

**10B.** Community Development – Conduct a Workshop Regarding the Hillside and Local Coastal Hillside Overlay Zone and State Housing Legislation and Accept and File the Report on Hillside and Local Coastal Hillside Overlay Zone, Hillside Review Processes, and State Legislation. Expenditure: None.

Recommendation of the Community Development Director that City Council:

1. Conduct a workshop regarding the Hillside and Local Coastal Hillside Overlay Zone and State Housing Legislation; and
2. Accept and file the report on Hillside and Local Coastal Hillside Overlay Zone, Hillside Review Processes, and State Legislation as it applies to residential development in the Hillside Overlay.



Date: May 19, 2026

To: Honorable Mayor and Members of the City Council

From: Michelle Ramirez, Community Development Director

By: Oscar Martinez, Planning Manager | [OMartinez@TorranceCA.gov](mailto:OMartinez@TorranceCA.gov)

Subject: Community Development – Conduct a Workshop Regarding the Hillside and Local Coastal Hillside Overlay Zone and State Housing Legislation and Accept and File the Report on Hillside and Local Coastal Hillside Overlay Zone, Hillside Review Processes, and State Legislation. Expenditure: None.

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## RECOMMENDATION

Recommendation of the Community Development Director that City Council:

1. Conduct a workshop regarding the Hillside and Local Coastal Hillside Overlay Zone and State Housing Legislation; and
2. Accept and file the report on Hillside and Local Coastal Hillside Overlay Zone, Hillside Review Processes, and State Legislation as it applies to residential development in the Hillside Overlay.

## FUNDING

None required.

## DISCUSSION

### *History of Hillside Overlay*

The Hillside and Local Coastal Hillside Overlay Zone, more commonly known as the Hillside Overlay District or Hillside Overlay, was adopted in 1977 and is governed by Article 41 of the Torrance Municipal Code (TMC), which starts at TMC Section 91.41.1. The intent of the Hillside Overlay was to provide special protections for properties in areas that have unique topography and deserve special consideration in terms of view, light, air and privacy. In addition, the Hillside Overlay provides guidelines for development in the Coastal Zone, which applies to properties west of Palos Verdes Boulevard. All properties west of Palos Verdes Boulevard fall within the Coastal Zone but not all fall within the Hillside Overlay.

The original ordinance has evolved from a loose set of guidelines to the current process that provides standards, review criteria, and limitations for hillside and coastal zone developments for residential and commercial developments.

The Hillside Overlay functions as an overlay of the underlying zones and the development standards of the underlying zone still apply, as described below.

TMC Section 91.41.1 Hillside and Coastal Zone.

- a) The Hillside and Local Coastal Hillside Overlay Zone shall consist of the area designated in the maps attached following this Article, marked Exhibits A, B and C to this section, which are incorporated in this Code by this reference.
- b) The provisions of this Article shall apply to all properties within the Hillside Overlay Zone in addition to the requirements of the underlying zone, except as provided in this Article. No permits shall be issued for development in the Hillside and Coastal Zone unless the requirements of this Article have been met.

TMC Section 91.41.2 Application of Preexisting Zone.

Nothing contained in this Article shall be deemed to repeal any provision of this Code, and the requirements of all preexisting zones in existence in the area encompassed by this Hillside Overlay Zone shall be and remain in full force and effect in addition to the requirements of the Hillside Overlay Zone, except that the requirements of the Hillside Overlay Zone shall be applied where the requirements and standards contained therein are more restrictive than those of the preexisting underlying zones.

For reference, the Hillside Overlay contains the following underlying zoning districts: A-1 Light Agricultural, R-1 Single Family Residential, R-3 Limited Multiple Family, R-4 Unlimited Multiple Family, C-1 Retail Commercial, C-2 General Commercial, C-3 Solely Commercial, C-5 Conditional Commercial, P-U Public Use, P-1 Open Area-Planting Parking, and HBCSP-WT Sub District. Exhibits A, B, and C referenced in TMC Section 91.41.1(a) are provided in Attachment 1.

Amendments

As previously mentioned, the original ordinance has evolved and has been amended over time. The last amendment was adopted by City Council in 2000 via Ordinance No. 3477 to its current form, which deleted hardship language formerly found in subsection “e” of TMC Section 91.41.6(e) “Planning and Design”. As the Hillside Overlay already included provisions for approving a Waiver under TMC Section 94.2.1, the intent was to modify the language as it was misplaced and not necessary for approval of a precise plan. If an applicant believes there are unreasonable difficulties from the strict enforcement of the code, applicants could apply for a Waiver per TMC Section 94.2.1.

Review Process

Projects in the Hillside Overlay are reviewed by staff to determine which type of process is required. The process varies from a ministerial permit (by right permit), such as an over-the-counter permit for a re-roof, to a discretionary process that could involve administrative approval or a hearing for those projects that involve building envelope expansions or new structures that do not involve an ADU. A review process flowchart is provided as Attachment 2.

The following table provides examples of requests and processes:

Type of Request	Process
Replacement of water heater, air conditioner, heater, reroof, interior remodels involving no additional area and no new exterior openings	Building Permit
Fences and block walls	Building Permit
In-ground swimming pools, solar panels	Building Permit

Accessory Dwelling Units/SB 9 Units	Building Permit*
Retaining walls up to 5 feet in height	Minor Hillside Exemption
New windows/doors or enlarging exterior openings	Minor Hillside Exemption
One story additions, patio covers, detached accessory structures (below 14-feet in height)	Minor Hillside Exemption
One-story additions over 14 feet in height, two-story additions or new two-story residence	Precise Plan
Additions/residences resulting in a Floor Area Ratio >0.50	Precise Plan

\*Mandated by several California Legislative Actions

As listed on the table above, interior modifications, maintenance/minor repairs, replacement, in-ground swimming pools/spas, and solar panels are reviewed through the building permit process for compliance with building code and setbacks, if applicable. Prior to the issuance of a building permit for a fence, staff perform a site inspection for potential view impacts. If no issues are found the permit is issued, if there are potential view impacts, the applicant is referred to proceed with a Minor Hillside Exemption.

#### Minor Hillside Exemption (MHE)

In order to determine that a project will not result in an adverse impact and that the project does not result in significant public controversy, requests involving one-story additions under 14-feet in height and resulting in a Floor Area Ratio less than 0.50 can proceed through the Minor Hillside Exemption (MHE) process. Pools with above ground water features, such as slides or waterfalls, can proceed through this process as well.

The process involves the following:

- 1) Applicants submit two sets of plans, including an electronic copy, for review by staff for compliance with development standards such as setbacks, heights, required parking, etc.;
- 2) Staff prepares a letter with a project description to registered property owners potentially affected properties and allows 10 days for a response; and
- 3) If no response is received, staff issues the MHE and allow applicants to submit to Building and Safety for plan check.

If a response is received indicating impacts to view, light, air, or privacy, staff coordinates meetings to assess potential impacts from the subject property and the concerned neighbor(s). Once the assessment is made, staff prepares a staff report for approval, approval with conditions, or denial for the Community Development Director's signature. The Community Development Director's decision can be appealed to the Planning Commission and ultimately to the City Council.

#### Precise Plan of Development (PRE)

Projects involving the construction of a new two-story residence, second-story additions, one-story additions greater than 14-feet in height, FAR greater than 0.50, or request for a roof deck require approval of a Precise Plan of Development by the Planning Commission (or City Council on appeal).

In order to approve a Precise Plan, the following findings (TMC Section 91.41.6) must be made for all Precise Plan approvals:

- a) The proposed development will not have an adverse impact upon the view, light, air and privacy of other properties in the vicinity;
- b) The 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;
- c) The design provides an orderly and attractive development in harmony with other properties in the vicinity;
- d) The design will not have a harmful impact upon the land values and investment of other properties in the vicinity;
- e) Granting such application would not be materially detrimental to the public welfare and to other properties in the vicinity; and
- f) The proposed development will not cause or result in an adverse cumulative impact on other properties in the vicinity.

For Precise Plan projects involving increases in height, the following findings (TMC Section 91.41.10) must be made for those associated Precise Plan approvals:

- 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, and
- b) If such lack of feasibility is proved:
  - 1) Denial of such application would result in an unreasonable hardship to the applicant; and
  - 2) Granting the application would not be materially detrimental to the public welfare and to other properties.

In addition, approval of a floor area ratio greater than 0.50 requires the following findings (TMC Section 91.41.11) to be made:

- a) No remodeling or enlargement shall be made to any building or structure, except for commercial uses in a commercial zone, which remodeling or addition increases the net interior floor area of the building or structure so that it exceeds fifty percent (50%) of the number of square feet in the lot or parcel of land upon which the building or structure is located unless the Planning Commission (or the City Council on appeal) shall find that:
  - 1) Denial of such application would constitute an unreasonable hardship to the applicant; and
  - 2) Granting of such application would not be materially detrimental to the public welfare, and to other property in the vicinity.

Findings are made based on property constraints such as slope, lot size, lot width, topography, etc.

### Evaluating Projects

As the Hillside Overlay stretches across the southern and western portions of the city, there are several factors for consideration, and each project must be analyzed on its own merit. For instance, when an application for a PRE for a new two-story residence is received, staff verify that the proposed residence complies with the development standards of the underlying Zone (most commonly R-1) for heights, setbacks, lot coverage, floor area ratio, etc. Staff further verify the proposed structure, heights, and roof design with the silhouette certification and site visit/s. Staff walks the site and tries to contact adjacent neighbors and leaves business cards if no contact is made.

If contact is made and objections are received, staff requests a written statement from the objecting neighbor indicating their concerns. Staff coordinates site visits and informs the project applicant of the objections and strongly encourages them to make contact and try to resolve the concerns prior to the hearing. Most applicants, but not all, make contact to try and resolve the concerns prior to the hearing.

When assessing potential impacts, at least two staff visit the site and take photographs without the use of a zoom lens, from the objecting neighbor's areas of concern as well as the project site and take into consideration existing physical conditions. Staff evaluates and assesses whether the potential impacts are substantially adverse. If so, staff notifies the applicant and discusses design changes that could help address the impacts. If the applicant chooses not to make changes, staff will not recommend approval of the project to the Planning Commission and informs the applicant. If significant changes are made, staff requires revised plans and silhouette certification for review, and coordinates site visits with the concerned neighbors to re-evaluate potential impacts.

#### Substantially Adverse Impacts

Not all impacts are considered substantially adverse. Since establishing the Hillside Overlay Ordinance in 1977, the most notable project that has been litigated related to the Ordinance has been *Youngern v. City of Torrance*. In that case, the Court ruled that the only reasonable interpretation of "adverse impact" is "substantial impact" otherwise it would preclude all development. That decision further noted that every development has an impact to the view, light, air and privacy of surrounding properties, and furthermore, that front yards are within the public realm and do not enjoy a reasonable expectation of privacy.

Historically, substantial adverse impacts related to views have been those that block whitewater/sand views, significant portions of blue water ocean, queen's necklace, mountain views, sunset or sunrise views; pastoral views towards the Palos Verdes Peninsula; city light views towards several regional areas, such as the port or downtown LA, from the different hillside neighborhoods, etc. Furthermore, the Planning Commission, and City Council on appeal, have typically prioritized views from within original and/or unmodified homes as opposed to acquired views from homes that have been through the Hillside Overlay process. These views are typically those located from within homes that have not been modified under the provisions of the Hillside Overlay Ordinance such as those from a single-story residence or from a second story constructed before 1977.

Substantial adverse impacts to privacy on neighboring properties could arise where window or balcony placement creates direct lines of sight into the interior of adjacent residences or their private rear yards, as well as from other detached elevated structures, including cantilevered decks or elevated areas formed by a series of retaining walls.

Substantial adverse impacts to light and air of surrounding properties could arise due to the height of a proposed residence, orientation and/or different pad height elevation of lots as they ascend or descend along the street. Depending on the topography of the neighborhood and the placement of existing and proposed structures (i.e., setbacks), a proposed project may create substantial adverse impacts to light towards an adjacent property by casting considerable shadows over the property. Similarly, substantial adverse impacts to air could result from a proposed project's height and setbacks, or placement of a second story, blocking the air flow of an adjacent residence or residences.

