

PLANNING COMMISSION
Albert Enault, Chair
Kristina Elder, Vice Chair
Herbert Dardon, Member
Vinay Tewari, Member
Terrence West, Member



PLANNING COMMISSION MEETING

A G E N D A
REGULAR MEETING OF THE SUISUN CITY
PLANNING COMMISSION
TUESDAY, AUGUST 22, 2023
6:30 PM

Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California

NOTICE

Pursuant to Government Code Section 54953(b) the following Planning Commission meeting includes teleconference participation by:

- *Planning Commissioner Herbert Dardon: The Villas on the Green at the Welk, 8860 Lawrence Welk Drive, Escondido, California 92026*

*PLANNING COMMISSION MEETINGS ARE HELD IN-PERSON
PUBLIC PARTICIPATION IS ALSO AVAILABLE VIA ZOOM*

ZOOM MEETING INFORMATION:

WEBSITE: <https://zoom.us/join>

*MEETING ID: **893 0598 5651***

CALL IN PHONE NUMBER: (707) 438-1720

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE PLANNING COMMISSION MEETING BY EMAILING
CLERK@SUISUN.COM (PRIOR TO 4 PM), VIA WEBSITE OR ZOOM CALL IN PHONE NUMBER: (707) 438-1720.*

*(If attending the meeting via phone press *9 to raise your hand and *6 to unmute/mute for public comment.)*

(Next Resolution No. PC 23-06)

ROLL CALL

Planning Commissioners
Pledge of Allegiance
Invocation

CONFLICT OF INTEREST NOTIFICATION

(Any items on this agenda that might be a conflict of interest to any Commissioners should be identified at this time.)

REPORTS: (Informational items only.)

- 1 City Manager/Staff.

PUBLIC COMMENTS

(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)

CONSENT CALENDAR

Consent calendar items requiring little or no discussion may be acted upon with one motion.

- 2 Planning Commission Approval of the Minutes of the Special Meeting of the Suisun City Planning Commission held on May 16, 2023, and June 29, 2023 - (Vasquez: bvasquez@suisun.com).

PUBLIC HEARING

- 3 Planning Commission Adoption of Resolution PC 23-___: Recommending Approval of the proposed Zoning Text Amendment Amending Title 18 (Zoning) of the Municipal Code of the City of Suisun City Modifying the Fence and Wall Regulations (Suisun City Municipal Code Chapter 18.34 – Fences and Walls) - (Bermudez: jbermudez@suisun.com).

GENERAL BUSINESS NONE

REPORTS: (Informational items only.)

- 4
 - a. Commission Members
 - b. Commission Chairperson

ADJOURNMENT

Public Access To Agenda Documents

A complete packet of information containing staff reports and exhibits related to each item for the open session of this meeting, and provided to the City Council, are available for public review at least 72 hours prior to a Council /Agency/Authority Meeting at Suisun City Hall 701 Civic Center Blvd., Suisun City. Agenda related writings or documents provided to a majority of the Council/Board/Commissioners less than 72 hours prior to a Council/Agency/Authority meeting related to an agenda item for the open session of this meeting will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to the Council Chambers during the meeting for public review. The city may charge photocopying charges for requested copies of such documents. To the extent feasible, the agenda packet is available for online public viewing on the City's website: <https://www.suisun.com/Government/City-Council/Agendas>

The City Council/Agency/Authority hopes to conclude its public business by 10:00 p.m. No new items will be taken up after 10:00 p.m., unless so moved by a majority of the City Council, and any items remaining will be agendized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.

Accommodations

If you require an accommodation to participate in this meeting, please contact the City Clerk at (707) 421-7302 or clerk@suisun.com. The City's reasonable accommodation policy is available for review on the City's website at www.suisun.com/government/city-council/, you may request an electronic copy or have a copy mailed to you. Please note that for accommodations that are not readily available, you must make your request as soon as you can prior to the time of the meeting.

Decorum

All participants are expected to conduct themselves with mutual respect. Conduct that disrupts meetings will be addressed in accordance with Section 54957.95 of the Government Code.

