

February 10, 2003

**Honorable Chairman and Members of the  
Hermosa Beach Planning Commission**

**Regular Meeting of  
February 18, 2003**

SUBJECT: TEXT AMENDMENT 03-2

REVISIONS TO SECTION 17.46.010 TO CHANGE THE ALLOWABLE SIZE  
AND HEIGHT OF CHIMNEYS

### **Recommendation**

To recommend the City Council amend Section 17.46.010 of the Zone Code to add the following provisions:

1. Define chimney assemblies to include the chase, flue, spark arrestor and chimney cap.
2. Limit the bulk of listed chimney assemblies to 3' wide by 3' long for a single flue assembly; 3' wide by 5' long for a double flue assembly; and 3' wide by 7' long for a triple flue assembly.
3. Limit the maximum height of the chimney assembly to 5 feet when located on a sloped roof section.
4. Limit the maximum height of the chimney assembly to 4 feet in height when located on a flat roof section.
5. Prohibit non-listed chimney assemblies

### **Background**

In March of 2002, the Planning Commission reviewed an interpretation request on the allowable height and size of chimneys for an individual residence being proposed on the Strand and directed that "a homeowner will not be permitted to put a combustible chase up to the maximum height and then on top of that go another three feet"... for residential projects. Staff recommends that the Planning Commission revisit this determination and include new standards to address bulk and height of chimney assemblies applicable to all residential projects throughout the City.

### **Analysis:**

The Planning Commission was concerned by the actual height and size of chimneys being designed and constructed above the roof. The Commission's position was that allowances for chimney terminations higher than the typical three feet above the roof affects the final design of the building and has a negative effect on views. There are also potentially negative impacts to the building design.

Depending on the location of the chimney, the Commission's determination will preclude the opportunity to install custom or more decorative chimney caps around or over the spark arrestors as an architectural element, since the cap or cover will exceed the limit of three feet. The majority of residential projects have been proposed and built with decorative caps over or around the flue, spark arrestor and top of chimney resulting in chimneys higher than three feet above the roof, because there are very few listed stock chimney caps that can be used in conjunction with the listed flue and are that aesthetically pleasing.

The Uniform Building Code (UBC) requires a chimney flue and bottom of the spark arrestor to extend a

minimum of 3 feet up from the roof surface at the base and extend up a minimum of 2 feet from any other portion of the roof within 10 feet. In the case of a flat roof, the rated chimney termination at the top of the flue and bottom of the spark arrestor must extend a minimum of three above the roof. In the case of a sloped roof or split level home, the chimney termination must achieve the three-foot minimum and the two feet above the roof within ten feet of the chase requirement. The 3-foot requirement requires a manufactured “listed” termination at the flue and below the spark arrestor, meaning these termination connections have been tested and approved by a recognized agency such as Underwriters Laboratory or ICBO. In the event the chimney termination is not listed, then that termination is deemed part of the roof and an additional three-foot clearance is required per UBC. This situation could result in the chimney well in excess of the height requirement for the zoning district, but would be consistent with UBC requirements.

Staff is requesting the Planning Commission consider the following amendments:

- Add a definition for chimney assemblies to include the chase, flue, spark arrestor and chimney cap to avoid any disparities about what is included in the overall height calculations.
- Limit the bulk of listed chimney assemblies to 3’ wide by 3’ long for a single flue assembly; 3’ wide by 5’ long for a double flue assembly; and 3’ wide by 7’ long for a triple flue assembly. The manufacturer’s minimum enclosure requirement is about 30 inches per flue. A three-foot square requirement for each flue assembly would accommodate the chase around the flue, the flue and the cap.
- Limit the maximum height of the chimney assembly to 5 feet on a low side of the sloped roof section and a maximum height of 4 feet when located on a flat roof section. The implication of this requirement may result in limiting the pitch of roofs to 2:12 and/or the ability to have a fireplace on the non-gabled side of the structure. Any steeper pitch of the roof requires the chimney to be very close to the ridge of the roof in order to comply with the UBC requirements and maintain the maximum height of 5 feet as recommended.
- To address single story structures, only the UBC requirements and the bulk limit would be applicable. The chimney height limit would not apply.
- To avoid the potential of chimney assemblies having to go higher than necessary, it is recommended that all non-listed chimney assemblies be prohibited.