### Approved State Housing Legislation

Recent housing legislation has impacted how local jurisdictions are required to process, review, and approve residential development projects. It has also given additional authority to the Attorney General to levy fines on cities if found to be in violation and the violation is not corrected. For certain types of qualifying residential projects, review times have been streamlined and are required to be reviewed within a limited number of days, or the project is considered approved.

Legislation related to Accessory Dwelling Units and Junior Accessory Dwelling Units (ADUs/JADUs) has mandated that review and approval be completed ministerially and without a discretionary review process citywide, including the Hillside Overlay.

The following information is an overview of enacted housing legislation and how it relates to the review and approval of certain residential projects within the Hillside Overlay. Additional information and research may be required under certain circumstances.

### **ADUs/JADUs**

Originally called “granny flats” or “second residential dwelling units,” since 2016 the State has amended and revised the law to update the terminology to its current form and required that local jurisdictions review and approve them ministerially within a streamlined time frame. Recent amendments to the laws have revised parking requirements and clarified that they cannot be used as short-term rentals, as well as limit permit and impact fees collected by cities.

Recent updates by the State have further clarified that local agencies must approve any of the following, or combination of one ADU and one JADU within a single-family residence or accessory structure; one detached, new construction unit up to 800 sq ft and 16 ft in height with four-foot side and rear setbacks. Torrance does retain local control of development standards for ADUs that exceed 800 sq ft and follow the City’s ADU/JADU code such as maximum area/size, material finishes, setbacks, heights, FAR, etc. Within the Hillside Overlay, a two-story ADU is only allowed if attached to the primary residence, detached two-story ADUs are not permitted.

### **SB 9: Two Unit Projects and Urban Lot Splits**

Effective January 1, 2022, SB 9 requires ministerial approval of a housing development with no more than two primary units (minimum 800 sq ft in size each) in a single-family zone, the subdivision of a parcel in a single-family zone into two parcels, or both. The City Council adopted development standards in late 2021 that established objective development standards, ministerial review process, and notification requirements for these projects citywide.

Torrance was one of five charter cities that challenged SB 9, and in April 2024, the Los Angeles Superior Court ruled that SB 9 did not apply to charter cities. Although the challenge was initially successful, it was ultimately reversed by the Appellate Court after SB 450 (effective January 1, 2025) amended SB 9 to apply to all local jurisdictions, including charter cities, as well as further restricted denial of these projects.

Under SB 450, cities may “not impose objective zoning standards, objective subdivision standards, and objective design standards that would have the effect of physically precluding the construction of up to two units or that would physically preclude either of the two units from being at least 800 square feet in floor area.” Furthermore, cities “shall not impose objective zoning standards, objective subdivision standards, and objective design standards that do not

apply uniformly to development within the underlying zone. This subdivision shall not prevent a local agency from adopting or imposing objective zoning standards, objective subdivision standards, and objective design standards on development authorized by this section if those standards are more permissive than applicable standards within the underlying zone.” As previously stated, the Hillside Overlay acts as an overlay of the underlying zones, and the development standards of the underlying zone apply.

### **Housing Accountability Act (HAA)**

In effect since 1982, the HAA was intended to limit local governments’ ability to deny, make it infeasible, or reduce the density of housing development projects. In recent years, the State has amended the HAA to strengthen its provisions and limit a local agency’s ability to deny or reduce the density of a proposed housing development unless the project does not comply with objective development and design standards in place at the time of application. The HAA has also been strengthened to levy fines, up to \$10,000 per housing unit or minimum of \$50,000, on jurisdictions that are found to be in violation of the HAA and fail to correct the issue after a warning from the Attorney General.

The HAA defines objective standards as standards involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official. For instance, a setback requirement of 5 ft from side property line, a maximum height of 27 ft, or specific lot dimensions, would be considered objective as they are clear, measurable, and involve no personal judgement. Subjective standards such as impacts on view, light, air and privacy and land value, keeping in character with the neighborhood or ensuring that the project is in scale and harmony cannot be used to deny a housing development project. Notably, under the HAA, any ambiguous provisions will be interpreted and implemented in a manner that encourages the development of housing. As such, the design guidelines and findings contained within TMC Sections 91.41.6, 91.41.10, and 91.41.11 (see section regarding PRE) are subjective and cannot be used to deny a housing development project. Denial of a housing development project would have to be because it has a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. A “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

The HAA defines a housing development project as a use consisting of residential units only, mixed use developments consisting of residential and non-residential uses with at least two-thirds of the square footage designated for residential use, or transitional or supportive housing. Because the term “units” is plural, a development must consist of more than one unit to qualify under the HAA. This includes an application involving a single-family residence and an ADU because more than one unit is contained in the application.

### **Housing Crisis Act of 2019 (HCA)**

The HCA, effective from January 1, 2020, to January 1, 2030, was designed to allow project proponents of a qualifying residential development “vest” or “lock-in” development standards and fees, at time of preliminary application. The HCA also shortened review times and limits the number of hearings to a maximum of five for projects submitted under this process.

To further ensure certainty to residential project proponents, the HCA also restricts local jurisdictions from downzoning or placing moratoriums on housing. Under the HCA, changes to the general plan land use designation or zoning to a less intensive use or reducing intensity of land use below what was allowed in effect on January 1, 2018, is not allowed. For example, a reduction to maximum floor area ratios and lot coverage requirements, lowering height limits, increasing setbacks or landscape requirements reduce the intensity of land use.

For additional context, the City of Culver City passed an ordinance in 2020 that reduced the allowable FAR for primary residences in the R-1 Zone from 0.60 to 0.45, decreasing the square footage that could be built on a lot. The ordinance was challenged and the court ruled that the ordinance violated the HCA as it reduced the intensity of land use (*Yes in My Back Yard v. City of Culver City*, 2023).

### 2026 Legislative Session

The City has and will continue to express strong opposition to state-level housing legislation that limits local land-use authority. Staff closely watches proposed housing legislation to determine how it impacts our local land-use control, budgetary allocations, and compliance obligations. Every year, dozens of bills are proposed that focus on state-level "preemption" laws that override local zoning, forcing higher density and reducing environmental review while bypassing local discretionary reviews. Staff are proactive in sending letters and contacting legislators to ensure Torrance's position is recorded in official bill analyses.

Each year staff also updates a dedicated webpage on proposed legislation that could impact local land-use authority. This webpage includes the contact information of legislators and committees so that the public could also reach out to express their opinions on the proposed legislation.

As the 2026 legislation is currently underway, staff have begun reviewing the different proposed bills. To date, an opposition letter has been sent for SB 866 (Blakespear), which if passed, would require Torrance to add extensive homelessness reporting requirements to our housing element. The bill would place a burden and undue hardship on the city to report on and plan for services beyond our control, requiring significant reporting on county-led functions within the city's housing element, which we are not well-positioned to fulfill.

Additionally, a letter of support has been sent for AB 2741 (Muratsuchi), which would provide local governments with time to correct housing element violations after a court ruling that a previously certified housing element is no longer compliant with state law. This bill would also allow local governments to utilize affordable housing overlay zones for mixed-use development within their housing elements, provided specific requirements are met.

### Cities Subject to Direct Lawsuits, Under Court-Enforced Agreements (Stipulated Judgments) or Recent "Final Warnings"

The California Department of Housing and Community Development (HCD), often in coordination with the Attorney General, has filed lawsuits or entered into court-enforced stipulated judgments with several cities to enforce housing legislation. These legal actions primarily target cities that fail to adopt compliant "Housing Elements" (long-term housing plans) or those that block specific affordable and supportive housing projects or violate the Housing Accountability Act.

- Huntington Beach: Sued for failing to adopt a compliant housing element. In February 2026, the U.S. Supreme Court declined to hear the city's appeal, leaving lower court rulings in place that require compliance.
- Anaheim: Sued for unlawfully denying permits for transitional housing for women with mental health disabilities.
- Elk Grove: Sued for denying a supportive housing project. A settlement was reached in September 2024.
- La Cañada Flintridge: Sued for denying a "builder's remedy" project. The city withdrew its appeal in March 2025 following a court ruling in favor of HCD.
- Norwalk: Sued in November 2024 for an illegal moratorium on emergency shelters and supportive housing. A settlement was executed in September 2025.

HCD has also secured stipulated judgments or binding agreements with cities to bring them into compliance under court supervision, as described below.

- Hollister: Stipulated judgment secured in March 2026 to ensure compliance.
- Artesia: Stipulated judgment secured in September 2025 after missing deadlines.
- Fullerton: Settled in January 2024; achieved compliance in February 2025.
- San Bernardino: Stipulated judgment in 2023; compliant as of June 2024.
- Coronado: Stipulated judgment in 2023; compliant as of August 2024.
- Malibu: Stipulated judgment in 2024; compliant as of December 2024.

As of March 2026, HCD issued final notices of violation to 15 additional jurisdictions that are over two years behind in adopting compliant Housing Elements. These communities (Atwater, Avenal, California City, Corcoran, Escalon, Half Moon Bay, Hanford, Kings County, Lemoore, Merced County, Montclair, Oakdale, Patterson, Ridgecrest, and Turlock) face imminent legal action if they do not comply within 60 days.

As of April 2026, no city has successfully won a lawsuit against the State of California for not complying with the Housing Accountability Act (HAA). Instead, the state has successfully defended its housing laws, with courts consistently rejecting challenges from cities.

As previously stated, in April 2024, a Los Angeles Superior Court judge ruled in favor of five "charter cities"—Carson, Del Mar, Redondo Beach, Torrance, and Whittier—declaring SB 9 unconstitutional as applied to them. The judge found the law was not narrowly tailored enough to ensure affordable housing, which is a requirement for the state to override a charter city's "municipal affairs". However, again, this victory was short lived as the Governor approved SB 450, which amended SB 9 to apply to all local jurisdictions, including charter cities, as well as further restricts denial of these projects. Additionally, after the legislature passed SB 450 and during the pendency of the appeal of the judgment in favor of the charter cities, the Appellate Court reversed the trial court's decision, including its reward of \$270,000 in attorney fees to the charter cities, invalidating the judgment in favor of the charter cities.

#### *Cities Sued by Developers and Advocacy Groups*

Several cities have also been sued by developers and housing advocacy groups for non-compliance with housing legislation, particularly the Housing Accountability Act and Housing Element Law. As of April 2026, litigation frequently targets cities that fail to adopt state-approved Housing Element or those that reject "builder's remedy" projects.

- La Cañada Flintridge: A developer (600 Foothill) successfully sued after the city rejected an 80-unit "builder's remedy" project despite lacking a compliant housing element.
- Redondo Beach: Sued by YIMBY Law and developers following the rejection of a massive 2,700-home mixed-use project submitted under the builder's remedy.
- Beverly Hills: Facing litigation from Californians for Homeownership and developers for failing to identify realistic housing sites in its Housing Element.
- Los Gatos: Developers have sued for what they allege is "flouting" state law by letting preliminary applications for builder's remedy projects expire.
- Santa Cruz County: Multiple projects by developer Workbench are currently ensnared in litigation involving state housing crisis laws and local opposition.
- San Francisco: Sued by CalHDF in early 2026 to hold the city accountable for meeting its state-mandated housing production goals.
- Los Altos Hills: Challenged by CalHDF in April 2026 over the legal adequacy of its Housing Element.

Although the City of Torrance has not been challenged on the adopted housing element or for denial of housing projects, letters from housing advocacy groups have been received related to residential projects that involve a JADU/ADU in the Overlay, as they are considered qualifying housing projects.

