

ORDINANCE NO. 813

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, AMENDING LOMITA MUNICIPAL CODE ARTICLE 68 BY ADDING SEC. 11-1.68.02 (SPECIAL DEVELOPMENT STANDARDS) TO REESTABLISH FENCE, WALL, GATE, AND SCREENING DEVICE HEIGHT STANDARDS WITHIN COMMERCIAL ZONES

THE CITY COUNCIL OF THE CITY OF LOMITA HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Recitals.

- A. On May 11, 2020, the Planning Commission held a duly noticed public hearing on Zone Text Amendment No. 2020-01 and accepted public testimony and evidence, in accordance with Municipal Code sections 11-1.70.04 and 11-1.70.05. After review and consideration of all evidence and testimony presented in connection with the hearing, the Planning Commission recommended that the City Council approve the Zone Text Amendment.
- B. On June 16, 2020, the City Council held a duly noticed public hearing on Zone Text Amendment No. 2020-01 and accepted public testimony and evidence, in accordance with Municipal code sections 11-1.70.04 and 11-1.70.05.
- C. The City Council finds that the ordinance is consistent with the General Plan, in accordance with Municipal Code section 11-1.70.05(C)(4). The Zone Text Amendment is consistent with the General Plan because it implements goals in the Land Use Element. The Land Use Element's first goal is *to promote an orderly pattern of development in the City*. This amendment applies the identical 42-inch front-yard maximum height standard and six-foot side-and-rear-yard maximum height standard to fences, wall, gates, and screen devices in commercial zones that are already applied in residential zones. By creating uniform standards in all zones, an orderly pattern of development will be implemented throughout the City. Land Use Policy No. 10 states that; *the City will "promote the improvement of aesthetic and visual qualities of the City by landscaping and beautifying streets and highways and by implementing development standards for private improvement."* Fences, walls, gates and screen devices are types of private improvements. The City is promoting a commercial area's visual qualities by ensuring the fronts of businesses are observable. The amendment will not impede the City's ability to meet its general plan goals and policies.
- D. In accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, adoption of this ordinance is exempt in that it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment. The adoption of the proposed ordinance is covered by the general rule that CEQA applies only to projects that have the potential for causing

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a significant effect on the environment. The proposed amendment is limited to establishing front yard fence, wall, gate, and screening devices' maximum height standards in commercial zones, which are a common design feature in urban, built out areas. These standards were in the code for many years and were inadvertently eliminated. The standards include provisions to make sure fences are built in a safe manner that does not impede line of sight. The Code similarly regulates front yard fences' maximum height in residential zones and no new construction is proposed with this text amendment.

SECTION 2. Article 68 of Part 6 of Chapter 1 of Title XI of Lomita Municipal Code is amended to add a new Section 11-1.68.02 to read as follows:

Sec. 11-1.68.02. - Fence, wall, gate, and other screening device height standards in commercial zones.

Except as otherwise permitted in this chapter, the following requirements apply to fences, walls, gates, and other screening devices:

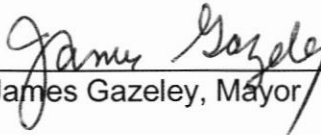
- a. Fences, walls, gates, and other screening devices within the front yard or along the frontage of any property in a commercial zone shall not exceed forty-two (42) inches in height.
- b. Fences, walls, gates, and other screening devices along rear and interior side property lines shall not exceed six (6) feet in height.
- c. Fences, walls, gates, and other screening devices shall be erected to not create visual obstruction of vehicular and pedestrian traffic.
- d. The height shall be measured from the side with the higher finished grade.
- e. Deviations from height requirements may be made subject to "Site Plan Review" and "Modification" approval per Article 70 of this Chapter.

SECTION 3. Effective Date. This ordinance shall take effect thirty (30) days after the date of its passage; and prior to fifteen (15) days after its passage, the City Clerk shall cause a copy of this ordinance to be published in accordance with the provisions of the law. The City Clerk shall certify the adoption of this ordinance.

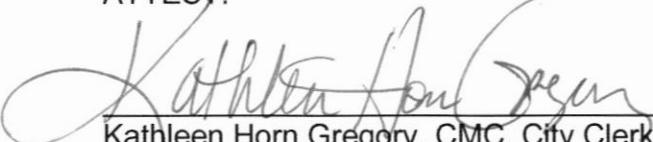
PASSED, APPROVED AND ADOPTED, this 7th day of July 2020.

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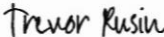

James Gazeley, Mayor

ATTEST:


Kathleen Horn Gregory, CMC, City Clerk



APPROVED AS TO FORM:

DocuSigned by:

675AED4706CA474
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF LOMITA)

I, **Kathleen Horn Gregory**, City Clerk of the City of Lomita, California, do hereby certify that the foregoing Ordinance No. 813 was duly passed, approved, and adopted by the City Council of the City of Lomita at its regular meeting held on July 7, 2020, by the following vote, to wit:

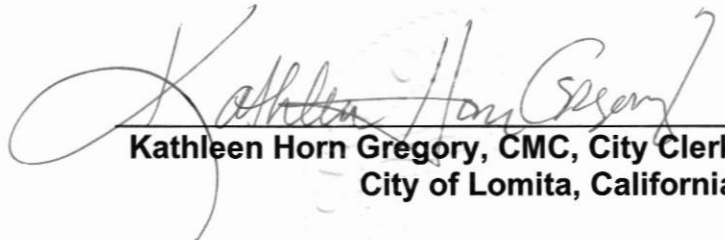
AYES: Council Members: Sanchez, Savidan, Segawa, Mayor Pro Tem Waronek
 and Mayor Gazeley

NOES: None

ABSENT: None

RECUSE: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Lomita, California this 7th day of July 2020.


Kathleen Horn Gregory, CMC, City Clerk
City of Lomita, California