PART THEREOF SHALL BE COPIED OR USED IN CONNECTION WITH ANY PROJECT OTHER THAN THE SPECIFIC ONE FOR WHICH THEY HAVE BEEN PREPARED WITHOUT THE COMPANY'S WRITTEN CONSENT. VISUAL CONTACT WITH THESE DRAWINGS OR SPECIFICATIONS SHALL CONSTITUTE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.





AGENDA ITEM NO. 8C

CASE TYPE & NUMBER: Precise Plan of Development – PRE23-00009
Waiver – WAV23-00009

NAME: Mary Wu (Linda and Richard Morioka)

PURPOSE OF APPLICATION: Request for approval of a Precise Plan of Development to allow the construction of a new two-story single-family residence with a semi-subterranean garage, in conjunction with a Waiver of the front yard fence height limit, on property located within the Hillside Overlay in the R-1 Zone.

LOCATION: 202 Paseo De Suenos

ZONING: R-1 Single-Family Residential District / R-H Hillside Overlay

ADJACENT ZONING AND LAND USE:

NORTH: R-1 / R-H One-Story Single-Family Residences
SOUTH: R-1 / R-H One-Story Single-Family Residences
EAST: R-1 / R-H Two-Story Single-Family Residences
WEST: R-1 / R-H One-Story Single-Family Residences

GENERAL PLAN DESIGNATION: Low Density Residential

COMPLIANCE WITH GENERAL PLAN: The site has a General Plan land use designation of Low Density Residential allowing up to nine dwelling units per acre. Development in the Low Density Residential (R-LO) land use designation is characterized generally by detached one and two-story single-family residences on individual lots forming a cohesive neighborhood. The proposed construction of a new two-story single-family residence is consistent with the Low Density Residential land use designation.

EXISTING IMPROVEMENTS AND/OR NATURAL FEATURES: The subject property contains a one-story single-family residence with a two-car garage, constructed in 1955. The property features an upslope at the front northeast corner and has a relatively flat building pad situated above Paseo De Suenos.

ENVIRONMENTAL FINDINGS: In residential zones the construction of a new two-story single-family residence, in conjunction with a Waiver of the front yard fence height limit, are Categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Sections 15303 New Construction and 15305 Minor Alterations.

ANALYSIS:

The project applicant, Mary Wu, requests approval by the Planning Commission to allow the construction of a new two-story single-family residence with semi-subterranean garage, in conjunction with approval of a Waiver of the front yard fence height limit, on property located within the Hillside Overlay in the R-1 Zone at 202 Paseo De Suenos. The development standards of the R-1 Zone (Single Family Residential District) as well as the planning and design provisions of the Hillside Overlay are applicable to the project, and therefore require discretionary review and approval of a Precise Plan of Development (PRE) to allow new construction above 14' in height. The balance of this report provides an overview of the project.

Project Site

The project is situated on a rectangular shape lot measuring 7,529 square feet in area, which exceeds the minimum lot area and minimum dimensions required in the R-1 Zone. The project site is orientated toward the northwest and is located on the southern side of Paseo de Suenos between Paseo de La

Playa and Camino de Encanto. The pad height of the adjacent one-story residence to the west at 116 Paseo de Suenos sits slightly below the project site, whereas the pad height of the adjacent two-story residence to the east at 206 Paseo de Suenos sits above the project site. Similarly, the one-story residences across the street feature building pads that are slightly lower than the project site, decreasing in height towards the west.

As proposed, the building pad for the new residence would be maintained at the same level as the existing residence but would be lowered along the westerly portion approximately 8.84' below the existing grade to accommodate the proposed semisubterranean level. A series of retaining walls and an on-grade stairway are proposed in the front yard to access the main entry.

The proposed residence is positioned at center of the project site and provides an 11' front yard setback measured from the front balcony and a 20' average front yard setback to the front property line, a 6'-4" west side yard setback, a 7'-3" east side yard setback, and a 33'-3" rear yard setback to the rear property line, all which meet or exceed the minimum setback requirements of the R-1 Zone. Staff notes per Torrance Municipal Code Section 92.5.2(b) the proposed front balcony may extend 4' into the required 15' front yard setback.

Building Height

The proposed residence consists of two floor levels and measures 22.25' in height from the topmost ridgeline (130.11') down to the proposed lowest adjacent grade (107.86') along the front side of the residence, within the allowable 27' height limit for a two-story residence in the R-1 Zone. Staff notes for properties located within the Hillside Overlay, new construction is allowed to exceed 14' in height with approval by the Planning Commission. Staff also notes the overall height of the proposed residence is approximately 4' lower than topmost ridgeline of the existing residence (134.2').

Building Architecture

The proposed residence demonstrates appeal through modulation of building masses, elevations, and rooflines that promote visual interest. Exterior finishes are consistent with new residential construction in the vicinity, as the design features a modern style with a combination of faux concrete siding, fiber cement board siding and aluminum windows. Additional features include a front balcony with ocean vistas toward the northwest, which promote quality experience and increased value.

Building Floor Plan

The proposed residence consists of two floor levels with the main living areas located above and the semisubterranean garage located below.

The lower level measures 1,514 square feet and features a semisubterranean floor plan that contains a two-car garage, three rooms, an electrical room, an elevator, and stairway. Staff notes the existing driveway will be repositioned to the west to accommodate the semi-subterranean garage.

The main level measures 3,002 square feet and features a contemporary floor plan that contains an open living room and audio/visual room, an open dining room and kitchen, one half-bathroom, and three bedrooms with bathrooms.

Lot Coverage, Open Space, and Floor Area Ratio

As previously noted in the report, the proposed residence is positioned at center of the project site, thus allowing a large open space in the front and rear yard areas. The total usable open space in the front and rear yard areas measure 2,657 square feet (35%), which meets the 33% minimum open space requirement of the R-1 Zone. The total land area covered by the residence measures 3,002 square feet (39%), within the allowable 40% lot coverage limit of the R-1 Zone. Utilizing gross square feet, the proposed residence measures 4,516 square feet in floor area resulting in a 0.59 Floor Area Ratio (FAR), within the allowable 0.60 FAR limit of the R-1 Zone. Staff notes the project is not subject to the net interior 0.50 FAR limit of the Hillside Overlay, as it does not involve remodeling or additions to an existing residence.

Provided below is a summary of the proposed residence:

202 Paseo De Suenos	
Lot Area	7,529 sf
Proposed Building Height	22.25 ft
Maximum Two-Story Building Height Limit	27 ft
Proposed Lower Floor Area	890 sf
Proposed Main Floor Area	3,002 sf
Propose Garage Floor Area	624 sf
Proposed Total Floor Area	4,516 sf
Proposed Lot Coverage	39.8% 3,002 sf
Maximum Lot Coverage Limit	40% 3,012 sf
Proposed Floor Area Ratio	0.59 FAR
Maximum Floor Area Ratio Limit	0.60 FAR
Proposed Open Space Area	35% 2,657 sf
Minimum Open Space Requirement	33% 2,510 sf

Hillside Overlay

In accordance with Article 41, Chapter 1, Division 9 of the Torrance Municipal Code, the Planning Commission is required to make a series of findings relating to the planning and design of the project and its potential to have a substantial adverse impact on the view, light, air, and privacy of properties in the vicinity. The applicant has responded to this requirement in the Hillside Overlay Substantiation Form (Attachment 3). The applicant was also required to construct a silhouette of the proposed two-story residence to demonstrate potential impacts. A licensed engineer has verified the height of the silhouette (Attachment 4) and staff made field assessments on December 7, 2023 and January 31, 2024.

During the field assessments, staff met with the property owners at 201 and 206 Paseo de Suenos who expressed no concerns with the proposed residence. Staff also attempted to contact the neighboring properties at 116,117, 205 Paseo de Suenos, with the purpose of conducting outreach, sharing the project plans, and for consideration of any potential substantial adverse impacts the proposed residence may have on view, light, air, and privacy. Field assessments were not conducted from other properties located along Paseo de Suenos, Vista del Sol, nor Camino de Encanto due to their distance away from the project site and, in the judgement of staff, the unlikelihood to have a substantial adverse impact to view, light, air and privacy.

Staff received correspondence (Attachment 6) related to the project from the neighbor at 206 Vista Del Sol. Staff provided a summary of the project and advised the neighbor that a silhouette was constructed to help visualize any potential impacts. Upon visiting the project site, the neighbor acknowledged that they were previously unaware of the silhouette and expressed satisfaction that the proposed residence would not adversely affect their property in any way.

As of the preparation of this report, no new communication has been received.

In the judgement of staff, based on field observations made from Paseo de Suenos, the silhouette placement, and existing site conditions, the proposed two-story residence does not appear to produce substantial adverse impacts to surrounding view, light, air, or privacy of the neighboring properties within the Hillside Overlay.

Retaining Walls and Fence Heights

The proposed residence includes a series of retaining walls that are located within the front yard area and designed to rise with the slope and provide access up to the main front entry. The retaining walls range in height from 2' to 5' and do not exceed the maximum 5' height limit; however, due to their placement and height, the Torrance Municipal Code requires that a guardrail which measures no less than 42" in height be placed at the topmost retaining wall. Staff notes the overall height of the guardrail and retaining wall measures 6.74' above the lowest portion of the retaining wall, which exceeds the 4' height limit for a fence or wall that is located within 10' of the front property line, and therefore necessitates approval by the Planning Commission to waive the development standard. The applicant was required to provide facts to substantiate criteria by which the Planning Commission may grant the Waiver (Attachment 5).

Criteria for Granting a Waiver

The Planning Commission may grant a Waiver of development standards relating to front, rear, and side yard requirements, court requirements, building heights and distances between buildings. The criteria for granting a Waiver are specified in Section 94.2.4 of the Torrance Municipal Code, which states:

A waiver may be granted if, in the judgment of the Planning Commission or the City Council:

- a) Unreasonable difficulties will result from the strict enforcement of this Division;
- b) It will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof; and
- c) It will not substantially interfere with the orderly development of the City as provided for in this Division.

In the judgement of staff, the request for a Waiver to allow a guardrail and retaining wall that exceeds the overall 4' height limit, in conjunction with the construction of new residence, is appropriate due to existing site conditions.

Strict enforcement of the fence height limit will result in unreasonable difficulties to construct retaining walls that are modest in size as well as functional and practical. Guard railing is necessary for fall protection in both the front yard and on the balcony, given the range in height of the retaining walls.

Granting of the Waiver will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof. The proposed guardrail is a necessary safety feature for the proposed retaining walls and balcony. The applicant has designed the guardrail in a manner that is attractive and pleasing to the surrounding properties that features materials such as steel and glass.

Lastly, granting of the Waiver will not substantially interfere with the orderly development of the City. The retaining walls and guardrails will be situated entirely on the property and will not interfere with the public right-of-way along Paseo de Suenos.

Conclusion

In judgement of staff, the proposed residence conforms to the planning and design provisions of the Hillside Overlay and would not have a substantial adverse impact on the view, light, air, and privacy of other properties in the vicinity. For example, the proposed residence is two-story and features a flat roof, a lower subterranean level and a low building height that conforms with neighboring one and two-story structures, thus limiting the potential to have a substantial adverse impact to view. While the project expands the building envelope, it does not create the potential for significant impairments to view, light, air, or privacy. The project is compatible with surrounding homes and is an appropriate use for this neighborhood. The subject request complies with the objective development standards of the R-1 Zone and is consistent with the Low-Density Residential land use designation.

In the judgment of the staff, a waiver of the front yard fence height limit satisfies the hardship criteria for approval. The proposed retaining walls necessitate guard railings for fall protection, given their elevated

design and varying heights. The applicant has designed the guardrail to enhance the aesthetic appeal of the property, complementing its surroundings.

The applicant is advised that Code requirements have been included as an attachment to the staff report and are not subject to modification. Decisions made by the Planning Commission may be appealed to the City Council within 15 calendar days of adoption of the resolution.

PROJECT RECOMMENDATION: APPROVAL

FINDINGS OF FACT IN SUPPORT OF APPROVAL OF THE PRECISE PLAN AND WAIVER:

Findings of fact in support of approval of the Precise Plan are set forth in the attached Resolutions.

RECOMMENDED CONDITIONS, IF PROJECT IS APPROVED:

Recommended conditions of the proposed project are set forth in the attached Resolutions .

Prepared by,

Respectfully submitted,

/s/ Luis Velazquez
Planning Assistant

/s/ Leo Oorts
Planning Manager

Attachments:

1. Resolution Nos. 24-008 & 24-009
2. Location and Zoning Map
3. Hillside Overlay Substantiation
4. Silhouette Certification
5. Waiver Substantiation
6. Correspondence
7. Code Requirements
8. Project Plans (Limited Distribution)

ITEM 8C

ATTACHMENT 1

RESOLUTION NO. 24-008 & 24-009

PLANNING COMMISSION RESOLUTION NO. 24-008

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY SINGLE-FAMILY RESIDENCE WITH A SEMI-SUBTERRANEAN GARAGE, IN CONJUNCTION WITH A WAIVER OF THE FRONT YARD FENCE HEIGHT LIMIT, ON PROPERTY LOCATED WITHIN THE HILLSIDE OVERLAY IN THE R-1 ZONE AT 202 PASEO DE SUENOS.

PRE23-00009: MARY WU (LINDA AND RICHARD MORIOKA)

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on February 21, 2024, to consider an application for a Precise Plan of Development filed by Mary Wu (Linda and Richard Morioka) to allow the construction of a new two-story single-family residence with a semi-subterranean garage, in conjunction with a Waiver of the front yard fence height limit, on property located within the Hillside Overlay in the R-1 Zone at 202 Paseo de Suenos; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 1, Article 41 of the Torrance Municipal Code; and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property is located at 202 Paseo de Suenos;
- b) That the property is described as Lot 50 of Tract 18379 as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That the proposed construction of a two-story single-family residence with a semi-subterranean garage is Categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act, Article 19, Sections 15303 New Construction;
- d) That the project complies with the objective development standards of the R-1 Zone to the extent applicable, and is consistent with the Low Density Residential designation of the Land Use Element of the General Plan of the City of Torrance;
- e) That the proposed residence, as conditioned, will not have a substantial adverse impact upon the view, light, air, and privacy of other properties in the vicinity because the proposed two-story residence has been designed to preserve existing view corridors for the adjacent properties to the east, thus limiting potential adverse impacts on surrounding properties. Furthermore, the properties to the rear sit at a higher elevation;
- f) That the proposed residence, as conditioned, has been located, planned, and designed so as to cause the least intrusion on the views, light, air, and privacy of other properties in the vicinity because the applicant has designed the project to meet the lot coverage, FAR, and height requirements of the R-1 Zone, thus limiting potential adverse impacts on surrounding properties;

- g) That the design, as conditioned, provides an orderly and attractive development in harmony with other properties in the vicinity because the proposed exterior design elements are in keeping with the architecture and finishes of other recently developed properties;
- h) That the design, as conditioned, will not have a harmful impact upon the land values and investment of other properties in the vicinity because the exterior will be treated with high-quality finishes such as surrounding residences;
- i) That granting such application, as conditioned, would not be materially detrimental to the public welfare and to other properties in the vicinity because a single-family residence is an appropriate use for this property and the proposed residence, as conditioned, has been designed so as to limit potential adverse impacts to view, light, air, and privacy; and
- j) That the proposed residence, as conditioned, would not cause or result in a substantial adverse cumulative impact on other properties in the vicinity because it conforms to the Low Density Residential designation of the Land Use Element of the General Plan of the City of Torrance and the residence has been designed so as to limit potential adverse impacts to view, light, air, and privacy;

WHEREAS, the Planning Commission by the following roll call vote APPROVED PRE23-00009, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that PRE23-00009 filed by Mary Wu (Linda and Richard Morioka) to allow the construction of a new two-story single-family residence with a semi-subterranean garage, in conjunction with a Waiver of the front yard fence height limit, on property located within the Hillside Overlay in the R-1 Zone at 202 Paseo de Suenos, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for a single family residence shall be subject to all conditions imposed in Precise Plan of Development 23-00009 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Precise Plan of Development is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1;
3. That the maximum height of the residence at the highest point of the roof shall not exceed 22.25' as represented by the survey elevation of 130.11' based on the proposed lowest adjacent grade of 107.86' located at the front of the residence, based on a benchmark elevation of 109.46' located at the northwest corner of the property on the public right of way as shown on the official survey map on file in the Community Development Department.