#### Planning Commission

Staff conducted an informational workshop on the Hillside Overlay at the Planning Commission's meeting date of February 18, 2026. Following public comments and deliberation, the Planning Commission requested that staff investigate adopting a vacancy tax for ADUs. While this request is beyond the powers of the Planning Commission, which is limited to the use and development of land in the city, staff conducted research on it. In researching, there appears to only be two cities in California where voters passed a vacancy tax (Oakland and San Francisco). For Oakland, the vacancy tax applies to the entire property including an ADU, if one exists. Whereas San Francisco's vacancy tax only applies to 3+ units (single-family homes and ADUs are exempt). San Francisco did try to apply it to ADUs only; however, it was challenged and found by a trial court to violate the Takings Clause of the U.S. Constitution. As a vacancy tax would require voters' approval, the City Council is the only body that could explore putting a tax on the ballot for a vote of the people.

#### Conclusion

In closing, recent housing legislation has changed how certain types of residential projects are reviewed in the Hillside Overlay. Projects may still be subject to the Hillside Overlay but if they are considered a qualifying housing development, the subjective findings in the Hillside Overlay cannot be used to deny or reduce the density of the project if the objective standards of the underlying zone are complied with. The Hillside Overlay still applies to an individual single-family unit development that is proposed or proposed to be enlarged and expanded, as well as to projects that do not propose a residential component. Should the City Council direct staff to explore objective design standards in the Overlay, it should be noted that they may not be considered a reduction in current land development intensity.

## **ATTACHMENTS**

1. TMC Section 91.41 (Hillside and Local Coastal Hillside Overlay Zone)
2. Hillside Overlay Flowchart

**ARTICLE 41 - R-H HILLSIDE AND LOCAL COASTAL OVERLAY ZONE**

(Added by O-2747; Amended by O-2760; O-2961; O-2982; O-3027; O-3110, O-3126, O-3144)

**91.41.1 HILLSIDE AND COASTAL ZONE.**

a) The Hillside and Local Coastal Overlay Zone shall consist of the area designated in the maps attached following this Article, marked Exhibits A, B and C to this section, which are incorporated in this Code by this reference.

b) The provisions of this Article shall apply to all properties within the Overlay Zone in addition to the requirements of the underlying zone, except as provided in this Article. No permits shall be issued for development in the Hillside and Coastal Zone unless the requirements of this Article have been met.

**91.41.2 APPLICATION OF PREEXISTING ZONE.**

Nothing contained in this Article shall be deemed to repeal any provision of this Code, and the requirements of all preexisting zones in existence in the area encompassed by this Overlay Zone shall be and remain in full force and effect in addition to the requirements of the Overlay Zone, except that the requirements of the Overlay Zone shall be applied where the requirements and standards contained therein are more restrictive than those of the preexisting underlying zones.

**91.41.3 LOT DIMENSIONS.**

(Amended by O-3283)

Residential lots within the Overlay Zone shall provide a minimum lot width of fifty (50) feet for interior lots or sixty (60) feet for exterior lots, plus one (1) foot for each one percent (1%) slope in excess of fifteen percent (15%) based on existing grade or finished grade, whichever is more restrictive.

**91.41.4 PUBLIC HEARING.**

a) Upon receipt of the complete application, the Planning Director shall set a date, time and place for a public hearing thereon as soon as practicable and shall send notice thereof to the owners of land included within a three hundred (300) foot radius of the exterior boundaries of the land for which the permit is sought as shown on the last equalized assessment roll. The Planning Commission may conduct said hearing in an informal manner. The rules of evidence shall not apply. The hearing may be adjourned to a future time at the discretion of the

Planning Commission without the giving of further notice, other than announcement by the Commission of the date, time and place of such adjourned meeting at the time of said adjournment.

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

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

#### **91.41.5 PRECISE PLAN.**

a) Any development on a lot within the Hillside and Coastal Zone shall be subject to approval by the Planning Commission of a Precise Plan in accordance with Chapter [6](#) of this Division [9](#), except as provided in Sections [91.41.7](#), [91.41.8](#), and [91.41.14](#) of this Article.

b) Nothing in this chapter shall be construed to permit the restrictions which are less restrictive than established in the this Code, or in the California Coastal Act as to those properties lying westerly of Palos Verdes Boulevard in the Coastal Zone as defined by the California Coastal Act.

c) Nothing in this Article shall be construed to authorize the Planning Commission to impose conditions more restrictive than the express provisions of this Code or the California Coastal Act as to those properties lying westerly of Palos Verdes Boulevard in the Coastal Zone as defined in the California Coastal Act when so doing would render construction on any lot impossible where such construction would be possible in accordance with the Code as written.

d) The requirements, restrictions and conditions of the California Coastal Act, commencing at Section [30000](#) of the Public Resources Code of the State of California and any implementing regulations authorized by law, are incorporated by this reference as to the properties lying westerly of Palos Verdes Boulevard in the Coastal Zone as defined in the California Coastal Act.

#### **91.41.6 PLANNING AND DESIGN.**

(Amended by O-3477)

No construction and no remodeling or enlargement of a building or structure shall be permitted unless the Planning Commission (or the City Council on appeal) shall find that the location and size of the building or structure, or the location and size of the remodeled or enlarged portions of the building or structure, have been planned and designed in such a manner as to comply with the following provisions:

- a) The proposed development will not have an adverse impact upon the view, light, air and privacy of other properties in the vicinity;
- b) The 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;
- c) The design provides an orderly and attractive development in harmony with other properties in the vicinity;
- d) The design will not have a harmful impact upon the land values and investment of other properties in the vicinity;
- e) Granting such application would not be materially detrimental to the public welfare and to other properties in the vicinity;
- f) The proposed development will not cause or result in an adverse cumulative impact on other properties in the vicinity.

**91.41.7 PERMITTED DEVELOPMENT - RESIDENTIAL.**

Notwithstanding the provisions of this Article, no Precise Plan shall be required if the proposed development within the Hillside and Coastal Overlay Zone is for the purpose of constructing, remodeling or enlarging a dwelling, provided the following requirements are met:

- a) The net interior area of the completed dwelling, whether it is new construction or remodeled or enlarged, including the area of the garage, whether attached or detached, will not exceed fifty percent (50%) of the area of the lot or parcel on which the dwelling is located;
- b) The dwelling (or in the case of remodeling or enlargement, the portion remodeled or enlarged) will be one (1) story; and provided further that no portion of the roof of the dwelling (or in the case of remodeling or enlargement, no portion of the remodeled or enlarged roof) will be used as a deck, sun-deck or patio, nor will any equipment or appurtenances be mounted on the roof or protrude through the roof (except for ordinary plumbing or heater

vents) nor extend above the roof eave line; provided further that a chimney will be permitted if the portion extending above the roof eave line is no larger than the minimum dimensions required by the Torrance Building Code.

c) 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.

d) The Planning Director has determined that the proposed development will not have an adverse effect on other properties in the vicinity, and there is no significant public controversy thereon.

#### **91.41.8 PERMITTED DEVELOPMENT - COMMERCIAL.**

Notwithstanding the provisions of this Article, no Precise Plan shall be required if the proposed development within the Hillside and Coastal Overlay zone is for the purpose of constructing, remodeling or enlarging a commercial building, located in a commercial zone, if the following requirements are met:

a) In the case of remodeling or enlargement of a building, the net interior area of the resulting building will not be increased by more than fifty percent (50%) as a result of the remodeling or enlargement;

b) The commercial building (or in the case of remodeling or enlargement, the portion remodeled or enlarged) will be one (1) story; and provided, further, that in the event the commercially zoned lot adjoins any lot used for residential purposes, no portion of the roof (or in the event of remodeling or enlargement, no portion of the remodeled or enlarged roof) will be used as a deck, sun-deck or patio, nor will any equipment or appurtenances be mounted on the roof, protrude through the roof, or extend above the roof, or extend above the roof eave line (except for ordinary plumbing or heating vents);

c) No portion of the building, 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 fourteen (14) feet in height, measured from finished grade, but not including any berm, or shall not exceed the height of the lowest portion of the remainder of the building, whichever is less. Ordinary plumbing or heating vents, as provided for in subsection b) of this section shall not be considered in the height measurement;

d) The Planning Director has determined that the proposed development will not have an adverse effect on other properties in the vicinity, and there is no significant public controversy thereon.

#### **91.41.9 DEVELOPMENT STANDARDS.**

a) For slope control:

1) All structures shall have roof drainage directed to the street or other approved drainageways by approved methods;

2) All excavations, paving, hillside and slope earthwork construction, landscaping and grading, including fills and embankments, shall meet building and grading Code requirements;

b) For safety, general welfare, aesthetic control, and to help stabilize land values and investments;

1) Stilt-type structures shall be constructed in such a way that there is no exposure to public view of plumbing, electrical, mechanical equipment, ducts, pipes or other construction appurtenances normally associated with a residential or commercial structure;

2) Swing-in garages and circular driveway are encouraged on wide lots to allow vehicles to enter the public way in a forward manner when such drives are landscaped appropriately;

3) There shall be a level setback of not less than five (5) feet on that portion of a hillside lot between the wall of any structure on such lot and any adjacent slope of greater than 15% of such lot;

4) The proposed development will not result in a substantial change in the physical conditions which exist in the area affected by the proposed project.

**91.41.10 LIMITATION ON INCREASES IN HEIGHT.**

No enlargement in any building or structure, or any remodeling of any building or structure, shall be permitted which causes the height of such building or structure or any part thereof, to be higher than before the remodeling or enlargement, unless the Planning Commission (or City Council on appeal) shall find that:

- 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;
- b) If such lack of feasibility is proved:
  - 1) Denial of such application would result in an unreasonable hardship to the applicant; and
  - 2) Granting the application would not be materially detrimental to the public welfare and to other properties in the vicinity.

**91.41.11 LIMITATION ON INCREASES IN BUILDING SPACE LOT COVERAGE.**

a) No remodeling or enlargement shall be made to any building or structure, except for commercial uses in a commercial zone, which remodeling or addition increases the net interior floor area of the building or structure so that it exceeds fifty percent (50%) of the number of square feet in the lot or parcel of land upon which the building or structure is located unless the Planning Commission (or the City Council on appeal) shall find that:

- 1) Denial of such application would constitute an unreasonable hardship to the applicant; and
  - 2) Granting of such application would not be materially detrimental to the public welfare, and to other property in the vicinity.
- b) For purposes of this section, the term "commercial zone" shall mean any zone in which commercial uses are permitted, or are permitted with a Conditional Use Permit.

**91.41.12 WAIVERS.**

Waivers may be granted pursuant to the provisions of Chapter 4, Article 2, of this Division; provided, however, that the building height requirements of this Article may be changed only pursuant to a Precise Plan. Where both a Waiver and a Precise Plan are necessary, both may be processed as a single matter.

