

ORDINANCE NO. 02-

AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA,
AMENDING SECTION 17.46.130C OF THE ZONING ORDINANCE TO
CHANGE THE REQUIREMENT FOR A BUILDING PERMIT FOR WALLS
AND FENCES FROM 36 INCHES OR MORE IN HEIGHT TO 42 INCHES OR
MORE IN HEIGHT.

The City Council of the City of Hermosa Beach does hereby ordain as follows:

Section 1. The City Council held a duly noticed public hearing on January 22, 2002, to consider amendments to the Zoning Ordinance regarding the height of fences requiring a building permit, at which testimony and evidence, both written and oral, was presented to and considered by the Council.

Section 2. The Planning Commission held a duly noticed public hearing September 18, 2001, and recommended amending Section 17.46.130c of the Zone Code changing the requirement for a building permit for walls and fences from 36 inches or more in height to 42 inches or more in height.

Section 3. Based on the evidence considered at the public hearing, the City Council makes the following findings:

1. The Zoning Ordinance allows walls/fences a maximum of 42 inches in height in the front setback of residentially zoned property.
2. Requiring a building permit for walls/fences 42 inches in height is consistent with other requirements for fences in front yards of residentially zoned property.
3. The subject text amendment is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to the general rule set forth in Section 15061(3) of the CEQA Guidelines, as there is no possibility that this modification may have a significant effect on the environment

Section 4. Based on the foregoing, the City Council hereby ordains that the Hermosa Beach Municipal Code, Title 17-Zoning, be amended as follows:

1. Amend Chapter 17.46, Section 17.46.130C. pertaining to building permit requirement, as follows:
“No fence or wall ~~three~~ feet 42 inches or greater in height shall be constructed without first obtaining a building permit.

Section 5. This ordinance shall become effective and be in full force and effect from and after thirty (30) days of its final passage and adoption.

1 **Section 6.** Prior to the expiration of fifteen (15) days after the date of its adoption, the
2 City Clerk shall cause this Ordinance to be published in the Easy Reader, a weekly newspaper
3 of general circulation published and circulated, in the City of Hermosa Beach in the manner
4 provided by law.

5 **Section 7.** The City Clerk shall certify to the passage and adoption of this ordinance,
6 shall enter the same in the book of original ordinances of said City, and shall make minutes of
7 the passage and adoption thereof in the records of the proceedings of the City Council at
8 which the same is passed and adopted.

9 **PASSED, APPROVED and ADOPTED** this day of , 2002 by the
10 following vote:

11 AYES:
12 NOES:
13 ABSENT:
14 ABSTAIN:

15 **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

16
17 **ATTEST:**

APPROVED AS TO FORM:

18
19
20 _____
21 _____
22 City Clerk

City Attorney

23 tar01-5cc
24
25
26
27
28
29