The final height of the proposed residence shall be certified by a licensed surveyor/engineer prior to requesting a framing of roof-sheathing inspection who verifies the entire roof framing and design remains consistent with the elevation heights and roof design approved by the Planning Commission; (Planning)

4. That a copy of Planning Commission Resolution Nos. 24-008 and 24-009 shall appear on the building plans associated with the proposed additions to facilitate coordination and effective implementation of the conditions of approval; (Planning)
5. That the silhouette shall remain in place for at least 15 days through the appeal period, but no more than 45 days after the final public hearing to the satisfaction of the Community Development Director; (Planning)
6. That the official public notice sign and wood stake shall be returned to the Community Development Department within 30 days of the public hearing date to the satisfaction of the Community Development Director; (Planning)
7. That all conditions of WAV23-00009 shall be met; and (Planning)
8. That address numerals shall be installed at the residence that measure no less than 5 inches and that contrast with the color of the façade; (Environmental)
9. That proposed driveway on Paseo de Suenos shall not begin to descend until behind the front property line; and (Engineering)
10. That all conditions of all other City departments received prior to or during the consideration of this case by the Planning Commission shall be met.

Introduced, and adopted this 21st day of February 2024.

ATTEST:

Secretary, Torrance Planning Commission

Chairperson, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, LEO OORTS, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 21st day of February 2024, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

PLANNING COMMISSION RESOLUTION NO. 24-009

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A WAIVER OF THE FRONT YARD FENCE HEIGHT LIMIT, IN CONJUNCTION WITH A PRECISE PLAN OF DEVELOPMENT TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY SINGLE-FAMILY RESIDENCE WITH A SEMI-SUBTERRANEAN GARAGE, ON PROPERTY LOCATED WITHIN THE HILLSIDE OVERLAY IN THE R-1 ZONE AT 202 PASEO DE SUENOS.

WAV23-00009: MARY WU (LINDA AND RICHARD MORIOKA)

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on February 21, 2024, to consider an application for a Waiver filed by Mary Wu (Linda and Richard Morioka) to allow a Waiver of the front yard fence height limit, in conjunction with a Precise Plan of Development to allow the construction of a new two-story single-family residence with a semi-subterranean garage, on property located within the Hillside Overlay in the R-1 Zone at 202 Paseo de Suenos; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 4, Article 2 of the Torrance Municipal Code; and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property is located at 202 Paseo de Suenos;
- b) That the property is described as Lot 50 of Tract 18379 as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That minor alterations in land use limitations, which do not result in any changes in land use or density, and do not result in the creation of a new parcel, including but not limited to a waiver of the fence hence limit, are Categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15305;
- d) That the project complies with the objective development standards of the R-1 Zone to the extent applicable, and is consistent with the Low Density Residential designation of the Land Use Element of the General Plan of the City of Torrance;
- e) That strict enforcement of the fence height limit will result in unreasonable difficulties to construct retaining walls that are modest in size as well as functional and practical;
- f) That the waiver of the front yard fence height limit will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof because the proposed residence, as conditioned, complies with all other applicable development standards of the R-1 Zone. Furthermore, the proposed residence does not appear to adversely impact view, light, air, or privacy; and

- g) That the waiver of the front yard fence height requirement will not substantially interfere with the orderly development of the City because the proposed residence will maintain the land use as a single-family residence which is consistent with the R-1 Zone and the Low Density Residential land use designation.

WHEREAS, the Planning Commission by the following roll call vote APPROVED WAV23-00009, Subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that WAV23-00009 filed by Mary Wu (Linda and Richard Morioka) to allow a Waiver of the front yard fence height limit, in conjunction with a Precise Plan of Development to allow the construction of a new two-story single-family residence with a semi-subterranean garage, on property located within the Hillside Overlay in the R-1 Zone at 202 Paseo de Suenos, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for a single family residence shall be subject to all conditions imposed in Waiver 23-00009 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Waiver is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1;
3. That the overall height of the guardrail and retaining wall located in the front yard area shall not exceed 6.74' above the lowest portion of the retaining wall, as shown on the project plans, and that the guardrail itself shall not exceed 42" in height; and (Planning)
4. That all conditions of Precise Plan of Development 23-00009 shall be met. (Planning)

Introduced, and adopted this 21st day of February 2024.

ATTEST:

Secretary, Torrance Planning Commission

Chairperson, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, LEO OORTS, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 21st day of February 2024, by the following roll call vote:

AYES: COMMISSIONERS:

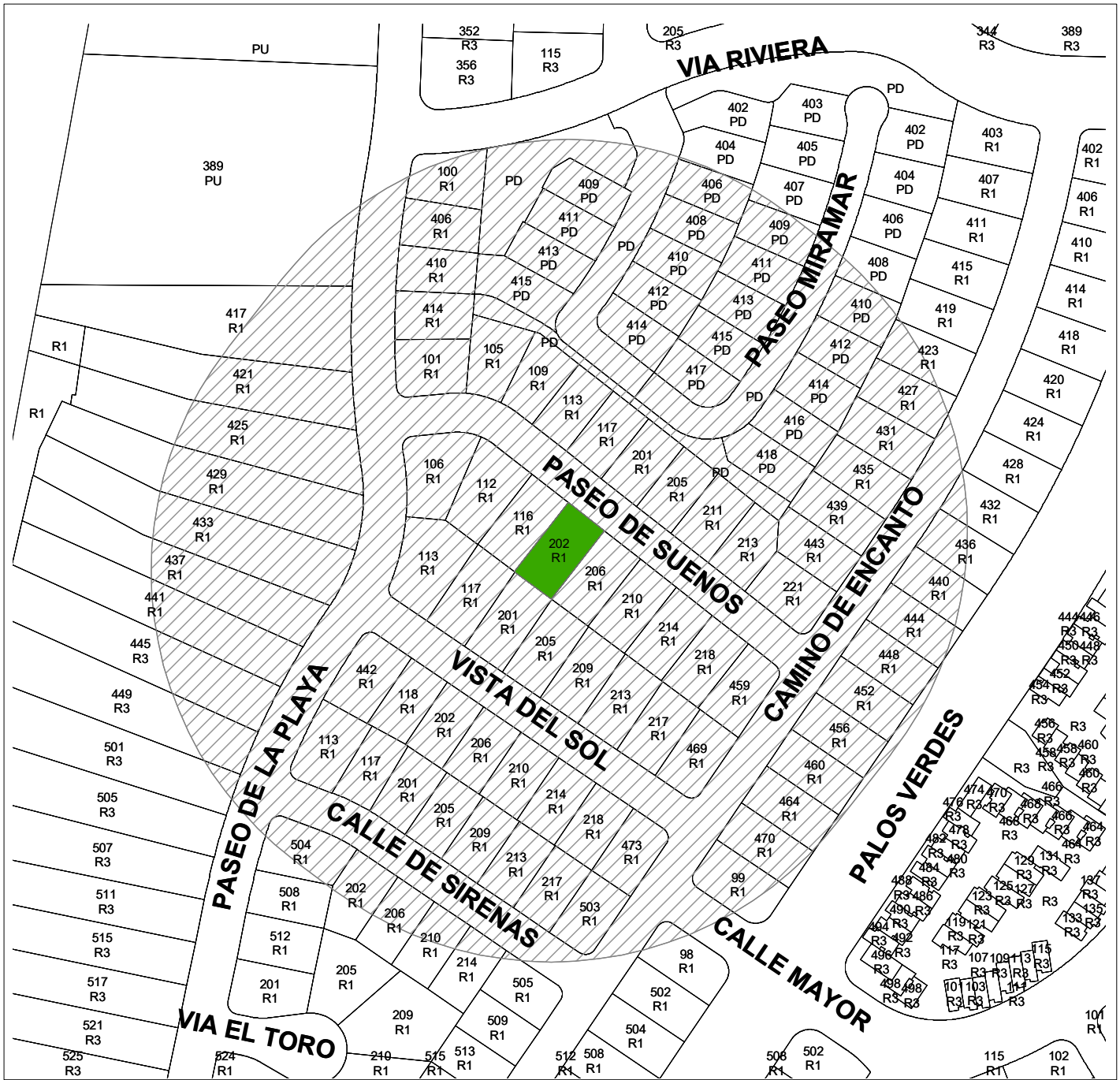
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

ITEM 8C
ATTACHMENT 2
LOCATION AND ZONING MAP



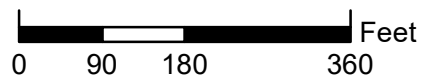
LOCATION AND ZONING MAP

PRE23-00009
202 PASEO DE SUENOS



LEGEND

- 202 PASEO DE SUENOS
- NOTIFICATION AREA



ITEM 8C

ATTACHMENT 3

HILLSIDE OVERLAY SUBSTANTIATION



Hillside Overlay Substantiation Form

Pursuant to Article 41, Chapter 1, Division 9 of the Torrance Municipal Code, the Planning Commission, or the City Council on appeal, may grant approval of a Precise Plan of Development for residential and commercial development on properties located within the Hillside and Local Coastal Overlay.

Applicants requesting a Precise Plan of Development must provide the facts to substantiate the criteria by which the Planning Commission or the City Council may grant the approval.

1. PLANNING AND DESIGN (SECTION 91.41.6)

- a) **The proposed development will not have an adverse impact upon the view, light, air and privacy of other properties in the vicinity based on the following:**

Proposed structure comply with the zoning code on set back, height, lot coverage, FAR, and open space.

Silhouette certification was done for height verification.

Owners met with surrounding neighbors, discussed and received acceptance from each of them.

- b) **The proposed development has been located, planned and designed so as to cause the least intrusion on the views, light, air and privacy of other properties in the vicinity based on the following:**

Configuration and shape of the proposed structure is designed to minimize intrusion of views. Worked with adjacent neighbor to ensure views are not blocked.

Proposed structure's height is lower than the current house highest height, this allows more light and air for adjacent neighbors.

- c) **The design of the proposed development provides an orderly and attractive development in harmony with other properties in the vicinity based on the following:**

Style of proposed new house is compatible with the surrounding houses. Scale of the proposed new house is smaller than the current house in terms of height. House is a modern mid-century style, flat roof, streamline and subtle. Many other properties on the same street have similar modern design. In general the new construction design for the beach community emphasizes more on the modern style than the traditional or classical style.

- d) The design of the proposed development will not have a harmful impact upon the land values and investment of other properties in the vicinity based on the following:**

Entire proposed house is completely new construction with minor increased of square footage. House will be constructed to minimize erosion with grade stability, improve storm water drainage, height lower than the existing house to allow more light and view for neighbors, use appropriate exterior building envelope materials for ocean environment. All the above will help to increase land values of other properties.

- e) Granting approval of the Precise Plan of Development would not be materially detrimental to the public welfare and to other properties in the vicinity based on the following:**

Proposed development:

Brand new construction entirely, remove existing poor condition run-down house.

Improve Increase land values for the overall neighborhood

Provide attractive and aesthetic pleasing design harmonious with the neighborhood and community

Improve surrounding site features adjacent to neighbors and public right of way

Respect neighbors view, air and privacy

Set higher standards for the neighborhood

- f) The proposed development will not cause or result in an adverse cumulative impact on other properties in the vicinity based on the following:**

Instead of remodeling the existing house, doing a brand new replacement would provide an opportunity to improve the surrounding site features adjacent to neighbors as well as to the public right of way. It would eliminate adverse cumulative impact as a result.

2. LIMITATION ON INCREASES IN HEIGHT (SECTION 91.41.10)

This section must be completed if any part of the existing building would increase in height.

- a) It is not feasible to increase the size of or rearrange the space within the existing building or structure for the purposes intended except by increasing the height based on the following circumstances:**

New structure is NOT proposing to increase in height. On the contrary, it will be less than the height of the existing house which will be completely demolished.

- b) **Denial of the Precise Plan of Development would result in an unreasonable hardship to the applicant for the following reason(s):**

Not applicable:

New structure is NOT proposing to increase in height. On the contrary, it will be less than the height of the existing house which will be completely demolished.

- c) **Granting approval of the Precise Plan of Development would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason(s):**

Not applicable:

New structure is NOT proposing to increase in height. On the contrary, it will be less than the height of the existing house which will be completely demolished.

3. LIMITATION ON INCREASES IN BUILDING SPACE LOT COVERAGE (SECTION 91.41.11)

This section must be completed if the addition would increase the net interior floor area of the existing building so that it exceeds 50% of the lot area, except for commercial uses in a commercial zone.

- a) **Denial of the Precise Plan of Development would constitute an unreasonable hardship to the applicant for the following reason(s):**

Not applicable: It is not an addition, it is a new structure.

- b) **Granting approval of the Precise Plan of Development would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason(s):**

Not applicable: It is not an addition, it is a new structure

ITEM 8C
ATTACHMENT 4
SILHOUETTE CERTIFICATION



City of Torrance, Community Development Department Jeffery W. Gibson, Director
3031 Torrance Blvd., Torrance, CA 90503 (310) 618-5990 Fax: (310) 618-5829

Height and Location Certification

The survey must be performed by a licensed land surveyor or civil engineer and should be accompanied by a map which shows the location of the bench mark and the locations where the measurements were taken.

The map should also show the location of existing and proposed structures.

SILHOUETTE CERTIFICATION

I have surveyed the silhouette located at 202 PASEO DE SUENOS
(address)

on 3/1/2023, based on plans submitted to the City of Torrance
(date)

by MARY WU on _____ . The survey was taken
(applicant/architect) (date)

from a bench mark located at L&T LOCATED @ NW P.C. (SURVEY BY FERRER & ASSOC)
(address)

(attached map) which established a base elevation of 109.46.

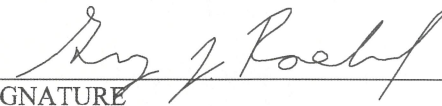
The ridge line/highest point of the roof was determined to have an elevation of 130.12.

The plans indicate that the elevation should be 130.11.

*I certify that I have measured the location of pertinent features located on the subject property. Based on the plans submitted to the Community Development Department, I have verified that the silhouette/construction accurately represents the proposed structure in terms of **height, building envelope, location on the site, and all setbacks.***

GARY J. ROEHL
Name (please print)

RCE 30826
LS/RCE#


SIGNATURE

(310) 542-9433
PHONE

3/2/2023
DATE



Notes: _____

ITEM 8C

ATTACHMENT 5

WAIVER SUBSTANTIATION



Waiver Substantiation Form

Pursuant to Article 2, Chapter 4, Division 9 of the Torrance Municipal Code, the Planning Commission, or the City Council on appeal, may grant a waiver of the following development standards: front, rear, and side yard setbacks, court requirements, building heights, and distances between buildings.

A waiver may be granted if, in the judgment of the Planning Commission or the City Council:

- a) Unreasonable difficulties will result from the strict enforcement of this Division;
- b) It will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof; and
- c) It will not substantially interfere with the orderly development of the City as provided for in this Division.