Ordinances

Ordinances are city laws contained in the Suisun City Municipal Code. Enacting a new city law or changing an existing one is a two-step process. Government Code 36934 provides, except when, after reading the title, further reading is waived by regular motion adopted by majority vote all ordinances shall be read in full either at the time of introduction or passage; provided, however, that a reading of the title or ordinance shall not be required if the title is included on the published agenda and a copy of the full ordinance is made available to the public online and in print at the meeting prior to the introduction or passage.

Certification Of Posting

Agendas for regular and special meetings are posted in accordance with the Brown Act at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including:

- Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA;
- Joe Nelson Center, 611 Village Drive, Suisun City, CA;
- Harbor Master Office, 800 Kellogg Street, Suisun City, CA.

I, Bianca Vasquez, Administrative Assistant for the City of Suisun City, declare under penalty of perjury that the above agenda was posted and available for review, in compliance with the Brown Act.

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PLANNING COMMISSION

Albert Enault, Chair
Kristina Elder, Vice Chair
Herbert Dardon, Member
Vinay Tewari, Member
Terrence West, Member



PLANNING COMMISSION MEETING

MINUTES
SPECIAL MEETING OF THE SUISUN CITY
PLANNING COMMISSION
TUESDAY, MAY 16, 2023
6:30 PM

Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California

*PLANNING COMMISSION MEETINGS ARE HELD IN-PERSON
PUBLIC PARTICIPATION IS ALSO AVAILABLE VIA ZOOM*

ZOOM MEETING INFORMATION:

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(Next Resolution No. PC 23-04)

ROLL CALL

Vice Chair Elder called the meeting to order at 6:33 PM with the following Planning Commissioners present:

PRESENT: Dardon, Elder, West, Tewari

ABSENT: Enault

(Commissioner Tewari arrived at the dais at 6:35 PM after roll call)

Pledge of Allegiance led by Commissioner Dardon

Invocation led by Principal Planner Kearns

CONFLICT OF INTEREST NOTIFICATION *NONE*

(Any items on this agenda that might be a conflict of interest to any Commissioners should be identified at this time.)

REPORTS: (Informational items only.)

1 City Manager/Staff

Development Services Director Bermudez addressed some of the comments made at the last Planning Commission meeting from a commissioner regarding concerns from a resident about the environment around the Cannabis Dispensary.

Principal Planner Kearns gave a brief update on the STIIZY Cannabis Dispensary on Railroad Ave.

PUBLIC COMMENTS

(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)

Michael Zeiss commented on the conditions of approval for the HWY 12 logistics center and recommended mitigating the destruction of the ecological area next to the project.

George Guynn commented on the homeless encampment by the water tank and the code enforcement within the city.

Steve Olry commented on the direction of Suisun City.

CONSENT CALENDAR

Consent calendar items requiring little or no discussion may be acted upon with one motion.

- 2 Planning Commission Approval of the Minutes of the Regular Meeting of the Suisun City Planning Commission held on April 25, 2023 - (Vasquez: bvasquez@suisun.com).

Commissioner West motioned for approval of minutes and seconded by Commissioner Dardon. Motion passed by the following vote:

AYES: West, Dardon, Elder

ABSTAIN: Tewari

ABSENT: Enault

PUBLIC HEARING

- 3 Planning Commission Adoption of Resolution No. PC 23-04: Adoption of the 2022 California Building Standards Code and California Fire Code (Suisun City Municipal Code Title 15 Building and Construction) - (Bermudez: jbermudez@suisun.com).

Presentation by Principal Planner Kearns. Fire Chief Lopez and Fire Marshall Colin responded to Commissioner's questions.

Public Hearing was opened.

Steve Olry commented on code enforcement and illegal fireworks enforcement.

George Guynn commented on illegal fireworks enforcement.

Public Hearing was closed after receiving no further public comments.

Fire Chief Lopez and Fire Marshall Colin responded to clarifying questions from Public Comments and Commissioners.

Development Services Director Bermudez and Principal Planner Kearns responded to Commissioner questions, B.1 Climatic; 15.04.075 Construction site hours; 15.04.090 Violations and Penalties and Wildland and Residence.

Commissioner West motioned for approval of Resolution and seconded by Commissioner Tewari.