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Scott Lunceford, Planning Assistant

CONCUR:

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Sol Blumenfeld, Director  
Community Development Department

Attachments

1. Resolution
2. PC minutes of 3/19/02
3. Exhibits of chimneys

Notes:

Section 17.46.010, paragraph 3, of the Zone Code states the following: “Residential Zones. Residential uses may have chimneys, vents, and flues exceed the height limit only to the extent required to meet the Uniform Building Code

requirements.”

TACHimneys

RESOLUTION P.C. 03-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO RECOMMEND AMENDING THE ZONING ORDINANCE, SECTION 17.46.010 PERTAINING TO THE ALLOWABLE SIZE AND HEIGHT OF CHIMNEYS**

The Planning Commission of the City of Hermosa Beach does hereby resolve as follows:

Section 1. The Planning Commission held a duly noticed public hearing on February 18, 2003, to consider amending Section 17.46.010 pertaining to the allowable size and height of chimneys.

Section 2. Based on the evidence considered at the public hearing, the Planning Commission makes the following findings:

1. The Zoning Ordinance Section 17.46.010 currently states residential uses may have chimneys, vents, and flues exceed the height limit only to the extent required to meet the Uniform Building Code requirements.
2. Further clarification of what constitutes an allowable chimney in residential zones is required to resolve potentially negative impacts to building design.
3. The subject text amendment is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to the general rule set forth in Section 15061(3) of the CEQA Guidelines, as there is no possibility that this modification may have a significant effect on the environment.

Section 3. Based on the foregoing, the Planning Commission hereby recommends that the Hermosa Beach Municipal Code, Title 17-Zoning, Section 17.46.010, be amended as follows:

1. Amend Section 17.46.010 as follows (underlined text to be added):

**17.46. 010 Height of roof structures.**

Commercial and Manufacturing Zones. The following elements may be constructed above the height limit, provided they do not exceed the height limit by more than eight feet and cover no more than five percent of the total roof area. Where the height of the element is governed by a uniform building code standard, the element may exceed the height limit only by the minimum amount necessary to comply with the uniform building code standards.

- A. Elevator housing;
- B. Stairways;
- C. Tanks;
- D. Ventilating fans;
- E. Parapet fire walls;

- F. Towers;
- G. Chimneys;
- H. Flues;
- I. Vents;
- J. Smokestacks;
- K. Wireless masts;
- L. Similar structures as determined by the planning commission;

No structure exceeding the height limit shall result in additional floor area.

Residential Zones. Residential uses may have chimneys (with listed chimney assemblies including chase, spark arrestor and chimney cap), vents and flues exceed the height limit only to the extent required to meet the uniform building code requirements, but in no event to exceed a maximum height of 5 feet on a low side of the sloped roof section and a maximum height of 4 feet when located on a flat roof section. The chimney bulk shall be limited to 3' wide by 3' long for a single flue assembly; 3' wide by 5' long for a double flue assembly; and 3' wide by 7' long for a triple flue assembly. For single story structures the above chimney height limit does not apply, only the UBC requirements, bulk limits and zone district height limits are applicable. All non-listed chimney assemblies are prohibited.

For the height standards for antennas, satellite dishes, and similar structures refer to **Section 17.46.240.**

VOTE:           AYES:  
                      NOES:  
                      ABSTAIN:  
                      ABSENT:

**CERTIFICATION**

I hereby certify the foregoing Resolution P.C. 03- is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at their regular meeting of February 18, 2003.

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Ron Pizer, Chairman

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Sol Blumenfeld, Secretary

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Date