



CHAIRPERSON DAVID BERNAL
VICE CHAIR YVONNE PEÑA
COMMISSIONER HECTOR A. PACHECO
COMMISSIONER FRANCISCO SOLORIO

CITY OF SAN FERNANDO

PLANNING & PRESERVATION COMMISSION REGULAR MEETING AGENDA SUMMARY MONDAY, APRIL 10, 2023 – 6:30 PM

CITY HALL COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340

PUBLIC PARTICIPATION OPTIONS

WATCH THE MEETING:

Live stream with audio and video, via YouTube Live, at:

<https://www.youtube.com/c/CityOfSanFernando>

Note: Comments submitted via YouTube will not be read into the record.

SUBMIT PUBLIC COMMENT IN PERSON:

Members of the public may provide comments in person in the City Council Chambers during the Public Comments section of the Agenda by submitting a comment card to the Board Secretary.

SUBMIT PUBLIC COMMENT VIA EMAIL:

Members of the public may submit comments by email to communitydevelopment@sfcity.org no later than **5:00 p.m. the day of the meeting**, to ensure distribution to the Planning and Preservation Commission prior to consideration of the agenda. Comments received via email will be distributed to the Planning and Preservation Commission, read into the record, limited to three minutes, and made part of the official public record of the meeting.

CALL-IN TO PROVIDE PUBLIC COMMENT LIVE AT THE MEETING:

Members of the Public may **call-in between 6:30 p.m. and 6:45 p.m.** Comments will be heard in the order received, and limited to three minutes. If necessary, the call-in period may be extended by the Chair.

PLANNING AND PRESERVATION COMMISSION

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Call-in Telephone Number: (669) 900-6833

Meeting ID: 896 2370 9376

Passcode: 194996

When connecting to the Zoom meeting to speak, you will be placed in a virtual “waiting area,” with your audio disabled, until it is your turn to speak and limited to three minutes.

CALL TO ORDER/ROLL CALL

TELECONFERENCE REQUESTS/DISCLOSURE

Recommend consideration of requests received for remote teleconference meeting participation made by members of the City’s legislative bodies, as permitted under the provisions of Assembly Bill (AB) 2449, Government Code Section 54953, and the City of San Fernando adopted Resolution No. 8215, effective March 1, 2023.

PLEDGE OF ALLEGIANCE

Led by Vice Chair Yvonne Pena.

APPROVAL OF AGENDA

Recommend that the Planning and Preservation Commission approve the agenda as presented.

DECORUM AND ORDER

City Commissioners are appointed by City Council and must be free to discuss issues confronting the city in an orderly environment. Member of the public attending City Commission meetings shall observe the same rules of order and decorum applicable to the City Council ([SF Procedural Manual](#)). Any person making impertinent derogatory or slanderous remarks or who becomes boisterous while addressing a City Commission or while attending a City Commission meeting, may be removed from the room if the Presiding Officer so directs the Sergeant-At-Arms and such person may be barred from further audience before the City Commission.

PUBLIC STATEMENTS

Members of the public may [provide comments in person in the City Council Chambers](#) during the Public Comments section of the Agenda by submitting a comment card to the Board Secretary.

Members of the public may submit comments by email to communitydevelopment@sfcity.org no later than **5:00 p.m. the day of the meeting**, to ensure distribution to the Planning and Preservation Commission prior to consideration of the agenda. Comments received via email will be distributed to the Planning and Preservation Commission and read into the record.

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Members of the public may provide a **live public comment by calling in between 6:30 p.m. and 6:45 p.m. CALL- IN INFORMATION: Telephone Number: (669) 900-6833; Meeting ID: 896 2370 9376; Passcode: 194996**

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and may be disposed of by a single motion to adopt staff recommendation. If the Planning and Preservation Commission wishes to discuss any item, it should first be removed from the Consent Calendar.

1) CONSIDERATION TO APPROVE PLANNING AND PRESERVATION COMMISSION MEETING MINUTES FOR:

- a. April 11, 2022 – Regular Meeting

PUBLIC HEARING

2) DISCUSSION OF A PROPOSED ZONE TEXT AMENDMENT (ZTA 2023-001) TO SECTION 106-970, WALLS AND FENCES, TO UPDATE REGULATIONS FOR WALLS AND FENCES

Recommend that the Planning and Preservation Commission:

- a. Discuss and provide feedback for proposed Zone Text Amendment (ZTA 2023-001) to Section 106-970 of the San Fernando Municipal Code to update regulations for walls and fences.

3) CONDITIONAL USE PERMIT (CUP 2023-001) – A MODIFICATION TO CONDITIONAL USE PERMIT 1987-09 AND A LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 21 LICENSE TO SALE OF BEER, WINE, AND DISTILLED SPIRITS FOR OFF-SITE CONSUMPTION AT THE NEW TARGET STORE LOCATED AT 12920 FOOTHILL BOULEVARD.

Recommend that the Planning and Preservation Commission:

- a. Continue this item to the next regular meeting on May 8, 2023 to allow additional time to address CUP requirements mandated by the San Fernando Municipal Code.

STAFF COMMUNICATION

GENERAL COMMISSION COMMENTS

PLANNING AND PRESERVATION COMMISSION

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ADJOURNMENT The meeting will adjourn to its next regular meeting.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.

Kenya Marquez

Housing Coordinator

Signed and Posted: Date (Time)

Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet Web site (www.sfcity.org). These are also available for public reviewing prior to a meeting at the Community Development Department Public Counter. Any public writings distributed by the Planning and Preservation Commission to at least a majority of the Commissioners regarding any item on this regular meeting agenda will also be made available at the Community Development Department Public Counter located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's Web Site at www.sfcity.org. In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/ accommodation to attend or participate in this meeting, including auxiliary aids or services please call the Community Development Department Office at (818) 898-1227 at least 48 hours prior to the meeting.

PLANNING AND PRESERVATION COMMISSION

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ADJOURNMENT The meeting will adjourn to its next regular meeting.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.



Kenya Marquez

Housing Coordinator

Signed and Posted: 04/06/23 (6:00 p.m.)

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CHAIR JOEL FAJARDO
VICE CHAIR MARVIN PEREZ
COMMISSIONER DAVID BERNAL
COMMISSIONER HECTOR PACHECO
COMMISSIONER YVONNE PEÑA

**CITY OF SAN FERNANDO
PLANNING AND PRESERVATION COMMISSION**

**DRAFT MINUTES OF THE
APRIL 11, 2022, MEETING
CITY HALL VIA ZOOM**

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE PLANNING COMMISSION. VIDEO AND AUDIO OF THE ACTUAL MEETING ARE AVAILABLE AT: <http://ci.san-fernando.ca.us/commissions-boards/#planning-preservation>

CALL TO ORDER/ROLL CALL: Chair Fajardo called to order at 6:33 p.m.