**91.41.13 GUIDELINES FOR REVIEW OF COASTAL DEVELOPMENT.**

a) The following factors, in addition to the California Coastal Act, related State regulations and the other provisions of this Article, shall be considered by the Planning Commission when reviewing any development regardless of zone as to those properties lying westerly of Palos Verdes Boulevard in the Coastal Zone as defined in the California Coastal Act:

- 1) Multiple-family dwellings should not exceed thirty-five (35) feet above existing grade elevation;
- 2) Roof signs should not be permitted; and
- 3) Ground signs should be limited to monument-type signs with a maximum height of eight (8) feet above the front property line.

b) The following factors should be considered during review of any development proposed for the coastal bluffs or adjacent to the sandy beach areas:

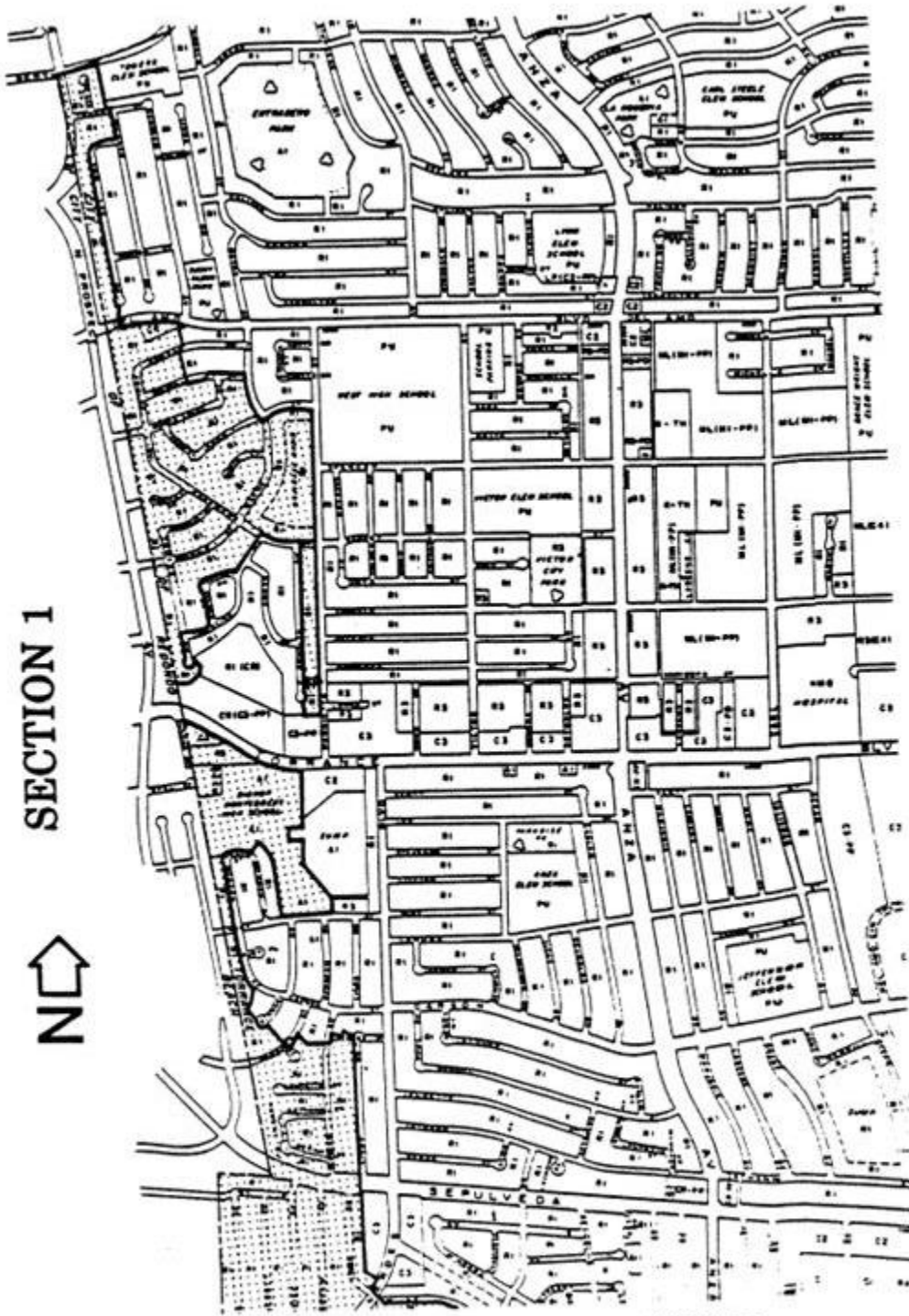
- 1) No improvements will be allowed west of the safe building line established by the Department of Building and Safety for Lots 149 through 164, Tract 18379;
- 2) No construction will be allowed between the safe building line and the west side of Paseo de la Playa, or on any lots north of Lot 148, Tract 18379, without a soils and geologic investigation being filed with the Department of Building and Safety;
- 3) No development will be allowed without supporting data showing proof of bluff and supporting soils stability being filed with the Department of Building and Safety;
- 4) Whether the proposed development impairs access to the beach areas for use by the general public;
- 5) Whether the proposed development is incompatible with recreational usage by the general public; and
- 6) Whether the proposed development will result in blockage of coastal views from public rights-of-way.

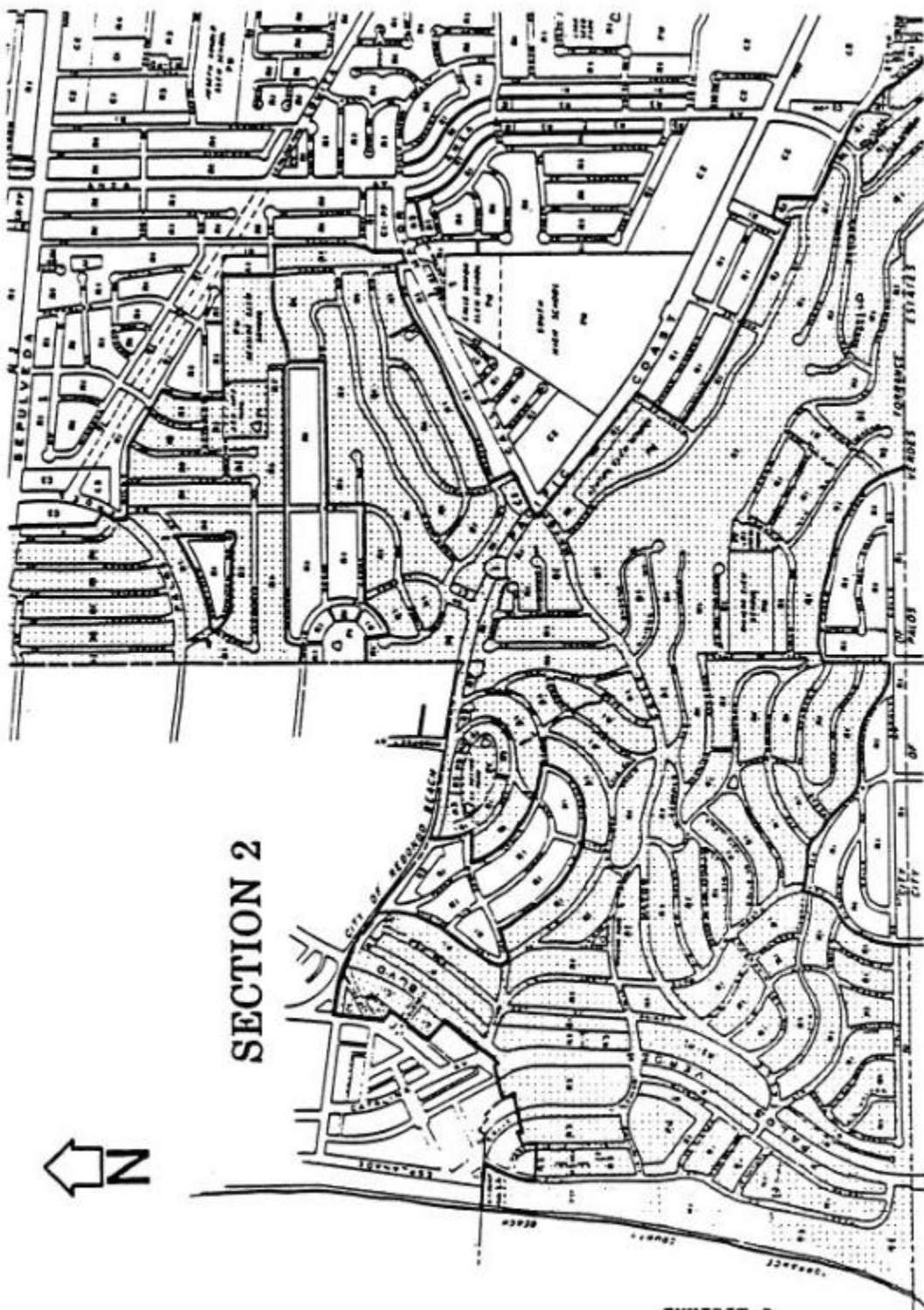
**91.41.14 EXEMPTIONS.**

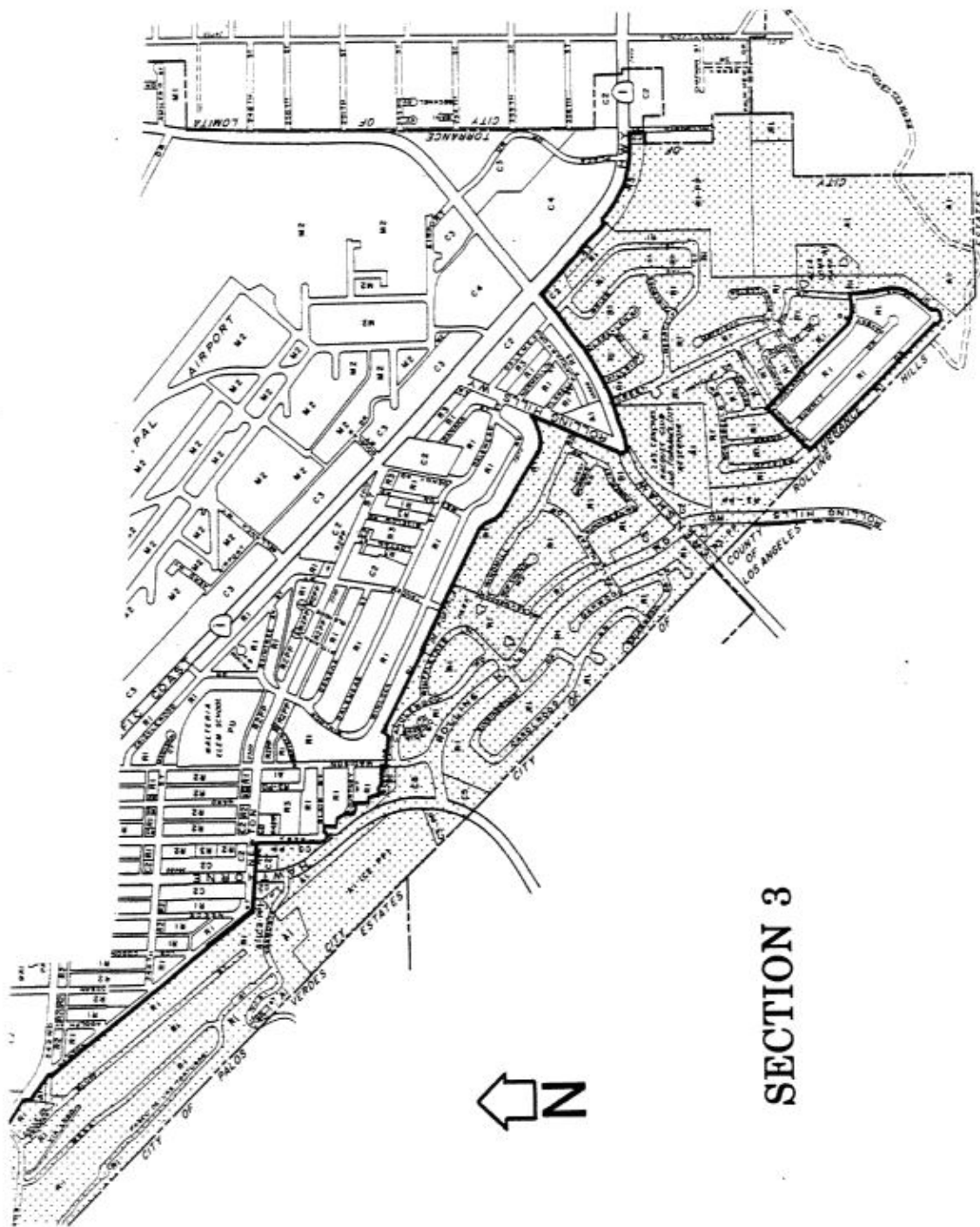
a) Unless in the opinion of the Director of Building and Safety, based upon the criteria of Sections [91.41.6](#), [91.41.9](#), [91.41.10](#), [91.41.11](#) and [91.41.13](#) of this Article, such improvements

may have a significant adverse effect on surrounding properties, the following shall be exempt from review under Section [91.41.9](#) of this Code, regardless of the valuation of improvements: retaining walls three (3) feet or less in height, interior modifications, maintenance or replacement of existing improvements, fences six (6) feet or less in height, grade walls, architectural appurtenances and nonoccupied areas, including but not limited to, uncovered decks, swimming pools, jacuzzis and open patios and those developments exempted by the California Coastal Act where applicable.

