



**Environmental  
Quality and Energy  
Conservation Commission**

The Environmental Quality and Energy Conservation Commission is an advisory body to the City Council on matters pertaining to oil, animal, energy conservation, and other environmental matters. Regular meetings are scheduled on the first Thursday of the month at 7:00 p.m. in the West Annex Commission Meeting Room.

Staff reports are available for review at the Community Development Department, Civic Center Main Library, and the City Clerk's Office. Direct questions or concerns to Deputy Director Linda Cessna at 310.618.5930. Agendas and Minutes are posted on the City of Torrance Home Page – [www.TorranceCA.Gov](http://www.TorranceCA.Gov).

Decisions by the Environmental Quality and Energy Conservation Commission may be appealed to the City Council. Such appeals shall be in writing, accompanied by the filing fee, and shall be filed with the City Clerk within fifteen (15) calendar days following the decision of the Environmental Quality and Energy Conservation Commission.

In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in this meeting, please contact the City Manager's Office at 310.618.5880. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28CFR 35.102-104 ADA Title II].

**HOURS OF OPERATION**

**Monday through Friday from  
7:30 a.m. to 5:30 p.m.**

**Offices are closed alternate Fridays.**

**City Hall will be closed:**

- Friday, December 6, 2019
- Friday, December 20, 2019
- Tuesday, December 24, 2019\*
- Wednesday, December 25, 2019\*
- Tuesday, December 31, 2019\*
- Wednesday, January 1, 2020\*
- Friday, January 3, 2020
- Friday, January 17, 2020
- Monday, January 20, 2020\*
- Friday, January 31, 2020

\*Denotes City Holiday

# ENVIRONMENTAL QUALITY AND ENERGY CONSERVATION COMMISSION

WEST ANNEX COMMISSION MEETING ROOM  
CITY HALL, 3031 TORRANCE BOULEVARD  
TORRANCE, CALIFORNIA 90503

THURSDAY, DECEMBER 5, 2019  
7:00 P.M.

## AGENDA

1. CALL TO ORDER
2. ROLL CALL/MOTIONS FOR EXCUSED ABSENCE
3. FLAG SALUTE
4. REPORT ON POSTING OF AGENDA
5. ORAL COMMUNICATIONS FROM THE PUBLIC
6. APPROVAL OF MINUTES: November 7, 2019
7. ENVIRONMENTAL MATTERS:
  - A. Leaf Blower Recommendations
  - B. Rail to Trails Presentation and Discussion
8. ORAL COMMUNICATION
9. ADJOURNMENT: February 6, 2020

**MINUTES OF A REGULAR MEETING OF  
THE ENVIRONMENTAL QUALITY AND  
ENERGY CONSERVATION COMMISSION**

**1. CALL TO ORDER**

The Torrance Environmental Quality and Energy Conservation Commission convened in a regular session at 7:00 p.m. on Thursday, November 7, 2019 in the West Annex meeting room, Torrance City Hall.

**2. ROLL CALL:**

Present: Commissioners Deemer, DeWitt, Endo-Roberts, Martin, Stecker, Wright, and Chairperson Montgomery.

Absent: None.

Also Present: Deputy Community Development Director Cessna, Senior Environmental Quality Officer Duncan, and Planning Intern II Ortega.

**3. SALUTE TO THE FLAG**

Commissioner Martin led the Pledge of Allegiance.

**4. POSTING OF THE AGENDA**

Deputy Director Cessna reported the agenda was posted on the Public Notice Board.

**5. ORAL COMMUNICATIONS FROM THE PUBLIC**

Debra Corwin, Purrfect Partners, spoke and distributed an Environmental Impact Report, Citywide Cat Program, City of Los Angeles.

**6. APPROVAL OF MINUTES: OCTOBER 3, 2019**

**MOTION:** Commissioner Martin moved to approve the October 3, 2019 Commission meeting minutes as presented. Commissioner Deemer seconded the motion; a roll call vote reflected 5-0 approval (Chairperson Montgomery and Commissioner Wright abstaining).

**7. ENVIRONMENTAL MATTERS**

**7A. LUS19-00002: CITY OF TORRANCE (MULTI-FAMILY RESIDENTIAL SMOKING REGULATION)**

Deputy Community Development Director Cessna reported in August 2019 City Council referred this item to the Commission for consideration. She stated Torrance does not currently have any regulations regarding residential smoking, but prohibits smoking in public parks, beaches, and City-owned properties. She noted the proposed ordinance would be limited to multi-family apartment buildings with more than three units and not intended for condominiums. She stated approximately 6,000 notifications of this meeting were mailed to multi-family properties and called attention to correspondence received subsequent to the publication of the agenda.