PRESENT:

Commission: Chair Joel Fajardo, Commissioners Hector Pacheco and David Bernal

Staff: City Attorney Richard Padilla, Community Development Director Kanika Kith, Associate Planner Gerardo Marquez, Community Development Technician Michelle De Santiago, and Management Analyst Kenneth Jones

ABSENT:

Commission: Vice-Chair Marvin Perez, Commissioner Yvonne Peña

PLEDGE OF ALLEGIANCE

Led by Commissioner David Bernal

APPROVAL OF AGENDA

Commissioner Bernal moved to approve the April 11, 2022 agenda. Seconded by Commissioner Hector Pacheco, the motion carried with the following vote:

AYES:	J. Fajardo, H. Pacheco, and D. Bernal
NOES:	None
ABSENT:	M. Perez, Y. Peña
ABSTAIN:	None

PUBLIC STATEMENTS

None

CONSENT CALENDAR

1. CONSIDERATION TO APPROVE PLANNING AND PRESERVATION COMMISSION MEETING MINUTES FOR:

a. November 8, 2021 – Regular Meeting

Recommend that the Planning and Preservation Commission approve the meeting minutes as presented.

PLANNING AND PRESERVATION COMMISSION

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Recommend that the Planning and Preservation Commission approve the meeting minutes as presented.

Commissioner Bernal moved to approve the consent calendar as consented. Seconded by Commissioner Hector Pacheco, the motion carried with the following vote:

AYES:	J. Fajardo, H. Pacheco, and D. Bernal
NOES:	None
ABSENT:	M. Perez, Y. Peña
ABSTAIN:	None

ADMINISTRATIVE REPORTS

2. TREE COMMISSION UPDATE

Recommend that the Planning and Preservation Commission:

- a. Receive an update from the Director of Public Works.

Management Analyst Kenneth Jones presented the staff report containing an update on the Tree Commission. Both Director of Community Development Kanika Kith and Management Analyst Kenneth Jones and responded to Commissioner's questions.

PUBLIC HEARING

3. Zone Text Amendment 2022-001 (ZTA 2022-001) A request to establish regulations for Urban Lot Splits and Housing Development in Single-Family Residential (R-1) Zone for Implementation of Senate Bill 9 (SB9) (Continued from March 14, 2022).

Recommend that the Planning and Preservation Commission:

- a. Continue consideration of Zone Text Amendment 2022-001 to May 9, 2022 to allow staff to develop a permanent ordinance for long-term implementation of SB 9.

Community Development Director Kanika Kith presented an update based on the last Planning and Preservation Commission meeting. Associate Planner Gerardo Marquez provided a power point presentation with information on SB-9, alternative regulations that were presented previously, and additional research that was found from other cities.

Chair Fajardo opened the public hearing for public comments. The California Rentals Legal Advocacy and Education Fund submitted an email to inform the Planning Commission of the obligation to abide by all relevant state housing laws when amending the San Fernando Municipal Codes.

Chair Fajardo moved to close the public comment portion of the public hearing. Seconded by Commissioner David Bernal, the motion carried with the following vote:

AYES:	J. Fajardo, D. Bernal, H. Pacheco
NOES:	None

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ABSENT: M. Perez, Y. Peña
ABSTAIN: None

Both Director of Community Development Kanika Kith and Associate Planner Gerardo Marquez answered Commissioner's questions. Chair Fajardo provided comments on the additional research that was found from other cities. Commissioner Pacheco and Bernal provided comments.

Chair Fajardo moved to continue consideration of Zone Text Amendment 2022-001 to May 9, 2022 to allow staff to develop a permanent ordinance for long-term implementation of SB 9; second by Commissioner Bernal. The motion carried with the following vote:

AYES: J. Fajardo, D. Bernal, H. Pacheco
NOES: None
ABSENT: M. Perez, Y. Peña
ABSTAIN: None

GENERAL COMMISSION COMMENTS

None

STAFF COMMUNICATION

Community Development Director Kith shared that the Annual Housing Progress Report was approved by City Council and submitted.

ADJOURNMENT

Chair Fajardo moved to adjourn. Second by Chair Bernal.

AYES: J. Fajardo, D. Bernal, H. Pacheco
NOES: None
ABSENT: M. Perez, Y. Peña
ABSTAIN: None

7:54 p.m.

Planning Commission Secretary

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THE CITY OF
SAN FERNANDO

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To: Planning and Preservation Commission Chair Bernal and Commissioners

From: Kanika Kith, Deputy City Manager/Director of Community Development
Marina Khrustaleva, Associate Planner

Date: April 10, 2023

Subject: Discussion of a proposed Zone Text Amendment (ZTA 2023-001) to Section 106-970, Walls and fences, to update regulations for walls and fences (continued from March 13, 2023)

RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission:

1. Discuss and provide feedback for proposed Zone Text Amendment (ZTA 2023-001) to Section 106-970 of the San Fernando Municipal Code to update regulations for walls and fences.

BACKGROUND:

1. The San Fernando Municipal Code (SFMS), Chapter 106 – Zoning, was adopted in 1957. In 1985, Section 106-970, Walls and fences, was added.
2. On December 2, 2002, SFMC Section 106-970, Walls and fences, was amended.
3. In December 2015, application form for residential walls and fences (Form # CDD-024.1) containing permitted and non-permitted fence design diagrams was created.
4. In 2022, multiple residents requested approval for front yard walls and fences to be higher than three feet.
5. On August 15, 2022, the City Council adopted a Coyote Management and Co-Existence Plan that includes best management practices and strategies for managing coyotes in the City. The Coyote Management and Co-Existence Plan also includes a recommendation to consider revising the height limits for fences and walls on residential properties.
6. On November 14, 2022, the Planning and Preservation Commission (Commission) discussed potential modifications to fence and wall height for residential property. The Commission did not support increasing the height of side and rear yard fence and wall to be higher than six (6) feet, but was supportive of allowing the installation of coyote rollers above the permitted 6-foot high wall or fence. The Commission requested additional information for discussion

relating to potential height increase for front yard fence and wall to be higher than three (3) feet.

7. On March 13, 2023, the Commission discussed and provided feedback for proposed Zone Text Amendment (ZTA 2023-001) to Section 106-970 of the San Fernando Municipal Code to update regulations for walls and fences. Staff report for March 13, 2023 meeting is attached as Attachment A. The Commission supported suggestions provided by staff, requested visual information for workshop discussion, and continued the discussion to the next meeting (April 10, 2023).

ANALYSIS:

Research conducted by staff and summarized in the staff report for March 13, 2023 meeting (Attachment A) shows that:

- The majority of existing fences in residential neighborhoods in the City do not comply with the current design standards provided SFMC Section 106-970, Walls and fences, and with the application form showing permitted and non-permitted types of fences.
- Recent applications requesting approval of fence design that deviates from the Code do not meet requirements provided by the Special Fence Review option outlined in Sections 106-970 (a) and (i). Therefore, the Special Fence Review process cannot be used to accommodate these applications.
- The majority of front yard fence type in residential zones in San Fernando is a combination of a brick or plastered wall and a wrought iron or tubular iron fence about four (4) or (5) feet high, usually with protruding pillars. Fences demonstrate a wide range of decorative elements – radial elements, spikes, cones, lights, lions, etc. These elaborate fences make up the neighborhood character of residential zones of the City.

At the Planning and Preservation Commission meeting on March 13, 2023, the Commission expressed support of Option 1, which was to update regulations for standard height, design, and materials for walls and fences, to be approved at staff level. The Commission expressed support of the following changes:

- Allow 4 foot high non-view obscuring front yard fences and street-facing side yard fences on corner lots.
- Allow 4 foot high front yard vegetative hedges and hedges along a street-facing side yard on a corner lot (excluding a sight clearance triangle that is not to be obscured).
- Define a non-view obscuring fence as a fence with solid components constituting not more than 50 percent of the total surface area of the face of the fence.

