

SUPPLEMENTAL #2 TO AGENDA ITEM 8B

DATE: January 21, 2026
TO: Members of the Planning Commission
FROM: Austin Lujan, Planning Assistant
SUBJECT: 439 Via Linda Vista
Minor Hillside Exemption (MHE25-00051)

Request for consideration of an appeal of the Community Development Director's approval of a Minor Hillside Exemption (MHE25-00051) to allow a new attached 694 square foot attached garage on the north side of the residence on property located within the Hillside Overlay in the Single Family Residential (R-1) Zone at 439 Via Linda Vista (APN 7514-012-028).

SUPPLEMENTAL

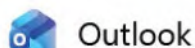
Staff received correspondence after the release of the public hearing notice via email on January 19th, 2026.

Staff continues to recommend approval.

ATTACHMENTS:

1. Correspondence.

ITEM 8B
ATTACHMENT 1
CORRESPONDENCE



Fw: Public Comment Record #MHE25-00051, 439 Via Linda Vista

From Garcia, Robert <RobertGarcia@TorranceCA.Gov>

Date Tue 1/20/2026 7:40 AM

To Lujan, Austin <ALujan@TorranceCA.Gov>

Hi Austin,

Please include the comment below in your supplemental to the Planning Commission. Let the commentor know that we received their comment.

Thanks,

ROBERT GARCIA

Planning Manager - Community Development Department
310-618-5835 | RobertGarcia@TorranceCA.Gov

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From: [REDACTED]
Sent: Monday, January 19, 2026 4:07 PM
To: Planning Commission <PlanningCommission@TorranceCA.gov>
Subject: Public Comment Record #MHE25-00051, 439 Via Linda Vista

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Torrance Planning Commission:

Since we unfortunately won't be attending the Public Hearing on January 21, 2026, we are submitting our opposition to the proposed "large garage with ADU above the garage" at 439 Via Linda Vista.

The City is approving the "minor exception" to the Hillside Overlay Ordinance currently in effect. The building project should be denied, first because it's not going to be used as an ADU. The owner has indicated to several neighbors that it's going to be used as a living room built high enough for him to have an ocean view with an enhanced open floor plan and to increase his home value.

If this is built, multiple property values will be decreased because this unit will block neighbors' views and impact light and air to their properties.

The surrounding neighbors attempted to work out a solution by asking the owner to lower the roofline, but again he expressed to his architect with neighbors present that if he can't build up as high as he wants, he won't have an ocean view.

This is in conflict with the Hillside Overlay Ordinance. When he bought the house, he knew what he was buying. This increase in the height of the current garage/building lies in opposition to the Ordinance. Its construction will

directly affect people living behind him who would then have their views blocked.

We all live here because it's a special place to live. This exemption approval by the City will only be the beginning of more so-called exemptions like this and will forever change the feel and charm of our Hollywood Riviera.

We heartily oppose the construction of this unit. If we can't rely on our current City leaders and these "exemptions" continue to happen, we are aware of multiple residents who will vote out the current mayor and city council members.

Sincerely,
Concerned Neighbors

Fw: Supplemental Comment for Hearing, 2026-01-21 agenda item 8B

From Garcia, Robert <RobertGarcia@TorranceCA.Gov>

Date Tue 1/20/2026 7:42 AM

To Lujan, Austin <ALujan@TorranceCA.Gov>

Hi Austin,

Please include this comment in your supplemental to the Planning Commission. Let the commentor know that their comment was received.

Thanks,

ROBERT GARCIA

Planning Manager - Community Development Department
310-618-5835 | RobertGarcia@TorranceCA.Gov

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From: [REDACTED]

Sent: Monday, January 19, 2026 7:35 PM

To: Planning Commission <PlanningCommission@TorranceCA.gov>

Subject: Supplemental Comment for Hearing, 2026-01-21 agenda item 8B

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Dear Planning Commissioners,

I would like to address the circumstances that have led us to the January 21, 2026 Planning Commission Hearing agenda item 8B, being the appeal to the approval of the housing garage+ADU project at 439 Via Linda Vista. I visited the property today (1/18/26) and spoke with several neighbors who will be impacted by the designs of this proposed construction. With the inclusion of an ADU in the project, this is another example of how the lack of objective guidelines in the Hillside Overlay Ordinance creates a loophole for sidestepping the protection of the valued views, light, air and privacy homeowners should expect to be considered when construction projects such as this are proposed.

Additionally, the project at 439 Via Linda Vista appears to have some inconsistencies in the description of the project being a one-story garage, when in fact this is planned to be a two-story structure, with the second story being an attached ADU. I believe further clarification on the procedure for evaluating the height limits of this project is warranted. There also appear to be opportunities for further conversations to mitigate some of the negative impacts of the project, which were suggested by the architect, Binh Wong (who proposed lowering the ADU's roofline through different methods.) In the interest of continuing the harmony and shared values of our

hillside community, due diligence should be done to seek solutions for balancing new construction with extant neighborhoods.

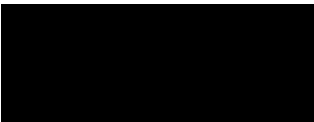
As residents of the Hollywood Riviera are well aware, the Hillside Overlay is intended to provide development standards to prevent adverse impacts on the view, light, air and privacy of their homes and investments. To address the current challenges of housing development projects being managed by the city of Torrance and continue the application of the HOO's review criteria as intended, it is clear that the HOO needs to be updated to include the objective standards by which these criteria may be applied.

I strongly urge the Planning Commission to seek permission from the City Council to update the HOO as needed, so the Commissioners may be empowered to make the best comprehensive and balanced decisions on city projects. Were that language in place today, residents could resolve projects such as this with fairness and efficiencies, and avoid many hours of their and the City's time in dealing with misaligned proposals.

Given that the staff has recommended the adoption of a new Religious Institution Housing Overlay Zone, which provides standards for housing developments on qualified properties, I am confident that the standards of the now 45-year-old Hillside Overlay Ordinance can be updated to current necessary guidelines. Residents of the Torrance Riviera have reasonable expectations that their views, light, air and privacy would be sustained by the Hillside Overlay and the agencies responsible for the implementation of the HOO guidelines. Providing the objective standards in the HOO will clarify the Planning Commission's ability to guide and approve building projects, as well as streamline the process for the Council members.

In closing, I urge the Planning Commission to provide time for further review and discussions of potential solutions for this project. For our community's long-term benefits, I also urge the Commissioners to begin the much needed Hillside Overlay Ordinance updates to include the objective criteria necessary to allow for a more balanced, equitable and efficient decision-making process for development projects.