Applicants requesting a waiver must provide the facts to substantiate the criteria by which the Planning Commission or the City Council may grant the waiver.

a) There are practical difficulties or unnecessary hardships resulting from strict enforcement of the development standard based on the following circumstances:

The proposed 3'-6" high guard railing is necessary as it provides fall protection due to the elevation of the front yard. The proposed guard rail along with the series of retaining walls will exceed the 4' height limit for a fence or wall that is located within the front yard setback.

b) Waiver of the development standard will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof based on the following circumstances:

The proposed guardrail is a necessary safety feature for the proposed retaining walls and balcony. Style is attractive and pleasing to the surrounding properties that features materials such as steel and glass.

c) Waiver of the development standard will not substantially interfere with the orderly development of the City based on the following circumstances:

The front yard guard railing will be located away from the public right of way and it is within the front yard property setback.

ITEM 8C
ATTACHMENT 6
CORRESPONDANCE

Velazquez, Luis

From: Kopcho and Peterson <[REDACTED]>
Sent: Tuesday, February 13, 2024 12:34 PM
To: Velazquez, Luis
Subject: Re: "Public Hearing", project numbers PRE23-00009, address 202 Paseo De Suenos, Torrance.

Hello Luis,

Thank you very much for the quick reply. I went over to the site and saw the silhouette you referenced. There will be no impact to the neighbors and none for me as well.

I am good with the petition sent to me.

I really appreciate the very thorough reply.

Have a great day.

Lawrence Peterson

On Feb 13, 2024, at 8:05 AM, Velazquez, Luis <LVelazquez@torranceca.gov> wrote:

Hello Mr. Peterson,

Thank you for your email. My name is Luis Velazquez, the assigned case planner for PRE23-00009 202 Paseo de Suenos. I see that you have concerns regarding the height of the proposed residence. The reason we have called it a "2-story residence" is due to the semi-subterranean configuration. The home currently sits below the allowed 14 and does not propose to go up but down, thus increasing the overall height from the new lowest adjacent grade.

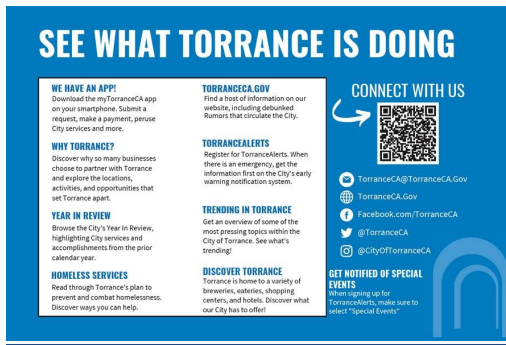
There is a silhouette at the site that has been constructed to help visualize the height of the proposed home. I would like to ask, does the silhouette cause any obstruction to any views or cause any privacy concerns to your property?

I'd also like to share that the plans are available to review at the Planning Counter at the Permit Center at City Hall. I'm happy to go over any concerns you may have and discuss the plans further if needed.

**BEST REGARDS,
LUIS VELAZQUEZ**

Planning Assistant - Community Development Dept.

City of Torrance | [3031 Torrance Boulevard](https://www.torranceca.gov/3031-Torrance-Boulevard) | Torrance, CA 90503 | 310.618.5930 | 310.618.5829 fax | LVelazquez@TorranceCA.gov | www.TorranceCA.Gov | www.TorranceCA.Gov/SocialMedia | www.TorranceCA.Gov/WhyTorrance | www.TorranceCA.Gov/Apps



From: Kopcho and Peterson <[REDACTED]>
Sent: Sunday, February 11, 2024 11:36 AM
To: Planning Commission <PlanningCommission@TorranceCA.gov>
Subject: "Public Hearing", project numbers PRE23-00009, address 202 Paseo De Suenos, Torrance.

You don't often get email from [REDACTED]. [Learn why this is important](#)

To Whom it may concern,

My name is Lawrence Peterson. I live at 206 Vista Del Sol, Torrance. I received the attached "Notice of Public Hearing" regarding the Petition of Mary Wu (Linda and Richard Morioka) for approval of a Precise Plan of Development to allow the construction of a new two-story single-family home and a semi-subterranean garage.

Division 9 of the Torrance Municipal Code, Article 41 - R-H Hillside and Local Coastal Overlay Zone, Section 91.41.7 Permitted Development-Residential subsection C states the following:

' Except as provided in this subsection, no portion of the dwelling, in the case of new construction, will exceed fourteen (14) feet in height, measured from the ground at finished grade, but not including any berm. In the case of remodeling or enlargement, the portion remodeled or enlarged shall not exceed the height of the lowest portion of the remainder of the dwelling, or fourteen (14) feet measured from the ground at finished grade, but not including any berm, whichever is less. In the case of a down-sloping lot, no portion of the dwelling shall exceed fourteen (14) feet in height, measured from the top of the curb at the center point of the front property line. Vents and a chimney, as provided in subsection b) of this section, shall not be considered in the height measurements.'

My question is "does this development of the two-story single-family go higher than 14 feet in height measured from the ground at finished grade?"

If yes, then I petition that this project not be approved. In addition, the development will partially block the coast line views directly west the property at 202 Paseo De Suenos, Torrance.

I would appreciate a reply to this email on my concerns.

Lawrence Peterson

ITEM 8C
ATTACHMENT 7
CODE REQUIREMENTS

CODE REQUIREMENTS

The following is a partial list of Code requirements applicable to the proposed project. Not all Code requirements are provided, and the applicant is strongly advised to contact each individual department for further clarification. The Planning Commission may not waive or alter the Code requirements. They are provided for information purposes only.

PLANNING

1. Any fence, wall, or hedge within the required front yard setback area of any lot shall not exceed a height of four (4) feet within the first 10' of the property.
2. That no retaining wall shall be constructed which exceeds five (5) feet in height. If the grade to be retained exceeds five (5) feet, additional retaining walls may be constructed at higher elevations provided a planter area not less than two (2) feet in width is constructed between said retaining walls and is landscaped.

BUILDING AND SAFETY

3. Comply with 2022 CBC, CMC, CEC, CPC & CGBC.

ENGINEERING

4. A Construction and Excavation Permit (C&E Permit) is required from the Community Development Department, Engineering Permits and Records Division, for any work in the public right-of-way on Paseo de Suenos. (City Code Sec. 74.6.2)
5. Close abandoned driveway on Paseo de Suenos with full height curb and gutter to match existing (City Code sec. 74.4.4).
6. (C) Construct proposed driveway approach on Paseo de Suenos per City of Torrance standards. Maximum width shall be 20' and line up with the proposed garage.

ENVIRONMENTAL

7. Bedroom sizes to be as determined per Torrance code (92.20.2).
8. Minimum driveway width shall not be less than 10-ft. Per Torrance code(93.5.7).
9. Water heater shall not encroach into the required parking area.
10. Washer and dryer shall not encroach into the required parking area.
11. The property shall be landscaped prior to final inspection per Torrance code(92.21.9).
12. This property is not within the City of Torrance Municipal Water service area. Contact California Water Service Company at 310-257-1400 for water information. Contact Cal Water if water meter is allowed in the proposed driveway apron.

PUBLIC WORKS

13. Install a street tree in the City parkway every 50' for the width of this lot on Paseo de Suenos (City Code sec. 74.3.2). Contact the Streetscape Division of the Torrance Public Works Department at 310-781-6900 for information on the type and size of tree for your area.
14. Install a 24" box size street tree within the City easement. Call the Streetscape Division of the Torrance Public Works Department at 310-781-6900 for information on tree choices and placement of the tree.

ITEM 8C
ATTACHMENT 8
PROJECT PLANS

SUPPLEMENTAL #1 TO AGENDA ITEM 8C

TO: Members of the Planning Commission

FROM: Planning Division

SUBJECT: Precise Plan of Development – PRE23-00009, Waiver – WAV23-00009

Please find attached a revised Planning Commission Resolution No. 24-009 that corrects the overall height limit of the guardrails and retaining walls.

Prepared by,

Respectfully Submitted,

/s/ Luis Velazquez
Planning Assistant

/s/ Leo Oorts
Planning Manager

Attachment:

1. Revised Planning Commission Resolution No. 24-009

PLANNING COMMISSION RESOLUTION NO. 24-009

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A WAIVER OF THE FRONT YARD FENCE HEIGHT LIMIT, IN CONJUNCTION WITH A PRECISE PLAN OF DEVELOPMENT TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY SINGLE-FAMILY RESIDENCE WITH A SEMI-SUBTERRANEAN GARAGE, ON PROPERTY LOCATED WITHIN THE HILLSIDE OVERLAY IN THE R-1 ZONE AT 202 PASEO DE SUENOS.

WAV23-00009: MARY WU (LINDA AND RICHARD MARIOKA)

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on February 21, 2024, to consider an application for a Waiver filed by Mary Wu (Linda and Richard Morioka) to allow a Waiver of the front yard fence height limit, in conjunction with a Precise Plan of Development to allow the construction of a new two-story single-family residence with a semi-subterranean garage, on property located within the Hillside Overlay in the R-1 Zone at 202 Paseo de Suenos; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 4, Article 2 of the Torrance Municipal Code; and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property is located at 202 Paseo de Suenos;
- b) That the property is described as Lot 50 of Tract 18379 as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That minor alterations in land use limitations, which do not result in any changes in land use or density, and do not result in the creation of a new parcel, including but not limited to a waiver of the fence hence limit, are Categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15305;
- d) That the project complies with the objective development standards of the R-1 Zone to the extent applicable, and is consistent with the Low Density Residential designation of the Land Use Element of the General Plan of the City of Torrance;
- e) That strict enforcement of the fence height limit will result in unreasonable difficulties to construct retaining walls that are modest in size as well as functional and practical;
- f) That the waiver of the front yard fence height limit will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof because the proposed residence, as conditioned, complies with all other applicable development standards of the R-1 Zone. Furthermore, the proposed residence does not appear to adversely impact view, light, air, or privacy; and

- g) That the waiver of the front yard fence height requirement will not substantially interfere with the orderly development of the City because the proposed residence will maintain the land use as a single-family residence which is consistent with the R-1 Zone and the Low Density Residential land use designation;

WHEREAS, the Planning Commission by the following roll call vote APPROVED WAV23-00009, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that WAV23-00009 filed by Mary Wu (Linda and Richard Morioka) to allow a Waiver of the front yard fence height limit, in conjunction with a Precise Plan of Development to allow the construction of a new two-story single-family residence with a semi-subterranean garage, on property located within the Hillside Overlay in the R-1 Zone at 202 Paseo de Suenos, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for a single family residence shall be subject to all conditions imposed in Waiver 23-00009 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Waiver is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1;
3. That the overall height of the guardrail and retaining wall located in the front yard area shall not exceed 7.5' above the lowest portion of the retaining wall, as shown on the project plans, and that the guardrail itself shall not exceed 42" in height; and (Planning)
4. That all conditions of Precise Plan of Development 23-00009 shall be met. (Planning)

Introduced, and adopted this 21st day of February 2024.

ATTEST:

Secretary, Torrance Planning Commission

Chairperson, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, LEO OORTS, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 21st day of February 2024, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

AGENDA ITEM NO. 8D

TO: Members of the Planning Commission

FROM: Planning Division

SUBJECT: Land Use Study, LUS24-00002: City of Torrance (Digital Signs)

This is a public hearing item related to proposed amendments to the existing Torrance Municipal Code (TMC) Sections related to digital billboards. This item is exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Sections 15060(c)(3) and 15061(b)(3).

BACKGROUND

In 2021, the City updated the sign ordinance to include new definitions for new signage types, a discretionary review process, as well as moved the bulk of the code from Division 8 – Building and Safety to Division 9 – Land Use. At the time, staff included definitions and requirements for Electronic Message Center Signs (EMCS) and digital billboards. The standards were adopted but EMCS and digital billboards were included in the list of prohibited signs.

In 2023, Councilman Kaji requested that an ordinance be brought back to allow for digital signs along the Del Amo Business District and along the I-405 freeway.

ANALYSIS

The proposed modifications to the sign code would allow for digital billboards and EMCS by removing them from the list of prohibited signs, adds provisions for electronic/digital billboards in Article 10, and moves enforcement provisions from Article 10 to Article 11.

Electronic Message Center Signs (EMCS)

When the sign code was last updated, standards were created to allow for EMCS that included a discretionary review process, minimum site size requirements of one acre, location, and sign size/height requirements (Attachment #3). As noted above, by removing EMCS from the list of prohibited signs, no further modifications are required.

Electronic/Digital Billboards

The proposed additions to the TMC for electronic/digital billboards propose allowing them via a Conditional Use Permit (CUP) review process similar to EMCS requirements and subject to the following development standards:

Permissible Zones	C, M, and P
Minimum Lot Zones	One acre
Residential Property Setback	100 feet from residential property line
Minimum Distance From Adjacent Billboard	1 mile
Maximum Height	80 feet
Minimum Height Above Nearest Freeway Lane	40 feet
Number Of Faces	2
Maximum Area Of One Face	1000 sq ft, including screen face and decorative elements
Minimum Image duration	8 seconds
Civic and non-profit advertisements	Minimum of 10% of ad space

Screening Requirements	All back portions of electronic/billboard faces must be screened from view if visible from public right of ways, and public or private property
Light trespass prohibited	All electronic/digital billboards shall be oriented, and adequately shielded if necessary, so as to prevent the trespass of light and glare upon any residential land uses, including those in mixed-use districts, as existed on the date of building permit issuance
Mandatory refurbishment	25 year period at cost to owner

DRAFT CODE AMENDMENTS

For review attached is a draft Ordinance that contains the recommended amendments to Torrance Municipal Code (TMC) Sections. The proposed ordinance would modify TMC911.6.100 related to prohibited signs, adds Article 10 for Electronic/Digital Billboards, and adds Article 11 for enforcement. The draft Ordinance is attached along with a “track changes” version. Recommended text removals are “~~stricken through~~” and recommended text additions are “underlined.”

RECOMMENDATION

Provided are two options the Planning Commission may choose to direct staff:

- A. Forward the draft Ordinance amending the Torrance Municipal Code, as presented, to the City Council for consideration; or
- B. Modify or add to the draft Ordinance amending the Torrance Municipal Code, as directed, and forward to the City Council for consideration.

The Community Development Director recommends the Planning Commission choose Option A and direct staff to forward the draft Ordinance to the City Council for consideration.

Prepared by,

Respectfully submitted,

/s/ Oscar Martinez
 Planning Manager

/s/ Leo Oorts
 Planning Manager

Attachments:

- 1. Draft Ordinance
- 2. Draft Ordinance (Track Changes)
- 3. Torrance Municipal Code Chapter 11, Division 9 - Signs

ITEM 8D
ATTACHMENT 1
DRAFT ORDINANCE

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING CHAPTER 11, ARTICLE 6 OF DIVISION 9, BY AMENDING SECTION 911.6.100 PERTAINING TO PROHIBITED SIGNS; REPEALING ARTICLE 10 – ENFORCEMENT; ADDING ARTICLE 10 – ELECTRONIC/DIGITAL BILLBOARDS; AND ADDING ARTICLE 11 – ENFORCEMENT.

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

SECTION 1

That Section 911.6.100 entitled “PROHIBITED SIGNS” of Chapter 11, Article 6, of Division 9 of the Torrance Municipal Code to read in its entirety as follows:

911.6.100 PROHIBITED SIGNS.

The following signs, sign types and locations are inconsistent with the purposes and standards of this Chapter and are, therefore, prohibited in the City:

- a) Abandoned and/or dilapidated sign structures.
- b) Inflatable devices.
- c) Lightbulb strings or tube lighting, unless approved as part of the building design.
- d) Flashing signs.
- e) Snipe signs.
- f) Obscene or unlawful signs.
- g) Portable signs, including A-frame, T-stand, rolling signs, sandwich boards, bow banners or signs held or supported by human beings.
- h) Signs emitting audible sounds, odors or particulate matter.
- i) Rotating, moving, changing or blinking signs.
- j) Signs emulating traffic signals or devices.
- k) Mylar balloons.