- Allow a combination of a fence and a wall in the front yard where a wall does not constitute more than 1/3 of the total height.
- Allow the installation of coyote rollers above the permitted 6-foot high wall or fence in a side or rear yard.
- Prohibit vinyl fences.

Additionally, staff researched wall and fence ordinances in other cities in the Greater Los Angeles, including Burbank, Eastvale, Glendale, San Gabriel, and South Pasadena (Attachment B). The research shows that many cities have minimal design standards for fences that are objective and easily comprehensible for residents and staff. Additional standards for the maintenance of fences provide guidance for Code Enforcement staff.

WORKSHOP DISCUSSION:

Staff suggests that Commission discuss the following options during the workshop session:

1. For a combination of a wall and a fence, shall there be a design standard for a height of the lower wall part? Shall it be defined as 1 foot, 1 foot and 4 inches, or 1/3 of the total height of the fence?
2. Can pillars, gates, and decorative elements be higher than the main part of the fence (4 feet)? Shall there be a limit for the height of decorative elements (i.e., shall not exceed 120 percent of the height of the fence)? Shall there be a minimum height for the gate arch (7 feet, if allowed to do this)?
3. Should the residents be able to apply for a five (5) feet fence in front yard or street-facing side yard setback under a Special Fence Review, when a certain percentage of existing fences on the block, with approval from the City, is higher than four (4) feet? If so, what is that percent?
4. Is it crucial for the front fence to be non-view obscuring? Can a non-view obscuring fence be defined as a fence with view obscuring elements between posts or pillars not exceeding fifty percent of the total surface area of the fence?
5. The existing Code requires side fences within a required front yard setback to be non-view-obscuring. On regular (non-corner) lots, can they be solid for privacy reasons?
6. Shall vinyl fences be included in the list of prohibited materials?

7. Should schools and institutional facilities in residential zones be able to have six (6) feet non-view obscuring fences for safety reasons? Or eight (8) feet, as permitted in commercial zones?
8. If Commission does not support Option 5, shall the Special Fence Review process be eliminated? The Special Fence Review process provided in SFMC Sections 106-970(a) and (i) allows to build a fence or wall that deviate from the standard requirements under certain circumstances. The list below discusses each of them:
 1. A retaining wall not to exceed 30 inches (the permitted height is 18 inches). The height of a retaining wall is determined by the actual grade present on the site and shall not be limited by Code. Therefore, this Special Fence Review option can be removed.
 2. A non-view obscuring fence not to exceed a height of six feet and located in the street facing side yard on a corner lot only. This option could be relevant for multifamily apartment buildings. It could become a standard and be permitted by right.



A multifamily building with a 6 feet fence in a side yard

3. A non-view obscuring fence not to exceed a height of six feet and located in the secondary front yard on a through lot (lot with street frontages on front and back of house) only. There are very few through lots in residential zones in the City, most of them are used for institutional facilities and will be covered by Option 7. For single-family properties, this option could become a standard and be permitted by right.
4. A higher fence or wall where applicable building codes or other regulations require a fence or wall exceeding the height limitations. Where building code requires a higher fence, the building code prevails. Therefore, this Special Fence Review option can be removed.

The following pages provide visual material to illustrate options 1-7. Any of these options can be incorporated into the Code; staff is seeking the Commission's preference.

1. HEIGHT OF THE LOWER WALL

For a combination of a wall and a fence, shall there be a design standard for a height of the lower wall part?

Shall it be defined as 1 foot, 1 foot and 4 inches, or 1/3 of the total height of the fence?



0.5 foot high lower wall¹



1 foot high lower wall



1 foot and 4 inches high lower wall



2 feet high lower wall

¹ All dimensions in this visual section are approximate and provided for the facilitation of the discussion. No actual measurement was performed in the field.

2. HEIGHT OF DECORATIVE ELEMENTS

Can pillars, gates, and decorative elements be higher than the main part of the fence (4 feet)? Shall there be a limit for the height of decorative elements (i.e., shall not exceed 120 percent of the height of the fence)? Shall there be a minimum height for the gate arch (7 feet, if allowed)?



Wood fence with a gate arch



Iron fence with decorative lions



Plastered wall with a gate arch



Iron fence with decorative lamps



Iron fence with lamps and spikes



Iron fence with radial spikes

3. FIVE-FOOT FENCE (WITH A SPECIAL FENCE REVIEW)

Should the residents be able to apply for a five (5) feet fence in front yard or street-facing side yard setback under a Special Fence Review, when a certain percentage of existing fences on the block, with approval from the City, is higher than four (4) feet?

If so, what is that percent?



Existing fences in San Fernando, approximately 5 feet high

4. DEFINITION OF A VIEW-OBSCURING FENCE

Is it crucial for the front fence to be non-view obscuring?

Can a non-view obscuring fence be defined as a fence with view obscuring elements between posts or pillars not exceeding fifty percent of the total surface area of the fence?



Non-view obscuring wood fence



View obscuring wood fence



Non-view obscuring wrought iron fence



View obscuring lattice fence

continued



View obscuring decorative block fence



View obscuring masonry wall

5. VIEW-OBSCURING SIDE FENCES

The existing Code requires side fences within a required front yard setback to be non-view-obscuring. On regular (non-corner) lots, can they be solid for privacy reasons?



Existing solid side fences in the front yards (approved under a Special Fence Review)

6. VINYL FENCES – PROHIBITED?

Shall vinyl fences be included in the list of prohibited materials?

PROs

- Cheaper than an iron fence
- Do not need repainting as a wood fence
- Easy to install

CONs

- Easily get broken
- Get yellowish under the sun
- Limited lifespan
- Burden on the landfills (don't decompose)



Existing vinyl fences in San Fernando

7. 6-FEET FENCES FOR SCHOOLS AND INSTITUTIONAL FACILITIES

Should schools and institutional facilities in residential zones be able to have six (6) feet non-view obscuring fences for safety reasons? Or eight (8) feet, as permitted in commercial zones?

Most of schools in the City have existing 6 to 8 feet tubular iron or chain link fences installed prior to adoption of the current Code, or approved through a Variance process.



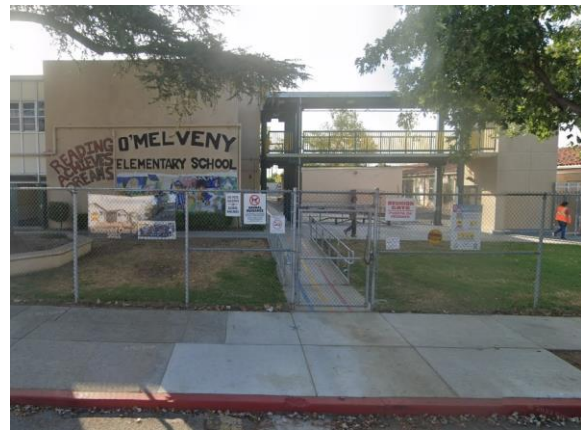
Nueva Esperanza Charter Academy
1218 Fourth St, R-3 zone
6 feet iron fence approved with a Variance



San Fernando Middle School
130 N Brand Blvd, R-3 zone
7 feet chain link fence



Glenoaks Elementary School
1525 Glenoaks Blvd, R-1 zone
7 feet chain link fence



O'Melveny Elementary School
728 Woodward St, R-1 zone
7 feet chain link fence

CONCLUSION:

Staff recommends that the Commission discuss and provide feedback for proposed Zone Text Amendment (ZTA 2023-001) to Section 106-970 of the San Fernando Municipal Code to update regulations for walls and fences.