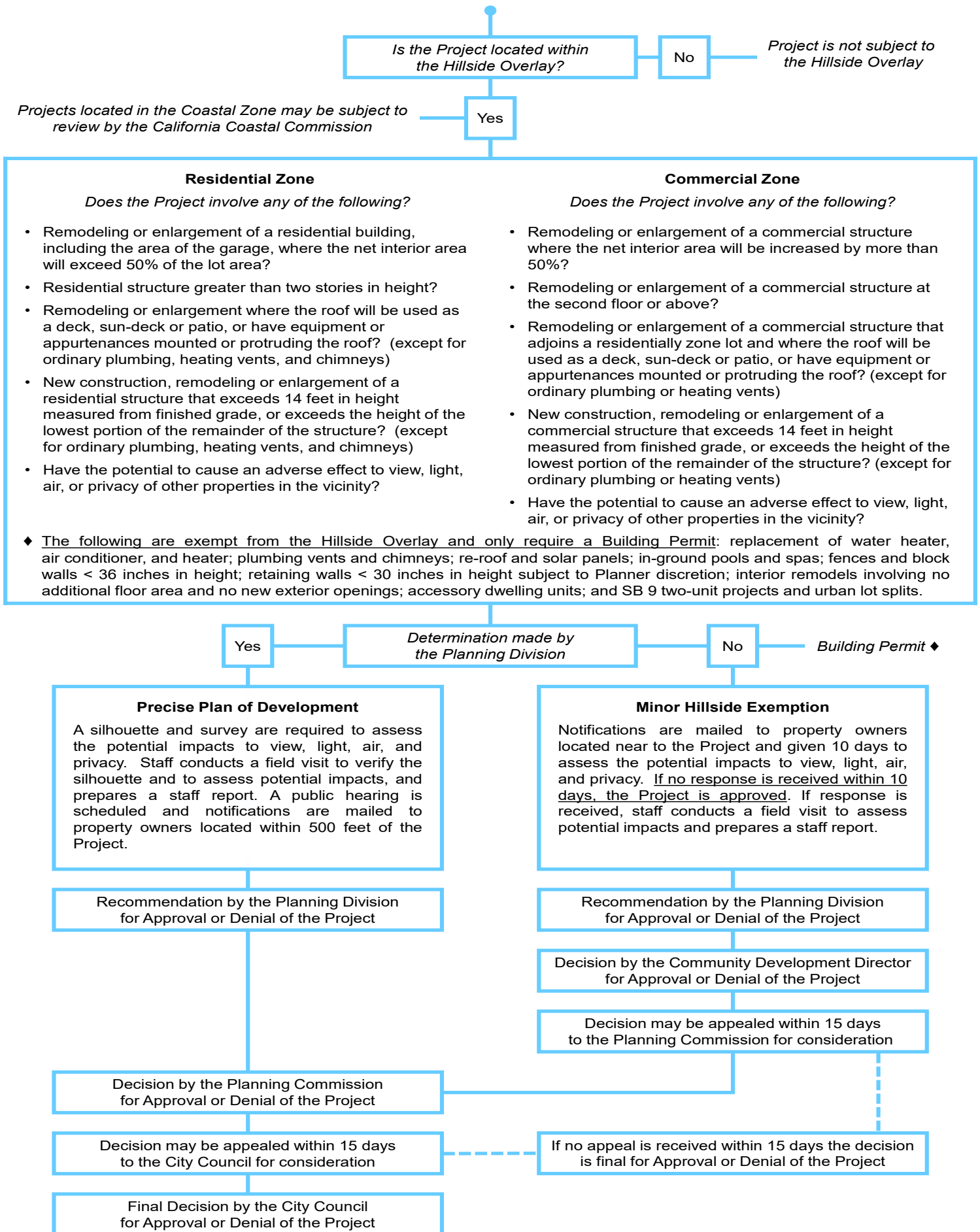
b) The Planning Director may exempt the following from review under Section [91.41.5](#) of this Article upon determining that there is no significant public controversy thereon unless in the opinion of the Planning Director or the Director of Building and Safety, based upon the criteria of Sections [91.41.6](#), [91.41.9](#), [91.41.10](#), [91.41.11](#) and [91.41.13](#) of this Article, the improvements may have a significant adverse effect on such surrounding properties, regardless of the value of such improvements: retaining walls over three (3) feet in height, balconies, patios, covered decks or any other occupied areas or solar panels; and those developments exempted by the California Coastal Act where applicable.







The flowchart provides an overview of the permitting process for development in the Hillside Overlay.  
For more information, contact the Planning Division at (310) 618-5990.



# Hillside and Coastal Overlay

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CITY COUNCIL MEETING

MAY 19, 2026

# Information / Outline

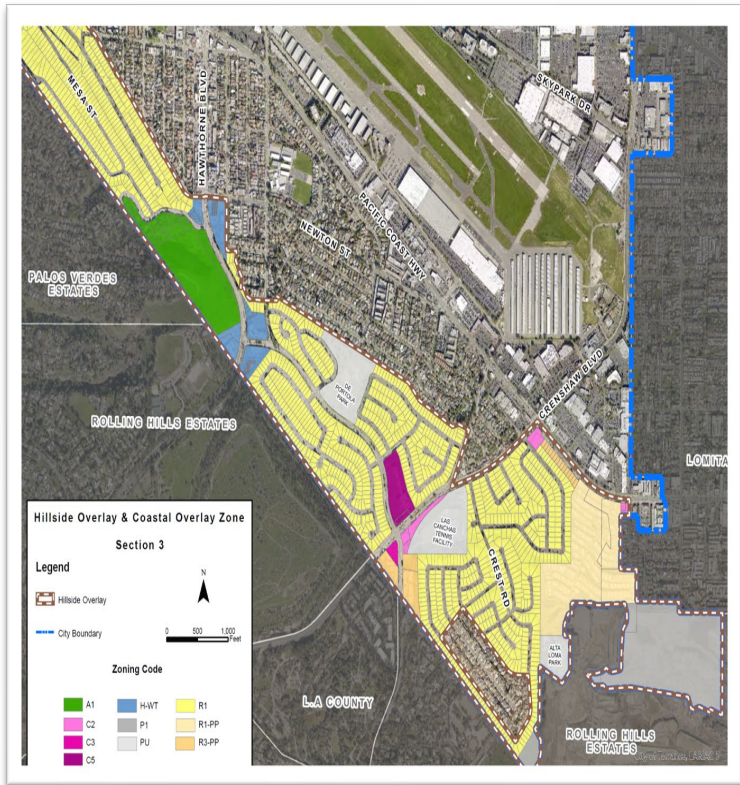
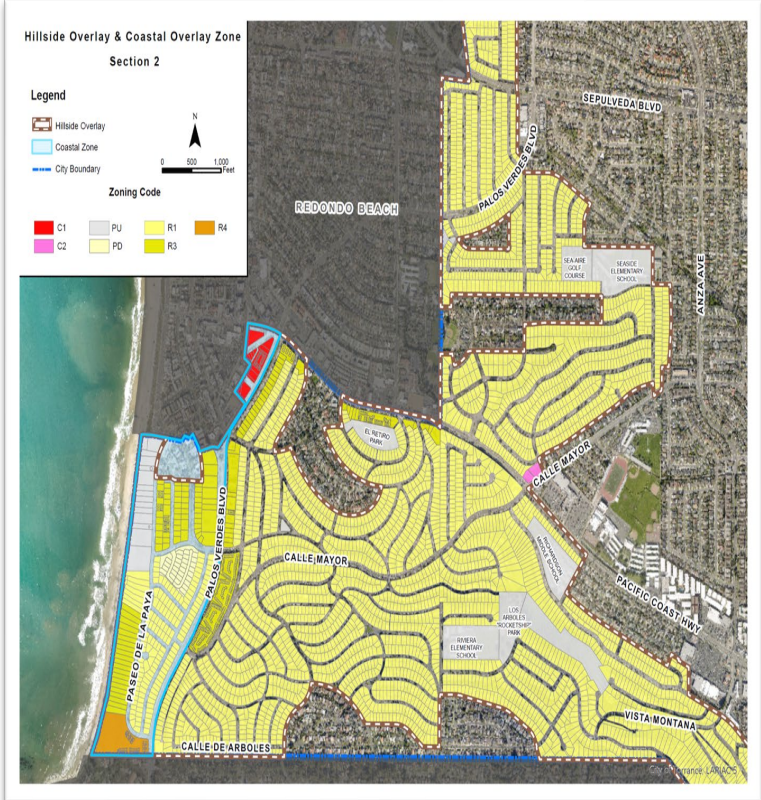
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- ❖ History of the Hillside and Coastal Overlay
- ❖ Development Process
- ❖ Housing Legislation as it relates to the Overlay
- ❖ Objective ADU Standards
- ❖ Lawsuits/Stipulated Judgments/Final Warnings

# History of the Hillside and Coastal Overlay

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- ❖ Established in 1977
- ❖ Intendeds to protect view, light, air, and privacy due to unique topography
- ❖ Evolved from guidelines to current process
- ❖ Maintains original underlying zoning



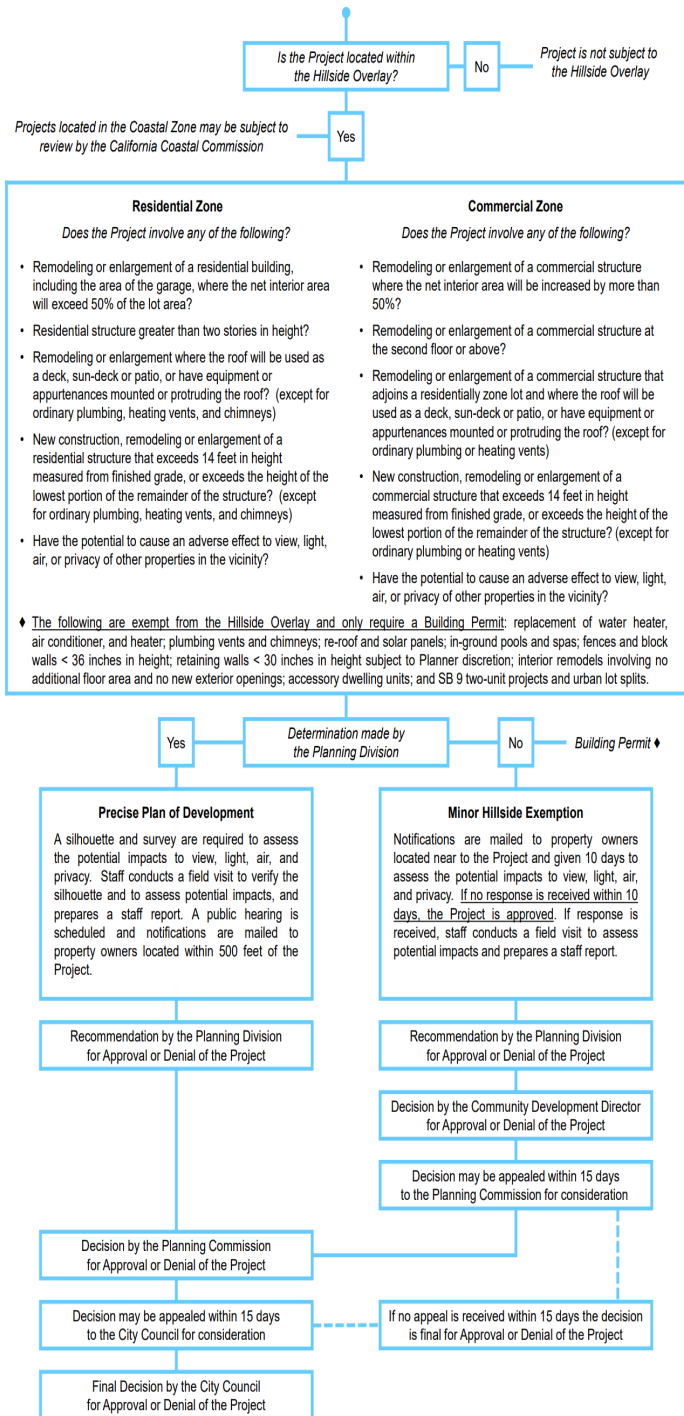
# Development Process

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- ❖ Building Permits - Ministerial
- ❖ Minor Hillside Exemption - Administrative
- ❖ Precise Plan of Development - Public Hearing

### Hillside Overlay Flowchart

The flowchart provides an overview of the permitting process for development in the Hillside Overlay.  
For more information, contact the Planning Division at (310) 618-5990.



