

AGENDA SUMMARY PAGE RECOMMENDING COMMITTEE MEETING OF: OCTOBER 3, 2006

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

NEW BILL:

Bill No. 2006-56 Clarifies the applicability of recently updated development standards pertaining to walls and fences. Proposed by: M. Margo Wheeler, Director of Planning and Development

Fiscal Impact:

No Impact

Budget Funds Available

Augmentation Required

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

Ordinance No. 5850, adopted on September 6, 2006, revised development standards pertaining to walls and fences. It has been determined that in relocating some of the standards within the Municipal Code, the ordinance did not specify its applicability to all single family development and to development within certain districts. This bill will add the necessary clarifying language.

RECOMMENDATION:

This bill should be submitted to a recommending committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2006-56
2. Submitted at meeting Proposed First Amendment

Motion made by STEVEN D. ROSS to Approve as a Do Pass with a First Amendment

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED reported that, on September 6, 2006, the City Council adopted Ordinance No. 5850 to revise development standards for walls and fences. Subsequently, staff realized that the standards had to be clarified for industrial and residential properties. Hence, Bill 2006-56 was drafted. However, staff then found out that the references

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had to be corrected, as well as the definitions of front yard walls and fences, which the Proposed First Amendment accomplishes. He recommended approval of 2006-56, as a first amendment.

COUNCILWOMAN TARKANIAN questioned the difference between a wall and a fence. Would chain-link and wooden fences meet the City's conditions for walls and fences? CHIEF DEPUTY CITY ATTORNEY STEED answered that chain link fences are permitted in industrial zones, which is addressed in the standards, and wood fences are permitted in certain circumstances.

COUNCILWOMAN TARKANIAN then asked if there has been any resolve in the difference between a fence and a wall, to which CHIEF DEPUTY CITY ATTORNEY STEED responded that there is no resolve. COUNCILMAN ROSS rejoined that that was not the intent. CHIEF DEPUTY CITY ATTORNEY STEED added that should staff find that there is a need for distinguishing the two terms, an amendment will be brought back to address it.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