ATTACHMENTS:

- A. Staff report for the Planning and Preservation Commission meeting on March 13, 2023.
- B. Design Standards for Fences, Comparison (Cities of Burbank, Eastvale, Glendale, San Gabriel, and South Pasadena)

To: Planning and Preservation Commission Chair Bernal and Commissioners

From: Kanika Kith, Director of Community Development
Marina Khrustaleva, Associate Planner

Date: March 13, 2023

Subject: Discussion of a proposed Zone Text Amendment (ZTA 2023-001) to Section 106-970, Walls and fences, to update regulations for walls and fences

RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission:

1. Discuss and provide feedback for proposed Zone Text Amendment (ZTA 2023-001) to Section 106-970 of the San Fernando Municipal Code to update regulations for walls and fences; and
2. Continue the proposed Zone Text Amendment (ZTA 2023-001) to the next regular Planning and Preservation Commission meeting on April 10, 2023.

BACKGROUND:

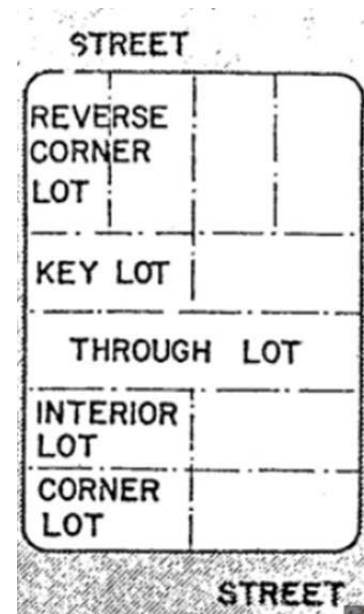
1. On December 2, 2002, San Fernando Municipal Code (SFMC) Section 106-970, Walls and fences, was amended.
2. In December 2015, application form for residential walls and fences (Form # CDD-024.1) containing permitted and non-permitted fence design diagrams was created.
3. In 2022, multiple residents requested approval for front yard walls and fences to be higher than three feet.
4. On August 15, 2022, the City Council adopted a Coyote Management and Co-Existence Plan that includes best management practices and strategies for managing coyotes in the City. The Coyote Management and Co-Existence Plan also includes a recommendation to consider revising the height limits for fences and walls on residential properties.
5. On November 14, 2022, the Planning and Preservation Commission (Commission) discussed potential modifications to fence and wall height for residential property. The Commission did not support increasing the height of side and rear yard fence and wall to be higher than six (6) feet, but was supportive of allowing the installation of coyote rollers above the permitted 6-foot high wall or fence. The Commission requested additional information for discussion relating to potential height increase for front yard fence and wall to be higher than three (3) feet.

ANALYSIS:

Per the Commission discussion on November 14, 2022, staff conducted additional research to evaluate recent applications to build a fence that deviates from the current code, explore the criteria for the Special Fence Review process outlined in SFMC Section 106-970(j)(3), and survey prevailing character of existing fences in residential neighborhoods of San Fernando.

Field survey shows that the majority of existing fences in residential neighborhoods in the City do not comply with the current height limitation of three (3) feet for front yard fence. The Code provides a Special Fence Review process to a build a fence or wall that deviate from the standard requirements under certain circumstances as specified in SFMC Sections 106-970(a) and (i), summarized below:

1. A retaining wall not to exceed 30 inches.
2. A non-view obscuring fence not to exceed a height of six feet and located in the street facing side yard on a corner lot only.
3. A non-view obscuring fence not to exceed a height of six feet and located in the secondary front yard on a through lot (lot with street frontages on front and back of house) only.
4. A higher fence or wall where applicable building codes or other regulations require a fence or wall exceeding the height limitations such as a higher retaining wall on a hillside property.



Higher than three feet for Front Yard Fence or Wall

The Special Fence Review process does not allow for front yard fences to be higher than three feet and several requests have been received from residents to build a fence or a wall higher than three feet in the front yard. A list of the requests are provided as Attachment "B" and summarized below:

1. Four (4) to five (5) foot high front yard fences to address an ongoing trespassing issue or to prevent young children, elderly relatives, or dogs from leaving the property.
2. A side yard fence in a required front yard setback that is solid (view-obscuring), for privacy reasons.
3. A solid (view-obscuring) side yard fence on a corner lot that is higher than 36 inches (3 feet), for security and privacy reasons.

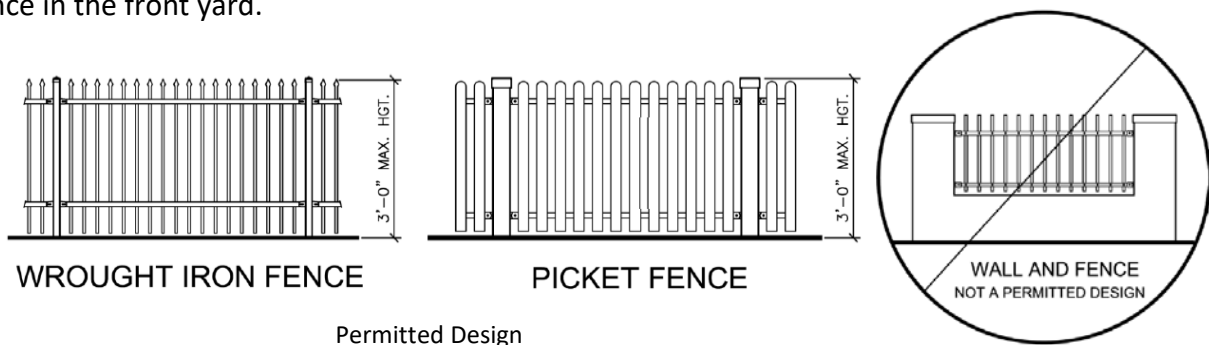
These requests do not meet the standard requirements for front yard fence and wall under SFMC Section 106-970. SFMC Section 106-970 allows for front yard fence or wall to be a maximum height of three (3) feet, including pillars, spikes, lights or similar ornamentation. All front yard fence or wall must be non-view obscuring, which is defined as “a fence or wall whose solid component portions are evenly distributed and do not constitute more than 10 percent of the total surface area of the face of the fence or wall.”

Corner lots have the same requirements as a regular interior lots which prohibits fence or wall along the street to be higher than three (3) feet. The fence and wall must also be non-view obscuring (not solid fence or wall). Thus, corner lots cannot build a six (6) foot high wall to create a private back yard.

Additionally, these requests do not qualify for consideration under the Special Fence Permit process because they do not meet the special circumstances under SFMC Sections 106-970(a) and (i).

Design conflict between the Code and the Application form

Several requests have been received to build a wall and fence combination design. The wall and fence combination design is identified as non-permitted on the application form as illustrated below. This conflicts with SFMC Section 106-970(a)(1) which allows a combination of wall and fence in the front yard.



Options to Address the Issue

Two options are available to address this issue:

- **Option 1:** Update regulations for standard height, design, and materials for walls and fences. This option will allow staff to approve the majority of requests ministerially and will bring less cost and burden on the applicants.
- **Option 2:** Extend the list of circumstances that make a project eligible for the Special Fence Review. This option will allow staff to approve the request, but additional cost and time will be required because the Special Fence Review process requires a 7-day public notification period prior to taking action.