Motion passed by the following vote:

AYES: West, Tewari, Dardon, Elder

ABSTAIN: NONE

ABSENT: Enault

GENERAL BUSINESS NONE

REPORTS: (Informational items only.)

4 a. Commission Member

Commissioner Dardon reported on the groundbreaking of the Meridian West.

Commissioner West reported on the upcoming State of the City.

b. Commission Chairperson

Vice Chair Elder thanked staff and the public and reported on the Mother's Day Artisan Fair.

ADJOURNMENT

There being no further business the meeting was adjourned at 7:46 pm.

Bianca Vasquez
Administrative Assistant II

PLANNING COMMISSION
Albert Enault, Chair
Kristina Elder, Vice Chair
Herbert Dardon, Member
Vinay Tewari, Member
Terrence West, Member



PLANNING COMMISSION MEETING

MINUTES
SPECIAL MEETING OF THE SUISUN CITY
PLANNING COMMISSION
THURSDAY, JUNE 29, 2023
6:00 PM

Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California

*PLANNING COMMISSION MEETINGS ARE HELD IN-PERSON
PUBLIC PARTICIPATION IS ALSO AVAILABLE VIA ZOOM*

ZOOM MEETING INFORMATION:

WEBSITE: <https://zoom.us/join>

MEETING ID: 874 1745 5335

CALL IN PHONE NUMBER: (707) 438-1720

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(Next Resolution No. PC 23-05)

ROLL CALL

Chairperson Enault called the meeting to order at 6:16 PM with the following Planning Commissioners present:

PRESENT: Enault, Elder, Dardon, West, Tewari

ABSENT: NONE

(Commissioner Tewari arrived at the dais at 6:18 PM after roll call)

Pledge of Allegiance led by Commissioner West

Invocation led by Principal Planner Kearns

CONFLICT OF INTEREST NOTIFICATION

(Any items on this agenda that might be a conflict of interest to any Commissioners should be identified at this time.)

Vice Chair Elder recused herself from Item 2 due to a conflict with her employer owning property near the parcel.

REPORTS: (Informational items only.)

1 City Manager/Staff

Development Services Director Bermudez reported there will be no change of dates for Council and Planning Commission meetings; Planning Commission will be held 2nd and 4th Tuesday every month with the occasional Special meetings. In addition, there will be a local training held in Solano County for Planning Commissioners on August 25th, more information to follow.

PUBLIC COMMENTS

(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)

Steve Olry commented on the profit and loss of projects.

George Guynn commented on upcoming projects, revenue, and sales tax within the city.

CONSENT CALENDAR NONE

Consent calendar items requiring little or no discussion may be acted upon with one motion.

PUBLIC HEARING

- 2 Planning Commission Adoption of Resolution No. PC23-05: A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Approval of Site Plan/Architectural Review Permit (SP/AR 22-23-001) and Planned Unit Development Permit (PUD 22-23-001) for a 6,800 Square Foot Building on a Vacant 7,150 Square Foot Parcel Located South of Lotz Way Between Main Street and Harbor Center (APN 0173-390-390) - (Kearns: jkearns@suisun.com).

Vice Chair Elder left the dais at 6:29 PM to recuse herself for item 2.

Principal Planner Kearns noted a correction to the APN listed on the agenda, staff report, and resolution and followed with a presentation on the project.

Commissioners asked clarifying questions and Principal Planner Kearns and Development Services Director Bermudez answered.

Public Hearing was opened.

Architect Edmond commented on the concept of the design and Owner Dr. Nare commented on the vision and plan of the project.

George Guynn commented on sales tax, parking, and the approval of the project.

Steve Olry commented on disagreement with the project, revenue, and potential of the city.

Public Hearing was closed after receiving no further public comments.

Commissioner Dardon recommended a mural be placed on the building, Pg. 17 on the northwest view.

Chairperson Enault asked for Commissioner's thoughts on a mural and there was a consensus to not add a mural to the building.

Development Services Director Bermudez and Principal Planner Kearns responded to Commissioner's questions and comments.

Architect Edmond clarified on Commissioner's questions regarding the conditions of trees and trash enclosure security.