Thank you for your time and attention,



Fw: PUBLIC COMMENT - RE: Minor Hillside Exemption 25-00051: 439 Via Linda Vista

From Garcia, Robert <RobertGarcia@TorranceCA.Gov>

Date Tue 1/20/2026 2:13 PM

To Lujan, Austin <ALujan@TorranceCA.Gov>

Hi Austin,

We received a comment on your item for tomorrow. Please include in your supplemental and notify the commentor that their comment was received. Thank you.

From: [REDACTED]

Sent: Tuesday, January 20, 2026 12:55 PM

To: Planning Commission <PlanningCommission@TorranceCA.gov>

Subject: PUBLIC COMMENT - RE: Minor Hillside Exemption 25-00051: 439 Via Linda Vista

You don't often get email from [REDACTED]. [Learn why this is important](#)

PUBLIC COMMENT - RE: Minor Hillside Exemption 25-00051: 439 Via Linda Vista

Torrance Planning Commission,

It's with urgency we protect the Riviera Hillside Overlay from blatant abuse of rule bending by new homeowners at 439 Via Linda Vista.

When purchasing in the Hillside Overlay, homeowners are made aware of the inability to expand their homes over the existing structure heights in order to preserve not only the neighboring homes views, but also the aesthetic within the neighborhood. The new homeowners at 439 Via Linda Vista are showing complete disregard for long standing rules within the community, rules they were made aware of prior to executing purchase agreements; and now exposing their will to upend the community for their own personal gain at the expense of their neighbors and the overall neighborhood environment.

If homeowners are allowed to built massive expansions on their home, 20 feet higher than their current elevation, under the guise of an "ADU" then the Torrance Planning Commission must acknowledge this is the first domino allowed to fall. It is our full intent to fight this ADU and preserve the community we all know and love within the Riviera Hillside Overlay.

I will say this loud and clear, let it be known if this ADU is allowed, it is my full intention to build our own ADU that towers over neighboring homes. If the Torrance Planning Commission lets the first domino fall then we will be the next. I know of other homeowners in the community that are ready do

to the same. This is NOT a one and done, there will be many, many, new ADUs that will forever alter the landscape within the Riviera. If calling it an ADU is the excuse to build up and get an ocean view, something the owners of 439 Via Linda Vista have clearly stated is their intent, then we will look forward to our future construction knowing the Torrance Planning Commission will have no recourse.

We encourage you to take this matter seriously, consider the long standing rules, and fight against this disregard of community by 439 Via Linda Vista like it's your neighbor. Think for one moment like this house blocks your ocean view, or maybe just the monster building now towering over your home while the homeowner lies about their intent to make fools of the City Planning Commission. This will be the first domino to fall if you allow it; I personally guarantee it will not be the last.

Sincerely,



EXECUTIVE SUMMARY OF THE COMMUNITY PUBLIC COMMENT SUBMISSION RE: APPEAL OF MHE25-00051 APPROVAL DECISION, 439 VIA LINDA VISTA:

Underlying Context: 439 Via Linda Vista is a single-story home proposing to enlarge its garage to 694 square feet in order to support an approximately 894-square-foot ADU, much of which is a second story built above the garage. The combined structure reaches approximately 23½ feet in height and substantially blocks views and western light for multiple neighboring homes.

The project did not go through a Precise Plan review, which would require full building silhouettes and a complete hillside review under the Hillside Overlay Ordinance, the applicant applied for a Minor Hillside Exemption. That exemption has a strict 14-foot height limit under the Hillside Overlay Ordinance. The City approved the exemption by evaluating only the height of the garage and excluding the second-story ADU from its hillside analysis. Neighbors disagree with this approval decision because it applies the Hillside Exemption to a building form that will never exist and misapplies the City's own rules.

133 City of Torrance residents representing 77 addresses signed on to this public comment letter outlined below:

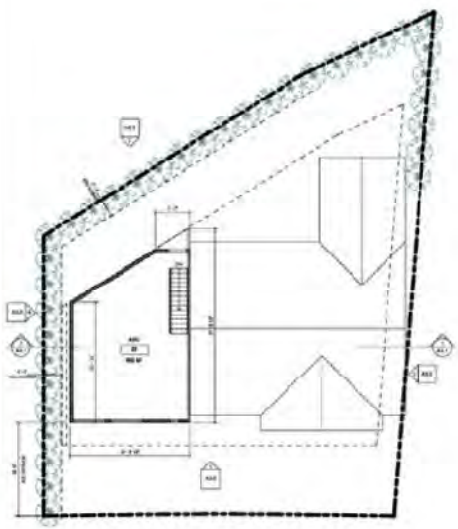
Summary: This appeal challenges how the City approved a Minor Hillside Exemption for the project at 439 Via Linda Vista (MHE25-00051). The purpose of this letter is **not focused on opposing an ADU** or asking the City to ignore state housing law (which it can't). The issue being argued is procedural: the Hillside Overlay exemption was applied to a one-story building that will never exist, while the approved plans clearly construct a single, two-story building. **The Minor Hillside Exemption only applies if the completed structure is under 14 feet, yet the City approved the exemption in question by ignoring the objective standards for the second story ADU (exceeding 14 feet) and only considering the objective standards of the first level garage (10 ½ feet). Applying the Minor Hillside Exemption to only part of the building, while approving a taller structure on top of it, is inconsistent with the City's own rules.**

Under Torrance's ADU ordinance, an attached ADU must be counted toward the total height and number of stories of the structure. **By its own code, this project is a two-story building.** However, the City treated it as one story for hillside exemption purposes and two stories for ADU approval. That internal contradiction allowed the Hillside Overlay to be bypassed for the very portion of the building that creates height, mass, and neighborhood impacts. State ADU law does not require this approach; it allows cities to enforce objective standards like height and story count, which were not applied consistently here.

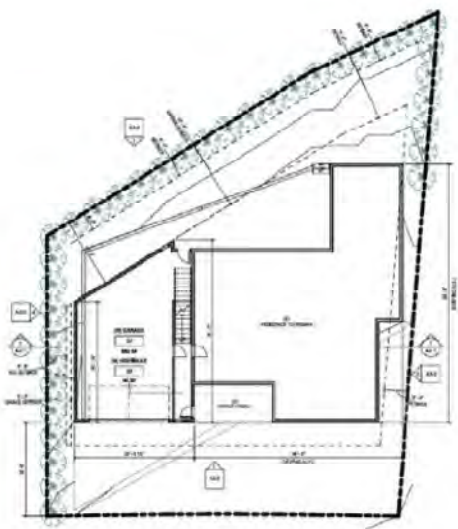
If this approval stands, it creates a loophole where two-story buildings in hillside neighborhoods can avoid full hillside review simply by labeling the upper floor as an ADU. That outcome is not required by state law and undermines the purpose of the Hillside Overlay, which exists to protect shared community interests and long-term property values. We are asking the Planning Commission to correct this approval by requiring the project to be evaluated as the two-story structure it is under a precise plan, and to consider clarifying the Hillside Overlay with stronger objective standards so similar issues do not arise in the future.