Based on staff research and field survey, staff recommends Option 1, update the regulations for standard height, design, and materials. The prevailing front yard fence type in residential zones in San Fernando is a combination of a brick or plastered wall and a wrought iron or tubular iron fence about 4-5 feet high, usually with protruding pillars. Fences demonstrate a wide range of decorative elements – radial elements, spikes, cones, lights, lions, etc. These fences have been built over the decades, many of them prior to adoption or revisions of SFMC Section 106-970 (in 1985, 1987, and 2002).

These elaborate fences constitute the neighborhood character of residential zones of the City. While many of single-family homes in San Fernando are relatively modest, the fences represent aesthetical preferences of the residents and serve as the face of their household. The Historic Preservation Element of the City of San Fernando General Plan adopted on April 5, 2005, and the City of San Fernando Design Guidelines adopted on November 17, 2008, mention the importance of protecting and preserving historic resources, maintaining quality of life and neighborhood character. This local tradition of ornamental fences deserves to be recognized and respected.

James Rojas, author of “Latino Urbanism” concept, notes that in Latino communities, fences allow residents to personalize their front yard without physically interfering with the neighbors and define a barrier between the public and private spaces of the home. According to Rojas, “the enclosed front yard acts as a large foyer, and becomes an active part of the “housescape.”

Proposed Modification to SFMC Section 106-970

Staff recommends updating regulations for walls and fences to allow ministerial approval of the most typical applications, without involving a lengthy and potentially costly Special Fence Review process, while maintaining the prevailing neighborhood character in San Fernando. Staff recommends the following modifications to SFMC Section 106-970:

1. Allow 4 foot high non-view obscuring front yard fences and street-facing side yard fences on corner lots.
2. Allow 4 foot high front yard vegetative hedges and hedges along a street-facing side yard on a corner lot (excluding a sight clearance triangle that is not to be obscured).
3. Define a non-view obscuring fence as a fence with solid components constituting not more than 50 percent of the total surface area of the face of the fence.
4. Allow a combination of a fence and a wall in the front yard where a wall does not constitute more than 1/3 of the total height.
5. Allow the installation of coyote rollers above the permitted 6-foot high wall or fence in a side or rear yard.

6. Prohibit vinyl fences.

These changes would allow staff to approve the majority of fence applications ministerially without creating an additional burden on the applicants. The Special Fence Review process can be retained for exceptional circumstances.

Additionally, this will bring a majority of existing front yard fences to be in compliance with the Code and will also allow many homeowners to replace existing 4-foot high chain-link fence with a higher-quality fence.

ENVIRONMENTAL REVIEW:

Pursuant to the California Environmental Quality Act (CEQA), the adoption of proposed Zone Text Amendment will be exempt under CEQA Guidelines Section 15061(b)(3) (the “common sense exemption”) and Section 15378 (“not a project”) since it can be seen with certainty that the adoption of the Zoning Code Amendment for Section 106-970, Walls and fences, will not have a significant impact on the environment.

CONCLUSION:

Staff recommends that the Commission discuss and provide feedback for update to the height, design, and materials for walls and fences, and continue this item to the next meeting on April 10, 2023 to allow staff to draft revised regulations for consideration.

ATTACHMENTS:

- A. San Fernando Municipal Code (SFMC) Section 106-970, Walls and fences
- B. Pending Fence Review applications

City of San Fernando Municipal Code, Section 106-970. Walls and fences.

- (a) *Residential zones.* The following standards shall apply to all walls and fences within the R-1, R-2 and R-3 zones. Height limits for all walls and fences in residential zones are as follows:
- (1) In a required front yard setback, a fence, wall or combination thereof, shall not exceed a maximum height of 36 inches (including pillars, spikes, lights or similar ornamentation) as measured from existing finish grade, and shall be non-view obscuring. Permitted structures in lieu of such a fence are as follows:
 - a. A retaining wall not to exceed a height of 18 inches, or not to exceed a height of 30 inches if permitted pursuant to a special fence review.
 - b. A vegetative hedge not to exceed 30 inches in height.
 - (2) In a side or rear yard, no fence or wall shall exceed a height of six feet as measured from existing finish grade.
 - (3) On a reverse corner lot within a required front yard or street-facing side yard setback, a fence, wall or combination thereof, shall not exceed a maximum height of 36 inches (including pillars, spikes, lights or similar ornamentation) as measured from existing finish grade, and shall be non-view obscuring. Permitted structures in lieu of such a fence are as follows:
 - a. A retaining wall not to exceed a height of 18 inches, or not to exceed a height of 30 inches if permitted pursuant to a special fence review.
 - b. A vegetative hedge not to exceed 30 inches in height.
 - c. A non-view obscuring fence not to exceed a height of six feet and located in the street facing side yard only, if permitted pursuant to a special fence review.
 - (4) On a through lot within the front yard setback facing either of the lot's street frontages, a fence, wall or combination thereof, shall not exceed a maximum height of 36 inches (including pillars, spikes, lights or similar ornamentation) as measured from existing finish grade, and shall be non-view obscuring. Permitted structures in lieu of such a fence are as follows:
 - a. A retaining wall not to exceed a height of 18 inches, or not to exceed a height of 30 inches if permitted pursuant to a special fence review.
 - b. A vegetative hedge not to exceed 30 inches in height.
 - c. A non-view obscuring fence not to exceed a height of six feet and located in the secondary front yard only, if permitted pursuant to a special fence review.
 - (5) For a wall retaining a fill above existing finish grade in a setback area, the combined height of the wall retaining a fill and a freestanding fence or wall built above the

- retained earth level shall not exceed the maximum height allowed for a freestanding fence or wall within the setback area.
- (6) For a wall retaining a cut below existing finish grade in a setback area, the combined height of the wall retaining a cut and a freestanding fence or wall built above the existing finish grade shall not exceed the maximum height allowed for a freestanding fence or wall within the setback area.
- (b) *Commercial and industrial zones.* The height limit for non-view obscuring fences in commercial and industrial zones shall be eight feet, except that the director may approve a height of up to ten feet for security fencing. The height limit for opaque fences or walls shall be six feet.
- (c) *Construction materials.* Construction materials shall conform to the following:
- (1) In residential zones, all fences and walls shall be made of materials generally used for fencing such as masonry, vegetative hedges, wood, brick, or ornamental tubular steel or wrought iron, and must have a finished appearance. Acceptable finish treatments include colored stucco, wood stain, natural or polished stone, slump stone, split-faced concrete block, prefabricated finish texture, color-coated tubular steel or wrought iron, or a combination thereof. Plain or colored concrete block masonry shall be permitted only if coated with colored stucco or other coating finish approved by the director or designated staff. No chain link, razor wire, barbed wire, concertina ribbon, electrified fence, protruding fragments of broken glass or similar materials shall be permitted. All proposed fence or wall material shall be compatible with the architectural style and treatment of the primary residential structure.
 - (2) In industrial zones, barbed wire, razor wire and similar materials must be at least eight feet from grade at the public right-of-way with vertical supports for the barbed wire slanting inward away from the property line.
 - (3) Where feasible, solid walls shall be painted with graffiti-resistant paints.
- (d) *Sight clearance.* Sight clearance for visibility of pedestrians and vehicles shall be maintained as follows:
- (1) On corner lots in all zones, a sight clearance distance triangle permitting pedestrian and vehicular visibility at intersecting streets shall be maintained for a minimum distance of 20 feet measured along the street right-of-way from the point of intersection of the two streets. Sight distances at alleys intersecting with streets shall be ten feet.
 - (2) In all zones, sight clearance for automobiles emerging from adjacent driveways shall be maintained for a minimum distance of 20 feet for commercial and multifamily driveways and ten feet for single-family driveways, measured from the property line. An open fence that does not impede visibility will be permitted in this area.