# Building Permit (Ministerial)

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## Minor Repairs & Maintenance:

- ❖ Replacing water heater or air conditioner
- ❖ Re-roof
- ❖ Interior remodel
- ❖ Windows of the same dimensions or smaller

## New Construction:

- ❖ Rooftop, flush-mount solar panels
- ❖ In-ground pools
- ❖ Retaining walls less than 36in
- ❖ Fences less than 6ft
- ❖ ADU/JADUs
- ❖ SB9 Projects

# Minor Hillside Exemption

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- ❖ Notification of adjacent/surrounding property owners
- ❖ New construction/addition (one-story, under 14ft)
- ❖ Retaining walls (between 3ft - 5ft)
- ❖ New windows/exterior openings

# Precise Plan

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- ❖ Additions over 14ft in height (one or two-story)
- ❖ New two-story SFR
- ❖ Addition resulting over 0.50 FAR

# Project Evaluation

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- ❖ Evaluated on own merit
- ❖ Site visit by staff
- ❖ Photographs without zoom for internal review/appeal presentations
- ❖ Reviewed for impacts to view, light, air, and privacy
- ❖ Potential impacts discussed with applicant/proponent

# Housing Legislation

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- ❖ Accessory Dwelling Units and Junior Accessory Dwelling Units (ADU/JADUs)
- ❖ SB9 – Two Unit Projects and Urban Lot Splits
- ❖ Housing Accountability Act (HAA)
- ❖ Housing Crisis Act (HCA)

# Relationship to Overlay

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- ❖ Qualifying projects reviewed under objective standards
- ❖ Objective standards are quantifiable, no personal/subjective judgement, definitive
- ❖ Underlying zone applies
- ❖ Qualifying SFR projects still subject to Overlay

# Objective ADU Standards

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## Hillside and Coastal Overlay

- ❖ Detached ADUs cannot exceed one-story, 16ft (or 18ft-20ft if certain conditions are met)
- ❖ Attached ADUs cannot exceed 18ft for one-story and 25ft for two-stories

## Citywide

- ❖ New balconies, full height windows or doors openings with a guardrail, roof decks, and decks greater than 2 feet above grade are prohibited
- ❖ New mezzanines, lofts, and intermediate levels in the form of a balcony are prohibited

# Jurisdictions Subject to Lawsuits, Stipulated Judgments, or Final Warning

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❖Huntington Beach

❖Coronado

❖Kings County

❖Anaheim

❖Malibu

❖Lemoore

❖Elk Grove

❖Atwater

❖Merced County

❖La Cañada Flintridge

❖Avenal

❖Montclair

❖Norwalk

❖California City

❖Oakdale

❖Hollister

❖Corcoran

❖Patterson

❖Artesia

❖Escalon

❖Ridgecrest

❖Fullerton

❖Half Moon Bay

❖Turlock

❖San Bernardino

❖Hanford

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

651 Bannan Street, Suite 400  
Sacramento, CA 95811  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



September 5, 2024

Danny E. Santana, Community Development Director  
Planning Department  
City of Torrance  
3031 Torrance Boulevard  
Torrance, CA 90503

Dear Danny E. Santana:

**RE: Review of Torrance's Accessory Dwelling Unit (ADU) Ordinance  
ADU Law (Gov. Code, §§ 66310 – 66342)**

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

651 Bannan Street, Ste. 400  
Sacramento, CA 95811  
(916) 263-2911 / FAX (916) 263-7453  
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March 17, 2025

Aram Chaparyan, City Manager  
City of Torrance  
3031 Torrance Boulevard  
Torrance, CA 90503

**RE: City of Torrance 6<sup>th</sup> Cycle Housing Element Update Rezone Requirements –  
Letter of Inquiry**

Dear Aram Chaparyan:

The purpose of this letter is to inquire about the status of the City of Torrance's (City) 6<sup>th</sup> Cycle Housing Element implementation program related to sites to accommodate the Regional Housing Needs Allocation (RHNA) pursuant to Government Code section 65585, subdivision (i). The California Department of Housing and Community Development (HCD) sent the City a letter on October 12, 2022, finding the City's housing element in substantial compliance with Housing Element Law.<sup>1</sup> This was based

**10. ADMINISTRATIVE MATTERS**

**10E**Community Development – Conduct a Workshop Regarding the Hillside and Local Coastal Hillside Overlay Zone and State Housing Legislation and Accept and File the Report on Hillside and Local Coastal Hillside Overlay Zone, Hillside Review Processes, and State Legislation. Expenditure: None.

<b>Name</b>	<b>Comment - 05/18/2026 04:57 PM : (No Vote)</b>
Donald Reinertsen	I am submitting this comment regarding the Amberg letter to the City Council. Donald Reinertsen 600 Via Monte Doro Redondo Beach CA 90277 donreinertsen@gmail.com 310-594-5332

From: Donald Reinertsen, 600 Via Monte Doro, Redondo Beach 90277  
To: Torrance City Council

Subject: Public Comment to Item 10B on City Council Agenda for May 19, 2026

1. I strongly support the request of the Ambergs to place a hold on permit issuance for BLDG-02578 and to have approval specifically conditioned on the 8 requests that they have identified.
2. I think residents want to know that the zoning provisions of the HOD will be followed and enforced. Over the past decade, I have observed the permitting of a variety of structures that do not meet HOD height requirements. In effect, the Planning Division is making discretionary choices which accomplish a stealth rezoning of the HOD structure-by-structure. It has approved a pot-pourri structures that have removed the views, privacy, and light that this neighborhood was once noted for.
3. It appears to me that this problem does not originate in the actions of our elected officials but rather in the actions of the unelected staff. Our elected officials lack the time, and sometimes the experience, to review everything in detail. They must rely heavily on staff recommendations. Our elected part-time politicians must rely, in good faith, on the full-time city staff to process facts for them.
4. Consequently, it is absolutely critical that our unelected officials craft excellent statutes, and enforce their intent. Back in 2022, Torrance had the opportunity to exploit the language in AB2221 65852.2 (c)(2)(D)(iv) to create a height limit on ADUs conforming to R1 zoning and the HOD overlay. We could have complied with AB2221 and still limited the height of ADUs to “25 feet or the height limitation in the local zoning ordinance, whichever is lower”. Torrance completely missed this opportunity. We enacted an ordinance that allow ADUs in the HOD be 25 feet high, and that is what we got. Clearly, in the matter of crafting new ordinances our elected officials must provide greater scrutiny than they have provided in the past.
5. At this point, I question whether our elected officials are going to prevail over the unelected ones. However, I consider it essential to try to resolve this problem. It is quite feasible to create a Hillside Overlay Ordinance that establishes clear non-discretionary criteria, and to enforce this with discipline. I think this is what residents like me once had, and what we would like to have again.

**10. ADMINISTRATIVE MATTERS**

**10E**Community Development – Conduct a Workshop Regarding the Hillside and Local Coastal Hillside Overlay Zone and State Housing Legislation and Accept and File the Report on Hillside and Local Coastal Hillside Overlay Zone, Hillside Review Processes, and State Legislation. Expenditure: None.

**Name**

Michelle Brooks

**Comment - 05/18/2026 05:17 PM : (No Vote)**

Dear Torrance City Council & Staff— Attached please find comments/questions for your consideration regarding Agenda Item 10B.

Thank you!

Michelle Brooks  
Resident, District 5  
(703) 346-7050

May 18, 2026

The Honorable George Chen  
The Honorable Jon Kaji  
The Honorable Bridgett Lewis  
The Honorable Asam Sheikh  
The Honorable Sharon Kalani  
The Honorable Aurelio Mattucci  
The Honorable Jeremy Gerson  
**City of Torrance**  
3031 Torrance Boulevard  
Torrance, CA 90503

Dear Members of the Torrance City Council:

As a resident of District 5, I am deeply concerned about the **Hillside and Local Coastal Hillside Overlay Zone and State Housing Legislation**, which have caused a lot of anger and frustration within our community. I hope to see the following issues discussed during the Community Development workshop tomorrow evening and bring some clarity.

- 1) What legal steps has the City already been taken to fight against the State's legislative actions, including **SB 9** and **ADUs**, and how much money has the City expended in litigation to date?
- 2) Can the City legally modify current ADU laws by adding in parking requirements, height requirements, etc.? Are two-storied ADUs allowed?
- 3) There has been a lot of conversations around **subjective vs. objective** development standards in the Hillside Overlay. What modifications, if any, can be made to our existing zoning laws around these standards?

Thank you for your consideration. I look forward to the discussion.

Sincerely yours,

Michelle K. Brooks  
Resident, District 5

**10. ADMINISTRATIVE MATTERS**

**10E**Community Development – Conduct a Workshop Regarding the Hillside and Local Coastal Hillside Overlay Zone and State Housing Legislation and Accept and File the Report on Hillside and Local Coastal Hillside Overlay Zone, Hillside Review Processes, and State Legislation. Expenditure: None.

**Name**

Fred Crawford

**Comment - 05/18/2026 05:37 PM : (No Vote)**

As a 27-year resident, I want the Hillside Overlay Ordinance updated and enforced.

And ADUs need to comply with the Ordinance as well.

Thank you.

Fred Crawford

## Public Comment for Council Agenda Item 10 B on May 19, 2026

### 1. Repeated misdirection by CDDD Ramirez and the Staff of the Planning Division.

Instead of facilitating the hearing and consideration by the Torrance City Council (and the Torrance Planning Commission) of input from the public that is relevant to important Zoning and Land Use matters, it is my impression that Community Development Department Director Michelle Ramirez ("CDDD Ramirez") and the Staff of the CDD Planning Division has repeatedly misdirected requests made by Torrance residents for the consideration and examination of zoning matters. It is my impression that CDDD Ramirez and her Staff do whatever they can to prevent the Council from recognizing and taking steps to remedy this problem.

CDDD Ramirez and her Staff apparently want to retain, for their own use, the power to make arbitrary, day-to-day, decisions as to what building projects are to be approved or denied. I believe that the City of Torrance and the residents of Torrance have been harmed thereby. I ask the City Council to address these matters, without delay.

It is also my impression that CDDD Ramirez and her Staff acted in an similar manner to prevent the Planning Commission from receiving and considering public input regarding zoning and land use matters.

The Torrance Municipal Code ("TMC") expressly states that the Planning Commission has the Power and has the Duty to hold hearings on, and make recommendations to the City Council on matters concerning the use and development of land in the City.<sup>1</sup> I had asked the Planning Commission to hold public hearings so that it could receive and consider recommendations to make to the City Council as to changes that the Council could make in response to the recent state law. However, Staff scheduled and held, what Staff described as a "workshop" for the purpose of describing to the public the rules that the Community Development Department uses to process applications for construction permits.

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#### 1 **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.
- 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)

CDDD Ramirez and her Staff has responded in the same manner with regard to the Torrance Council Agenda Item 10B on May 19, 2026. Ramirez and her Staff describe Item 10B in the following manner:

*"Conduct a Workshop Regarding the Hillside and Local Coastal Hillside and Overlay Zone and State Housing Legislation and Accept and File the Report on Hillside and Local Coastal Hillside Overlay Zone Hillside Review Processes and State Legislation."*

Staff then asked the Council to:

*"Accept and file the report...as it applies to residential development in the Hillside Overlay."*

I have been informed that some Cities in California have apparently been able to modify their zoning laws so as to retain control over development in their City within violating recently enacted state law. San Jose, La Canada Flintridge, Concord, and Santa Monica have recently modified their local zoning laws in a manner that is purported to comply with recent State Law and that may protect the residential zones in these cities from runaway, uncontrolled development.