Commissioner Tewari motioned for approval of the Resolution and to add the following conditions of approval: Roof-mounted equipment shall be screened from public view and replace trees one for one to plant next to the site adjacent to the property (south of the building). Commissioner West seconded. Motion passed by the following vote:

AYES: Tewari, West, Dardon, Enault

ABSTAIN: NONE

ABSENT: Elder (due to recusal)

GENERAL BUSINESS *NONE*

REPORTS: (Informational items only.)

- 3 a. Commission Member - *NONE*
- b. Commission Chairperson – Chairperson Enault thanked Commissioners for their comments and questions.

ADJOURNMENT

There being no further business the meeting was adjourned at 8:03 PM.

Bianca Vasquez
Administrative Assistant II



DATE:	August 22, 2023	Files:
TO:	PLANNING COMMISSION	
FROM:	Jim Bermudez, Development Services Director	
RE:	Zoning Text Amendment Amending Title 18 (Zoning) of the Municipal Code of the City of Suisun City Modifying the Fence and Wall Regulations (Suisun City Municipal Code Chapter 18.34 – Fences and Walls)	

SUMMARY

The City is considering amending and clarifying the chain-link fence standards for residential and commercial properties. The City's current regulations prohibit the use of chain-link fences. Staff is seeking to modify the existing chain-link fence standards and provide an option for private property owners to use chain-link fence material to secure their properties.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Conduct a Public Hearing, and
2. Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3); and
3. Adopt Resolution PC 23-___: Recommending Approval of the proposed Zoning Text Amendment Amending Title 18 (Zoning) of the Municipal Code of the City of Suisun City Modifying the Fence and Wall Regulations (Suisun City Municipal Code Chapter 18.34 – Fences and Walls)

BACKGROUND/DISCUSSION

The City continues to address vacant property challenges such as the deposit of junk on the property, litter populating on the property, homeless issues, and overall owner awareness of property owner responsibility to maintain and adequately secure their property. When considering options to address this situation, staff determined that one area that could mitigate some of these issues is the installation of chain-link fencing around the perimeter of properties. After carefully examining the City's fence regulations, staff determined the current code language regarding the use of chain-link fencing needs reexamination to distinguish when chain-link fencing would be a suitable use on private property.

The City's current regulations state that chain-link fencing is prohibited in any zoning district per a footnote in Table 18.34.01 – Height Limits by Zoning District. Additionally, the fence and wall regulations state that chain-link may not be installed in the front yard of residential uses in residential zoning districts. Should the City consider chain-link fencing an appropriate use on private property, staff would need to consider some modifications to the existing regulations. Specifically, creating new chain-link fencing regulations for commercial property and ensuring

the Zoning Ordinance is consistent when considering the use of chain-link fencing throughout all zoning districts.

ANALYSIS

The City's current regulations state that chain-link fencing is prohibited in any zoning district. Chain-link fencing is usually made of metal consisting of loops of wire interconnected in a series of joined links. When considering a zoning approach to establish a pathway allowing chain-link fencing in the City, staff determined that regulations should fit the following three classifications: Residential, Commercial/Industrial, and Waterfront District Specific Plan.

Residential

The current fence regulations clearly state that chain-link fencing is prohibited within residential zoning districts. Complicating the provision are additional regulations prohibiting front yard installation but no further discussion regarding rear yard and side yard installation. The code will be revised to ensure chain-link fencing on developed and vacant residential properties will be prohibited in front, side, and rear yards.

Commercial/Industrial

Current fence regulations prohibit the permanent installation of chain-link fencing on commercial and industrial-zoned property, with exceptions granted to secure construction projects and to screen contractors' yards or similar uses. The proposed amendments would permit chain-link fencing on vacant commercial and industrial-zoned property to be placed on the perimeter boundary of the property at a maximum height of six feet. Chain-link fencing will continue to be permitted for construction projects and contractor yards.

Waterfront District Specific Plan

The Waterfront District Specific Plan prohibits chain-link fencing in all districts. With a mixture of residential and commercial uses in the plan area and given the dense urban environment, chain-link fencing could create a displeasing aesthetic for businesses and visitors to the downtown. After carefully considering the need to secure vacant property for safety and security purposes, staff determined that focused regulations are necessary within the downtown area. The proposed amendments will allow chain-link fencing for vacant commercial/mixed-use properties in the specific plan area and cannot exceed six feet in height and must be placed on the property's perimeter. All chain-link fencing within the district shall include a green color mesh screen to be maintained appropriately. Like residential uses outside of the plan area, chain-link fencing shall be prohibited on residential property.