- (e) *Permits.* All persons erecting or substantially altering or repairing a fence, wall or security gate shall first obtain a building permit. As part of the application process, the applicant shall submit a scaled site plan indicating property lines and the height, location, building materials and finish treatment of the proposed fence, wall or security gate. However, no permit shall be required for temporary construction or security fencing.
- (f) *Inspection.* The building inspector must approve all construction or substantial alteration or repair of fences, walls and security gates. An initial inspection of the footings or pole holes shall be conducted before the wall, fence or security gate is erected, and a final inspection shall be conducted upon completion of the construction.
- (g) *Hedges and shrubs.* If hedges, shrubs and similar vegetation are maintained at the property line and are of sufficient density to block vision, they shall comply with the height limit for fences and walls within the required front, rear and side yard setbacks.
- (h) *Determination of height.* The height of a fence or wall shall be measured from existing finish grade of the subject property. However, when a fence or wall is proposed to be located along a property line separating two lots with a difference in pad elevations of more than 18 inches for a length of more than 50 percent of the common property line, it may be permitted only if approved pursuant to a special fence review.
- (i) *Conflicting fence or wall height requirements.* Where applicable building codes or other regulations require a fence or wall exceeding the height limitations specified in this section, a higher than standard fence or wall may be permitted if approved pursuant to a special fence review.
- (j) *Definitions.* The following definitions shall apply to this section:
 - (1) *Non-view obscuring fence* is defined as a fence or wall whose solid component portions are evenly distributed, and do not constitute more than ten percent of the total surface area of the face of the fence or wall.
 - (2) *Existing finish grade* is defined as the natural or existing grade of the property prior to excavation, construction or grading of undisturbed soil.
 - (3) *Special fence review* is defined as an administrative procedure required under certain circumstances as specified in this section prior to issuance of a building permit for a fence or wall. When required, a special fence review shall be conducted by the director or designated staff subject to the following procedure and criteria:
 - a. *Application and fee.* An application for a building permit shall be submitted. A special fence review fee may be established by resolution of the city council.
 - b. *Public notice.* Upon a tentative determination by the director that the proposed fence or wall height should be approved, a notice of such shall be mailed to the owners of all properties adjoining the project site. The notification shall describe the proposed fence or wall, and indicate that prior to a final determination there

will be a comment period of at least seven days from the date of mailing the notice.

- c. *Determination.* In order to approve or approve with conditions a proposed fence or wall, the director or designated staff must make the following findings:
 - 1. The project site is of a suitable size, shape and topography to accommodate the proposed fence or wall.
 - 2. The proposed fence or wall will not be detrimental to the character of the subject property or surrounding neighborhood, and will be compatible with the architectural treatment of any existing or planned buildings on the subject property.
 - 3. The proposed fence or wall will not unreasonably interfere with the use, possession, and enjoyment of the surrounding and adjacent property owners.
 - 4. There is a demonstrated need for the proposed fence or wall.
 - d. *Appeal.* The director's final determination may be appealed within seven days to the planning commission, pursuant to section 106-76. The appeal shall be made in written form and addressed to the director.
 - (k) *Applicability.* Nothing in this section shall be deemed to set aside or reduce the requirement for fences and walls as required by applicable federal, state, and local statutes designed to protect the health, safety and welfare of the community.
- (Ord. No. 1270, § 30.565, 9-30-1985; Ord. No. 1305, 6-15-1987; Ord. No. 1532, § 2, 9-3-2002; Ord. No. 1542, § 1, 12-2-2002)

Pending Fence Review applications

#	Address	Date	Project
1.	563 S Huntington St	07/16/2022	Legalization of the 4' front yard fence and wall combination built without a planning approval and building permit to address an ongoing trespassing issue.
2.	1227 Hollister St	1/24/2023	Application for a 4' front yard vinyl fence, to address ongoing trespassing issue and protect a resident with a medically proven anxiety and insomnia.
3.	1926 Seventh St	2/28/2023	Legalization of the 5' front yard non-view obscuring fence built without a planning approval and building permit to prevent a single elderly resident from leaving the property.
4.	401 N Hagar St	3/8/2023	Application for a 5' front yard and side non-view obscuring fence within a street-facing side yard setback for an existing public-use building in a residential zone to protect the parking area from trespassing.

ATTACHMENT B

DESIGN STANDARDS FOR FENCES, COMPARISON

Standard	Burbank	Eastvale	Glendale	San Gabriel	South Pasadena
Height of front fence / side fence on a corner lot	4 feet / 6 feet	4 feet	No front fences	4 feet	3 feet
Height of the lower part of the wall	2 feet	---	---	---	
Decorative elements above the fence	18 inches	120% of the height of the fence	---	---	6 inches
Higher front fence with a special permit	no	no	no	no	no
Non-view obscuring front fence	yes 50% open	---	---	---	---
Non-view obscuring side fence	---	---	---	---	---
Vinyl fences prohibited?	no	no	no	no	no

CITY OF BURBANK

Article 6. Residential Uses and Standards.

H. Fences, Walls, Hedges and Other Yard Features.

1. Fences, Walls, and Hedges.

- a. Fences, walls, and hedges shall not be composed, in whole or part, of dangerous wire types including, but not limited to: razor wire, barbed wire, electric wire, or any other similar wire type that may pose serious risk of injury.
- b. New chain link fences are prohibited in front yards and street facing side yards after February 23, 2017.
- c. The maximum allowed height of fences, walls, and hedges is as specified in Table 10-1-603(A).
- d. Fence in the front yard setback area can have up to two gates, and the gates must be 50 percent open and comply with the height requirements specified in Table 10-1-603(A).
- e. Only one wall/fence, inclusive of any openings for access, is allowed in the front yard setback.
- f. Fence in the front yard setback area may be combined with a retaining wall. The maximum height of a fence in combination with a retaining wall in the front yard setback area shall not exceed 4 feet, as measured from abutting natural grade, prior to any grading, cut, or fill activity, or abutting finished grade, after any grading, cut, or fill activity, whichever is lower, and the fence must be 50 percent open.
- g. The height of a fence, wall, or hedge is measured from the abutting natural grade, prior to any grading, cut, or fill activity, or abutting finished grade, after any grading, cut, or fill activity, whichever is lower.
- h. On sloped surfaces, portions of a fence, wall, or hedge may exceed the maximum height for the purpose of providing a stair step-design, but each stair-step section, as measured from the horizontal midpoint, shall not exceed the maximum height.
- i. Within a required street-facing side yard (other than a reverse corner lot), fences, walls, and hedges are limited to six (6) feet, except for that portion of the street-facing side yard between the rear of the main dwelling structure and the rear property line, the maximum allowed height of a fence, wall, or hedge is eight (8) feet. On a reverse corner lot, fences, walls, and hedges

within the street-facing side yard are subject to the same height limits as apply in the front yard.

j. The only decorative element allowed on top of fences, walls, and hedges in front and street side yards is lighting, which may exceed the maximum allowed height for fences, walls, and hedges up to 18 inches above the actual height of the fence, wall, or hedge or up to a maximum height limit of five (5) feet, six (6) inches. In all other yards, lighting and ornamentation shall not exceed the maximum allowed height for fences, walls, and hedges. Pilasters shall be located at least eight (8) feet from each other, as measured from the center of the pilaster. The maximum width of each pilaster shall be 18 inches. The area of the pilasters is exempt from the 50% open design calculation.

k. All fences, walls, and hedges must comply with the corner cutoff provisions of Section 10-1-1303.

l. Gates are subject to the same requirements as fences and walls.

m. All walls in the front yard setback or street facing side yard must be finished with plaster, stucco, or brick or other similar materials. Materials must be consistent for all walls.

n. Enforcement of nonconforming fences and walls established prior to October 17, 2008 may be subject to abeyance pursuant to Section 10-1-19202.

o. If a wall or fence was legal (built pursuant to then existing codes) prior to February 23, 2017, the wall or fence shall not be subject to these standards.