In the present circumstance, may I ask that the Council continue its decision in hearing of Agenda Item 10 B to a later date so that the City Council may consider whether or not Torrance also could, and should, take similar steps to protect the residential property located in the Hillside Overlay Zone.

Sincerely,

G. Joseph Buck

Resident of the Hillside for 43 years

## **ARTICLE 41 - R-H HILLSIDE AND LOCAL COASTAL OVERLAY ZONE**

(Added by O-2747; Amended by O-2760; O-2961; O-2982; O-3027; O-3110, O-3126, O-3144)

### **91.41.1 HILLSIDE AND COASTAL ZONE.**

a) The Hillside and Local Coastal Overlay Zone shall consist of the area designated in the maps attached following this Article, marked Exhibits A, B and C to this section, which are incorporated in this Code by this reference.

b) The provisions of this Article shall apply to all properties within the Overlay Zone in addition to the requirements of the underlying zone, except as provided in this Article. No permits shall be issued for development in the Hillside and Coastal Zone unless the requirements of this Article have been met.

### **91.41.2 APPLICATION OF PREEXISTING ZONE.**

Nothing contained in this Article shall be deemed to repeal any provision of this Code, and the requirements of all preexisting zones in existence in the area encompassed by this Overlay Zone shall be and remain in full force and effect in addition to the requirements of the Overlay Zone, except that the requirements of the Overlay Zone shall be applied where the requirements and standards contained therein are more restrictive than those of the preexisting underlying zones.

### **91.41.3 LOT DIMENSIONS.**

(Amended by O-3283)

Residential lots within the Overlay Zone shall provide a minimum lot width of fifty (50) feet for interior lots or sixty (60) feet for exterior lots, plus one (1) foot for each one percent (1%) slope in excess of fifteen percent (15%) based on existing grade or finished grade, whichever is more restrictive.

### **91.41.4 PUBLIC HEARING.**

a) Upon receipt of the complete application, the Planning Director shall set a date, time and place for a public hearing thereon as soon as practicable and shall send notice thereof to the owners of land included within a three hundred (300) foot radius of the exterior boundaries of the land for which the permit is sought as shown on the last equalized assessment roll. The Planning Commission may conduct said hearing in an informal manner. The rules of evidence shall not apply. The hearing may be adjourned to a future time at the discretion of the

Planning Commission without the giving of further notice, other than announcement by the Commission of the date, time and place of such adjourned meeting at the time of said adjournment.

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

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

#### **91.41.5 PRECISE PLAN.**

a) Any development on a lot within the Hillside and Coastal Zone shall be subject to approval by the Planning Commission of a Precise Plan in accordance with Chapter [6](#) of this Division [9](#), except as provided in Sections [91.41.7](#), [91.41.8](#), and [91.41.14](#) of this Article.

b) Nothing in this chapter shall be construed to permit the restrictions which are less restrictive than established in the this Code, or in the California Coastal Act as to those properties lying westerly of Palos Verdes Boulevard in the Coastal Zone as defined by the California Coastal Act.

c) Nothing in this Article shall be construed to authorize the Planning Commission to impose conditions more restrictive than the express provisions of this Code or the California Coastal Act as to those properties lying westerly of Palos Verdes Boulevard in the Coastal Zone as defined in the California Coastal Act when so doing would render construction on any lot impossible where such construction would be possible in accordance with the Code as written.

d) The requirements, restrictions and conditions of the California Coastal Act, commencing at Section [30000](#) of the Public Resources Code of the State of California and any implementing regulations authorized by law, are incorporated by this reference as to the properties lying westerly of Palos Verdes Boulevard in the Coastal Zone as defined in the California Coastal Act.

#### **91.41.6 PLANNING AND DESIGN.**

(Amended by O-3477)

No construction and no remodeling or enlargement of a building or structure shall be permitted unless the Planning Commission (or the City Council on appeal) shall find that the location and size of the building or structure, or the location and size of the remodeled or enlarged portions of the building or structure, have been planned and designed in such a manner as to comply with the following provisions:

- a) The proposed development will not have an adverse impact upon the view, light, air and privacy of other properties in the vicinity;
- b) The 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;
- c) The design provides an orderly and attractive development in harmony with other properties in the vicinity;
- d) The design will not have a harmful impact upon the land values and investment of other properties in the vicinity;
- e) Granting such application would not be materially detrimental to the public welfare and to other properties in the vicinity;
- f) The proposed development will not cause or result in an adverse cumulative impact on other properties in the vicinity.

**91.41.7 PERMITTED DEVELOPMENT - RESIDENTIAL.**

Notwithstanding the provisions of this Article, no Precise Plan shall be required if the proposed development within the Hillside and Coastal Overlay Zone is for the purpose of constructing, remodeling or enlarging a dwelling, provided the following requirements are met:

- a) The net interior area of the completed dwelling, whether it is new construction or remodeled or enlarged, including the area of the garage, whether attached or detached, will not exceed fifty percent (50%) of the area of the lot or parcel on which the dwelling is located;
- b) The dwelling (or in the case of remodeling or enlargement, the portion remodeled or enlarged) will be one (1) story; and provided further that no portion of the roof of the dwelling (or in the case of remodeling or enlargement, no portion of the remodeled or enlarged roof) will be used as a deck, sun-deck or patio, nor will any equipment or appurtenances be mounted on the roof or protrude through the roof (except for ordinary plumbing or heater

vents) nor extend above the roof eave line; provided further that a chimney will be permitted if the portion extending above the roof eave line is no larger than the minimum dimensions required by the Torrance Building Code.

c) 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.

d) The Planning Director has determined that the proposed development will not have an adverse effect on other properties in the vicinity, and there is no significant public controversy thereon.

#### **91.41.8 PERMITTED DEVELOPMENT - COMMERCIAL.**

Notwithstanding the provisions of this Article, no Precise Plan shall be required if the proposed development within the Hillside and Coastal Overlay zone is for the purpose of constructing, remodeling or enlarging a commercial building, located in a commercial zone, if the following requirements are met:

a) In the case of remodeling or enlargement of a building, the net interior area of the resulting building will not be increased by more than fifty percent (50%) as a result of the remodeling or enlargement;

b) The commercial building (or in the case of remodeling or enlargement, the portion remodeled or enlarged) will be one (1) story; and provided, further, that in the event the commercially zoned lot adjoins any lot used for residential purposes, no portion of the roof (or in the event of remodeling or enlargement, no portion of the remodeled or enlarged roof) will be used as a deck, sun-deck or patio, nor will any equipment or appurtenances be mounted on the roof, protrude through the roof, or extend above the roof, or extend above the roof eave line (except for ordinary plumbing or heating vents);

c) No portion of the building, 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 fourteen (14) feet in height, measured from finished grade, but not including any berm, or shall not exceed the height of the lowest portion of the remainder of the building, whichever is less. Ordinary plumbing or heating vents, as provided for in subsection b) of this section shall not be considered in the height measurement;

d) The Planning Director has determined that the proposed development will not have an adverse effect on other properties in the vicinity, and there is no significant public controversy thereon.

#### **91.41.9 DEVELOPMENT STANDARDS.**

a) For slope control:

1) All structures shall have roof drainage directed to the street or other approved drainageways by approved methods;

2) All excavations, paving, hillside and slope earthwork construction, landscaping and grading, including fills and embankments, shall meet building and grading Code requirements;

b) For safety, general welfare, aesthetic control, and to help stabilize land values and investments;

1) Stilt-type structures shall be constructed in such a way that there is no exposure to public view of plumbing, electrical, mechanical equipment, ducts, pipes or other construction appurtenances normally associated with a residential or commercial structure;

2) Swing-in garages and circular driveway are encouraged on wide lots to allow vehicles to enter the public way in a forward manner when such drives are landscaped appropriately;

3) There shall be a level setback of not less than five (5) feet on that portion of a hillside lot between the wall of any structure on such lot and any adjacent slope of greater than 15% of such lot;

4) The proposed development will not result in a substantial change in the physical conditions which exist in the area affected by the proposed project.

**91.41.10 LIMITATION ON INCREASES IN HEIGHT.**

No enlargement in any building or structure, or any remodeling of any building or structure, shall be permitted which causes the height of such building or structure or any part thereof, to be higher than before the remodeling or enlargement, unless the Planning Commission (or City Council on appeal) shall find that:

- 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;
- b) If such lack of feasibility is proved:
  - 1) Denial of such application would result in an unreasonable hardship to the applicant; and
  - 2) Granting the application would not be materially detrimental to the public welfare and to other properties in the vicinity.

**91.41.11 LIMITATION ON INCREASES IN BUILDING SPACE LOT COVERAGE.**

a) No remodeling or enlargement shall be made to any building or structure, except for commercial uses in a commercial zone, which remodeling or addition increases the net interior floor area of the building or structure so that it exceeds fifty percent (50%) of the number of square feet in the lot or parcel of land upon which the building or structure is located unless the Planning Commission (or the City Council on appeal) shall find that:

- 1) Denial of such application would constitute an unreasonable hardship to the applicant; and
  - 2) Granting of such application would not be materially detrimental to the public welfare, and to other property in the vicinity.
- b) For purposes of this section, the term "commercial zone" shall mean any zone in which commercial uses are permitted, or are permitted with a Conditional Use Permit.

**91.41.12 WAIVERS.**

Waivers may be granted pursuant to the provisions of Chapter 4, Article 2, of this Division; provided, however, that the building height requirements of this Article may be changed only pursuant to a Precise Plan. Where both a Waiver and a Precise Plan are necessary, both may be processed as a single matter.

### **91.41.13 GUIDELINES FOR REVIEW OF COASTAL DEVELOPMENT.**

a) The following factors, in addition to the California Coastal Act, related State regulations and the other provisions of this Article, shall be considered by the Planning Commission when reviewing any development regardless of zone as to those properties lying westerly of Palos Verdes Boulevard in the Coastal Zone as defined in the California Coastal Act:

- 1) Multiple-family dwellings should not exceed thirty-five (35) feet above existing grade elevation;
- 2) Roof signs should not be permitted; and
- 3) Ground signs should be limited to monument-type signs with a maximum height of eight (8) feet above the front property line.

b) The following factors should be considered during review of any development proposed for the coastal bluffs or adjacent to the sandy beach areas:

- 1) No improvements will be allowed west of the safe building line established by the Department of Building and Safety for Lots 149 through 164, Tract 18379;
- 2) No construction will be allowed between the safe building line and the west side of Paseo de la Playa, or on any lots north of Lot 148, Tract 18379, without a soils and geologic investigation being filed with the Department of Building and Safety;
- 3) No development will be allowed without supporting data showing proof of bluff and supporting soils stability being filed with the Department of Building and Safety;
- 4) Whether the proposed development impairs access to the beach areas for use by the general public;
- 5) Whether the proposed development is incompatible with recreational usage by the general public; and
- 6) Whether the proposed development will result in blockage of coastal views from public rights-of-way.

### **91.41.14 EXEMPTIONS.**

a) Unless in the opinion of the Director of Building and Safety, based upon the criteria of Sections [91.41.6](#), [91.41.9](#), [91.41.10](#), [91.41.11](#) and [91.41.13](#) of this Article, such improvements

may have a significant adverse effect on surrounding properties, the following shall be exempt from review under Section [91.41.9](#) of this Code, regardless of the valuation of improvements: retaining walls three (3) feet or less in height, interior modifications, maintenance or replacement of existing improvements, fences six (6) feet or less in height, grade walls, architectural appurtenances and nonoccupied areas, including but not limited to, uncovered decks, swimming pools, jacuzzis and open patios and those developments exempted by the California Coastal Act where applicable.

b) The Planning Director may exempt the following from review under Section [91.41.5](#) of this Article upon determining that there is no significant public controversy thereon unless in the opinion of the Planning Director or the Director of Building and Safety, based upon the criteria of Sections [91.41.6](#), [91.41.9](#), [91.41.10](#), [91.41.11](#) and [91.41.13](#) of this Article, the improvements may have a significant adverse effect on such surrounding properties, regardless of the value of such improvements: retaining walls over three (3) feet in height, balconies, patios, covered decks or any other occupied areas or solar panels; and those developments exempted by the California Coastal Act where applicable.

