



AGENDA

PLANNING COMMISSION

155 W. DURIAN, COALINGA, CA 93210

TUESDAY OCTOBER 9, 2018

The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.

CALL MEETING TO ORDER (6:00 PM)

Pledge of Allegiance

CHANGES TO THE AGENDA

ROLL CALL

Commissioners:

<i>Chairman Sailer</i>
<i>Vice Chairman Gonzalez</i>
<i>Commissioner Jacobs</i>
<i>Commissioner Helmar</i>
<i>Commissioner Garza</i>

Staff:

<i>Sean Brewer, Community Development Director</i>
<i>Marissa Trejo, City Manager</i>

PUBLIC COMMENTS

Under Government Code 54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item. State law prohibits the Planning Commission from acting on non-agenda items.

INFORMATION/CONSENT CALENDAR

PUBLIC HEARINGS

1. Review and Approve Resolution No. 018P-010 Recommending to the City

Council, at Their Next Regularly Scheduled Meeting, Adoption of an Ordinance (City Initiated Zoning Text Amendment) Amending the Planning and Zoning Code to Permit the Use of Barbed Wire and Razor Wire in Various Commercial and Industrial Zoning Districts.

DISCUSSION AND/OR POTENTIAL ACTION ITEMS

DEPARTMENT REPORTS

COMMUNICATIONS

1. Staff Announcements
2. Commissioner Announcements
3. Chairman Announcements

ADJOURN



Staff Report- Chairman and Planning Commission

Subject: Review and Approve Resolution No. 018P-010 Recommending to the City Council, at Their Next Regularly Scheduled Meeting, Adoption of an Ordinance (City Initiated Zoning Text Amendment) Amending the Planning and Zoning Code to Permit the Use of Barbed Wire and Razor Wire in Various Commercial and Industrial Zoning Districts.

Meeting Date October 9, 2018

Project Location: Commercial (Except Mixed-Use) and Industrial Zoning Designations

Applicant: City of Coalinga

Owner:

Prepared By: Sean Brewer, Community Development Director

I. RECOMMENDATION:

Planning Commission review and approval of Resolution No. 018P-010 recommending to the City Council, at their next regularly scheduled meeting, to adopt an ordinance (zoning text amendment), removing the prohibition on the use of barbed wire and razor wire in various commercial and industrial zoning districts and continuing a prohibition on its use in and adjacent to all residential zoning districts.

II. BACKGROUND:

Council received public comment at their last meeting on September 20, 2018 requesting the City Council allow businesses the ability to use barbed wire and razor wire as an enhanced security measure to protect their properties. At the conclusion of the meeting, after hearing public testimony and discussion, on September 20, 2018, the City Council directed staff to proceed with initiating a zoning text amendment that would remove the prohibition on the use of barbed wire and razor wire in the commercial and industrial zoning designations.

Under Planning and Zoning Law in order for language within the Development code to be amended, it requires a zoning text amendment in the form of an ordinance. This zoning text amendment is a City initiated application where staff has taken direction from the City Council as to the recommended changes and now bringing a draft ordinance to the Planning Commission where a recommendation may be made to the City Council for approval.

III. PROPOSAL AND ANALYSIS:

The Coalinga Planning and Zoning Code went through a comprehensive update in 2013 where several development regulations were updated to standards commonly used in the majority of local jurisdictions. There are two sections in the development code where barbed wire and razor wire are mentioned and in both

instances, they are strictly prohibited from being installed. Below are the two sections from the development code:

Section 9-4.203(b)(3).....Fences and Free Standing Walls.....(3) Materials not permitted. Barbed wire, aluminum, fiberglass, metal siding and plywood shall not be used as fencing materials. The Community Development Director may grant the use of such material based on the need for the type of fence, design compatibility of the fence, and approval of the adjoining property owner if on an interior property line. Nonconforming status shall not be provided for fences constructed of these materials.

Section 9-4.208(2)(b).....Screening of Outdoor Storage.....(b.) Screening walls and fences shall be architecturally compatible with the main structure on the site and shall not have barbed wire or razor wire visible from any street or public access.

The two sections above identify a prohibition on the use of barbed wire and razor wire unless approved by the Community Development Director for instances where the barbed wire would be installed on an interior property line and not visible from any public street or public access.

The draft ordinance prepared for the Commission includes the recommended changes directed by the City Council in order to address the strict application of the code related to the use of barbed wire and razor wire. There are three (3) sections to the draft ordinance where it removes the prohibition on the use of barbed wire and razor wire however, further upholds the prohibition on the use in areas zoned and/or adjacent to mixed-use and residential.

When a zoning text amendment is brought before the Planning Commission and City Council the following standard findings must be made for each Zoning Ordinance amendment. Specific findings may also be required by the decision-making body on a case-by-case basis.

(1) The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

During discussions at the City Council meeting on September 20, 2018, there were comments related to preserving and protecting the local businesses by use of physical deterrents such as razor wire and barbed wire. It is unclear as to whether permitting the use of razor wire and barbed wire would be to the detriment of the public interest, health safety, and welfare. Typically, barbed wire and razor wire is prohibited in conjunction with fencing and outdoor storage due to their unsightly and institutional appearance. This does not necessarily equate to being a detriment to the public interest, health, safety, convenience, or welfare of the City.

(2) The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.