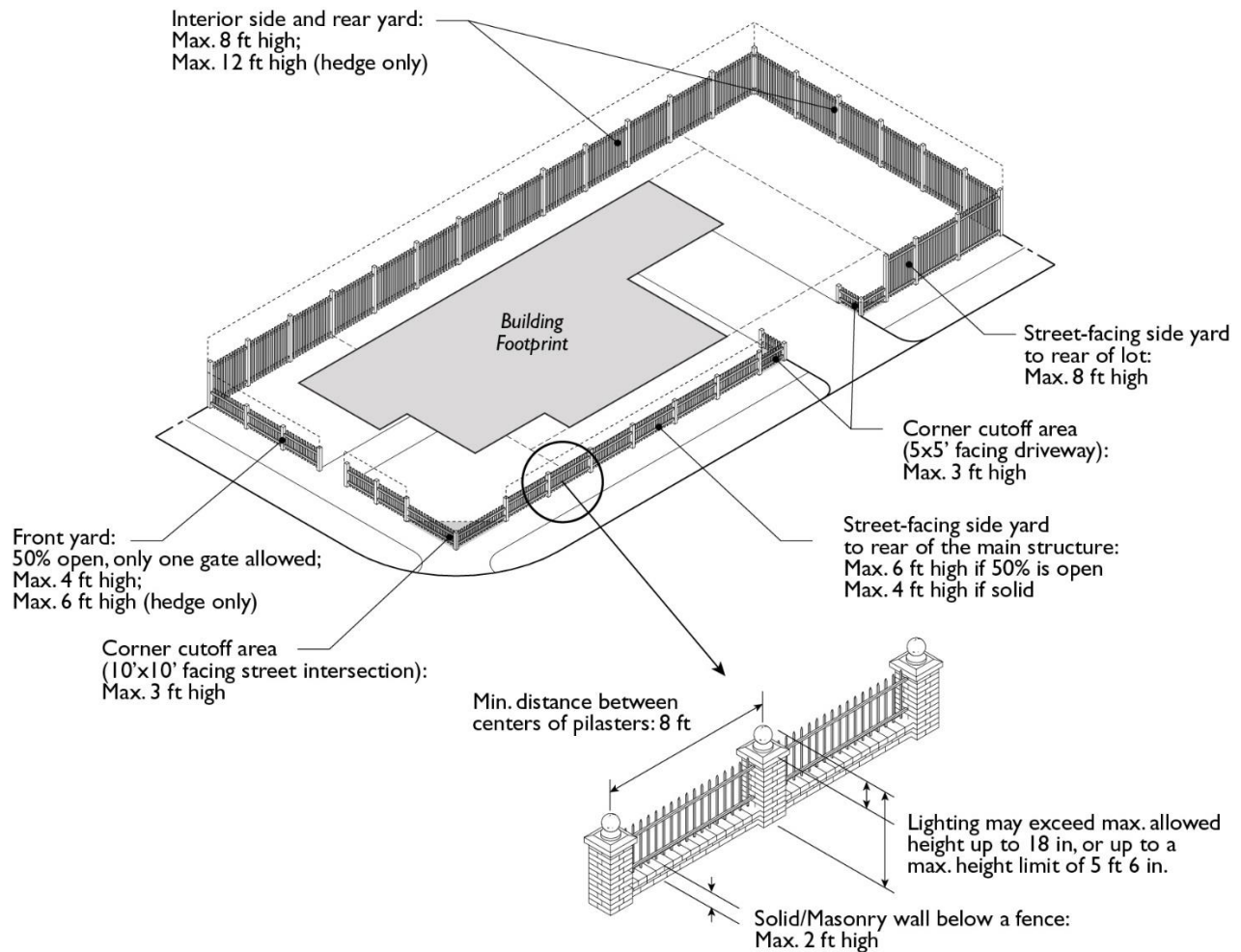
TABLE 10-1-603(A): DEVELOPMENT STANDARDS IN THE R-1 AND R-1-H ZONES

Maximum fence, wall, and hedge heights (H)	
Within the front yard setback area	4 feet 6 feet (hedges only)
Within the street-facing side yard setback area	6 feet (to rear of house) if 50% open; 4 feet if solid; 8 feet (to rear of lot))
Outside of the front yard or street-facing side yard setback area	8 feet 12 feet (hedges only)

In the front yard, any portion of the fence exceeding two (2) feet in height must utilize an open design except as noted above. Open design means that for each one-foot section of fence or wall, at least 50 percent of the surface area is open and provides direct views through the fence

or wall. Exceptions to this standard shall be allowed for retaining walls in hillside areas through the Hillside Development Permit process.

DIAGRAM 10-1-603(H)(1): FENCES AND WALLS



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CITY OF EASTVALE

Sec. 120.05.080. - Neighborhood preservation standards. Fences and walls.

a. All fences and walls shall be properly maintained in order to preserve their structural integrity and to provide a neat appearance. All fences and walls shall be kept free from graffiti, undergrowth, weeds or other similar conditions at all times. All fences and walls shall be of materials and colors that are compatible with the architectural design of the buildings in the neighborhood. No fence, wall or a portion thereof, shall be constructed or altered to add razor wire, barbed wire, metal spikes, broken glass, readily flammable material or other similar material;

b. Chainlink fences shall not be erected or constructed in any front yard, or side yard that is visible from any public area, for lots less than one-half acre net in area. Chainlink fences that exist on, or were approved prior to, the effective date of the ordinance from which this title is derived shall be exempt from this provision;

c. Any fence or wall, including decorative fence, shall not obstruct a public street, intersection, sidewalk, or right-of-way, either physically or visually;

d. Any fence or wall, including decorative fence, located in the front yard or within 30 feet of an intersection, shall not be higher than four feet. Fences and walls that existed on or were approved prior to the effective date of the ordinance from which this title is derived shall be exempt from this provision. Vertical calculation of the height of the fence or wall shall be made by vertical measurement along the length of the outside face when measured from final finished grade;

e. The height of a gate, the gate posts, or columns, located in a front yard or side yard that are visible from any street shall not exceed 120 percent of the maximum height of the fence or wall;

f. Any approved fence or gate for a temporary use and swimming pool shall be exempt from the provisions of this section.

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CITY OF GLENDALE

Sec. 30.30.010 Fences and walls.