Zoning Ordinance Amendments

The Suisun City Municipal Code Chapter 18.34 – Fences and Walls is amended in the following strike through, or bold double underscore amended (new) text in the following table and sections below.

Table 18.34.01 Height Limits by Zoning District			
Zone	Location	Height	Materials ¹
RL, RM ²	Front yard	3 ft. max. if solid 4 ft. max if 50% or more open	Metal, wood, hedge, stucco. Stone and brick permitted for posts.

	Side yard	6 ft. max if 5 ft. setback provided 3 ft. max. if within 5 ft. setback 6 ft. max. on interior side yard	Metal, wood, hedge, stucco. Stone and brick permitted for posts.
	Rear yard	6 ft. max.	Wood
RH1, RH2 ² , RMU	Perimeter	6 ft. max.	Metal, wood
	Service areas	6 ft. max.	Metal, masonry, concrete block, brick
RMU, CMU	Residential use defined by RL, Commercial uses defined by CR		—
CR, CSF, CMU , O			
	Front yard	Not permitted ⁴	
	Side yard	Not permitted ⁴	
	Rear yard	Not Permitted ⁴	
	Service areas	8 ft. max storage areas ⁴	Metal, masonry, concrete block, brick
APS	Residential uses defined by RL, Commercial uses defined by CR		
OS, P	To demarcate use areas 3 ft. max.		
	Service areas	6 ft. max.	Metal, masonry, concrete block, brick
PQP	To demarcate use areas	3 ft. max	Hedge, wood, brick, stone, stucco
	Service areas	6 ft. max.	Metal, masonry, concrete block, brick
1 Chain link fence is not permitted in any residential district. 2 Fencing for front and corner side yards in single-family residential districts, and perimeter fencing in multi-family districts (other than soundwalls) must be permeable to allow visibility into the yard from exterior vantage points to promote security. Permeable fencing must be a minimum of 50 percent open. Refer also to standards for specific conditions in Section 18.34.050 and soundwall standards in Section 18.34.060. 3 Refer also to Section 18.34.020 for fences and walls around storage areas and Section 18.34.030 for requirements for outdoor sales, storage, or rental lots. 4. <u>Refer to Chapter 18.34.050 (E) for chain link fence standards.</u>			

18.34.050 – Other fence and wall standards.

D. Chain-link fences are not permitted in front, side, and rear yard residential districts.

E. Chain-link fences are permitted on vacant commercial district properties. The following development criteria shall be met:

- 1. Fences shall be placed on the perimeter of the property.**
- 2. Fences shall not exceed six (6) feet in height.**
- 3. If property is subdivided and a remainder portion of the property remains vacant, a chain-link fence is permitted.**

F. Chain-link fences are permitted on vacant commercial/mixed use Waterfront District Specific Plan properties. The following development criteria shall be met:

- 1. Fences shall be placed on the perimeter of the property.**
- 2. Fences shall not exceed six (6) feet in height.**
- 3. A green color mesh shall be attached to the fence and placed around the entire perimeter of the property.**

18.34.070 - Prohibited materials.

It is unlawful to erect any electrically charged fence or any fence composed of barbed wire, razor wire or other material which is designed to cause injury upon contact on or adjacent to any residential use regardless of the underlying zoning. ~~Chain link fences may not be constructed after passage of the ordinance from which this title is derived in the front or reducible front yard of residential uses and residential zoning districts.~~

CONCLUSION

The objective of permitting chain-link fencing in key areas of the City is to provide an opportunity for private property owners to secure and maintain vacant properties. While the proposed regulations are a step towards voluntarily permitting chain-link fences, the proposed regulations do not require all vacant properties to be secure by installing chain-link fencing. It is not to say this is not an area to consider, but when evaluating the cost to fence a site and staff time to enforce such a requirement, staff determined additional time is needed to assess whether revised code regulations now permitting chain-link fences would spur property owners to voluntarily bare the expense and secure vacant property.

