

**CITY OF HERMOSA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT**

MEMORANDUM

Date: January 13, 2004

To: Honorable Mayor and Members
of the City Council

From: Sol Blumenfeld, Director
Community Development Department

Concur: Stephen Burrell, City Manager

Subject: Text Amendment to Amend Section 17.46.010 to Change the Allowable
Size and Height of Chimneys that Exceed the Height Limit.

Recommendation

To introduce the attached ordinance.

Background

In response to the Council's most recent direction, staff has redrafted the ordinance so that chimneys that may exceed the height limit only to extent necessary to meet the minimum clearance requirements of the Uniform Building Code, with an additional provision that enables chimneys to exceed the minimum clearance requirements of the UBC on sloped roofs provided that it does not exceed the highest point of the sloped roof.

ORDINANCE 03-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO AMEND THE ZONING ORDINANCE, SECTION 17.46.010 PERTAINING TO THE ALLOWABLE SIZE AND HEIGHT OF CHIMNEYS

The City Council of the City of Hermosa Beach does hereby ordain 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. The City Council held a duly noticed public hearing on September 23, 2003, to consider the recommendation of the Planning Commission to amend Section 17.46.010 of the Zoning Ordinance pertaining to the allowable size and height of chimneys.

Section 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 these modifications to the Zoning Ordinance may have a significant effect on the environment.

Section 4. Based on the evidence considered at the public hearing and the recommendation of the Planning Commission the City Council hereby ordains that the Hermosa Beach Municipal Code, Title 17-Zoning, 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;
- 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;

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

2 Residential Zones. Residential ~~uses~~ structures may have chimneys assemblies (with a
3 manufacturer listed distance to combustibles specification, including chase, spark arrestor and
4 chimney cap), vents and flues that exceed the height limit only to the extent required to meet the
5 clearance requirements of the uniform building code; provided, however, requirements if located
6 on a sloped roof, the chimney assembly may extend beyond the minimum clearance requirements
7 of the building code as long it does not exceed the highest point of the sloped roof. The chimney
8 width and depth shall be limited to 3' wide by 3' long for a single flue assembly; 3' wide by 5'
9 long for a double flue assembly; and 3' wide by 7' long for a triple flue assembly. Existing
10 reinforced masonry chimneys may be reconstructed without limitation.

11 For the height standards for antennas, satellite dishes, and similar structures refer to **Section**
12 **17.46.240.**

13 Section 5. This ordinance shall become effective and be in full force and effect from and after thirty
14 (30) days of its final passage and adoption.

15 Section 6. Prior to the expiration of fifteen (15) days after the date of its adoption, the City Clerk
16 shall cause this ordinance to be published in the Easy Reader, a weekly newspaper of general circulation
17 published and circulated, in the City of Hermosa Beach in the manner provided by law.

18 Section 7. The City Clerk shall certify to the passage and adoption of this ordinance, shall enter the
19 same in the book of original ordinances of said city, and shall make minutes of the passage and adoption
20 thereof in the records of the proceedings of the City Council at which the same is passed and adopted.

21 **PASSED, APPROVED and ADOPTED** this day of , 2003, by the following vote:

22 AYES:

23 NOES:

24 ABSTAIN:

25 ABSENT:

26 _____
27 PRESIDENT of the City Council and MAYOR of the City of Hermosa Beach, California

28 ATTEST: _____ APPROVED AS TO FORM: _____
29 City Clerk City Attorney

cd/cc/ordchimneys