SECTION 2

Article 10 of Chapter 11 of Division 9 is hereby repealed in its entirety.

SECTION 3

Article 10 of Chapter 11 of Division 9 is added “Electronic/Digital Billboards” to read in its entirety as follows:

“ARTICLE 10 - ELECTRONIC/DIGITAL BILLBOARDS

911.10.010 ELECTRONIC/DIGITAL BILLBOARDS.

a) The term “electronic/digital billboard” shall be defined here as any electronic billboard consisting of digital display such as an LED panel mounted adjacent to a freeway, at least 40’ minimum above the nearest freeway lane and within 100 feet from the edge of the nearest freeway right of way should circumstances warrant.

b) The electronic/digital billboard shall be included as part of a development agreement, lease agreement or other agreement with the City or its related agencies. Such agreement shall contain performance standards, one-time fees, public benefits, and ongoing revenue provisions that allow the city or related agencies to undertake projects, programs, or other activities that improve the visual environment.

c) Conditional Use Permit Required. The City recognizes that an electronic/digital billboard, if not carefully regulated and designed, has the potential to cause significant adverse effects upon its surrounding visual environment, and to negatively impact the perception of the environment and condition of its neighborhood. Therefore, to ensure that a process for adequate review is provided, each electronic/digital billboard shall require an application for a conditional use permit.

911.10.020 DEVELOPMENT STANDARDS.

a) Electronic/digital billboards shall be allowed in the following zones on parcels that are a minimum of one acre: C, M, and P Zones.

b) Minimum of one mile spacing between electronic/digital billboards shall be observed, except as may be approved in a development agreement.

c) Electronic/digital billboards shall be a minimum 100’ from residential property lines.

d) Electronic/digital billboards shall be a maximum height of 80’ with a 40’ minimum above the nearest freeway lane.

e) No one face of a double-faced or V-shaped billboard shall exceed 1,000 square feet in area and shall include screen face and all decorative elements.

f) No electronic/digital billboard shall have more than two faces. A face shall be considered the display surface upon which an advertising message is displayed.

g) No advertising display may be placed that is so illuminated or contains a digital display that it interferes with the effectiveness of or obscures any official traffic sign, device, or signal or violates any applicable law; nor shall any advertising display include any digital display or be illuminated in a manner that includes flashing, intermittent, or moving lights as further prohibited by the provisions of the Business and Professions Code; nor shall any advertising display cause beams or rays of light to be directed at the traveled ways if the light is of an intensity or brilliance as to cause glare or to impair the vision of any driver, or to interfere with any driver’s operation of a motor vehicle.

h) No advertising display shall be placed or maintained in violation of the outdoor advertising act, Chapter 2 (commencing with section 5200) of Division 3 of the California Business and Professions Code, or any other applicable state, federal, or local law.

i) Unless otherwise specified in this section, the general sign requirements set forth in the Business and Professions Code shall apply to plans and materials for and to design, construction,

street address numbers, identification and maintenance of outdoor advertising displays approved under this section.

j) All back or rear portions of single-faced and V-type billboards visible from a public right-of-way or other public or private property shall be screened. The screening shall cover all structural members of the sign, not including the pole supports, and shall additionally cover all electrical or electronic display equipment, and any associated antennas, cables, and other appurtenances.

k) The following restrictions also shall apply:

1. The duration of each message displayed shall be at least eight seconds;
2. No message shall move, flash, shimmer, glitter, or give the appearance of moving, flashing, shimmering or glittering;
3. There shall be a direct change from each message to the next, with no blank or dark interval in between, to avoid a flashing or blinking effect;
4. Display of any form of motion or apparent motion within the message, and any form of video, are prohibited;
5. The brightness of the display surface shall be limited as follows:
 - i. Dawn to dusk: unlimited;
 - ii. Dusk to dawn: the display surface shall not produce luminance in excess of 0.3 foot-candles above ambient light conditions, or the level recommended by the Illuminating Engineering Society of North America (IESNA) for the specific size and location of the billboard, whichever is less. Measurement of luminance shall be carried out in accordance with established scientific methods and industry standards, specifically IESNA TM-11-00, or a successive IESNA technical publication.
6. The display brightness shall be controlled by a photocell or light sensor that adjusts the brightness to the required dusk-to-dawn level based on ambient light conditions without the need for human input. Use of other brightness adjustment methods, such as timer- or calendar-based systems, shall only be used as a backup system;
7. The display shall be factory-certified as capable of complying with the above brightness standards. Such certification shall be provided to the satisfaction of the Community Development Director;
8. The electronic/digital billboard owner shall provide to the City, upon request, certification by an independent contractor that the brightness levels of the electronic billboard are in compliance with the requirements of this Section;
9. All electronic/digital billboards shall be oriented, and adequately shielded if necessary, so as to prevent the trespass of light and glare upon any residential land uses, including those in mixed-use districts, as existed on the date of building permit issuance; and
10. All electronic/digital billboards shall be equipped with a control system that, in the event of a display or control malfunction, "freezes" the display on either a single, unchanging message, or a blank screen.

- l) Minimum of 10% of ad space shall be dedicated to civic and non-profit advertisements.
- m) When an advertising display is defaced with graffiti, the display owner shall remove the graffiti within 48-hours after telephonic notice by city.
- n) Prior to issuance of a building permit for any billboard project subject to the requirements of this Chapter, the applicant shall provide the following:
 - 1. The telephone number of a maintenance service, to be available 24-hours a day and an e-mail address, to be contacted in the event that a billboard becomes dilapidated or damaged, or malfunctions in the case of electronic billboards;
 - 2. Proof of lease demonstrating a right to install the billboard on the subject property
- o) All billboard structures shall be maintained in a neat, clean, and orderly condition. Any structure which is highly rusted, has peeling paint or sign copy, or in any other way appears unattractive or in disrepair shall be deemed in violation of this Chapter and shall be removed or repaired in accordance with the provisions of this Chapter. Any structure which the City Engineer, Building Official or designee, identifies as an immediate threat to public safety may be removed by the City Engineer or Building Official, or his designee, without notice to the property owner and at the property owner's expense. Mandatory refurbishment shall be performed every 25 years at cost to the owner."

SECTION 4

Article 11 of Chapter 11 of Division 9 is added "Enforcement" to read in its entirety as follows:

"ARTICLE 11 - ENFORCEMENT

911.11.010 ENFORCEMENT.

It shall be the duty of the Community Development Director to enforce the provisions of this Chapter. The Chief of Police and all officers charged with the enforcement of the law shall assist the Community Development Director in the enforcement of this Chapter.

911.11.020 Repealed by O-

911.11.030 ABATEMENT OF NONCONFORMING SIGNS.

- a) A period of 10 years subsequent to the date of the adoption of this Chapter is hereby established for the abatement of signs legally existing prior to said date but which signs become nonconforming as a result of regulations contained herein. This provision applies to signs previously permitted by variance or other zoning exception as well as to signs otherwise established. Illegally erected signs are subject to immediate abatement.
- b) Nonconforming, painted, wall signs are subject, in addition to the abatement procedures set forth, to immediate abatement when the business occupying the premises changes to a different business or different owner necessitating repainting of the signs.
- c) Abatement periods established herein are subject to appeal before the Planning Commission and City Council.

911.11.040 UNSAFE AND UNLAWFUL SIGNS.

a) Signs and sign structures shall be maintained at all times in a state of good repair, safe and secure with all braces, bolts, clips, supporting frame and fastenings free from deterioration, termite infestation, rot, rust or loosening, able to withstand at all times the wind pressure for which they were originally designed.

b) No person maintaining any sign, sign structure or billboard shall fail to keep the ground space within eight feet from the base of said sign, signboard, billboard or advertising structure free and clear of weeds, rubbish and other flammable waste material.

c) If the Community Development Director shall find that any sign or other advertising structure regulated herein is unsafe or insecure, or has been constructed or erected or is being maintained in violation of the provisions of this Section, the permittee or owner thereof shall be given written notice. If the permittee or owner fails to remove or alter the structure so as to comply with the standards herein set forth within 30 days after such notice, such sign or advertising structure may be removed or altered to comply by the Community Development Director at the expense of the permittee or owner of the property upon which it is located. The Community Development Director shall refuse to issue any subsequent building, electrical, plumbing or mechanical permits for the property on which the offending sign was located if any owner or permittee shall refuse to pay costs so assessed. The Community Development Director may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed summarily and without notice.

d) The Community Development Director may cause any illegal temporary sign in the public right-of-way or public property, including flags, pennants, banners and temporary window signs to be removed within a 24-hour period.”

SECTION 5

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 6

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason deemed or held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Torrance hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or other portions might subsequently be declared invalid or unconstitutional.

SECTION 6

Any person violating any of the provisions of this Ordinance will be guilty of an infraction, and upon conviction will be subject to a fine as provided for in Section 36900 of the California Government Code.

SECTION 7

This Ordinance shall take effect thirty (30) days after the date of its adoption. Within fifteen (15) 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 _____, _____.

ADOPTED and **PASSED** this _____ day of _____, _____.

Mayor George K. Chen

APPROVED AS TO FORM:
Patrick Q. Sullivan, City Attorney

ATTEST:

Tatia Y. Strader, Assistant City Attorney

Rebecca Poirier, MMC, City Clerk

DRAFT

ITEM 8D

ATTACHMENT 2

DRAFT ORDINANCE (TRACK CHANGES)

911.6.100 PROHIBITED SIGNS.

The following signs, sign types and locations are inconsistent with the purposes and standards of this Chapter and are, therefore, prohibited in the City:

- a) Abandoned and/or dilapidated sign structures.
- b) Inflatable devices.
- c) Lightbulb strings or tube lighting, unless approved as part of the building design.
- d) Flashing signs.
- e) Snipe signs.
- f) Obscene or unlawful signs.
- g) Portable signs, including A-frame, T-stand, rolling signs, sandwich boards, bow banners or signs held or supported by human beings.
- h) Signs emitting audible sounds, odors or particulate matter.
- i) Rotating, moving, changing or blinking signs.
- j) Signs emulating traffic signals or devices.
- k) Mylar balloons.
- ~~l) Electronic message center and digital billboard freeway signs.~~

~~**ARTICLE 10**~~ – **ARTICLE 10 - ELECTRONIC/DIGITAL BILLBOARDS**

911.10.010 ELECTRONIC/DIGITAL BILLBOARDS.

- a) The term “electronic/digital billboard” shall be defined here as any electronic billboard consisting of digital display such as an LED panel mounted adjacent to a freeway, at least 40’ minimum above the nearest freeway lane and within 100 feet from the edge of the nearest freeway right of way should circumstances warrant.
- b) The electronic/digital billboard shall be included as part of a development agreement, lease agreement or other agreement with the City or its related agencies. Such agreement shall contain

performance standards, one-time fees, public benefits, and ongoing revenue provisions that allow the city or related agencies to undertake projects, programs, or other activities that improve the visual environment.

c) Conditional Use Permit Required. The City recognizes that an electronic/digital billboard, if not carefully regulated and designed, has the potential to cause significant adverse effects upon its surrounding visual environment, and to negatively impact the perception of the environment and condition of its neighborhood. Therefore, to ensure that a process for adequate review is provided, each electronic/digital billboard shall require an application for a conditional use permit.

911.10.020 DEVELOPMENT STANDARDS.

a) Electronic/digital billboards shall be allowed in the following zones on parcels that are a minimum of one acre: C, M, and P Zones.

b) Minimum of one mile spacing between electronic/digital billboards shall be observed, except as may be approved in a development agreement.

c) Electronic/digital billboards shall be a minimum 100' from residential property lines.

d) Electronic/digital billboards shall be a maximum height of 80' with a 40' minimum above the nearest freeway lane.

e) No one face of a double-faced or V-shaped billboard shall exceed 1,000 square feet in area and shall include screen face and all decorative elements.

f) No electronic/digital billboard shall have more than two faces. A face shall be considered the display surface upon which an advertising message is displayed.

g) No advertising display may be placed that is so illuminated or contains a digital display that it interferes with the effectiveness of or obscures any official traffic sign, device, or signal or violates any applicable law; nor shall any advertising display include any digital display or be illuminated in a manner that includes flashing, intermittent, or moving lights as further prohibited by the provisions of the Business and Professions Code; nor shall any advertising display cause beams or rays of light to be directed at the traveled ways if the light is of an intensity or brilliance as to cause glare or to impair the vision of any driver, or to interfere with any driver's operation of a motor vehicle.

h) No advertising display shall be placed or maintained in violation of the outdoor advertising act, Chapter 2 (commencing with section 5200) of Division 3 of the California Business and Professions Code, or any other applicable state, federal, or local law.

i) Unless otherwise specified in this section, the general sign requirements set forth in the Business and Professions Code shall apply to plans and materials for and to design, construction, street address numbers, identification and maintenance of outdoor advertising displays approved under this section.

j) All back or rear portions of single-faced and V-type billboards visible from a public right-of-way or other public or private property shall be screened. The screening shall cover all structural

members of the sign, not including the pole supports, and shall additionally cover all electrical or electronic display equipment, and any associated antennas, cables, and other appurtenances.

k) The following restrictions also shall apply:

1. The duration of each message displayed shall be at least eight seconds;

2. No message shall move, flash, shimmer, glitter, or give the appearance of moving, flashing, shimmering or glittering;

3. There shall be a direct change from each message to the next, with no blank or dark interval in between, to avoid a flashing or blinking effect;

4. Display of any form of motion or apparent motion within the message, and any form of video, are prohibited;

5. The brightness of the display surface shall be limited as follows:

i. Dawn to dusk: unlimited;

ii. Dusk to dawn: the display surface shall not produce luminance in excess of 0.3 foot-candles above ambient light conditions, or the level recommended by the Illuminating Engineering Society of North America (IESNA) for the specific size and location of the billboard, whichever is less. Measurement of luminance shall be carried out in accordance with established scientific methods and industry standards, specifically IESNA TM-11-00, or a successive IESNA technical publication.

6. The display brightness shall be controlled by a photocell or light sensor that adjusts the brightness to the required dusk-to-dawn level based on ambient light conditions without the need for human input. Use of other brightness adjustment methods, such as timer- or calendar-based systems, shall only be used as a backup system;

7. The display shall be factory-certified as capable of complying with the above brightness standards. Such certification shall be provided to the satisfaction of the Community Development Director;

8. The electronic/digital billboard owner shall provide to the City, upon request, certification by an independent contractor that the brightness levels of the electronic billboard are in compliance with the requirements of this Section;

9. All electronic/digital billboards shall be oriented, and adequately shielded if necessary, so as to prevent the trespass of light and glare upon any residential land uses, including those in mixed-use districts, as existed on the date of building permit issuance; and

10. All electronic/digital billboards shall be equipped with a control system that, in the event of a display or control malfunction, "freezes" the display on either a single, unchanging message, or a blank screen.

l) Minimum of 10% of ad space shall be dedicated to civic and non-profit advertisements.

m) When an advertising display is defaced with graffiti, the display owner shall remove the graffiti within 48-hours after telephonic notice by city.

n) Prior to issuance of a building permit for any billboard project subject to the requirements of this Chapter, the applicant shall provide the following:

1. The telephone number of a maintenance service, to be available 24-hours a day and an e-mail address, to be contacted in the event that a billboard becomes dilapidated or damaged, or malfunctions in the case of electronic billboards;

2. Proof of lease demonstrating a right to install the billboard on the subject property

o) All billboard structures shall be maintained in a neat, clean, and orderly condition. Any structure which is highly rusted, has peeling paint or sign copy, or in any other way appears unattractive or in disrepair shall be deemed in violation of this Chapter and shall be removed or repaired in accordance with the provisions of this Chapter. Any structure which the City Engineer, Building Official or designee, identifies as an immediate threat to public safety may be removed by the City Engineer or Building Official, or his designee, without notice to the property owner and at the property owner's expense. Mandatory refurbishment shall be performed every 25 years at cost to the owner.