The proposed zoning ordinance includes permitting the use of barbed wire and razor wire in various commercial and industrial zones and upholding the prohibition on its use with and/or adjacent to residential zoning districts including mixed-use commercial zones. This action would not be recognized as being inconsistent with the goals, policies, and actions of the General Plan. It would be used as a mechanism to possibly further enhance the security of local businesses.

(3) If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.

The way the ordinance is drafted ensures that residential and mixed-use developments are not impacted by this action as it applies to all other commercial zones including industrial zoning designations. This will allow for compatibility with adjoining uses.

(4) The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

Staff has determined that this action would be exempt from the California Environmental Quality act pursuant to Section 15061(b)(3), Review for Exemptions – General Rule, in that it can be seen that these actions will not have a significant effect on the environment.

IV. FISCAL IMPACT:

None determined at this time.

V. REASONS FOR RECOMMENDATION:

- The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.
- If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
- The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

ATTACHMENTS:

Description

- ☐ Resolution No. 018P-010
- ☐ CC Draft Ordinance - Barbed Wire-Razor Wire

RESOLUTION 018P-010

A RESOLUTION OF THE CITY OF COALINGA PLANNING COMMISSION RECOMMENDING APPROVAL OF A ZONING TEXT AMENDMENT INITIATED BY THE CITY COUNCIL TO AMEND THE PLANNING AND ZONING CODE RELATED TO REMOVING THE PROHIBITION ON BARBED WIRE AND RAZOR WIRE IN COMMERCIAL AND INDUSTRIAL DISTRICTS

WHEREAS, at their September 20, 2018 meeting, the City of Coalinga City Council directed staff to initiate a zoning text amendment to remove the prohibition on the use of barbed wire and razor wire in commercial and industrial zones;

WHEREAS, a Public Hearing has been advertised and conducted pursuant to Public Resources Code Section 21092 and 21092.3, and public comment has been solicited, and;

WHEREAS, a Notice of Public Hearing was provided to the Coalinga Press, posted at City Hall, Police Department bulletin board, Fire Department Bulletin Board, Coalinga District Library, and Chamber of Commerce on September 27, 2018, and;

WHEREAS, the Planning Commission held the noticed Public Hearing on October 9, 2018 to take testimony with regard to the proposed Zoning Text Amendment and;

WHEREAS, the Planning Commission completed its review of the proposed Zoning Text Amendment and details in the Staff Report and has considered the testimony received during the public hearing process, and;

WHEREAS, the Planning Commission has made the following findings based on the Zoning Text Amendment proposal:

- The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.
- If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
- The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission recommends approval to the City Council of the Zoning Text Amendment to remove the

prohibition on the use of barbed wire and razor wire in various commercial and industrial zones and maintain the prohibition on its use within all residential zoning districts.

PASSED AND ADOPTED, by the City of Coalinga Planning Commission at a regular meeting held on the 9th day of October 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

Planning Commission Chairman/Vice Chairman

ATTEST:

City Clerk/Deputy City Clerk

DRAFT ORDINANCE NO. XXX
BARBED WIRE AND RAZOR WIRE STANDARDS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA
AMENDING TITLE 9, CHAPTER 4, OF THE CITY'S DEVELOPMENT CODE TO
REMOVE THE PROHIBITION ON THE USE OF BARBED WIRE AND RAZOR
WIRE WITHIN COMMERICAL AND INDUSTRIAL ZONING DISTRICTS

THE CITY COUNCIL OF THE CITY OF COALINGA DOES ORDAIN AS FOLLOWS:

SECTION 1. AMEND SECTION 9-4.203(b)(1) OF ARTICLE 2 OF CHAPTER 4 OF TITLE 9

Fence materials. Fence materials may include: wood, wrought iron, wire mesh, steel mesh, chain link, stake and other similar materials. The use of barbed wire and razor wire is permitted within all commercial (except mixed-use) and industrial zones. Approval of the adjoining property owner shall be required if constructed on an interior property line.

SECTION 2. AMEND SECTION 9-4.203(b)(3) OF ARTICLE 2 OF CHAPTER 4 OF TITLE 9

Materials not permitted. Barbed wire and razor wire within and/or adjacent to any residential or mixed-use zoning districts, aluminum, fiberglass, metal siding and plywood shall not be used as fencing materials. The Community Development Director may grant the use of such material based on the need for the type of fence, design compatibility of the fence, and approval of the adjoining property owner if on an interior property line. Nonconforming status shall not be provided for fences constructed of these materials.

SECTION 3. AMEND SECTION 9-4.208(b)(2)(b) OF ARTICLE 2 OF CHAPTER 4 OF TITLE 9

Screening walls and fences shall be architecturally compatible with the main structure on the site and shall not have barbed wire or razor wire ~~visible from any street or public access~~ unless located in a commercial (except mixed-use) or industrial zoning district. Barbed wire and razor wire shall not be visible from an adjacent residential or mixed-use zoning district.

SECTION 4. EFFECTIVE DATE; EXPIRATION OF URGENCY ORDINANCE 791.

This Ordinance shall take effect 30 days after its adoption.

SECTION 4. PUBLICATION.

The City Clerk is directed to cause this ordinance or a summary of this ordinance to be published as required by state and local law.

The foregoing Ordinance was introduced by the City Council of the City of Coalinga, California, at a regular scheduled meeting held on October 18, 2018, and was passed and adopted by the City Council at a regular meeting held on November 1, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor
City of Coalinga

ATTEST:

City Clerk/Deputy City Clerk
City of Coalinga