

September 9, 2003

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

**Regular Meeting of
September 16, 2003**

SUBJECT: TEXT AMENDMENT 03-12

**REVISIONS TO SECTION 17.46.010 YARD, HEIGHT AND AREA
RESTRICTIONS**

Recommendation

To recommend the City Council amend Section 17.46.010 of the Zoning Ordinance pertaining to the height of roof structures to add solar electric and water heating systems as permissible roof structures that may exceed the height limit in residential zones only by that amount required to conform to the Building Code and system requirements.

Background

At the April 20, 1999 meeting, the Planning Commission discussed a code interpretation item regarding rooftop solar electric (photovoltaic) and water heating systems in relation to Section 17.46.010 of the Zoning Ordinance. The Commission determined that such systems did fall within the residential parameters of Section 17.46.010, analogous to chimneys, vents and flues, and directed staff to proceed with a text amendment to include solar electric and water heating systems in this section of the Zoning Ordinance. Recently an application was filed for 1518 Bonnie Brae Street to install a photovoltaic system atop an existing single-family residence.

Analysis

The Planning Commission indicated a concern that solar water heating and electric systems be subject to regulations, similar to chimneys, vents and flues, which are permitted to exceed the height limit only to the extent required to meet the Building Code.

Section 17.46.010 states the following for 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.

Residential solar systems are typically installed on rooftops, preferably in the southwest section and positioned relative to the sun's angle, to optimize their efficiency. Because not all residential building rooftops are sloped to provide the best sun angle, solar energy collection panels are designed to have an adjustable incline to match the sun angle. With this in mind, staff recommends that Section 17.46.010 be amended to state the following:

Residential uses may also have solar photovoltaic, passive water heating, and similar systems installed on a rooftop that exceed the height limit only to the extent required to optimize system performance and to meet the Uniform Building Code requirements.

By allowing solar systems to be added to the Zoning Ordinance, the goal of energy conservation reflected in the City's General Plan is also accomplished, which calls for:

Examining regulations promoting alternative heating and cooling systems (and promoting)¹ innovative methods of construction to conserve energy and enhance livability.²

Thus, the proposed text amendment will provide regulations of solar water heating and electric systems similar to other code permissible rooftop equipment in relation the height limit, consistent with the goals of the City's General Plan.

CONCUR:

Scott Lunceford
Associate Planner

Sol Blumenfeld, Director
Community Development Department

Notes

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1. General Plan Housing Element – Goals, Objectives and Policies, Objective No. 15
 2. General Plan Housing Element – Goals, Objectives and Policies, Objective No. 11

Attachments

1. Proposed Resolution

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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 September 16, 2003, to consider amending Section 17.46.010 pertaining to the height of roof structures to add solar electric and water heating systems as permissible roof structures that may exceed the height limit in residential zones only by that amount required to conform to the Building Code and system requirements.

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, but does not address the permissibility of solar electric and water heating systems.
2. Solar electric and water heating systems should be subject to regulations, similar to other code permissible rooftop equipment in relation the height limit, consistent with the goals of the City's General Plan.
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 and adopted model codes, 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;

- 1 D. Ventilating fans;
- 2 E. Parapet fire walls;
- 3 F. Towers;
- 4 G. Chimneys;
- 5 H. Flues;
- 6 I. Vents;
- 7 J. Smokestacks;
- 8 K. Wireless masts;
- 9 L. Similar structures as determined by the planning commission;

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

11 Residential Zones. Residential structures with two or more stories may have chimneys (with
 12 listed chimney assemblies including chase, spark arrestor and chimney cap), vents and flues
 13 exceed the height limit only to the extent required to meet the uniform building code
 14 requirements, but in no event to exceed a maximum height of 5 feet on a low side of the sloped
 15 roof section and a maximum height of 4 feet when located on a flat roof section. The chimney
 16 bulk shall be limited to 3' wide by 3' long for a single flue assembly; 3' wide by 5' long for a
 17 double flue assembly; and 3' wide by 7' long for a triple flue assembly. For single story
 18 structures the above chimney height limit does not apply, only the UBC requirements, bulk limits
 19 and zone district height limits are applicable. All non-listed chimney assemblies are prohibited.
Residential structures may also have solar photovoltaic, passive water heating, and similar
systems installed on a rooftop that exceed the height limit only to the extent required to optimize
system performance and to meet the Uniform Building Code requirements.

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

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 21 VOTE: AYES:
 22 NOES:
 23 ABSTAIN:
 ABSENT:

24 CERTIFICATION

25 I hereby certify the foregoing Resolution P.C. 03- is a true and complete record of the action
 26 taken by the Planning Commission of the City of Hermosa Beach, California, at their regular
 meeting of September 16, 2003.

27 _____
 28 Peter Hoffmann, Chairman

_____ Sol Blumenfeld, Secretary

29 September 16, 2003

Date

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