ENVIRONMENTAL ANALYSIS

This ordinance amendment is categorically exempt from environmental review under Section 15061 (b)(3) of the State CEQA Guidelines. The proposed text amendments are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

ATTACHMENTS

1. Resolution PC 23-___: Recommending approval OF the proposed Zoning Text Amendment Amending Title 18 (Zoning) of the Municipal Code of the City of Suisun City Modifying the Fence and Wall Regulations (Suisun City Municipal Code Chapter 18.34 – Fences and Walls)
2. Draft Ordinance

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WHEREAS, Section 1.01.050 of the Suisun City Municipal Code provides for amendments to the Suisun City Municipal Code by the City Council; and

WHEREAS, this proposed Zoning Ordinance amendment was considered by the Planning Commission of the City of Suisun City at its regular meeting of August 22, 2023; and

WHEREAS, a public notice describing the proposed amendments to the Suisun City Zoning Ordinance relative to Title 18 was published in the Daily Republic, a newspaper of general circulation, in accordance with 6061 of the California Government Code.

SECTION 1. The Planning Commission hereby finds that the proposed amendments to the Zoning Code established by this ordinance herein described are compatible with the goals, objectives and policies of the General Plan of the City of Suisun City.

1 **SECTION 2.** The proposed amendments will not be detrimental to the public interest,
2 health, safety, convenience, or welfare of the City.

3 **SECTION 3.** This ordinance amendment is categorically exempt from environmental
4 review under Section 15061 (b)(3) of the State CEQA Guidelines. The proposed text
5 amendments are covered by the general rule that CEQA applies only to projects which have the
6 potential for causing a significant effect on the environment. Where it can be seen with certainty
7 that there is no possibility that the activity in question may have a significant effect on the
8 environment, the activity is not subject to CEQA.

9 **SECTION 4.** The Planning Commission hereby recommends that approval of the
10 proposed changes to the text of the Suisun City Municipal Code amending Chapter 18.34
11 Fences and Walls which are shown by strike-through, or bold double underscore amended
12 (new) text (Attachment 2 to the staff report).

13
14
15 **PASSED, APPROVED, AND ADOPTED** at a regular meeting of the Planning Commission
16 City Council of the City of Suisun City, California, on this ____ day of _____ 2023.

17 **AYES:** Commissioners:
18 **NOES:** Commissioners:
19 **ABSENT:** Commissioners:
20 **ABSTAIN:** Commissioners:

21
22 **WITNESS** my hand and the seal of said City this ____ day of _____ 2023.

23 _____
24 Anita Skinner
25 City Clerk
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ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, AMENDING TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF SUISUN CITY MODIFYING THE FENCE AND WALL REGULATIONS CHAPTER 18.34 – FENCES AND WALLS AND FINDING OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, Section 1.01.050 of the Suisun City Municipal Code provides for amendments to the Suisun City Municipal Code by the City Council; and

WHEREAS, Title 18, Chapter 18.82 – Amendments of the Suisun City Municipal Code provides for the amendment of the Title by changing the text whenever the public necessity, convenience, or general welfare requires such amendment; and

WHEREAS, this proposed Zoning Ordinance amendment was considered by the Planning Commission of the City of Suisun City at its regular meeting of August 22, 2023; and

WHEREAS, a public notice describing the proposed amendments to the Suisun City Zoning Ordinance relative to Title 18 was published in the Daily Republic, a newspaper of general circulation, in accordance with 6061 or the California Government Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby recommends that approval of the proposed changes to the text of the Suisun City Municipal Code amending Chapter 18.34 Fences and Walls which are shown by strike-through, or bold double underscore amended (new) text and hereby to read as follows:

Table 18.34.01 Height Limits by Zoning District			
Zone	Location	Height	Materials ¹