In the Appendix of the document, in addition to the procedural issues outlined for this specific project appeal, several broader concerns emerged during neighbor review. First, this case highlights the need for modernizing and clarifying the Hillside Overlay Ordinance so that it can function alongside state-mandated ministerial approvals without creating ambiguity, inconsistent outcomes, or avoidable disputes. Second, objective ADU design standards, such as roof pitch and architectural consistency, were not evaluated, raising questions about the application of adopted local standards. Third, the completed structure will create significant documented real-world impacts on adjacent properties, including substantial view obstruction and privacy effects. Finally, there are fairness concerns with a neighbor being able to block another neighbor's view for their own advantage. Collectively, these factors underscore that the issues presented in this appeal are not limited to one property, but reveal a procedural pathway that, if unaddressed, could erode the practical function of the Hillside Overlay and diminish community confidence in the City's land-use process.


439 VIA LINDA VISTA SUBMITTED PLANS AND RENDERINGS:



2ND FLOOR PLAN - NEW
1/8" = 1'-0" ①



1ST FLOOR PLAN - NEW
1/8" = 1'-0" ②



GONG RESIDENCE NEW GARAGE & ATTACHED ADU
SAMUEL GONG
3636 WILSON ST
TORRANCE, CA 90503
T. 310.961.8178

Project
439 VIA LINDA VISTA
TORRANCE, CA 90277

BKW STUDIO
13733 RAMON BLVD
LA BREA, CA 90038
LA BREA, CA 90038
310.504.8888
bkwstudio@bkwstudio.com

Working Title
Project No.
Drawing No.
Drawing Date
Drawing Scale
Drawing Status
Drawing Author
Drawing Checker
Drawing Approver

DATE OF EXTERIOR ELEVATIONS

EXTERIOR ELEVATIONS

DATE
SCALE
DRAWN BY
CHECKED BY
APPROVED BY

A3.0

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KEYNOTE

2.01 WALLS AND PARTIAL FLOOR AND WALLS ABOVE STRUCTURE WITH WINDOWS AND DOORS COMPARTMENTS SHALL BE FINISHED WITH A NONABSORBENT SURFACE TO A HEIGHT OF 8 FT ABOVE FLOOR AND CEILING

2.02 CIRCUMFERENCES PLUMB TYPING BE INTERCONNECTED IN A MANNER THAT ACTIVATES ALL OF THE ALARMS SHALL ACTIVATE ALL OF THE ALARMS

2.03 WALLS AND PARTIAL FLOOR AND WALLS ABOVE STRUCTURE WITH WINDOWS AND DOORS COMPARTMENTS SHALL BE FINISHED WITH A NONABSORBENT SURFACE TO A HEIGHT OF 8 FT ABOVE FLOOR AND CEILING

2.04 CIRCUMFERENCES PLUMB TYPING BE INTERCONNECTED IN A MANNER THAT ACTIVATES ALL OF THE ALARMS SHALL ACTIVATE ALL OF THE ALARMS

GONG RESIDENCE NEW GARAGE & ATTACHED ADU
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Drawing Approver


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EXTERIOR ELEVATIONS


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DRAWN BY
CHECKED BY
APPROVED BY

A3.0


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WEST ELEVATION - NEW
1/8" = 1'-0" ④



NORTH ELEVATION - NEW
1/8" = 1'-0" ②



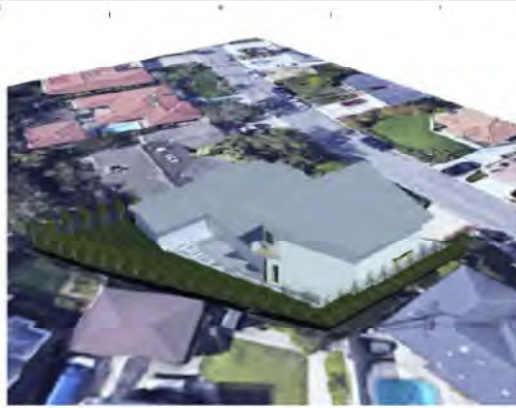
EAST ELEVATION - NEW
1/8" = 1'-0" ③



SOUTH ELEVATION - NEW
1/8" = 1'-0" ①



EYE LEVEL VIEW - NORTHEAST AT REAR YARD



AERIAL VIEW - NORTHWEST AT REAR YARD



EYE LEVEL VIEW - SOUTHEAST STREET FRONTAGE



AERIAL VIEW - SOUTHWEST STREET FRONTAGE



GONG RESIDENCE NEW GARAGE & ATTACHED ADU

SAMUEL GONG
 1000 S. LINCOLN BLVD.
 TORRANCE, CA 90503
 T: 562-205-8888

Project
 438 MAJUNCA VISTA
 TORRANCE, CA 90577

Project Name

BKW STUDIO

11000 S. LINCOLN BLVD. TORRANCE, CA 90503
 TEL: 562-205-8888
 WWW.BKWSTUDIO.COM

DATE: 08/15/2023
 PROJECT: 438 MAJUNCA VISTA
 SHEET: A9.1

OPTION-2 PERSPECTIVES

DATE: 08/15/2023
 PROJECT: 438 MAJUNCA VISTA
 SHEET: A9.1

PUBLIC COMMENT LETTER FROM THE COMMUNITY

**Subject: Public Comment and Supplemental Information
for Appeal of Minor Hillside Exemption Approval, Dated November 3rd, 2025
Project Number: MH25-00051
Project Address: 439 Via Linda Vista
Submitted to: City of Torrance, Planning Commission & Community Development
Department**

Submitted by:

1. [REDACTED] Calle Cabrillo
2. [REDACTED] Via Linda Vista
3. [REDACTED] Via Linda Vista
4. [REDACTED] Via Linda Vista
5. [REDACTED] Via Linda Vista
6. [REDACTED] Via Los Miradores
7. [REDACTED] Via Los Miradores
8. [REDACTED] Via Los Miradores
9. [REDACTED] Via Los Miradores
10. [REDACTED] Via Los Miradores
11. [REDACTED] Via Los Miradores
12. [REDACTED] Via Los Miradores
13. [REDACTED] Via Los Miradores
14. [REDACTED] Via Los Miradores
15. [REDACTED] Via Los Miradores
16. [REDACTED] Via Los Miradores
17. [REDACTED] Via Los Miradores
18. [REDACTED] Via Los Miradores
19. [REDACTED] Via Los Miradores
20. [REDACTED] Via Los Miradores
21. [REDACTED] Via El Chico
22. [REDACTED] Via El Chico
23. [REDACTED] Via El Chico
24. [REDACTED] Via Los Altos
25. [REDACTED] Via Los Altos
26. [REDACTED] Via Los Altos
27. [REDACTED] Via Los Altos
28. [REDACTED] Via Anita
29. [REDACTED] Via Segó
30. [REDACTED] Via El Segó
31. [REDACTED] Calle de Arboles
32. [REDACTED] Calle de Arboles
33. [REDACTED] Via Monte D'oro
34. [REDACTED] Via Monte Doro
35. [REDACTED] Via Monte Doro

- 36. [REDACTED] Via Monte Doro
- 37. [REDACTED] Via La Selva
- 38. [REDACTED] Via La Selva
- 39. [REDACTED] Via La Selva
- 40. [REDACTED] Calle Mayor
- 41. [REDACTED] Calle Mayor
- 42. [REDACTED] Via Circula
- 43. [REDACTED] Via La Circula
- 44. [REDACTED] Camino de las Colinas
- 45. [REDACTED] Camino de las Colinas
- 46. [REDACTED] Camino de las Colinas
- 47. [REDACTED] Calle de Castellana
- 48. [REDACTED] Calle de Castellana
- 49. [REDACTED] Via Colusa
- 50. [REDACTED] Via Colusa
- 51. [REDACTED] Via Colusa
- 52. [REDACTED] Calle Miramar
- 53. [REDACTED] Calle Miramar
- 54. [REDACTED] Via Pasqual
- 55. [REDACTED] Via Pasqual
- 56. [REDACTED] Calle de Andalucia
- 57. [REDACTED] Calle De Andalucia
- 58. [REDACTED] Paseo de Gracia
- 59. [REDACTED] Paseo de Gracia
- 60. [REDACTED] Paseo de Gracia
- 61. [REDACTED] Vista Del Parque
- 62. [REDACTED] Paseo de Pablo
- 63. [REDACTED] Paseo del Pavon
- 64. [REDACTED] Calle de Madrid
- 65. [REDACTED] Calle de Madrid
- 66. [REDACTED] Paseo de las Delicias
- 67. [REDACTED] Calle de Felipe
- 68. [REDACTED] Via Los Altos
- 69. [REDACTED] Paseo de las Tortugas
- 70. [REDACTED] Paseo de las Tortugas
- 71. [REDACTED] Paseo de las Tortugas
- 72. [REDACTED] Via del Valle
- 73. [REDACTED] Highgrove Ave
- 74. [REDACTED] Susana Ave
- 75. [REDACTED] - [Address requested to be redacted]
- 76. [REDACTED] Bluff St
- 77. [REDACTED] Bluff St

1 - PURPOSE OF SUPPLEMENTAL INFORMATION SUBMISSION

Several neighbors have appealed the Minor Hillside Exemption issued for 439 Via Linda Vista. This supplemental submission identifies a **procedural error** in how the City applied the Hillside Overlay Ordinance, in conjunction with state ADU law and the City's own ADU ordinance.

The focus of this specific letter is not an objection to an ADU, nor a request that the City disregard state housing law. The issue presented is whether the correct procedural pathway was used under the Hillside Overlay Ordinance, based on the actual building that will be constructed.

We respectfully submit that it was not.

2 - SUMMARY OF CORE ISSUE: ONE BUILDING, MULTIPLE RULE SYSTEMS—APPLIED INCONSISTENTLY

The Minor Hillside Exemption approval was applied to a one-story building form that will never exist under the approved plans.

The project is simultaneously governed by:

- State ADU Law
- The City of Torrance ADU Ordinance
- The Hillside Overlay Ordinance
- The R-1 Zone Ordinance

Each of these governs the same physical structure. However, during review, they were applied to different versions of that structure.

When these laws and ordinances are examined together, the administrative record shows that the Minor Hillside Exemption was granted based on an intermediate, one-story condition, even though the City acknowledges that the final constructed building will be two stories.

That inconsistency is the procedural defect before the Commission. We contend that the City did not appropriately reconcile these converging laws and ordinances in their decision.

3 - PROJECT OVERVIEW AS APPROVED

The approved plans show:

- A substantially enlarged first-story garage; and
- An attached ADU that includes both a ground-level component and a second-story component constructed above the garage.

This project is a two-story structure. The one-story garage evaluated for the Minor Hillside Exemption is not the final building and will never exist independently according to the submitted plans.

4 - OBJECTIVE PROCEDURAL INCONSISTENCIES

4 (a) - INCONSISTENCY 1: THE MINOR HILLSIDE EXEMPTION PATHWAY WAS USED AND APPROVED DESPITE FAILURE TO MEET ITS PREREQUISITE CONDITIONS

The Minor Hillside Exemption is not exclusively a discretionary entitlement; it is a limited administrative pathway available only when specific, objective conditions are met.

As stated in the Minor Hillside Exemption application materials:

“The Community Development Director may grant approval of development within the Hillside Overlay provided the development meets the requirements of Sections 91.41.7, 91.41.8, and 91.41.14.”

Torrance Municipal Code §91.41.7 expressly limits this pathway by providing that a Precise Plan is not required only if:

“No portion of the dwelling... exceeds fourteen (14) feet in height... 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.”

This 14-foot condition is therefore a threshold requirement for using the Minor Hillside Exemption process.

Here, the exemption was granted based solely on the first-story garage meeting this threshold, while excluding the second-story ADU that is part of the same structure and approved concurrently as a two-story structure.

Because the completed building exceeds the conditions that allow exemption-level processing, the project should not have been approved through this pathway.

4 (b) - INCONSISTENCY 2: THE CITY DID NOT APPLY ITS OWN OBJECTIVE ADU STORY-COUNT STANDARD CONSISTENTLY

Under Torrance Municipal Code §92.2.10, as amended by Ordinance No. 3954:

“Applicable to all ADUs and JADUs. When the proposed improvement...is attached to the primary or multifamily structure, the improvement shall count towards the overall height and number of stories of the structure it is attached to.”

This is an objective classification rule. Under it, the approved project is a two-story structure.