ARTICLE 11 - ENFORCEMENT

911.~~4011~~.010 ENFORCEMENT.

It shall be the duty of the Community Development Director to enforce the provisions of this Chapter. The Chief of Police and all officers charged with the enforcement of the law shall assist the Community Development Director in the enforcement of this Chapter.

911.~~4011~~.020 ~~RIGHT OF ENTRY.~~

~~Upon presentation of proper credentials, the Community Development Director or his duly authorized representative may enter at reasonable times, any building, structure or premises in the City to perform any duties imposed upon him~~Repealed by this Chapter.

911.~~4011~~.030 ABATEMENT OF NONCONFORMING SIGNS.

a) A period of ~~ten (10)~~ years subsequent to the date of the adoption of this Chapter is hereby established for the abatement of signs legally existing prior to said date but which signs become nonconforming as a result of regulations contained herein. This provision applies to signs previously permitted by variance or other zoning exception as well as to signs otherwise established. Illegally erected signs are subject to immediate abatement.

b) Nonconforming, painted, wall signs are subject, in addition to the abatement procedures set forth, to immediate abatement when the business occupying the premises changes to a different business or different owner necessitating repainting of the signs.

c) Abatement periods established herein are subject to appeal before the Planning Commission and City Council.

911.~~4011~~.040 UNSAFE AND UNLAWFUL SIGNS.

a) Signs and sign structures shall be maintained at all times in a state of good repair, safe and secure with all braces, bolts, clips, supporting frame and fastenings free from deterioration, termite infestation, rot, rust or loosening, able to withstand at all times the wind pressure for which they were originally designed.

b) No person maintaining any sign, sign structure or billboard shall fail to keep the ground space within eight ~~(8)~~ feet from the base of said sign, signboard, billboard or advertising structure free and clear of weeds, rubbish and other flammable waste material.

c) If the Community Development Director shall find that any sign or other advertising structure regulated herein is unsafe or insecure, or ~~is a menace to the public, or~~ has been constructed or erected or is being maintained in violation of the provisions of this Section, the permittee or owner thereof shall be given written notice. If the permittee or owner fails to remove or alter the structure so as to comply with the standards herein set forth within ~~thirty (30)~~ days after such notice, such sign or advertising structure may be removed or altered to comply by the Community Development Director at the expense of the permittee or owner of the property upon which it is located. The Community Development Director shall refuse to issue any subsequent building, electrical, plumbing or mechanical permits for the property on which the offending sign was located if any owner or permittee shall refuse to pay costs so assessed. The Community Development Director may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed summarily and without notice.

d) The Community Development Director may cause any illegal temporary sign in the public right-of-way or public property, including flags, pennants, banners and temporary window signs to be removed within a ~~twenty-four (24)~~-hour period.

ITEM 8D

ATTACHMENT 3

TORRANCE MUNICIPAL CODE CHAPTER 11,
DIVISION 9 - SIGNS

CHAPTER 11 - SIGNS

(Added by O-3895)

ARTICLE 1 - SCOPE OF CHAPTER

911.1.010 PURPOSE.

This Chapter provides standards for on-premises signs to safeguard life, health, property, safety, and public welfare, including aesthetics and the visual environment, while encouraging creativity, variety, compatible design, and enhancement of the City's image. The City recognizes that the location, number, size and design of signs significantly influences the City's visual environment and the perception of the City's economic condition and that proper sign control is an important governmental interest. The specific purposes of this Chapter are to:

- a) Provide each sign user an opportunity for effective identification while guarding against the excessive proliferation of signs by appropriately regulating the time, place, and manner under which signs may be displayed;
- b) Maintain a content-neutral approach to sign regulation so as not to inhibit protected forms of freedom of expression, including noncommercial speech;
- c) Preserve and enhance the community's appearance by regulating the type, size, location, quality, design, character, scale, illumination, maintenance and number of signs according to standards consistent with the purpose of the City's various zoning districts and the intent of the zoning regulations;
- d) Enhance the safety of motorists and pedestrians by minimizing the distraction of intrusive signs, as well as to protect the life, health, property and general welfare of City residents, businesses and visitors;
- e) Encourage creative, well-designed signs that contribute in a positive way to the City's visual environment, are complementary to the buildings and uses to which they relate, are harmonious with their surroundings and help maintain an image of quality for the City;
- f) Ensure the quality of the City's visual environment and appearance by providing a review and approval process for signs to ensure compliance with the requirements of this Chapter.

911.1.020 INTENT.

By adopting this Chapter the City Council intends to regulate signs on the basis of location, relationship to land uses, illumination, motion, size, height, orientation, separation, safety of physical structures and the public need for functional information. It is the intent of this Chapter to minimize visual clutter and enhance traffic safety by ensuring that signage does not distract,

obstruct or otherwise impede traffic circulation. Proper sign control also safeguards and preserves the health, property and public welfare by prohibiting, regulating and controlling the structural design, location and maintenance of signs.

ARTICLE 2 - DEFINITIONS

911.2.005 IN GENERAL.

For the purpose of this Chapter the words and phrases set forth shall have a meaning ascribed to them as follows in this Article.

911.2.010 ADVERTISING DEVICE.

"Advertising device" means any balloon, flag, pennant, banner, propeller, oscillating, rotating, pulsating or stationary light, or other contrivance (except lawfully permitted signs) used to attract attention.

911.2.020 ADVERTISING DISPLAY.

"Advertising display" means any device, contrivance, statue, or structure (other than a sign) used as a display, regardless of size and shape, for the purpose of attracting attention.

911.2.030 AERIAL SIGN.

"Aerial sign" means a sign or device that is either floating or flying in the air but is secured to a structure or to the ground by strings or cables and is primarily installed to attract attention to or advertise a business, a business location, a service, a product or an event.

911.2.040 ARCHITECTURAL ELEMENT.

"Architectural element" means an integrated component of the design of a building including walls, windows, rafters, roofs, neon bands and other physical components.

911.2.050 AREA OF SIGN.

"Area of sign" shall mean the total area within the extreme perimeter of the attraction area intended to draw attention to the sign, including all open spaces and the supports which the sign rests upon if said supports are designed to attract attention rather than be aesthetically pleasing. The area of the sign with two (2) faces, approximately opposed, shall be that of the larger face if such condition prevails; but, if the angle between the planes of the faces exceeds forty-five (45) degrees the total area of both faces shall be considered the sign area. For multi-sided or circular signs, the area shall be the total projected area as used for wind load design in the Building Code of the City.

911.2.060 BILLBOARD.

"Billboard" shall mean any sign, signboard or outdoor advertising display which is used for advertising purposes or display purposes, except advertising displays used exclusively:

- a) To advertise the sale or lease of the property upon which such advertising displays are to be placed.
- b) To designate the name of the owner or the occupant of the premises upon which such

advertising display is placed, or to identify such premises.

c) To advertise goods manufactured, produced, or for sale or services rendered, on the property upon which such advertising display is placed.

911.2.070 BUILDING LINE.

"Building line" shall also mean a property line whose boundaries are established by a building line ordinance.

911.2.080 COMMERCIAL MASCOT.

"Commercial mascot" means humans or animals used as advertising devices for commercial establishments, typically by the holding or wearing of insignia, masks or costumes associated with or advertising the commercial establishment, including sign twirlers.

911.2.090 COMMERCIAL MESSAGE OR COMMERCIAL SPEECH.

"Commercial message or commercial speech" is a message displayed on a sign that proposes a commercial transaction or is related primarily to the economic interests of the speaker and its audience. Messages promoting professional services are within this definition.

911.2.100 DEVELOPMENT.

"Development" shall mean any nonresidential property improvement or properties improved as a unit with a common parking area that is contiguous to the development. A shopping center under single or multiple ownership constitutes a development.

911.2.110 ELECTRONIC MESSAGE CENTER OR SIGN.

"Electronic message center or sign" means an electronically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. Time and temperature displays are excluded from this definition.

911.2.120 FACE OF BUILDING.

"Face of building" shall mean the general outer surface not including cornices, bay windows or other ornamental trim, of any main exterior wall of the building.

911.2.130 FLASHING SIGN.

"Flashing sign" means any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use. For the purposes of this Chapter any moving illuminated sign, except electronic message centers, must be considered a flashing sign.

911.2.140 FREEWAY.

"Freeway" shall be deemed to mean highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right or easement of access, and which is declared to be such in compliance with the Streets and Highways Code of the State of California.

911.2.150 FREEWAY, LANDSCAPED.

"Landscaped freeway" shall be deemed to mean a section or sections of a freeway which is now or hereafter may be improved by the planting of at least one (1) side of the freeway right-of-way of lawns, trees, shrubs, flowers or other ornamental vegetation which shall require reasonable maintenance. Planting for the purpose of soil erosion control, traffic safety requirements, reduction of fire hazards, or traffic noise abatement shall not change the character of a freeway to a landscaped freeway.

911.2.160 GOVERNMENT SIGN.

"Government sign" means a sign that is constructed, placed or maintained by the Federal, State or local government or a sign that is required to be constructed, placed or maintained by the Federal, State or local government either directly or to enforce a property owner's rights. City of Torrance signs, when sponsored by a local business and authorized by City Council or City Manager, may contain the name of said sponsor subject to the satisfaction of the City Council or City Manager.

911.2.170 GROUND SIGNS.

"Ground sign" shall mean a sign not wholly supported on a building or on a structure other than a sign structure, including monument, pole or pylon signs.

911.2.180 INFLATABLE DEVICE.

"Inflatable device" means a sign or advertising display that is an air-inflated or air-activated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device. Inflatable devices are restrained, attached or held in place by a cord, rope, cable or similar method.

911.2.190 LIGHT BULB STRINGS.

"Light bulb strings" means external or internal displays within twelve (12) inches of the inside of the window which consist of light bulbs, strings of open light bulbs, LED light strips or lighted tubing.

911.2.200 MARQUEE SIGN.

"Marquee sign" shall include any hood or awning of permanent construction projecting from the wall of a building or other structure.

911.2.210 MONUMENT SIGN.

"Monument sign" means a low profile, freestanding sign with its base on the ground and designed to incorporate design and building elements which complement the architectural theme of the buildings on the premises.

911.2.220 MURAL.

"Mural" means a display or illustration within public view painted on an exterior surface of a structure that does not contain the name of the business, product or service on the premises.

911.2.230 NEON OR LIGHT BAND.

"Neon or light band" means a neon or other light tube, including LED light strips, used to accent the

lines of a building, features of a building, sign or window, which follows the form of the structure.

911.2.240 NONCOMMERCIAL SPEECH OR NONCOMMERCIAL MESSAGE.

"Noncommercial speech" or "noncommercial message" is sign copy or graphics that do not relate primarily to the economic interests of the speaker or the audience, or do not propose an economic transaction or the providing of professional services.

911.2.250 NONCONFORMING SIGN.

"Nonconforming sign" means a sign that was legally erected and maintained at the effective date of the ordinance codified in this Chapter or amendment thereto, that does not currently comply with sign regulations as contained in this Code.

911.2.260 ORIGINAL ART DISPLAY.

"Original art display" means a hand painted work of visual art that is either affixed to or painted directly on the exterior wall of a structure with the permission of the property owner. An original art display does not include: mechanically produced or computer generated prints or images, including but not limited to digitally printed vinyl, electrical or mechanical components or changing image art display.

911.2.270 POLE SIGN.

"Pole sign" means a freestanding sign directly supported by a pole with air space between the grade level and sign face.

911.2.280 PORTABLE SIGN.

"Portable sign" means any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building including but not limited to an A-frame sign, "sandwich sign," a sign on wheels, bow banners, air-assisted devices or a sign which leans against a stationary object, building or structure or any sign held or supported by a person.

911.2.290 PROJECTING SIGN.

"Projecting sign" shall mean a sign suspended from or supported from a building or structure and projecting out therefrom more than one (1) foot.

911.2.300 PYLON SIGN.

"Pylon sign" means a sign supported by two (2) or more uprights, poles or braces, including those surrounded by a decorative cover forming one (1) sign support.

911.2.310 QUALIFIED STREET FRONTAGE.

"Qualified street frontage" shall mean the width of property of a commercial or industrial development fronting on a major or secondary thoroughfare. In cases of corner or through lots, only one (1) street frontage may be used as qualified street frontage for purposes of calculating permitted sign area.

911.2.320 RESPONSIBLE PARTY.

"Responsible party" means the owner of the sign, or, where ownership is not known, the owner of

the property where the sign is posted. In the absence of persuasive evidence to the contrary, the person, persons or business entity who benefitted from the sign shall be presumed to be the person who was responsible for the placement of the sign.

911.2.330 ROOF SIGN.

"Roof sign" shall mean any sign supported by the roof of a building or placed above the apparent flat roof or eaves of a building as viewed from any elevation.

911.2.340 SIGN.

"Sign" shall mean a display board, screen, structure, object or part thereof, used to announce, declare, demonstrate, display or otherwise advertise and attract the attention of the public to any business, service or product provided on the premises upon which such sign is placed, other than:

- a) Official notices authorized by a court, public body or public officer; and
- b) Directional, warning or information signs authorized by Federal, State or municipal authority; and
- c) Murals or original art displays, as defined in this Section.

911.2.350 SIGN PROGRAM.

"Sign program" means a comprehensive program intended to provide incentive, latitude and variety in order to achieve aesthetically appealing and compatible signage for shopping centers, professional office centers and industrial parks with two (2) or more occupants. A sign program may also be applicable for a single business proposing two (2) or more signs. This includes master sign programs and creative sign programs.

911.2.360 SNIPE SIGN.

"Snipe sign" means a sign tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, public benches, streetlights or other objects, or placed in the public right-of-way or on any public property or on any private property without the permission of the property owner.

911.2.370 STREET POLE BANNER.

"Street pole banner" means a banner suspended above a public street or sidewalk and attached to a single street pole. These signs shall not contain any commercial advertising.

911.2.380 TEMPORARY SIGNS.

"Temporary signs" shall mean a sign, banner, pennant or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light material with or without frames intended to be displayed for a short period of time only.

911.2.390 VEHICLE SIGN.

"Vehicle sign" means a sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental

to the vehicle's primary purpose.

911.2.400 WALL SIGN.

"Wall sign" shall mean any sign painted on, attached to or projecting from the wall surface of a building (including permanent window signs and signs on awnings and/or marquees). A wall sign shall not project above the apparent flat roof or eave line as viewed from all elevations.

911.2.410 WINDOW SIGN.

"Window sign" means any sign attached, painted or pasted, either permanent or temporary, on the interior or within twelve (12) inches of the interior or on the exterior of a window and intended to be viewed from the outside.

911.2.420 DIRECTOR.

"Director" shall refer to the Community Development Director, or designee.

ARTICLE 3 - SIGN PERMIT AND FEES

911.3.010 SIGN PERMIT REQUIRED.

a) To ensure compliance with the regulations contained in this Chapter, a sign permit shall be required for any person, business, or identified or presumed responsible person as defined by this Code to erect, display, enlarge, modify, relocate, or change in any way beyond general maintenance, repair, or complete removal, any permanent or temporary sign or sign structure unless such action is expressly exempted by this Chapter. Refacing of existing signs shall be included in this requirement. Sign permits are also required for signs approved through a sign program or other discretionary action.

b) No sign permit shall be issued for any additional signs or alterations to existing signs until all signs on the property or development conform to the provisions of this Chapter.