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RL, RM ²	Front yard	3 ft. max. if solid 4 ft. max if 50% or more open	Metal, wood, hedge, stucco. Stone and brick permitted for posts.
	Side yard	6 ft. max if 5 ft. setback provided 3 ft. max. if within 5 ft. setback 6 ft. max. on interior side yard	Metal, wood, hedge, stucco. Stone and brick permitted for posts.
	Rear yard	6 ft. max.	Wood
RH1, RH2 ² , <u>RMU</u>	Perimeter	6 ft. max.	Metal, wood
	Service areas	6 ft. max.	Metal, masonry, concrete block, brick
<u>RMU</u> , <u>CMU</u>	Residential use defined by RL, Commercial uses defined by CR		—
CR, CSF, <u>CMU</u> , O			
	Front yard	Not permitted ⁴	
	Side yard	Not permitted ⁴	
	Rear yard	Not Permitted ⁴	
	Service areas	8 ft. max storage areas ⁴	Metal, masonry, concrete block, brick
APS	Residential uses defined by RL, Commercial uses defined by CR		
OS, P	To demarcate use areas 3 ft. max.		
	Service areas	6 ft. max.	Metal, masonry, concrete block, brick
PQP	To demarcate use areas	3 ft. max	Hedge, wood, brick, stone, stucco

	Service areas	6 ft. max.	Metal, masonry, concrete block, brick
1 Chain link fence is not permitted in any <u>residential</u> district. 2 Fencing for front and corner side yards in single-family residential districts, and perimeter fencing in multi-family districts (other than soundwalls) must be permeable to allow visibility into the yard from exterior vantage points to promote security. Permeable fencing must be a minimum of 50 percent open. Refer also to standards for specific conditions in Section 18.34.050 and soundwall standards in Section 18.34.060. 3 Refer also to Section 18.34.020 for fences and walls around storage areas and Section 18.34.030 for requirements for outdoor sales, storage, or rental lots. <u>4. Refer to Chapter 18.34.050 (E) chain-link fence standards</u>			

18.34.050 – Other fence and wall standards.

D. Chain-link fences are not permitted in front, side, and rear yard residential districts.

E. Chain-link fences are permitted on vacant commercial district properties. The following development criteria shall be met:

1. **Fences shall be placed on the perimeter of the property.**
2. **Fences shall not exceed six (6) feet in height.**
3. **If property is subdivided and a remainder portion of the property remains vacant, a chain-link fence is permitted.**

F. Chain-link fences are permitted on vacant commercial/mixed use Waterfront District Specific Plan properties. The following development criteria shall be met:

1. **Fences shall be placed on the perimeter of the property.**
2. **Fences shall not exceed six (6) feet in height.**
3. **A green color mesh shall be attached to the fence and placed around the entire perimeter of the property.**

18.34.070 - Prohibited materials.

It is unlawful to erect any electrically charged fence or any fence composed of barbed wire, razor wire or other material which is designed to cause injury upon contact on or adjacent to any residential use regardless of the underlying zoning. ~~Chain-link fences may not be constructed after passage of the ordinance from which this title is derived in the front or reducible front yard of residential uses and residential zoning districts.~~

SECTION 2. This ordinance amendment is categorically exempt from environmental review under Section 15061 (b)(3) of the State CEQA Guidelines. The proposed text amendments are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 3. This Ordinance shall be in full force and effect thirty (30) days after its adoption following second reading.

SECTION 4. The City Clerk is hereby authorized and directed to certify as the passage of this Ordinance and to give notice thereof by causing copies of this Ordinance to be posted in three public places throughout the City, or published in a county newspaper that is circulated in the City, within 15 days after its passage, there being no newspaper of general circulation printed and published within the City.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council
of the City of Suisun City, California, on this _____ day of _____ 2023.

Alma Hernandez,
Mayor

ATTEST:

Anita Skinner,
City Clerk

1 **CERTIFICATION**

2
3 I, Anita Skinner, City Clerk of the City of Suisun City and ex-officio Clerk of the City
4 Council of said City, do hereby certify that the above and foregoing ordinance was introduced
5 at a regular meeting of the said City Council held on Tuesday, _____, 2022, and regularly
6 passed and adopted at a regular meeting of said City Council held on Tuesday, _____,
7 2022, by the following vote:

8 **AYES:** Councilmembers:

9 **NOES:** Councilmembers:

10 **ABSENT:** Councilmembers:

11 **ABSTAIN:** Councilmembers:

12 **WITNESS** my hand and the seal of said City this ____ day of _____ 2023.

13 _____
14 Anita Skinner,
15 City Clerk