Despite this, the Hillside Overlay review classified the same building as one story for purposes of determining eligibility for a Minor Hillside Exemption.

The City cannot apply its ordinances inconsistently by:

- Treating the structure as two stories for ADU compliance; and
- Treating the same structure as one story to qualify for an exemption that depends on being one story.

Once classified as two stories under the City’s own ordinance, the project no longer qualifies for the Minor Hillside Exemption pathway (due to exceeding the 14-foot height limitation) and must be processed through the applicable Hillside Overlay review Precise Plan procedure.

4 (c) -INCONSISTENCY 3: IMPROPER SEGMENTATION OF A SINGLE BUILDING

Administrative land-use review requires evaluation of the entire physical project as constructed, not hypothetical or partial conditions.

Here, the City segmented a single building into:

- A one-story structure for Hillside Exemption purposes (which does not reflect the submitted plans); and
- A two-story structure for ADU compliance purposes.

Nothing in state ADU law requires or authorizes this segmentation.

The first-story garage establishes the finished floor elevation, structural system, setbacks, and load-bearing capacity that enable the second-story ADU. It is not an independent structure and should not be reviewed as such under the Hillside Overlay.

5 - EFFECT ON EXEMPTION ELIGIBILITY

The Minor Hillside Exemption applies only if its objective prerequisites are satisfied by the **completed project**.

Once the project is correctly classified as a two-story structure, the exemption pathway is no longer available due to height. An exemption granted based on conditions that will not exist in the finished building cannot lawfully stand.

This does not necessarily mean the project cannot ultimately be approved. It means it must be reviewed under the **correct procedural framework**.

6 - STATE ADU LAW ALLOWS CITIES TO APPLY OBJECTIVE CRITERIA BASED ON LOCAL ORDINANCES

Government Code §65852.2 limits discretionary review of ADUs but expressly allows enforcement of objective local development standards, including height and story limits.

Nothing in state law:

- Requires evaluating a building in pieces;
- Requires approval under an incorrect procedural pathway; or
- Prevents the City from applying its Hillside Overlay rules to the structure as a whole.

7 - RESULTING PROCEDURAL LOOPHOLE

If upheld, this approval creates a replicable pathway in which:

- A hypothetical one story building (first floor) is allowed for Minor Hillside Exemption processing;
- A second story is added concurrently as an ADU; and
- The completed two-story building is never reviewed under the Hillside Overlay.

That result is not required by state law and undermines the purpose of the Minor Hillside Exemption as a limited, threshold-based process, **which essentially could nullify the entire Hillside Overlay Ordinance**. Anyone who decides they want a second story, for a variety of reasons, could build a second story as an “ADU”.

8 - REQUESTED ACTION

We respectfully request that the Planning Commission remand the Minor Hillside Exemption approval and direct staff to:

- Evaluate the project as a two-story structure;
- Apply all applicable objective standards consistently, including TMC §92.2.10;
- Determine Hillside Overlay applicability and procedural pathway based on the completed building form; and
- Process the project through a Precise Plan review, if required under the code.

This remedy:

- Does not deny an ADU;
- Does not conflict with state law; and
- Ensures the objective standards of the Hillside Overlay are applied as written.

9 - CONCLUSION

Only one building will be constructed at 439 Via Linda Vista, and it will be two stories- exceeding the objective 14 foot height limit required for a Minor Hillside Exemption.

State law required ministerial processing of the ADU, but it did not require the City to use an exemption pathway reserved for one-story structures, when it is not a one-story structure. Because the Minor Hillside Exemption was applied to a building form that will never exist, the approval must be corrected.

A remand ensures this project is reviewed under the same Hillside Overlay procedures that apply to other similarly situated properties and preserves the integrity of the City's planning framework.

Respectfully signed,

The **133 City of Torrance residents representing 77 addresses** who signed on to this letter (*noted at the top*)

APPENDIX ITEMS:

This public comment letter above is focused on the procedural inconsistencies, but we would also like to share some requests and impacts that we believe are important for the commission to consider.

A - SUPPLEMENTAL REQUEST: CLARIFICATION AND MODERNIZATION OF THE HILLSIDE OVERLAY ORDINANCE

In addition to correcting the procedural error identified in this appeal, we respectfully request that the Planning Commission recognize that this case highlights a broader structural issue in the administration of the Hillside Overlay Ordinance.

The Hillside Overlay exists to protect shared community interests, including views, light, air, privacy, neighborhood character, and long-term property values, in areas where topography makes development impacts particularly sensitive. These protections function as intended only when the ordinance is applied consistently, predictably, and to the full scope of the building being constructed.

This appeal demonstrates that, as currently written and administered, the Hillside Overlay and the Minor Hillside Exemption process lack sufficient clarity when applied alongside state-mandated ministerial approvals such as ADUs. In the absence of clearer, fully objective standards tied to the completed building form, staff is placed in the position of interpreting procedural pathways that were not designed to operate in segmented fashion. That ambiguity increases the risk of inconsistent application and unintended outcomes.

The result is not limited to this project. When hillside rules are perceived to be applied unevenly or bypassed through procedural classifications, confidence in the planning process erodes, neighbor-to-neighbor disputes increase, and the City is exposed to repeated appeals and avoidable litigation risk. These outcomes serve neither housing objectives nor the long-term stability of hillside neighborhoods.

We are not asking the Commission to resolve these broader policy issues through this appeal. Rather, we respectfully request that the Commission:

1. Direct staff to evaluate whether the Hillside Overlay Ordinance and the Minor Hillside Exemption process require clarification to ensure they are applied to the completed building form, not interim or partial conditions;
2. Consider whether core hillside protections, particularly height, massing, and story count, should be expressed through clearer, more objective standards that function alongside state ADU law without procedural conflict; and
3. Reaffirm that the purpose of the Hillside Overlay is to protect collective community interests through even, transparent application of adopted standards.

Taking these steps would not impede housing production or conflict with state law. Instead, it would strengthen the City's ability to implement its existing policies predictably, reduce future disputes, and maintain public confidence in hillside land-use governance.

Correcting the procedural issue in this case addresses the immediate concern. Clarifying the ordinance and expanding the objective standards protects the broader community and ensures the Hillside Overlay continues to function as the City intended.

B - DESIGN STANDARD CONCERNS

In addition, some neighbors have cited related design standards that were not applied.

The City did not apply the objective ADU design standard governing roof form and pitch. Ordinance No. 3954 requires that:

"Any new construction or significant remodels to create an ADU pursuant to this article shall match the roof forms and pitch of the primary residence. If the roof pitch cannot match the primary residence, it shall be constructed and maintained consistent with the architectural style of the primary residence."