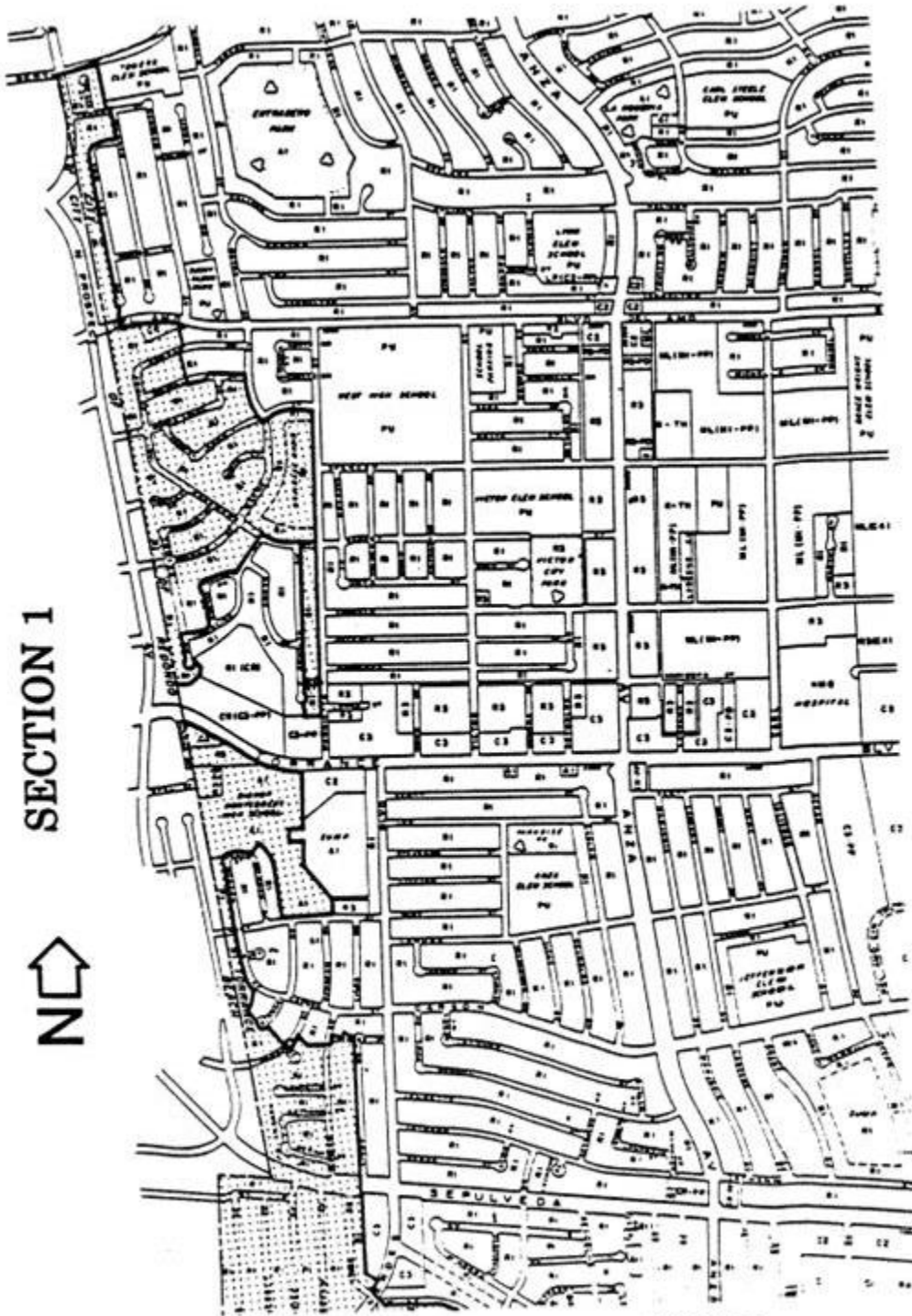
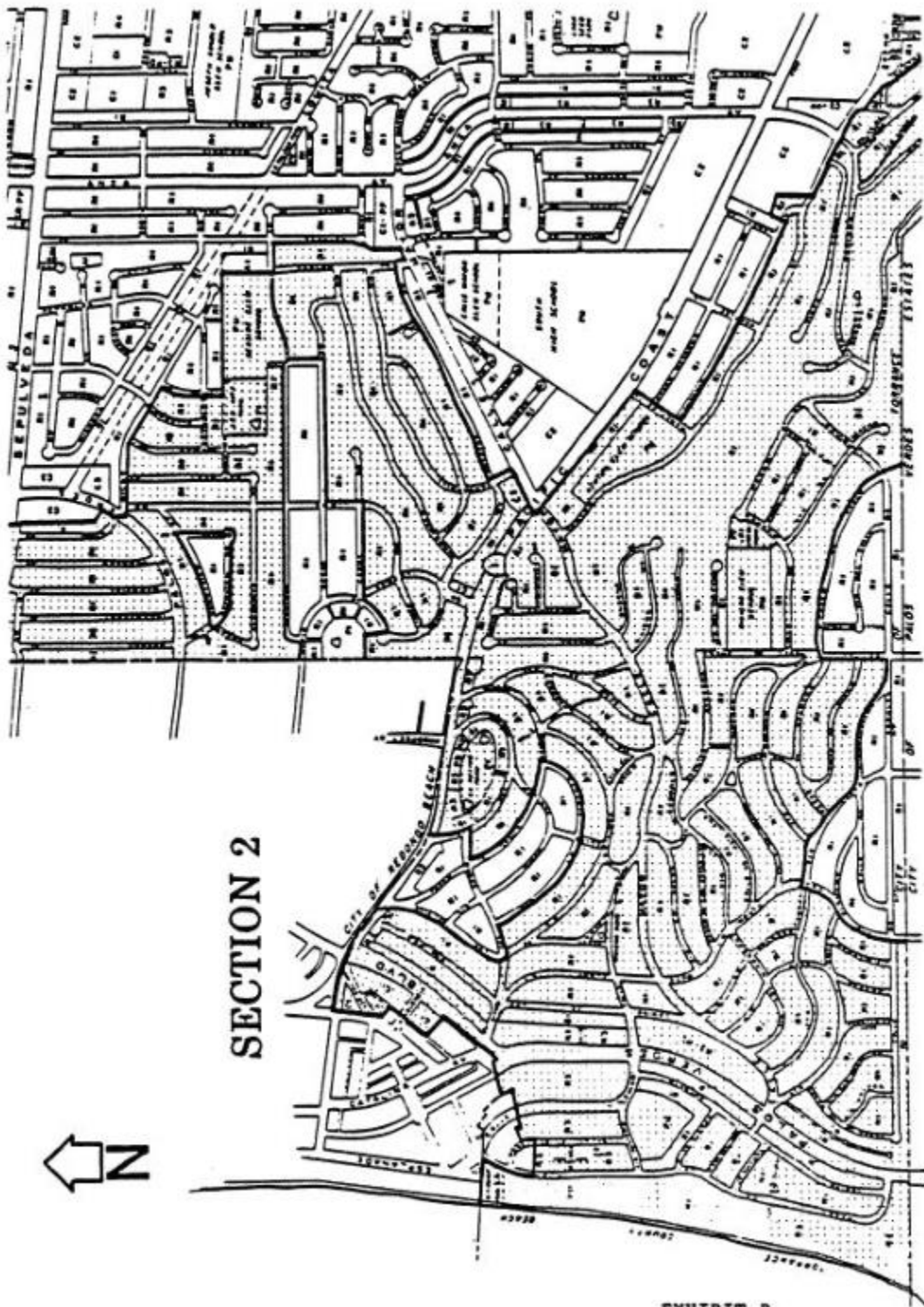
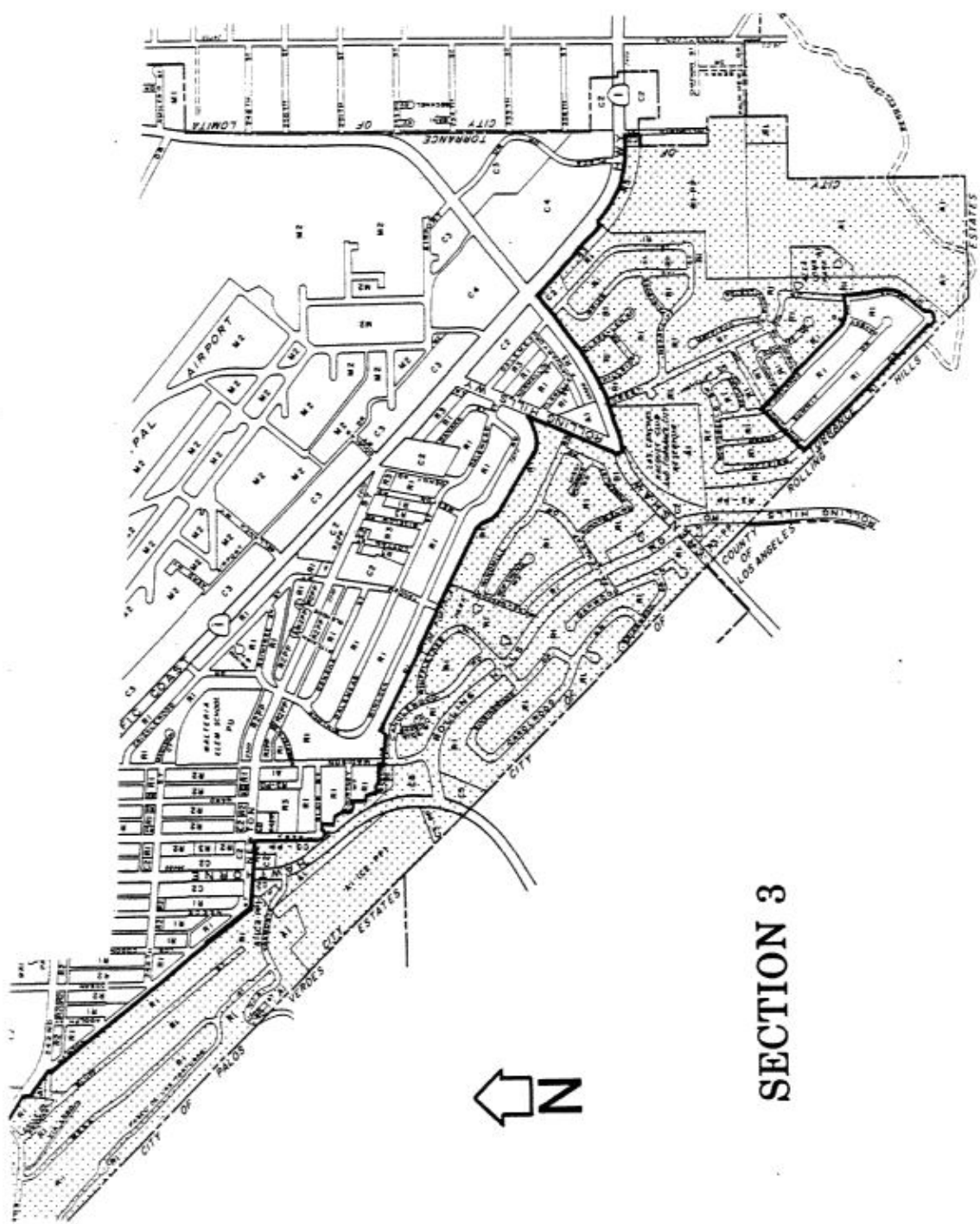


EXHIBIT A



SECTION 2

EXHIBIT B



SECTION 3

## Hillside Overlay Flowchart

The flowchart provides an overview of the permitting process for development in the Hillside Overlay.  
For more information, contact the Planning Division at (310) 618-5990.