911.3.020 OFFICIAL, QUASI-OFFICIAL, AND DIRECTIONAL SIGNS.

a) Nothing herein contained shall prevent the erection, construction and maintenance of official traffic, fire and police signs, signals, devices and markings of the State Department of Public Works, the City Council or other appropriate governmental authorities, nor the posting of notices required by law. Private and quasi-public signs shall be prohibited upon public property unless otherwise authorized by the City Manager or appropriate governmental authority.

b) Legal notices, telephone and other underground utility warning signs, not exceeding one (1) square foot in size and other safety signs may be erected without a permit being issued.

c) Nonadvertising, directional or informational signs less than six (6) square feet in area may be used with any "C," "M" or multiple-family use permitted in addition to all other permitted signs.

911.3.030 APPLICATION FOR SIGN PERMIT.

a) Application for sign permits shall be made to the Community Development Department of the City, accompanied by the filing fee, where applicable, and in the amount provided for by resolution.

Applications, whether for discretionary approval or for the issuance of a permit, shall be submitted to the Community Development Department for each development on which the sign or signs are to be erected with the application to be submitted to the Planning Commission and shall contain or have attached thereto the following information:

- 1) Name, address and telephone number of the applicant;
 - 2) Location of building, structure or lot to which or upon which the sign or advertising structure is to be attached or erected;
 - 3) Position of the sign or advertising structure in relation to nearby buildings or structures;
 - 4) Name of person, firm, corporation or association erecting or attaching structure or painting the sign;
 - 5) Written consent of the owner of the building, structure or land to which or on which the structure is to be erected or sign to be painted when more than one (1) occupancy can or does exist;
 - 6) Scaled renderings of all proposed signs;
 - 7) Detailed plans of all existing signs, including photos and/or other pertinent data which will aid in the determination of the site's conformance with this Chapter;
 - 8) Such other information as the Community Development Director shall require to show full compliance with this and all other laws and ordinances of the City.
- b) For issuance of a permit, the following shall also be required:
- 1) Two (2) blueprints of ink drawings of the plans and specifications and method of construction and attachment to the building or in the ground;
 - 2) Copy of stress sheets and calculations showing the structure is designed for deadload and wind pressure in any direction in the amount required by this and all other laws and ordinances of the City;
 - 3) Estimated sign valuation;
 - 4) Any electrical permit required and issued for such sign;
 - 5) In addition to the filing fee, a building permit fee shall be collected in accordance with the evaluation schedule of the City Building Code.

911.3.040 NONCONFORMING SIGNS.

All applications for sign permits for signs which do not conform to the provisions of this Code or are

located on the same property or development on which other signs or all the signs do not conform with the provisions of this Code shall be submitted by the Community Development Director to the Planning Commission for review in accordance with the provisions of this Code.

911.3.050 ISSUANCE OF PERMITS.

If it shall appear the proposed sign structure is in compliance with all the requirements of this Code and all other laws and ordinances of the City of Torrance and has received all necessary approvals, the Community Development Director shall then issue the sign permit. If the work authorized under a sign permit has not been completed within one hundred eighty (180) days or a proper extension granted thereto after date of issuance, the said permit shall become null and void. Issuance of the sign permit shall be conditioned upon the applicant's acceptance of any conditions imposed thereon by the City. No sign permit issued with conditions shall be valid until all conditions have been complied with by the applicant.

ARTICLE 4 - AREA OF SIGN PERMITTED

911.4.010 SIGNS - COMMERCIAL AND INDUSTRIAL.

a) For signing purposes, frontage on private streets that serve as public thoroughfares and not just driveways may, with Planning Commission or City Council approval, be considered as qualified street frontage. Corner commercial lots which side on local residential streets may not consider the local street frontage as qualified street frontage.

b) Total sign area allotment permitted for a development shall be two (2) square feet of sign area for each linear foot of qualified street frontage. Chargeable against the total sign area shall be all permanent signs, including wall, projecting, roof, ground, valance, and marquee signs.

c) Any one (1) development may have a choice of, but not more than, one (1) ground sign or one (1) roof sign or one (1) projecting sign and shall be subject to the exceptions contained in this Section.

911.4.020 GROUND SIGNS.

Ground signs are subject to the following provisions:

a) One (1) ground, monument, pylon or pole sign may be permitted with each "C" or "M" development.

b) The total area of sign permitted for a ground sign shall be measured as one (1) square foot of area of sign for each linear foot of street frontage, to a maximum area of sign of three hundred (300) square feet.

c) The maximum height of any ground sign and its supporting structure shall be twenty-five (25) feet, except that the height of a ground sign may be increased by adding one (1) foot of height for each linear foot the sign is set back from the front property line not to exceed a maximum height of fifty (50) feet to the top of the sign.

d) A minimum qualified frontage of one hundred (100) feet shall be required to erect a ground sign.

e) Permanent attachment to the ground shall be required for all ground signs.

911.4.030 ROOF SIGNS.

Roof signs permitted are subject to the following provisions:

a) One (1) roof sign may be permitted with each "C" or "M" development.

b) The maximum permitted area of roof signing shall be one (1) square foot of sign area for each linear foot of property frontage not to exceed a maximum of one hundred (100) square feet.

c) The height of a roof sign shall not exceed ten (10) feet above the apparent flat roof or eave line.

d) Roof sign supports should be architecturally attractive or screened from view.

911.4.040 PROJECTING SIGNS.

Projecting signs permitted are subject to the following provisions:

a) One (1) projecting sign may be permitted with each "C" or "M" development.

b) Projection of sign shall not extend more than four (4) feet from any wall facing.

c) The total permitted area of a projecting sign shall be measured as one (1) square foot of sign area for each linear foot of property frontage not to exceed a maximum of one hundred (100) square feet.

911.4.050 THEATER MARQUEES.

Theater marquees need not be limited to projecting sign criteria, but shall be subject to Planning Commission approval.

911.4.060 WALL SIGNS.

Wall signs shall be permitted in any "C" or "M" development provided the total area of all wall signs on any one (1) wall face shall not exceed fifteen percent (15%) of the exposed area of the wall on which they are located, said fifteen percent (15%) also to include valance, permanent window signs, cloth signs and banner signs. A wall sign shall not project above the apparent flat roof or eave line.

911.4.070 SIGNS - RESIDENTIAL ZONES.

a) Wall signs, excluding projecting signs, may be used with any multiple-family residential use other than property in an R-5 zone. The area of sign shall not exceed ten percent (10%) of the wall area to a maximum of forty (40) square feet for any one (1) wall face (elevation) and limited to identification only.

- b) Wall signs may be used with any single-family or two-family residential use with a maximum area of sign of one (1) square foot per sign with a limit of three (3) signs for any one (1) occupancy, and may be erected without a permit being issued.
- c) Projecting signs shall not be permitted in connection with a residential use.

ARTICLE 5 - DISCRETIONARY PROCESSES

911.5.005 WAIVER.

A waiver from the provisions of these sign regulations may be considered through the procedures set forth in this Article, including the approval of more than one (1) ground sign. However, any prohibited signs, including those listed in Section [911.6.100](#), shall not be approved.

911.5.010 CREATIVE/INNOVATIVE SIGN PERMIT OR PROGRAM.

This Section establishes standards and procedures for the review and approval of creative sign permits. The purposes of the creative sign permit are to:

- a) Encourage signs of unique design that exhibit a high degree of imagination, inventiveness, spirit, and thoughtfulness; and
- b) Provide a process for the application of sign regulations in ways that will allow creatively designed signs that make a positive visual contribution to the overall image of the City, while mitigating the impacts of large or unusually designed signs.
 - 1) **Applicability.** An applicant may apply for a creative sign permit in order to request approval of development standards that differ from the provisions of this Chapter, but comply with the purpose and findings of this Section. However, the creative sign permit process shall not be used to allow any prohibited sign type or feature.
 - 2) **Application.** A creative sign permit application shall include all information and materials required by the Department, and the filing fee as specified in a fee resolution as adopted by the City Council.
 - 3) **Approval Authority.** An application for a creative sign permit shall be subject to review and approval or disapproval by the Planning Commission.
 - 4) **Findings.** The Planning Commission shall not approve a creative sign permit unless the proposed sign meets the following design criteria:
 - A) **Design Quality.** The sign shall:
 - i) Constitute a substantial aesthetic improvement to the site and shall have a positive visual impact on the surrounding area;

- ii) Be of unique design, and exhibit a high degree of imagination, inventiveness, spirit, and thoughtfulness; and
 - iii) Provide strong graphic character through the imaginative use of color, graphics, proportion, quality materials, scale, and texture.
- B) Contextual Criteria. The sign shall contain at least one (1) of the following elements:
- i) Classic historic design style;
 - ii) Creative image reflecting current or historic character of the City;
 - iii) Inventive representation of the logo, name, or use of the structure or business.
- C) Architectural Criteria. The sign shall:
- i) Utilize or enhance the architectural elements of the building; and
 - ii) Be placed in a logical location in relation to the overall composition of the building's facade and not cover any key architectural features and details of the facade.
- D) Impacts on Surrounding Uses. The sign shall be located and designed not to cause light and glare impacts on surrounding uses, especially residential uses.

911.5.020 MASTER SIGN PROGRAM.

This Section establishes standards and procedures for the review and approval of master sign programs. The purpose of a master sign program is to:

- a) Ensure that all signs on a subject property are of complementary style and design, and are compatible with the architecture and theme of the property;
 - b) Provide a process for the review of said signs to ensure that new developments or major remodels achieve the highest quality of design by complementing the development with high-quality signs;
 - c) Provide for consistent and streamlined review and approval of new signs consistent with the sign program; and
 - d) Establish special sign criteria and standards for a given property when such additional regulation or waivers from the provisions of this Chapter are considered appropriate and beneficial.
- 1) Applicability. Application for a master sign program may be submitted for any development, but shall be required for the following:

- A) Any sign application submittal for two (2) or more new or replacement signs (not

including exempt or temporary signs) intended to be placed on a site;

B) Any new commercial, industrial or institutional building(s);

C) Any new mixed-use development with two (2) or more nonresidential tenant spaces;
and

D) Any residential project consisting of five (5) or more new dwelling units.

2) Application. A master sign program application shall include all information and materials required by the Department, and the filing fee as specified in a fee resolution as adopted by the City Council.

3) Approval Authority. The Community Development Director may approve an application for a master sign program that does not increase sign area by more than thirty percent (30%) above that allowed. An application for a master sign program greater than thirty percent (30%) of allowable signage shall be subject to review and approval or disapproval by the Planning Commission. Where possible, a master sign program should be submitted for review in conjunction with the project being reviewed for approval.

4) Findings. The Community Development Director or Planning Commission shall not approve a master sign program unless the proposed master sign program meets the following design criteria:

A) All signs in the sign program are designed in such a manner so as to be internally consistent, coordinated, and whole within themselves, and harmonious with any existing signs remaining on the site.

B) Any existing signs on the site, if they are to remain, are of high quality design and materials, and complement the existing or proposed building and architecture, and will be complemented by the new signs in the sign program.

C) All signs in the sign program will complement and enhance the architectural theme of the subject property.

D) All signs in the sign program comply with the standards of this Chapter, unless specific exemptions have been granted in the interest of enhanced design and compatibility, and such exemptions are not contrary to the intent of this Chapter.

5) Waiver of Standards. A waiver from the development standards of this Chapter may be granted for signs in a master sign program if the findings are made by the Community Development Director or Planning Commission, and the waiver will achieve the specified purpose of the master sign program. However, prohibited signs shall not be approved through a master sign program.

911.5.030 RIGHT OF APPEAL.

The decision of the Community Development Director or the Planning Commission may be appealed pursuant to the provisions of Article 5, Chapter 1, Division 1 of this Code, commencing at Section 11.5.1.

ARTICLE 6 - GENERAL PROVISIONS**911.6.010 PROJECTION INTO ALLEYS PROHIBITED.**

No sign shall project into any alley below a height of seventeen (17) feet above grade or more than twelve (12) inches when over seventeen (17) feet.

911.6.020 INTERFERENCE WITH BUILDING REGULATIONS.

No sign shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit or standpipe, or obstruct any required ventilator, or door stairway. No sign shall obstruct the free use of any window on the same premises.

911.6.030 PROJECTION OVER PUBLIC PROPERTY.

No projecting sign or ground sign may extend over any public street or private street, public sidewalk, other public property, or beyond a building line, except a distance as determined by the clearance of the bottom of the sign to the level of the sidewalk or grade immediately below as follows:

- a) Clearance less than eight (8) feet, no projection.
- b) Clearance of eight (8) feet, one (1) foot projection.
- c) Clearance above eight (8) feet, for each additional two (2) inches clearance an additional one (1) inch projection to a maximum projection of four (4) feet.

911.6.040 ENCROACHMENT PERMIT.

- a) No sign permit shall be issued for any sign or billboard which encroaches upon or over any City owned or controlled property unless an encroachment permit therefor is obtained from the City Manager or his designee.
- b) No encroachment permit for any sign or billboard shall be issued unless in the opinion of the City Manager the erection and maintenance of said sign shall not imperil the health, safety and welfare of the public. Any such permit may be issued subject to such conditions as the City Manager deems to be reasonably necessary for the protection of the public.

911.6.050 PROJECTION OVER PRIVATE PROPERTY.

No sign may project more than six (6) inches from the face of a building over private property used or intended to be used by the general public, unless there is a minimum of eight (8) feet clearance from the bottom of the sign to sidewalk or grade immediately below the sign, or a minimum of seventeen (17) feet clearance from the bottom of the sign to a vehicular trafficway immediately

below the sign.

911.6.060 MEMORIAL SIGNS AND HISTORICAL TABLETS.

Memorial signs and historical tablets or plates commemorating a historical event or a memorial to a deceased person may be used with any building if not exceeding two (2) square feet in area and permanently fastened to the building surface; provided, however, larger signs may be permitted with approval by the Planning Commission.

911.6.070 VEHICLE SIGN.

a) Any vehicle with advertising permanently attached to it or temporarily placed upon it for the purpose of advertising a business, service or product shall not be parked on private or public property so as to serve as a billboard or sign.

b) The provisions of this Section shall not apply to signs advertising the sale of a vehicle by the owner thereof who is not an automobile dealer or an employee or agent thereof.

911.6.080 BULLETIN BOARDS.

Bulletin boards or changeable copy signs shall be any identification sign used in conjunction with religious institutions, Y.M.C.A.s and other civic or charitable organizations, florists, movie theaters and gas stations. Bulletin boards not over twelve (12) square feet in area may be used with a public, charitable, or religious institution located in a residential use zone when such bulletin boards are located on the premises of such institution. Bulletin boards in the form of electronic message centers shall require approval by the Planning Commission and shall not exceed the designated size of twelve (12) square feet, with the exception of gas station price signs, which may be electronic without Planning Commission approval.

911.6.090 SPECIAL PERMITS.

Nothing herein contained shall prevent the City Council from granting temporary special permits on such terms as it may deem proper, for signs advertising or pertaining to any civic, patriotic or special event of general public interest taking place within the boundaries of the City, when it is determined that the same will not be materially detrimental to the public welfare, interest or safety, nor injurious to adjacent property or improvements.

911.6.100 PROHIBITED SIGNS.

The following signs, sign types and locations are inconsistent with the purposes and standards of this Chapter and are, therefore, prohibited in the City:

- a) Abandoned and/or dilapidated sign structures.
- b) Inflatable devices.
- c) Lightbulb strings or tube lighting, unless approved as part of the building design.
- d) Flashing signs.

- e) Snipe signs.
- f) Obscene or unlawful signs.
- g) Portable signs, including A-frame, T-stand, rolling signs, sandwich boards, bow banners or signs held or supported by human beings.
- h) Signs emitting audible sounds, odors or particulate matter.
- i) Rotating, moving, changing or blinking signs.
- j) Signs emulating traffic signals or devices.
- k) Mylar balloons.
- l) Electronic message center and digital billboard freeway signs.