A. Fences and Walls in Residential and Mixed Use Zones.

1. In the ROS, R1, R1R, R-3050, R-2250, R-1650, R-1250, DSP, IMU, IMU-R and SFMU zones, no fence or wall shall be electrically charged or made of any sharp-edged materials, barbed wire, razor wire, chicken wire or fiber glass.

2. Fences and walls over three (3) feet in height are subject to Chapter 30.47 in addition to the following requirements in ROS, R1R, and R1 zones:

a. Materials. Fences and walls shall be made of wood, masonry, decorative metal (for example, wrought iron), and other decorative materials approved by the director of community development; and

b. In addition to the above materials, chain-link may be permitted if screened from view from adjacent parcels by vegetation. Chain-link, without vegetation, shall be permitted for tennis courts and other recreational facilities. Chain-link shall not be permitted if visible from the public street immediately adjacent to the property.

B. Retaining Walls and Cribwalls in the ROS and R1R Zones (*omitted here*)

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30.11.070 Residential district setback requirements and exceptions.

A. Street Front Setback. In the ROS, R1R, R1, R-3050, R-2250, R-1650 and R-1250 zones, no person shall construct, locate or maintain within the space between a street and a setback line established by ordinance or by this title, any building, wall, fence or other improvement or structure.

B. Street Side Setback. In the ROS, R1R, R1, R-3050, R-2250, R-1650 and R-1250 zones, no person shall construct within the space between a street and a setback line established by ordinance or by this title, any building, wall, fence or other improvement or structure.

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CITY OF SAN GABRIEL

§ 153.127 FENCES, WALLS, AND HEDGES IN RESIDENTIAL ZONES.

(A) Six feet shall be the maximum height of any fence, wall or hedge along the rear lot line or between the rear lot line and the front line of the main building. Four feet shall be the maximum height of any fence, wall, or hedge located between the front line of the main building and the front lot line. Fences and walls shall be set back at least 30 inches from the front property line for purposes of providing landscaping. Said landscaping shall consist of any combination of turf, groundcover, shrubs, or vines and shall not exceed the height of the fence or wall.

(B) Property line fences, walls, and hedges in the rear yard of interior lots and in the rear yard of corner lots, except along any line that abuts the side line of a key lot, and except along any portion of a lot line of a corner lot nearer to the side street than the building setback line of the improvements on the lot, or the improvements on the lot adjacent thereto, may extend to a total height of seven and one-half feet under the following conditions:

- (1) On a key lot no fence, wall, or hedge of a height more than four feet shall extend into the front yard nearer the street on the side abutting the rear of the corner lot than the closest corner of the main building on the corner lot.
- (2) Any fence, wall, or hedge along the front or side line of a corner lot within 35 feet of the intersection of the front and side lines shall be no more than two feet high measured from the elevation of the top of the curb adjacent to such wall, fence, or hedge.
- (3) In those situations where the Police Chief and the Community Development Director find that an existing fence, wall, or hedge on a corner lot creates a public nuisance or traffic hazard, the Council may require that the restrictions stated in division (d) above of this section be complied with.
- (4) On corner lots no fence, wall, or hedge of a height more than four feet shall extend into the side yard adjacent to the street nearer than any portion of the main building on such lot; and if the corner lot abuts a key lot to the rear, no fence, wall, or hedge of a height more than four feet shall extend into the side yard adjacent to the street nearer than the closest front corner of the main building on the key lot.
- (5) If the owner or occupant of a lot desires to construct and maintain a swimming pool on such property such swimming pool shall not be constructed, maintained, or set closer to the street than the front line of the building setback line established for that block, and he shall conform to the provisions of the Uniform Building Code, the swimming pool fencing provisions set out in §§ 150.180 through 150.181, and the provisions of § 153.129.

(6) If the owner or occupant of a lot desires to construct and maintain a tennis or badminton court on such premises, such tennis or badminton court shall not be erected, maintained, or set closer to the street than the front line of the building setback line established for that block. Such badminton or tennis court may be enclosed by a fence attached to such supports as may be required by the Community Development Director as to size, design, strength, utility, and safety pursuant to the standards set by the Uniform Building Code and engineering principles pertaining to stresses, strains, and wind resistance. Nothing shall be grown, placed, or maintained upon or against such fence that will in any way or manner obstruct the passage of light or air through such fence above the height of six feet.

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CITY OF SOUTH PASADENA

36.300.050 Walls, Fences and Hedges.

A. Applicability. The provisions of this Division apply to all walls, fences, and hedges, except for retaining walls, and a fence or wall required by regulations of a State or Federal agency, or by the City for reasons of public safety.

B. Height limitations. Fences, walls, and hedges shall comply with the height limitations in Table 3-2.

TABLE 3-2. MAXIMUM HEIGHT OF FENCES, WALLS, AND HEDGES	
Location	Maximum Height
Within a required front or street side setback	3 ft
Within a required side or rear setback	6 ft (2)
Nonresidential district adjacent to a residential district	8 ft
<p>Notes:</p> <p>(1) See height limit exceptions in Subsection D, below.</p> <p>(2) Side and rear fences may exceed the height limit of 6 feet up to a maximum of 8 feet with administrative approval.</p> <p>These height regulations do not apply to a hedge along a rear property line. A hedge within a required side setback shall not exceed a height of 10 feet unless a greater height is approved by the Director after first determining that the hedge will not unduly limit access to natural light and views from adjoining property.</p>	

C. Measurement of fence or wall height. Fence or wall height shall be measured from finished grade at the base of the fence or wall to the uppermost part of the fence or wall. In a case where the elevation of finished grade differs from one side of the fence or wall to the other (as on a slope or retaining wall), fence or wall height shall be measured on the side with the lowest grade where the elevation difference is more than two feet, and on the side with the highest grade where the elevation difference is two feet or less. See Figure 3-6.

D. Exceptions to fence and wall height limitations.

1. Ornamental features. Ornamental features including finials, caps or other decorative elements may exceed the height limitations by six inches above the top of a wall or fence a minimum distance of four feet apart.

2. Swimming pools, spas, and similar features. Swimming pools/spas and other similar water features shall be fenced in compliance with the Uniform Building Code.

E. Reserved.

F. Outdoor equipment, storage, and work areas. Screening of outdoor uses and equipment shall be provided in compliance with Section 36.300.070 (Screening).

G. Temporary fencing. Temporary fencing may be necessary during site preparation and construction. Temporary fencing for these purposes shall be subject to approval by the Director.

H. Prohibited fencing materials. The following fencing materials are prohibited:

1. Barbed wire or razor wire;
2. Chain link fencing within a front or street side setback in a residential zoning district; and
3. Concrete masonry units (CMUs), except where authorized through Design Review approval.

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AGENDA REPORT

To: Planning Preservation Chair Bernal and Commissioners

From: Kanika Kith, Deputy City Manager/Director of Community Development
By: Malinda Lim, Contract Planner

Date: April 10, 2023

Subject: Conditional Use Permit (CUP 2023-001) – A modification to Conditional Use Permit 1987-09 and a Letter of Public Convenience or Necessity for a Type 21 license to sale of beer, wine, and distilled spirits for off-site consumption at the new Target store located at 12920 Foothill Boulevard.

RECOMMENDATION:

Staff recommends that the Planning and Preservation Commission:

- a. Continue this item to the next regular meeting on May 8, 2023 to allow additional time to address CUP requirements mandated by the San Fernando Municipal Code.

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