The approved ADU roof design does not match the existing residence and was not evaluated for consistency under this objective standard. The completed two-story massing and sloped roof form will not resemble the predominant house pattern in this portion of the Riviera, calling into question the compatibility finding made in the approval letter.

These considerations reinforce that the procedural inconsistencies we identified are not technicalities, they determine whether the Hillside Overlay fulfills its intended purpose. Correcting them helps maintain fairness, predictability, and trust in the City's land-use standards.

C - VIEW AND SPECIFIC IMPACTS

Though we understand certain project impacts are a bit separate from the focus of the letter above, we believe it is also important that these rules be applied correctly because the resulting two-story structure of the project under discussion has **documentable, real-world impacts** on adjacent properties.

Focusing on factual conditions, current evidence shows:

The house will be a **larger two-story structure** as shown by the mock up below.



441 Via Linda Vista: The owners care about precedent this sets and following state and local laws appropriately as stated in the letter above, though the evidence shows a big portion of their view will be blocked by the new construction, as well as significant light/air As shown by photos below.





439 Via Linda Vista - proposed structure
View from 441 Via Linda Vista
Side yard at eye level, adjacent to bedroom window

Comments: Blocks all air, light and views from bedroom



439 Via Linda Vista - proposed structure
View from 441 Via Linda Vista
Bedroom window at eye level

Comments: Blocks partial hillside view



126 Calle Cabrillo: The owners care about precedent this sets and following state and local laws appropriately as stated in the letter above, though the evidence shows their entire view will be blocked by the new construction. As shown by photos below.


439 Via Linda Vista - proposed structure

View from 126 Calle Cabrillo
Back porch

Comments: Blocks entire peekaboo ocean view and majority of hillside views, air and light from this vantage point

463 Via Linda Vista
ADU Roof Peak at 23.5'

463 Via Linda Vista
Garage Roof Line at 10.5'






439 Via Linda Vista - proposed structure


View from 126 Calle Cabrillo
Kitchen window

Comments: Blocks majority of peekaboo ocean view and majority of hillside views, air and light from this vantage point

463 Via Linda Vista
ADU Roof Peak at 23.5'

463 Via Linda Vista
Garage Roof Line at 10.5'





130 Via Los Miradores: The owners care about precedent this sets and following state and local laws appropriately as stated in the letter above, though the evidence shows that a large portion of their view will be blocked by the new construction. As shown by photos below.

439 Via Linda Vista - proposed structure

View from 130 Via Los Miradores
Back Deck (1 of 2)

Comments: Blocks partial ocean and mountain views

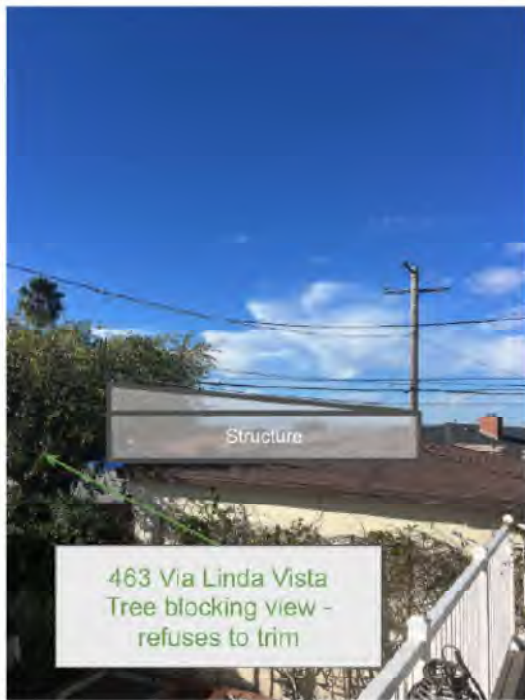
463 Via Linda Vista
ADU Roof Peak at 23.5'



439 Via Linda Vista - proposed structure

View from 130 Via Los Miradores
Back Deck (2 of 2)

Comments: Different angle of partial ocean and mountain views being blocked



Some neighbors also wanted to strengthen their statements:

169 Via Monto D'oro: Owners care about precedent this sets and following state and local laws appropriately. In addition, owners purchased their house that needed significant repairs and updates in 2022 and the house is currently under construction to remain a one-story house. The owners knew when they purchased it that they could not build up due to the Hillside Overlay Ordinance, and blocking significant views of neighbors, so they did not.

177 Via Monte D'Oro: Owners care about precedent this sets and following state and local laws appropriately.

217 Calle de Madrid: Owner cares about precedent this sets and following state and local laws appropriately.

D - ADDITIONAL INFORMATION ON LOOPHOLE CONCERNS:

To emphasize again, this project reveals a broader procedural loophole that, if not corrected, could significantly weaken the Hillside Overlay citywide.

This approval creates a replicable procedural pathway that would allow two-story ADUs within the Hillside Overlay to avoid Precise Plan review. Under this pathway, the first story would be processed under the Minor Hillside Exemption and the second story would be added as a ministerial ADU. Because the Hillside Overlay would never evaluate the combined two-story form, its regulatory purpose, height, story count, massing, privacy, and neighborhood compatibility, would be bypassed. This sequence is not required by State ADU law or Torrance's ADU ordinance, yet it would effectively nullify the Hillside Overlay without legislative action or public input.

D - FAIRNESS CONSIDERATIONS:

Although our primary comment concerns procedural issues, it is also relevant to note how the current approval creates inequitable outcomes.

The City's approval letter states that the project will "provide increased home value" for the project's property owner and is "compatible with the surrounding residences." However:

- The project increases private value for one property owner by gaining a new ocean-facing view that would not otherwise exist, or exist under the Hillside Overlay process; and
- That private benefit comes at the direct expense of neighboring properties whose existing views and sightlines will be reduced, affecting their own value and enjoyment.

This is the type of outcome the Hillside Overlay was created to prevent, as hillside development can advantage one property at the disproportionate expense of others.