911.6.110 SIGNS ON PUBLIC PROPERTY.

No sign shall be placed on any public property, including but not limited to any City building, sidewalk, crosswalk, curb, street lamp post, hydrant, tree, shrub, tree stake or guard, railroad trestle, electric light or power or telephone or telegraph wire pole or wire appurtenance therefor or upon any fixture of the fire alarm system or upon any lighting system, street sign or traffic sign.

- a) Application may be made for a temporary sign on public property and will be reviewed by Community Development and City Manager.

911.6.120 SIGN APPURTENANCES.

- a) All cabinets, conductors, transformers and other equipment shall be concealed.
- b) Exposed lamps, tubing, raceways, cross-overs or conduits will be permitted by Planning Commission approval only and only when an integral part of the sign design.

911.6.130 USE OF ROMAN LETTERS, ARABIC NUMERALS.

Any business or place of public assembly shall have, at a minimum, at least one (1) conspicuous sign setting forth the trade name of the business or the name of the place of public assembly and the street address number in Roman letters and Arabic numerals, respectively. The letters and numerals on any such sign shall be large enough to be readable from a distance of one hundred (100) feet.

ARTICLE 7 - TEMPORARY SIGNS

911.7.010 TEMPORARY SIGNS.

- a) Except as otherwise provided in this Code, no person may erect a temporary sign except to advertise a business, industry or pursuit conducted on the premises on which the sign is erected or maintained; provided, however, that the provisions shall not apply to signs of a civic, political or religious nature or other noncommercial speech. Such signs shall not take the place of permanent

signs beyond a period of ninety (90) days.

- b) Except as otherwise provided and for special events, temporary signs affixed to buildings are limited to banner type signs not to exceed one hundred (100) square feet in area and fifty percent (50%) of the building frontage in width, allowing a minimum of twenty (20) square feet and a maximum of sixty (60) square feet of sign area for buildings at property line. An additional one (1) square foot of area will be allowed for each ten (10) feet the building is set back from the street to a maximum of one hundred (100) square feet.
- c) Buildings with frontages on two (2) major streets or residential properties for lease on corner lots may display one (1) banner on each frontage.
- d) Where feasible, banners shall be placed against the flat surface of the building wall beneath the roof line. In no case may banners be strung between posts, trees or in required landscaping areas.
- e) The Community Development Director may approve additional signs such as flags, pennants, banners, etc., for special events such as grand openings, under new management, or inventory sales for a time limited to thirty (30) days per calendar year. Such time shall be counted as a part of the ninety (90) day limitation for all temporary signs.
- f) Mylar-type balloons made of any electrically conductive material and portable-type signs are prohibited. Portable signs are those that are not permanently affixed to the ground but are self-supporting.
- g) The length of flags representing governmental bodies may not exceed one-fourth (1/4) the height of the flag pole. A flag pole height shall not exceed twenty-five (25) feet at property line. The height may be increased in height by one (1) foot with each one (1) foot in setback from the property line to a maximum of fifty (50) feet in height.

911.7.020 TIME LIMIT ON TEMPORARY SIGNS.

- a) Except as otherwise provided, banners constructed of sturdy material may be used to advertise sales or special events for a period up to ninety (90) days during any one (1) calendar year. Extension beyond ninety (90) days is subject to CDD Director or Planning Commission approval subject to the following criteria and provided the banner is not being used to take the place of a permanent sign:
 - 1) The extension of time will not affect the rights of adjacent property owners or tenants, or would constitute an adverse impact on them.
 - 2) The banner remains whole, attractive, and is not faded or ripped.
 - 3) The extension of time will not result in a material change in the concept or execution of the sign program as approved by Council, the Planning Commission, or other body or official.

- 4) There is a hardship to the applicant if the extension of time is not granted.
- 5) The extension of time will not be contrary to any established planning, zoning or sign policies of the Council, a commission, body or official for the particular project under consideration as determined by a review of the minutes or other records of the original approval.

911.7.030 PERMITS.

- a) An annual temporary sign permit may be issued for signs that comply with the provisions of this Chapter that allows the applicant to tailor the duration and number of days under the permit to meet the particular needs of the establishment, provided the total number of days does not exceed ninety (90) calendar days per year and the application meets the requirements of this Section. A temporary sign permit may be issued for consecutive periods of time only.
- b) The applicant for a temporary sign permit or an annual temporary sign permit must be the property owner or the lessee of the subject property with the approval of the property owner.

911.7.040 TRADE CONSTRUCTION SIGNS.

Construction trade signs shall be constructed of plywood or similar material and shall not exceed a total sign area of sixty-four (64) square feet. These signs may be displayed without permit at the discretion of the Community Development Director to advertise the various construction trades on a construction site. Trade construction signs shall be removed prior to the issuance of a certificate of occupancy.

911.7.050 COMMERCIAL LEASING SIGNS.

- a) Signs advertising commercial properties for rent or sale shall be constructed of plywood or sheet metal material and shall not exceed a total sign area of thirty-two (32) square feet for properties less than one hundred (100) feet in frontage. Properties with one hundred (100) feet or more of frontage may have a sign not to exceed sixty-four (64) square feet and may be displayed without permit at the discretion of the Community Development Director.
- b) Commercial leasing signs may only be displayed when there is an available unit of space to be sold or rented and shall not be permanently attached to the property.
- c) Properties having more than one (1) frontage may display a sign on each frontage.

911.7.060 REAL ESTATE SIGNS - RESIDENTIAL.

- a) Real estate signs for one (1) to four (4) units shall be subject to the following criteria:
 - 1) One (1) additional sign not to exceed twelve (12) square feet, six (6) feet high, with five (5) flags, located not less than five (5) feet from property line of the lot upon which such sign is placed, and pertaining only to the rental, lease or sale of the building or property upon which such sign is located will be permitted without the issuance of a sign permit in any of the residential zones.

- 2) Six (6) unlighted directional open house signs, leading to the site of the sale, not to exceed six (6) square feet, four (4) feet high, with one (1) pennant per sign, may be placed on private property, with consent of owner, during daylight hours only, and shall be permitted without the issuance of a sign permit; provided, however, that such signs shall not be located at any location or driveway so as to interfere with the view of traffic at any intersection or driveway. Such placement of signs or pennants shall not allow the use of more than one (1) sign and one (1) pennant at any one (1) location to any one (1) real estate broker or owner.
- b) A sign program for on-site and off-site directional signs for five (5) or more residential units shall be approved by the Community Development Director and shall adhere to the following guidelines, not excluding other conditions, as approved by the Community Development Director:
- 1) On-Site Signs.
 - A) On-site signs may consist of a subdivision sign plus one (1) fifteen (15) square foot flag for every fifty (50) feet of frontage to a maximum of five (5) flags for each street frontage.
 - B) A provision shall be made in the conditions, covenants and restrictions concerning the control of signs for the resale of units.
 - 2) Off-Site Directional Signs.
 - A) Off-site directional signs shall not exceed four (4) square feet and shall be limited to one (1) sign for each location.
 - B) Such sign shall be displayed only during daylight hours and when the property is open for inspection.
 - C) Signs may not be placed on any public property and may be placed on private property only with the consent of the property owner.
 - D) Signs shall not be placed in street medians, tree walls and parkways, including those that have received special surface treatment, such as rock, asphalt, concrete, etc., or any other public property; nor shall any portion of the ground or right-of-way of parks, libraries, schools or other public buildings or grounds be used for such signs.
 - E) Directional signs staked to the ground shall not be attached to any street tree, traffic signal/information sign, utility pole or appurtenance or other structure, nor shall they be located on public property.
 - F) The placement of such signs shall not create any sight obstruction or safety hazard for traffic or pedestrians.

G) The number of directional signs shall be limited to provide directional information only.

H) Placement of signs on private property must require approval of the property owner.

911.7.070 SUBDIVISION SIGNS.

Ground signs advertising a subdivision for sale, rent or lease may be permitted upon approval of the Planning Commission, subject to the following criteria:

- a) Maximum area per sign to be three hundred (300) square feet.
- b) Minimum distance of five hundred (500) linear feet between signs.
- c) Signs to be located on subdivision parcel.
- d) A maximum of one (1) sign may be permitted for each street facing.

911.7.080 POLITICAL SIGNS.

a) Any sign designating a candidate for a political office to be voted on by the electors of Torrance is a political candidate sign. Political candidate signs may be placed on private property with the consent of the owner of the property in any use zone from the date the candidate files an official declaration of candidacy and shall be removed not later than fourteen (14) days after the election.

b) Any sign advertising a ballot issue to be voted on by the electors of Torrance is a political issue sign. Political issue signs may be placed on private property with the consent of the owner of the property in any use zone from the date the issue is authorized to be placed on the ballot by resolution of the State, county, City, school district, special district or other public entity affected thereby and shall be removed not later than fourteen (14) days after the election.

c) No permit, bond or fee shall be required to post a political sign.

d) All political signs shall be maintained in a state of security, safety and good repair and shall be subject to the design and construction specifications for temporary signs set forth in this Article. If the Director shall find that any political sign is unsafe, insecure or a menace to the public safety or fails to meet the design and construction specifications for temporary signs, the owner of such sign (or the owner of the property who has permitted such sign to be posted on his premises) shall be given written notice thereof and shall be required to remove it or alter it to comply with the standards set forth in this Article no later than twenty-four (24) hours after he is so notified. The Community Development Director may cause the sign to be removed or altered to so comply upon failure to do so by the owner within twenty-four (24) hours; provided, however, that the Community Development Director may cause any political sign which is an immediate peril to persons or property to be removed summarily and without notice.

911.7.090 TEMPORARY WINDOW SIGNS.

Temporary window signs, in commercial areas only, shall not be governed by the sign area regulations for wall signs described in this Article. Temporary window signs shall not exceed twenty-five percent (25%) of the window area and shall not require a permit if signs meet the requirements of this Chapter. String lights and/or light tubes may not be used in windows unless previously approved as part of the building architecture. Temporary window signs shall not be permitted in residential and industrial land use areas.

911.7.100 TEMPORARY CIVIC AND RELIGIOUS SIGNS.

Temporary civic and religious signs may be used without the issuance of a permit and shall not be subject to the regulations for wall, roof, ground or projecting signs as described in this Chapter.

911.7.110 GASOLINE/SERVICE STATION SIGNS.

- a) Service stations shall be allowed signs as provided in the Code requirements.
- b) In addition to permanent permitted signs, price signs shall be allowed as follows: All prices shall be displayed in compliance with State requirements. Price signs must be attached to the existing ground sign. If the existing sign will not allow any attachment, a pole sign not exceeding six (6) feet in height may be used to display price signs.
 - 1) Properties with one (1) street frontage may have one (1) price sign not to exceed fifteen (15) square feet, attached to a ground sign.
 - 2) Properties with two (2) street frontages may have two (2) double-face, fifteen (15) square feet signs attached to ground signs.
 - 3) Changeable electronic signs may be used for service station price signs without requiring Commission approval.
- c) All other temporary signs are prohibited except as provided for in this Code or State regulations.

911.7.120 CAR DEALERSHIPS.

- a) Car dealerships shall be allowed signs as provided in the sign code requirements.
- b) Banners which are to be attached to walls shall be limited as provided in this Article except that one (1) additional banner may be allowed for the used car sales section of the car dealership property.
- c) In addition, car dealerships shall be allowed to display pole banners (two (2) sided) not to exceed a maximum of two hundred (200) square feet; and one (1) fifteen (15) square foot flag per pole, to a maximum of ten (10) per property.
- d) Temporary signs may be permitted for up to ninety (90) days per permit but must be removed for a minimum of ninety (90) days before another permit may be issued.

911.7.130 SIGNS ON PUBLIC PROPERTY.

No advertising or temporary type sign shall be placed upon any utility pole or appurtenance thereto, street light, street tree, traffic or directional/information type sign on public property, nor shall any sign be placed on public property, including sidewalks, parkways, streets, medians or any other public property, including parks, libraries, schools or other public facilities.

911.7.140 STREET BANNERS.

No persons shall erect, place, suspend, attach or maintain over any public street or other public way or place any sign or banner for any purpose whatsoever; provided, however, permits for such signs may be granted by the City Manager, and provided such signs are concerned with the announcing of a matter of general City-wide importance; but in no event shall a permit be granted which in any way promotes any individual or product. The installation shall be approved by the Community Development Director.

911.7.150 DECORATIONS.

Seasonal signs, lights and decorations with no commercial message may be displayed for one (1) continuous period not to exceed ninety (90) days per year, provided they are not prohibited signs.

ARTICLE 8 - ELECTRONIC MESSAGE CENTER SIGNS**911.8.010 BULLETIN BOARDS**

Manually changeable copy signs shall be allowed subject to the following:

- a) Changeable copy signs are limited to the following users as designated in Article 9, Billboards: churches, florists, public schools, public colleges and universities, and may be converted to electronic messaging with Planning Commission approval.
- b) Size. Changeable copy displays may be installed on freestanding, monument, and wall signs. The area of the changeable copy display shall be counted toward the allowable sign area for the type of sign upon which the changeable copy is installed. When converted to electronic messaging, they may not exceed the twelve (12) square feet allowed for bulletin boards.

911.8.020 ELECTRONIC MESSAGE CENTER SIGNS.

Electronic message center signs (abbreviated EMCS) are permitted subject to the following standards:

- a) Conditional Use Permit Required. The City recognizes that an electronic message center sign, if not carefully regulated and designed, has the potential to cause significant adverse effects upon its surrounding visual environment, and to negatively impact the perception of the environment and condition of its neighborhood. Therefore, to ensure that a process for adequate review is provided for these signs, each EMCS shall require an application for a conditional use permit, shall be part of a master sign program, and additionally shall be subject to the findings specified in electronic message center signs.

911.8.030 SITE REQUIREMENTS FOR ELECTRONIC MESSAGE CENTER SIGNS.

Electronic message center signs are subject to the following site restrictions:

- a) **Lot or Building Minimum Size.** Electronic message center signs are allowed only at a business or shopping center or institutional use that is located upon one (1) or more acres of land. The one (1) or more acres must consist of one (1) contiguous group of parcels or lots. Alternately, an EMCS may be permitted for a single building consisting of one hundred fifty thousand (150,000) square feet or more in gross floor area. Such building must be located on one (1) contiguous parcel or group of lots.
- b) **Zones Permitted.** EMCS shall be allowed only in commercial, industrial and public use zones.
- c) **Street Types Permitted.** EMCS shall be allowed only on a street or highway classified as a major arterial, or regional corridor.

911.8.040 NUMBER, LOCATION, SPACING, FORM, AND SUBSTITUTION/REMOVAL REQUIREMENTS.

The following requirements shall apply regarding the number, spacing, and form of electronic message center signs, as well as substitution for other sign types and removal of other sign types:

- a) **Number.** One (1) EMCS shall be allowed for each six hundred feet (600) of total street frontage on a qualifying site (the total may include street frontage on more than one (1) street for sites bounded by multiple streets).
- b) **Location.**
 - 1) **Upon Subject Site.** No electronic message center sign shall be located closer to any interior side property line than twenty-five (25) feet. Lots adjoining freeway or railroad right-of-way may locate an EMCS on the property line adjoining such right-of-way.
 - 2) **Distance from Residential.** All EMCS shall have a minimum separation of two hundred (200) feet from a residential property.
- c) **Spacing.**
 - 1) **Between EMCS on Same Frontage.** A radius of three hundred (300) feet shall be required between each EMCS on the same property, on the same street frontage.
 - 2) **Between EMCS on Different Frontage.** No EMCS shall be located less than one hundred (100) feet from another EMCS on a different street frontage (for example, an EMCS on each frontage of a corner lot) on the same property or site.
 - 3) **Between EMCS and Freestanding/Monument Signs.** The minimum distance required between a freestanding/monument sign and an electronic message center sign shall be one hundred (100) feet.