Planning Intern Ortega reviewed research he conducted on cities in California that have adopted ordinances regarding residential smoking regulation. He noted research was limited by the small number of cities that have passed ordinances on this matter. He presented similarities and differences in regulations in the Cities of Calabasas, Santa Monica, Sausalito, San Rafael, Huntington Park, and the County of Marin that encompasses 27 cities. He noted similarities in all of the municipalities prohibit smoking in common areas, establish the need for “smoke-free buffer zones” within the property lines, have designated smoking areas, require No Smoking signage and a floor plan diagram with locations of smoking units and area, as well as increased landlord responsibilities and violations for breaching smoking provisions. He stated differences found in the municipal codes include the unit designation process, buffer zone distance required, and open space maximum for designated smoking areas. He described the differences in each of the municipalities he researched and added, although the required distance of buffer zones differs, all cities prohibit smoking on private balconies, porches, patios, or decks because they do not meet the minimum distance required for buffer zones. He stated some of the cities allow tenants to vote to designate a portion of the building as smoking units.

He presented potential options for the Commission to consider: 1) Direct staff to forward a recommendation to City Council of no action; 2) Direct staff to conduct and bring back further research in a specified area; or 3) Direct staff to forward the matter to City Council for consideration with any recommendations for action from the Commission. These recommendations may include: all new units no smoking; ban smoking in all common areas but allow in units; designate a percentage of units as non-smoking; implement a ban at residences with five units or more; or ban smoking entirely in the complex. It was pointed out that owners are able to declare their properties non-smoking without any action taken by the City.

In response to Commissioner Deemer’s inquiries, Planning Intern Ortega stated that the City of Los Angeles has no smoking regulations for multi-unit residences and that he is unaware of the percentage of adults who currently smoke in California.

Commissioner DeWitt received clarification from staff that “landlord” and “property manager” are used interchangeably in municipal codes. He questioned how to address changes in ownership and residences in close proximity to each other, such as mobile estates. He was advised by staff that mobile homes or townhouses are not counted.

Responding to an inquiry from Commissioner Stecker, Deputy Community Development Director Cessna explained that the Department has received few complaints from apartment dwellers and this item came from a Councilmember during Orals at a City Council meeting.

At 7:32 p.m., Chairperson Montgomery welcomed public input.

Mark Bodziak stated smoking restrictions would be hard for the City to regulate and that apartment owners should have the freedom to choose.

Dan McLaughlin stated he supports less smoking; however, 60% of the tenants in his apartment building smoke and his relationship with them is important.

When Commissioner Stecker stated he does not support having tenants vote, Deputy Director Cessna agreed it would not be appropriate. She added that the Commission does not have to follow any of the models of the cities researched. She stated, based on the results of research, she does not recommend creation of an ordinance banning residential smoking at this time due to staff limitations, difficulty of enforcement, and budgetary constraints. She noted,

however, that creating regulations such as requiring new units to be non-smoking, prohibiting smoking in common areas, establishing designated smoking areas, and educational outreach could be effective first steps.

Chairperson Montgomery stated that health trumps all and that residents should be able to smoke in their own units but not in common and public areas.

Commissioner Wright suggested there is no need to do anything at this point, noting the lack of complaints and the majority of cities having no ordinances.

Commissioner Deemer recommended surveying apartment buildings, indicating that perhaps smoking restrictions have been implemented in some of them.

Commissioner Martin pointed out that apartment owners do not have to wait for the City to enact regulations because they can implement them on their own.

Commissioner DeWitt expressed concern that enacting an ordinance may provide an artificial way for owners to raise rents.

Darlene Thomas received clarification from staff that any regulations would not override what restrictions apartment owners have in place.

**MOTION:** Commissioner Montgomery, seconded by Commissioner DeWitt, moved to recommend 1) adoption of an ordinance banning any form of smoking in all common areas, including balconies and patios, in rental properties having three or more units, and 2) owners are able to declare their properties non-smoking without any action taken by the City. The motion passed on a 4-3 roll call vote as follows:

Ayes: Commissioners DeWitt, Martin, Stecker, and Chairperson Montgomery.  
Noes: Commissioners Deemer, Endo-Roberts, and Wright.

## 8. ORAL COMMUNICATION

Deputy Director Cessna informed the Commission that next month they would be considering Rails to Trails and leaf blowers.

Commissioners Martin, Stecker, and Deemer spoke.

Chairperson Montgomery distributed "Climate Crisis News."

## 9. ADJOURNMENT

**MOTION:** At 8:36 p.m., Commissioner Endo-Roberts moved to adjourn the meeting to December 5, 2019 at 7:00 p.m. in the West Annex meeting room, Torrance City Hall. Commissioner Wright seconded the motion and, hearing no objection, Chairperson Montgomery so ordered.