To: City of Torrance Planning Commission
From: Tom and Jennifer Adams, 130 Via Los Miradores, Redondo Beach, CA
Date: January 20, 2026
Re: Public Comment, Minor Hillside Exemption 25-00051, 439 Via Linda Vista

First off, let us start by saying thank you in advance for reading this and considering our concerns as it relates to the Minor Hillside Exemption permit at 439 Via Linda Vista. We urge you to reconsider this permit as it appears to have been granted haphazardly and without the city's full due diligence. We also understand that the Hillside Overlay Ordinance (HOO) has not been updated to include the addition of ADUs in our community, so we urge the City Council to promptly adopt a HOO that allows for ADUs but with reasonable limits and objective standards. ADUs serve a purpose and a place in our communities. In our immediate neighborhood, there are several single story ADUs that were constructed in accordance with city and state regulations, with good intentions, and very respectful of the neighbors. Given how our lots are graded in this neighborhood, any large or small addition impacts the surrounding neighbors view, light air and privacy. Since we purchased this home in 2019, there has not been an inconsiderate or inappropriate remodel or ADU built in our immediate neighborhood. However, the proposed reconstruction of the garage at 439 Via Linda Vista and subsequent 2 story ADU is a case that does not follow the philosophical need for ADUs; further, the homeowner did not attempt to work out the conflict with us and our neighbors. He and the city have created an enormous amount of stress and because the homeowner refused to consider any other options, the matter has escalated to this point.

A little over a year ago, the homeowners at 439 Via Linda Vista, purchased the single-story home and remodeled the interior; several months later the family of 3 and their nanny moved in. Shortly thereafter, the new neighbors came by to introduce themselves and stated that they would be building an ADU as they were expecting and needed more space for themselves and the nanny. Since August 2025, we and our neighbors have been contesting the project, submitted written objections, met with Austin Lujan to show him the detrimental impact and subsequently filed this appeal. The homeowners clearly didn't buy this home to fix up the quaint small ranch style home; they bought this home to add on to it and create a 2nd story. By calling it an ADU, they circumvented the Hillside Overlay Ordinance (HOO), and the city, in our strong beliefs, approved this "minor hillside exemption" and allowed the permit in error. Shame on the real estate agent and architect who concocted this plan and shame on the homeowners for purchasing a home knowing they would be manipulating the city's HOO and disregarding their neighbors.

My husband and I, as well as our fellow neighbors, tried to work it out with the homeowners and their architect. We requested the plans and a meeting. We never received the plans as the architect refused to share them (we had to view them at the city and subsequently in the Planning Commission hearing agenda), but we did meet with the homeowner and his architect in person. We spoke to them and showed them the impact this project will have

on the homes behind him and next to him. The architect agreed that the views would be impacted and tried to offer suggestions to us, explaining to the homeowner that they could build down into the ground to lower the roofline or change the pitch of the roofline to offset the high peaked roof. The homeowner, in front of us and our neighbors, stated that he would lose his view if he built down into the ground and would lose his high ceilings if he changed the pitch of the roof. The architect, trying to accommodate all parties, stated that he would visit these ideas again with his client and share new plans with the city. We reached out to Planning Assistant, Austin Lujan, regarding these new plans, however, they never flourished and here we are, appealing to the Planning Commission as the homeowner was unwilling to work it out with us.

Currently, we live above the 439 Via Linda Vista house and the windows, deck and balcony along the back of our house have ocean and Santa Monica mountain views; please refer to photos attached to the Public Comment Letter and Supplemental Information packet and photos that will be distributed at the hearing. If the project at 439 Via Linda Vista moves forward, the 1st story views will be significantly reduced and/or eliminated. The 2nd story windows and balcony will look out to a large angled boxy structure, diminishing the 2nd story views and create privacy concerns given the large window that will be on the back side of the proposed project. Our views and privacy are expected to remain as we purchased a home in the Hillside Overlay. If the HOO language is not up to par given the ADU mandate, then it seems that the City Council needs to reconcile the verbiage expeditiously to prevent this ongoing situation in the hillside overlay; as it stands now, we purchased a home with views and privacy expectations, and the city approved a project that likely should not have been approved by the Community Development Director in the first place.

As mentioned, the city did not do their due diligence when approving this permit. Please refer to the Public Comment Letter and Supplemental Information submitted by us and over 130 Riviera Homeowners. Further, the Community Development Director outlines in her consideration and final approval of the structure (694 square foot garage remodel) that the “development standards of the R-1 Zone as well and the Hillside Overlay are applicable to the project.” Then she goes on to outline that the project is only 10 ½ ft in height. Where are these plans for a 10 ½ feet high garage that would be regulated by HOO and R-1 Zone? The plans that we viewed at the city and again attached to the agenda, are of a large 2 story home. We did not observe a garage with a roofline of 10 ½ feet in the plans. Further, the Community Development Director in her approval of her staff’s conclusion, states, “In the judgement of staff, the proposed addition, would not result in a substantial adverse impact to view, light, privacy, and air of other properties within the Hillside Overlay. The location of the addition and the topography of the property, limits substantial adverse impacts to surrounding properties. The height addition is less than the overall height of the residence and conforms with neighboring one-story structures. The proposed garage is consistent with the development standards of the R-1 Zone, as well as the Hillside Overlay. The addition, as proposed, is below the overall height of the previously approved residence. The addition to the residence provides a larger living area to accommodate the property

owner's needs, while providing an enhanced open floor plan and increased home value. The project is compatible with surrounding residences and is an appropriate use for the neighborhood." Further, the Planning Commission Resolution No. 2026-002 (g) states, "That the design of the proposed attached garage... promote visual interest and proposed exterior design elements are in keeping with the architecture and finishes of neighboring properties." And Resolution No. 2026-002 (j) states, "... because the remodeled residence conforms to the R-LO Designation of the Land Use Element of the General Plan of the City of Torrance and residence has been designed to limit potential adverse impacts to view, light, air, and privacy". And resolution No. 2026-002 (k) states, "That denial of such an application would result in unreasonable hardship to the applicant as the proposed attached garage meets or exceeds most of the development standards, and has been designed to minimize view, light, air, and privacy impacts to neighboring properties, and is in harmony with existing development throughout the neighborhood".

- The Director is essentially taking her staff's assessment and approving a large living area in a 10 ½ feet high garage that will increase property values. It seems to us that the city is conflating issues as the Director approved a garage remodel that will "allow for a larger living area to accommodate the property owner's needs, while providing an enhanced floor plan and increased home value." We were told by the city that if the homeowner uses his garage for living purposes, to reach back out to the city to have the city investigate the construction project as the garage would not be permitted as living space. So it seems to us, this approved Minor Hillside Exemption permit was based on a 10 ½ ft high garage remodel that is never being built based on the plans viewed at the city and in the agenda. So this hypothetical project approved by the Community Development Director is only in theory and the remodeled garage as stated in her approval will never be built. Rather, her comments about enhanced open floor plan, increased home value, etc. seem to be her assessment and approval of the ADU.
- Topography- Is the Community Development Director staff's referring to the theorized 10 ½ ft high garage or the 2 story house that was viewed in the plans? The 2 story house in the plans directly impacts the views, light, privacy, and air of the surrounding homes despite the grading of the surrounding lots. Please refer to the photographs submitted in the Public Comment Letter and Supplemental Information. A 23.5 ft high structure is in the plans submitted to the city, not a 10 ½ ft high garage. Again the 23.5 ft high structure is in direct conflict of the HOO. The fact is that the city has not updated their language of the HOO to include the ADU issue which is creating ongoing conflict and confusion. We purchased a home with hillside, ocean and mountain views and an approval of a 10 ½ ft high garage is in direct violation of the HOO when the Community Development Director acknowledges that the actual proposed garage is in fact a 2 story home that will increase the living space and property value at 439 Via Linda Vista.
 - Further, the staff write about vegetation along the property lines that provides privacy. Again, this is a misleading statement as the homeowners at 439 Via Linda Vista have been asked repeatedly to trim, prune and/or cut back their hedges and trees by us and our neighbors as they impacted our views and