- 4) Between EMCS on Different Properties. No EMCS shall be located less than three hundred (300) feet from another EMCS on a different property or site.
 - 5) Freeway-Oriented EMCS. A radius of six hundred sixty (660) feet shall be required between all freeway-oriented electronic message center signs. For freeway-oriented EMCS, and EMCS located adjacent to other State highways, if the requirements of the California Department of Transportation (Caltrans) are more restrictive, those requirements shall control.
- d) Sign Form. An EMCS may take the form or style of a freestanding sign, monument sign, or wall sign only. Other forms are prohibited.

911.8.050 DESIGN STANDARDS.

The following design standards shall apply to electronic message center signs:

- a) Bare metal structural supports are prohibited; all supports shall have an architectural covering or treatment.
- b) A freestanding EMCS shall have an architectural base and support(s) totaling at least half the width of the sign face.
- c) High-quality materials shall be used in the sign overall. Use of metal backgrounds and cabinets is strongly encouraged.
- d) The overall design, form, and structure of the EMCS shall be architecturally interesting and creative, and shall be harmonious with itself and the surrounding land uses. The design should complement the building(s) of the site for which it is emplaced, and, where appropriate, bear a strong architectural relationship to those buildings.

911.8.060 HEIGHT, AREA, PROJECTION, AND CLEARANCE REQUIREMENTS.

- a) Height and Area. The height and area of an EMCS shall not exceed the limits set forth for ground signs.
- b) Projection and Clearance.
 - 1) No portion of an electronic message center sign shall project into any right-of-way.
 - 2) The vertical clearance from grade to the lowest point of the sign is eight (8) feet for pedestrian use and seventeen (17) feet for vehicular use.

911.8.070 BRIGHTNESS, DISPLAY, COPY, AND MESSAGE REQUIREMENTS.

The following requirements establish the standards for the display face and copy and messages to be displayed on an electronic message center sign:

- a) Brightness. The following brightness standards and limitations shall apply:

- 1) Dawn to dusk: unlimited;
 - 2) Dusk to dawn: the display surface shall not produce luminance in excess of 0.3 foot-candles above ambient light conditions, or the level recommended by the Illuminating Engineering Society of North America (IESNA) for the specific size and location of the sign, whichever is less;
 - 3) The display brightness shall be controlled by a photocell or light sensor that adjusts the brightness to the required dusk-to-dawn level based on ambient light conditions without the need for human input. Use of other brightness adjustment methods, such as timer- or calendar-based systems, shall only be used as a backup system;
 - 4) The display shall be factory-certified as capable of complying with the above brightness standards. Such certification shall be provided to the satisfaction of the Community Development Director; and
 - 5) The sign owner shall provide to the City, upon request, certification by an independent contractor that the brightness levels of the sign are in compliance with the requirements of this Section.
- b) Display Message. The following standards and limitations shall apply to the message shown on the display surface:
- 1) The message shown on the EMCS display shall not flash, shimmer, glitter, or give the appearance of flashing, shimmering, or glittering.
 - 2) The EMCS display shall have no message or illumination which moves, or is in continuous motion, or which appears to be in continuous motion. Display of full-motion video and video-like sequences is prohibited.
 - 3) The display message shall not change at a rate faster than one (1) message every eight (8) seconds.
 - 4) There shall be a direct change from each message to the next, with no transition effect, and no blank or dark interval in between, to avoid a flashing or blinking effect.
 - 5) The intensity of illumination shall not change, except as required to comply with the dusk-to-dawn brightness standards.
 - 6) All messages shall be limited to on-site advertising of goods or services, or noncommercial messages (i.e., time, temperature, or public service announcements). All off-site advertising messages are prohibited (see Article 9, Billboards); this includes messages by or for sponsors, patrons, brands, and other similar off-site parties or entities.

c) Fixed Copy. Fixed/permanent sign copy on each face of an electronic message center sign shall be limited to the identification of the business, shopping or convention center name or icon and two (2) major tenants or products or services. The fixed/permanent sign copy shall not flash, shimmer, glitter, or give the appearance of flashing, shimmering, or glittering, and shall be included in the overall sign area.

911.8.080 LIGHT AND GLARE INTRUSION PREVENTION.

a) All electronic message center signs shall be adequately shielded and properly oriented and aimed so as to prevent the intrusion of light and glare upon residential land uses, including those in mixed-use districts.

b) Exemptions:

1) Electronic signs used solely to display prices for gasoline sales at gas stations shall not be required to obtain a conditional use permit. These signs shall be subject to all other applicable requirements.

2) Electronic message center signs and other similar signs that are not visible from the public right-of-way and any other public or private property shall be exempt from the requirements of this division, except that such a sign or display shall be adequately covered or shielded, and properly oriented and aimed, so as to prevent the emission or generation of light and glare from the sign location. All building and electrical permits shall be obtained as required by the municipal code.

911.8.090 NONCONFORMING ELECTRONIC MESSAGE CENTER SIGNS.

It is the intent of this Section to recognize that the eventual elimination of existing electronic message center signs that do not conform to this Chapter is as important to City-wide aesthetic and health, safety and welfare as is the prohibition of new signs that would violate the provisions of this Chapter. It is also recognized that electronic message center signs typically require a much higher initial investment than other classes of signs, and do not recycle with the frequency of other classes of signs. Consequently, separate regulations for nonconforming EMCS are necessary to ensure that legal nonconforming EMCS are addressed as fairly as possible in a manner that avoids any unreasonable invasion of established property rights. Therefore, existing, legally established electronic message center signs may be used and maintained as legal nonconforming signs, subject to the following restrictions:

a) A nonconforming EMCS shall not be:

- 1) Enlarged or otherwise altered to increase its display area;
- 2) Increased in height;
- 3) Changed to another type of nonconforming sign;

- 4) Structurally altered to extend its useful life;
 - 5) Converted to a billboard (electronic/digital or otherwise); or
 - 6) Reestablished after damage or destruction of more than fifty percent (50%) of the value of the sign at the time of such damage or destruction.
- b) The display surface and fixed sign copy of a nonconforming EMCS may be altered and upgraded without affecting the nonconforming status of the sign; provided, that such alterations comply with the requirements regarding brightness, display, copy, and message.
- c) Upon change of the primary land use for which the EMCS was constructed, the new owner or operator shall be required to obtain a new conditional use permit in order to maintain the EMCS at the site. The Planning Commission may, at its discretion, require upgrades to the display surface, fixed copy, and other elements of the nonconforming EMCS to bring it into compliance with the requirements of this Section. If a new conditional use permit is not obtained, the EMCS shall be removed immediately.

ARTICLE 9 - BILLBOARDS

911.9.010 PURPOSE.

Billboards are recognized as a legitimate form of commercial use in the City. However, the size, number, location and illumination of billboards can have significant influence on the City's visual environment, and can, without adequate control, create or contribute to blighted conditions. The purpose of this Article is to provide reasonable billboard control, recognizing that community appearance is an important factor in ensuring the general community welfare. Additionally, it is the purpose of this Article to eventually eliminate nonconforming billboards from the City.

911.9.020 APPROVAL OF PLANNING COMMISSION.

- a) No billboard may be constructed without an approved conditional use permit and unless a sign permit therefor has been issued. Any type, style, or location of billboard development not specifically permitted by this Article shall be prohibited.
- b) In making its determination, the Planning Commission shall consider, among other factors:
 - 1) If the approval will be materially detrimental to the public welfare;
 - 2) If the approval will substantially interfere with the orderly development of the City as provided for in the land use element of the General Plan and the Zoning Code;
 - 3) If the proposed billboard will be compatible with the development of property of other persons located in the vicinity thereof;
 - 4) Whether the size of the proposed billboard will be out of context with its visual environment, or be visually disruptive to neighboring properties and structures;

- 5) Whether adequate spacing will exist between the proposed billboard and any existing or proposed billboards in the vicinity, such that negative visual and aesthetic impacts upon the neighborhood and surrounding land uses shall be avoided;
- 6) If the applicant has demonstrated technically, through a light study or similar study, that the billboard will not cause light and glare to intrude upon residential land uses, including those in mixed-use districts;
- 7) Whether the proposed billboard will comply with all provisions of this Chapter;
- 8) Approval of this permit is consistent with the intent of this Section, which is, primarily, to provide reasonable billboard control and to cause the eventual elimination of nonconforming billboards from the City.

911.9.030 MAXIMUM AREA.

- a) No single-faced billboard shall be larger than seven hundred (700) square feet in area.
- b) No one face of a double-faced or V-shaped billboard shall exceed seven hundred (700) square feet in area.

911.9.040 MAXIMUM HEIGHT AND AVERAGE GRADE.

- a) The maximum height of billboards shall be forty-two (42) feet measured from the ground to the overall top; provided, however, that no billboard shall be located on the roof of a building.
- b) A billboard intended to be seen from a freeway may be approved by the Planning Commission to extend up to thirty-five (35) feet above the grade of the outermost lane of travel should circumstances warrant.

911.9.050 SUBDIVISION BILLBOARDS.

The following provisions shall apply to billboards which have as their subject matter the location of a subdivision with improvements for sale:

- a) The applicant for a sign permit and for approval of the Planning Commission must be the owner of, or the agent of the owner of, such subdivision improvements.
- b) The subdivision must be located within the City of Torrance.
- c) Such billboards shall not exceed more than ten (10) feet in height and twenty (20) feet in width.
- d) The billboard shall be removed at the end of a period no longer than six (6) months following the completion of the subdivision improvements being advertised for sale.

911.9.060 BILLBOARDS ADJACENT TO RESIDENTIAL AREAS.

- a) A billboard which is situated in a commercial or industrial zone shall not be located closer than

two hundred (200) feet from any building used for residential purposes.

b) A billboard shall not be located closer than two hundred (200) feet from any public recreation area, public or parochial school, public library or church.

911.9.070 ZONING.

A billboard may be placed only in commercial, industrial or public use zones.

911.9.080 BLOCKAGE OF EXISTING SIGNS.

No billboard may be placed so as to block the view of prior existing signs which advertise the businesses on adjacent property.

911.9.090 STRUCTURE.

a) Billboards shall be provided with no more than one (1) support, and the support shall be constructed of steel. The support shall be architecturally treated to the satisfaction of the Planning Commission. At a minimum, unpainted steel structural supports and wood structural supports shall be prohibited.

b) All billboards shall comply structurally to the City's Building Code.

c) All back or rear portions of single-faced and V-type billboards visible from a public right-of-way or other public or private property shall be screened. The screening shall cover all structural members of the sign, not including the pole supports, and shall additionally cover all electrical equipment and other appurtenances.

911.9.100 MINIMUM DISTANCE BETWEEN BILLBOARDS.

A minimum distance of five hundred (500) feet shall be maintained between any two (2) billboards located on either side of the same street frontage; provided, however, that no more than three (3) billboards shall be located within a fifteen hundred (1,500) foot frontage on the same side of the street.

911.9.110 ILLUMINATION.

a) Any illumination used on a billboard shall be of an indirect type and shall not face toward any residential building.

b) No flashing or intermittent lights shall be used to illuminate a billboard.

911.9.120 ENCROACHMENTS.

No portion of any billboard shall project over or encroach upon any public property.

911.9.130 BILLBOARDS ADJACENT TO LANDSCAPED FREEWAY.

a) No billboard shall be placed or maintained on property adjacent to a section of the freeway which has been or hereafter may be landscaped as defined herein, if the billboard is designed to be viewed primarily by persons traveling on such landscaped section of the freeway.

b) Any billboard which hereafter may be in violation of provisions of this Section shall be removed within three (3) years from the date when the project for the landscaping of a section or sections of a freeway shall have been completed or accepted and the character of said section or sections shall have been changed from a freeway to a landscaped freeway, whichever is later.

911.9.140 CONVERSION OF NONELECTRONIC BILLBOARDS TO ELECTRONIC.

The City hereby declares that the vested rights held by existing billboards, whether conforming or nonconforming to this Article, do not allow conversion of said billboards to electronic billboards as a matter of right. No existing billboard shall be converted to an electronic billboard.

911.9.150 LETTERS ON BILLBOARDS.

a) Letters, figures, characters or representations in cutout or irregular form may be maintained in conjunction with, attached to or superimposed upon any billboard, but shall not extend more than five and one-half (5-1/2) feet above the top of the upper ornamental molding.

b) The total surface area of the solid portion of such letters, figures, characters or representations in cutout or irregular form extending above the top molding of the billboard shall not exceed ten percent (10%) of the total area of the surface sign space of the billboard.

c) The total surface area of the solid portion of any one (1) individual letter, figure, character or representation in cutout or irregular form extending above the top molding of the billboard shall not exceed ten percent (10%) of the total area of the surface sign space of the billboard.

d) The total surface area of the solid portion of such letters, figures, characters or representations in cutout or irregular form extending between the base line of the billboard and the surface of the ground shall not exceed thirty percent (30%) of the total area of the surface sign space of the billboard.

e) The total surface area of the solid portion of any one (1) individual letter, figure, character or representation in cutout or irregular form extending between the base line of the billboard and the surface of the ground shall not exceed ten percent (10%) of the total area of the surface sign space of the billboard.

f) When the letters, figures, characters or representations in cutout or irregular form maintained in conjunction with, attached to, or superimposed upon any billboard extended above the top of the upper ornamental molding and also between the base line of the billboard and the surface of the ground, then the combined total surface of the solid portions of such letters, figures, characters or representations in cutout or irregular form extending above the top of the upper ornamental molding of the billboard and between the base line of the billboard and the surface of the ground shall not exceed thirty percent (30%) of the total area of the surface sign space of the billboard.

ARTICLE 10 - ENFORCEMENT

911.10.010 ENFORCEMENT.

It shall be the duty of the Community Development Director to enforce the provisions of this Chapter. The Chief of Police and all officers charged with the enforcement of the law shall assist the Community Development Director in the enforcement of this Chapter.

911.10.020 RIGHT OF ENTRY.

Upon presentation of proper credentials, the Community Development Director or his duly authorized representative may enter at reasonable times, any building, structure or premises in the City to perform any duties imposed upon him by this Chapter.

911.10.030 ABATEMENT OF NONCONFORMING SIGNS.

a) A period of ten (10) years subsequent to the date of the adoption of this Chapter is hereby established for the abatement of signs legally existing prior to said date but which signs become nonconforming as a result of regulations contained herein. This provision applies to signs previously permitted by variance or other zoning exception as well as to signs otherwise established. Illegally erected signs are subject to immediate abatement.

b) Nonconforming, painted, wall signs are subject, in addition to the abatement procedures set forth, to immediate abatement when the business occupying the premises changes to a different business or different owner necessitating repainting of the signs.

c) Abatement periods established herein are subject to appeal before the Planning Commission and City Council.

911.10.040 UNSAFE AND UNLAWFUL SIGNS.

a) Signs and sign structures shall be maintained at all times in a state of good repair, safe and secure with all braces, bolts, clips, supporting frame and fastenings free from deterioration, termite infestation, rot, rust or loosening, able to withstand at all times the wind pressure for which they were originally designed.

b) No person maintaining any sign, sign structure or billboard shall fail to keep the ground space within eight (8) feet from the base of said sign, signboard, billboard or advertising structure free and clear of weeds, rubbish and other flammable waste material.

c) If the Community Development Director shall find that any sign or other advertising structure regulated herein is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this Section, the permittee or owner thereof shall be given written notice. If the permittee or owner fails to remove or alter the structure so as to comply with the standards herein set forth within thirty (30) days after such notice, such sign or advertising structure may be removed or altered to comply by the Community Development Director at the expense of the permittee or owner of the property upon which it is located. The Community Development Director shall refuse to issue any subsequent building, electrical, plumbing or mechanical permits for the property on which the offending sign was located if any owner or permittee shall refuse to pay costs so assessed. The Community Development Director