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## **TORRANCE ENVIRONMENTAL QUALITY COMMISSION**

December 6, 2019

To: Chairman Montgomery and Members  
of the Torrance Environmental Quality Commission

Subject: Leaf Blower Regulation

The City has considered various options in regards to the use of leaf blowers in the City. These include a complete ban; a ban only on gas leaf blowers; a partial ban based on size and zoning of property; restrictions on hours of operation; and education. Concerns regarding leaf blower use include two main issues: pollution and noise. Based on the outreach conducted, there are strong feelings on both sides of the issue, with similar numbers of residents concerned with the noise and concerned about pollution. Likewise, in terms of solutions, similar numbers favor no ban at all compared with a ban on all or gas powered leaf blowers. The option with the largest positive response was a restriction on hours of operation.

In considering potential regulatory actions regarding the use of leaf blowers, there are several concerns. First and foremost, is the raising of expectations that cannot reasonably be met, should the City choose to ban leaf blowers. As the City of Redondo Beach indicated when they adopted a ban, they did not believe that they would be able to enforce it, and, over a year later, they are finding that to be the case. The preliminary stages of enforcement generally would include warnings and education, however, at some point, there is an expectation that citations will be written and fines levied. In order to cite for use of a leaf blower, the person writing the citation must observe the use. Most complaints come in after the use has stopped, and even in those cases where the complaint is filed during use, by the time a City representative arrives, the use will likely be completed. Other jurisdictions with bans in place, such as Manhattan Beach, make use of the Police Department for enforcement, however, that is not recommended for Torrance.

In addition, our parks services have been testing various electric leaf blowers for effectiveness in their work, and have found that they are not able to complete their work with the current generation of blowers. Thus, a ban on gas powered leaf blowers would be a problem for our City crews in terms of their being able to complete their work.

Based on concerns regarding ability to enforce, the first recommendation is to engage in more robust public education, including business license inserts for gardeners, demonstration of electric leaf blowers at the environmental fair and exploration of the possibility of a leaf blower exchange through the COG and

AQMD, similar to their outreach efforts with gas lawn mowers. Restrictions on hours of operation, mirroring the current construction hours, would also be a possibility. The Municipal Code regarding Construction Hours is attached for reference.

Respectfully Submitted,

Linda Cessna  
Deputy Community Development Director

**ATTACHMENTS:**

1. Torrance Municipal Code Construction Hours

#### **46.3.1 CONSTRUCTION OF BUILDINGS AND PROJECTS.**

(Amended by O-3712)

- a) It shall be unlawful for any person within the City of Torrance to operate power construction tools, equipment, or engage in the performance of any outside construction or repair work on buildings, structures, or projects in or adjacent to a residential area involving the creation of noise beyond 50 decibels (db) as measured at property lines, except between the hours of 7:30 A.M. to 6:00 P.M. Monday through Friday and 9:00 A.M. to 5:00 P.M. on Saturdays. Construction shall be prohibited on Sundays and Holidays observed by City Hall. An exception exists between the hours of 10:00 A.M. to 4:00 P.M. for homeowners that reside at the property.
- b) The Community Development Director may allow expanded hours and days of construction if unusual circumstances and conditions exist. Such requests must be made in writing and must receive approval by the Director prior to any expansion of the hour and day restrictions listed above.
- c) Every construction project requiring Planning Commission review or considered to be a significant remodel as defined by Section 231.1.2, shall be required to post an information board along the front property line that displays the property owner's name and contact number, contractor's name and contact number, a copy of TMC Section 46.3.1, a list of any special conditions, and the Code Enforcement phone number where violations can be reported.
- d) Properties zoned as commercial, industrial or within an established redevelopment District, are exempted from the above day and hour restrictions if a minimum buffer of 300 feet is maintained from the subject property's property line to the closest residential property. The Community Development Director, may, however, revoke such exemption for a particular project if the noise level exceeds 50 decibels (db) at the property line of a residential property beyond the 300 linear foot buffer.
- e) Heavy construction equipment such as pile drivers, mechanical shovels, derricks, hoists, pneumatic hammers, compressors or similar devices shall not be operated at any time, within or adjacent to a residential area, without first obtaining from the Community Development Director permission to do so. Such request for permission shall include a list and type of equipment to be used, the requested hours and locations of its use, and the applicant shall be required to show that the selection of equipment and construction techniques has been based on minimization of noise within the limitations of such equipment as is commercially available or combinations of such equipment and auxiliary sound barriers. Such permission to operate heavy construction equipment will be revoked if operation of such equipment is not in accordance to approval. No permission shall be required to perform emergency work as defined in Article 1 of this Chapter.

**EFFECTIVE  
JULY 14, 2008**

**NEW RESIDENTIAL  
CONSTRUCTION HOURS**

**MONDAY – FRIDAY 7:30<sub>AM</sub> – 6:00<sub>PM</sub>**

**SATURDAY  
9:00<sub>AM</sub> – 5<sub>PM</sub>**

**CONSTRUCTION IS PROHIBITED ON SUNDAYS AND ALL HOLIDAYS  
OBSERVED BY TORRANCE CITY HALL\***

**\* Between the hours of 10:00am and 4:00pm, construction is allowed for homeowners  
working themselves AND residing at that particular property**