our neighbors' views which were intact prior to the overgrown growth after they purchased the home. The previous homeowner was always accommodating and agreeable. However, the current homeowner refused and actually said to us that he consulted with the city regarding our request for an overgrown tree and we can take him to Court because he will not trim his tree. And in fact, his tree had grown so high, Edison came out in late 2025 and gave it an unattractive flat top as it had grown into the powerlines.

- The project is compatible with surrounding residences, and the architecture and finishes are the same as neighboring homes- This statement made by city staff and proposed in the resolution is inherently false. The homeowner is proposing an angled roofline over the garage- over 23 feet high at it's peak in the middle of the house sloping down to the north side of the garage. This addition is not congruent with the current ranch style design of the home nor any surrounding homes in the immediate area. The proposed plans are that of a modern, angular and large 2 story addition; if the city staff surveyed the surrounding homes and nearby streets, they would not find one single home similar in design. The architect and homeowner admitted that they remodel and build pharmacies which puts into question their design concept of this project.
- The city claims in their resolution that the “residence has been designed to limit potential adverse impacts to view, light, air, and privacy” – again a complete false statement. The “residence” is over 23 ft high and will impact several of our views, neighbors' views and will creates privacy concerns despite the grading of the lots. This in of itself will diminish our property values and the values of the homes around us.
- And lastly, the city states that there will be “unreasonable hardship” if the attached garage is denied, but doesn't cite any actual hardship, only repeating the same statements made throughout the city's documents: that the garage does not impact view, light, air, privacy, etc. Again, the addition of a garage is all in theory, as the project is a 2 story building. Further, the homeowner admitted to the neighbors that he needs more space for his growing family and nanny. In our opinion, affording a nanny and creating more space in your home to have the nanny reside with the family is not a hardship. It seems that just a short year ago, the homeowner was in the market to purchase a very expensive home, and rather than purchase a home that met their needs and fit their lifestyle, they purchased this small home with the intention to add onto it. As indicated in our 1st written objection, the homeowner is circumventing the HOO by adding a 2nd story to their home under the guise of an ADU. There does not appear to be any hardship in this entire situation. And if the homeowner tries to say he's moving family members in or working from home, that's also false. His mother is employed and resides in her own home in a different part of Los Angeles County. Further, the homeowner works outside of the home managing his pharmacies and the other homeowner, his wife, works outside of the home as a nurse.

One last point that is of concern and seems to be unclear given the nature of the project, is the parking situation. The current home at 439 Via Linda Vista has a double size driveway for 2 vehicles. However, their vehicles are constantly parked on the front lawn and extending out into the street as well as the trash cans are left out all week long and never

brought up to the side of the house or backyard. The ADU parking requirements are unclear to us in this case, however we will share photographs of the parked cars and trash cans at the hearing.

In conclusion, we appeal to the Planning Commission to support our appeal and deny this project by revoking the permit. The MHE permit was incorrectly approved based on a lack of due diligence and error by the city, please refer to the submitted Public Comment Letter and Supplemental Information. Further, we ask that you take into consideration that we tried to work this out with the homeowner to prevent escalation to this point; the homeowner refused to take into consideration the other design options his architect proposed which would have mitigated several of the stated concerns and could have resolved the adverse impact that this project will have on all our home values. Given all that we have been through since August 2025, we can confidently conclude that the homeowner at 439 Via Linda Vista purchased this home with the sole intent to build a 2nd story to capture our neighborhood's beautiful views, a view that he currently does not have, however the only way he could do that was to circumvent the HOO and apply for a permit to reconstruct his garage and then build on top of it. The homeowner hasn't shown any care or consideration to his neighbors and in fact is the exact opposite of being neighborly or a positive community member. Again, we urge the commission to revoke the permit and admonish the homeowner.

Sincerely,

A large black rectangular redaction box covering the signature area.

FW: MHE25-00051

From Oorts, Leo <LOorts@TorranceCA.Gov>
Date Tue 1/20/2026 5:05 PM
To Lujan, Austin <ALujan@TorranceCA.Gov>

Hi Austin,

Please see email chain to prepare a supplemental item.

Thank you,

LEO OORTS

Senior Planner - Community Development Department
310-618-5925 | LOorts@TorranceCA.Gov

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From: Jeff Davis [REDACTED]
Sent: Tuesday, January 20, 2026 2:34 PM
To: Planning Commission <PlanningCommission@TorranceCA.gov>; Sarah Corrado <sarah.corrado@gmail.com>
Subject: MHE25-00051

You don't often get email from [REDACTED]. [Learn why this is important](#)
Hello--

I am writing in regards to MHE25-00051, located at 439 Via Linda Vista. We are not in support of this project. It's just not fair that someone is allowed to circumvent the Hillside Overlay rules to build an ADU--especially when their application to the planning commission admits that it will be used as personal space and not rented out.

When my wife and I remodeled our house in 2021, we were subjected to nearly a year's worth of additional red tape, as well as significant extra expenses because one of our neighbors complained about our plan. We had to flag our house, have numerous architect revisions, and obtain signed letters of support from our neighbors at the behest of planning commission staff. We also were required to leave our existing roof line "as is" because of the rules. It took nearly a year longer than it should have. Obviously, this was stressful for us, but we were okay with it because we figured that the same rules would apply to all projects and that it was fair--even if we were frustrated with it. We have a nice view and we feel we are fortunate that the Hillside Overlay exists because it protects what we paid for.

It is concerning to us that someone would be able to exploit a loophole in the law in order to create an "ADU", that by their own admission is actually just more living space for themselves. That doesn't seem right, and it seems to negate the rules around the Hillside Overlay.

For this reason, we urge you to either alter this project or stop it from happening.

[REDACTED]